



CALL NO. 333

CONTRACT ID. 252257

BOURBON COUNTY

FED/STATE PROJECT NUMBER FD04 009 0460 019-020

DESCRIPTION MT. STERLING ROAD (US 460)

WORK TYPE WIDENING

PRIMARY COMPLETION DATE 11/30/2025

LETTING DATE: July 24,2025

Sealed Bids will be received electronically through the Bid Express bidding service until 10:00 AM EASTERN DAYLIGHT TIME July 24,2025. Bids will be publicly announced at 10:00 AM EASTERN DAYLIGHT TIME.

NO PLANS ASSOCIATED WITH THIS PROJECT.

REQUIRED BID PROPOSAL GUARANTY: Not less than 5% of the total bid.

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PART I

SCOPE OF WORK

ADMINISTRATIVE DISTRICT - 07

CONTRACT ID - 252257
FD04 009 0460 019-020
COUNTY - BOURBON
PCN - MP00904602501
FD04 009 0460 019-020

MT. STERLING ROAD (US 460) (MP 19.100) BEGINNING 15 FEET EAST OF CHURCH STREET EXTENDING EAST
TO 898 FEET WEST OF STATIC ROAD (MP 19.200), A DISTANCE OF 0.10 MILES. SYP NO. 07-5008.
GEOGRAPHIC COORDINATES LATITUDE 38:08:33.00 LONGITUDE 84:06:27.00
ADT 1,328

COMPLETION DATE(S):
COMPLETED BY 11/30/2025 APPLIES TO ENTIRE CONTRACT

CONTRACT NOTES

INSURANCE

Refer to Kentucky Standard Specifications for Road and Bridge Construction, current edition.

PROPOSAL ADDENDA

All addenda to this proposal must be applied when calculating bid and certified in the bid packet submitted to the Kentucky Department of Highways. Failure to use the correct and most recent addenda may result in the bid being rejected.

BID SUBMITTAL

Bidder must use the Department's electronic bidding software. The Bidder must download the bid file located on the Bid Express website (www.bidx.com) to prepare a bid packet for submission to the Department. The bidder must submit electronically using Bid Express.

JOINT VENTURE BIDDING

Joint venture bidding is permissible. All companies in the joint venture must be prequalified in one of the work types in the Qualifications for Bidders for the project. The bidders must get a vendor ID for the joint venture from the Division of Construction Procurement and register the joint venture as a bidder on the project. Also, the joint venture must obtain a digital ID from Bid Express to submit a bid. A joint bid bond of 5% may be submitted for both companies or each company may submit a separate bond of 5%.

UNDERGROUND FACILITY DAMAGE PROTECTION

The contractor shall make every effort to protect underground facilities from damage as prescribed in the Underground Facility Damage Protection Act of 1994, Kentucky Revised Statute KRS 367.4901 to 367.4917. It is the contractor's responsibility to determine and take steps necessary to be in compliance with federal and state damage prevention directives. When prescribed in said directives, the contractor shall submit Excavation Locate Requests to the Kentucky Contact Center (KY811) via web ticket entry. The submission of this request does not relieve the contractor from the responsibility of contacting non-member facility owners, whom shall be contacted through their individual Protection Notification Center. Non-compliance with these directives can result in the enforcement of penalties.

REGISTRATION WITH THE SECRETARY OF STATE BY A FOREIGN ENTITY

Pursuant to KRS 176.085(1)(b), an agency, department, office, or political subdivision of the Commonwealth of Kentucky shall not award a state contract to a person that is a foreign entity required by [KRS 14A.9-010](#) to obtain a certificate of authority to transact business in the Commonwealth ("certificate") from the Secretary of State under [KRS 14A.9-030](#) unless the person produces the certificate within fourteen (14) days of the bid or proposal opening. If the

foreign entity is not required to obtain a certificate as provided in [KRS 14A.9-010](#), the foreign entity should identify the applicable exception. Foreign entity is defined within [KRS 14A.1-070](#).

For all foreign entities required to obtain a certificate of authority to transact business in the Commonwealth, if a copy of the certificate is not received by the contracting agency within the time frame identified above, the foreign entity's solicitation response shall be deemed non-responsive or the awarded contract shall be cancelled.

Businesses can register with the Secretary of State at <https://secure.kentucky.gov/sos/ftbr/welcome.aspx>.

SPECIAL NOTE FOR PROJECT QUESTIONS DURING ADVERTISEMENT

Questions about projects during the advertisement should be submitted in writing to the Division of Construction Procurement. This may be done by email to kytc.projectquestions@ky.gov. The Department will attempt to answer all submitted questions. The Department reserves the right not to answer if the question is not pertinent or does not aid in clarifying the project intent.

The deadline for posting answers will be 3:00 pm Eastern Daylight Time, the day preceding the Letting. Questions may be submitted until this deadline with the understanding that the later a question is submitted, the less likely an answer will be able to be provided.

The questions and answers will be posted for each Letting under the heading "Questions & Answers" on the Construction Procurement website (www.transportation.ky.gov/construction-procurement). The answers provided shall be considered part of this Special Note and, in case of a discrepancy, will govern over all other bidding documents.

HARDWOOD REMOVAL RESTRICTIONS

The US Department of Agriculture has imposed a quarantine in Kentucky and several surrounding states, to prevent the spread of an invasive insect, the emerald ash borer. Hardwood cut in conjunction with the project may not be removed from the state. Chipping or burning on site is the preferred method of disposal.

INSTRUCTIONS FOR EXCESS MATERIAL SITES AND BORROW SITES

Identification of excess material sites and borrow sites shall be the responsibility of the Contractor. The Contractor shall be responsible for compliance with all applicable state and federal laws and may wish to consult with the US Fish and Wildlife Service to seek protection under Section 10 of the Endangered Species Act for these activities.

ACCESS TO RECORDS

The state agency certifies that it is in compliance with the provisions of KRS 45A.150, "Access to contractor's books, documents, papers, records, or other evidence directly pertinent to the contract." The Contractor, as defined in KRS 45A.030, agrees that the contracting agency, the

Finance and Administration Cabinet, the Auditor of Public Accounts, and the Legislative Research Commission, or their duly authorized representatives, shall have access to any books, documents, papers, records, or other evidence, which are directly pertinent to this agreement for the purpose of financial audit or program review. The Contractor also recognizes that any books, documents, papers, records, or other evidence, received during a financial audit or program review shall be subject to the Kentucky Open Records Act, KRS 61.870 to 61.884. Records and other prequalification information confidentially disclosed as part of the bid process shall not be deemed as directly pertinent to the agreement and shall be exempt from disclosure as provided in KRS 61.878(1)(c).

BOYCOTT PROVISIONS

If applicable, the contractor represents that, pursuant to [KRS 45A.607](#), they are not currently engaged in, and will not for the duration of the contract engage in, the boycott of a person or an entity based in or doing business with a jurisdiction with which Kentucky can enjoy open trade. **Note:** The term Boycott does not include actions taken for bona fide business or economic reasons, or actions specifically required by federal or state law.

If applicable, the contractor verifies that, pursuant to KRS 41.480, they do not engage in, and will not for the duration of the contract engage in, in energy company boycotts as defined by KRS 41.472.

LOBBYING PROHIBITIONS

The contractor represents that they, and any subcontractor performing work under the contract, have not violated the agency restrictions contained in [KRS 11A.236](#) during the previous ten (10) years, and pledges to abide by the restrictions set forth in such statute for the duration of the contract awarded.

The contractor further represents that, pursuant to [KRS 45A.328](#), they have not procured an original, subsequent, or similar contract while employing an executive agency lobbyist who was convicted of a crime related to the original, subsequent, or similar contract within five (5) years of the conviction of the lobbyist.

Revised: 1/1/2025

1.0 BUY AMERICA REQUIREMENT.

Follow the “Buy America” provisions as required by 23 U.S.C. § 313 and 23 C.F.R. § 635.410. Except as expressly provided herein all manufacturing processes of steel or iron materials including but not limited to structural steel, guardrail materials, corrugated steel, culvert pipe, structural plate, prestressing strands, and steel reinforcing bars shall occur in the United States of America, including the application of:

- Coating,
- Galvanizing,
- Painting, and
- Other coating that protects or enhances the value of steel or iron products.

The following are exempt, unless processed or refined to include substantial amounts of steel or iron material, and may be used regardless of source in the domestic manufacturing process for steel or iron material:

- Pig iron,
- Processed, pelletized, and reduced iron ore material, or
- Processed alloys.

The Contractor shall submit a certification stating that all manufacturing processes involved with the production of steel or iron materials occurred in the United States.

Produce, mill, fabricate, and manufacture in the United States of America all aluminum components of bridges, tunnels, and large sign support systems, for which either shop fabrication, shop inspection, or certified mill test reports are required as the basis of acceptance by the Department.

Use foreign materials only under the following conditions:

- 1) When the materials are not permanently incorporated into the project; or
- 2) When the delivered cost of such materials used does not exceed 0.1 percent of the total Contract amount or \$2,500.00, whichever is greater.

The Contractor shall submit to the Engineer the origin and value of any foreign material used.

2.0 – BUILD AMERICA, BUY AMERICA (BABA)

Contractor shall comply with the Federal Highway Administration (FHWA) Buy America Requirement in 23 C.F.R. § 635.410 and all relevant provisions of the Build America, Buy America Act (BABA), contained within the Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, §§ 70901-52 enacted November 15, 2021. The BABA requires iron, steel, manufactured products, and construction materials used in infrastructure projects funded by federal financial assistance to be produced in the United States. Comply with 2 C.F.R § 184.

BABA permits FHWA participation in the Contract only if domestic steel and iron will be used on the Project. To be considered domestic, all steel and iron used, and all products manufactured from steel and iron must be produced in the United States and all manufacturing processes, including application of a coating, for these materials must occur in the United States. Coating includes all processes that protect or enhance the value of the material to which the coating is applied. This requirement does not preclude a minimal use of foreign steel and iron materials, provided the cost of such materials does not exceed 0.1% of the total contract amount under the Contract or \$2,500.00 whichever is greater.

BABA permits FHWA participation in the Contract only if all “construction materials” as defined in the Act are made in the United States. The Buy America preference applies to the following construction materials incorporated into infrastructure projects: non-ferrous metals; plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables); glass (including optic glass); Fiber optic cable; optical fiber; lumber; engineered wood; and drywall. Contractor will be

required to use construction materials produced in the United States on this Project. The Contractor shall submit a certification stating that all construction materials are certified to be BABA compliant.

3.0 FINAL RULE – FHWA’S BUY AMERICA REGULATION TO TERMINATE GENERAL APPLICABILITY WAIVER FOR MANUFACTURED PRODUCTS

- **March 17, 2025** (effective date): For all Federal-aid projects obligated on or after March 15, 2025, all iron or steel products, as defined in § 635.410(c)(1)(iii), must comply with FHWA’s Buy America requirements for steel and iron in § 635.410(b). In addition, for all Federal-aid projects obligated on or after March 15, 2025, per § 635.410(c)(2), articles, materials, and supplies should be classified as an iron or steel product, a manufactured product, or another product as specified by law or in 2 CFR part 184 (such other products specified by law or in 2 CFR part 184 include “excluded materials” and “construction materials”); an article, material, or supply must not be considered to fall into multiple categories.
- **October 1, 2025:** The final assembly requirement will become effective for Federal-aid projects obligated on or after October 1, 2025. This means that, for manufactured product to be Buy America compliant, for Federal-aid projects obligated on or after October 1, 2025, final assembly of the manufactured product must occur in the United States.
- **October 1, 2026:** The 55 percent requirement will become effective for Federal-aid projects obligated on or after October 1, 2026. This means that, for manufactured product to be Buy America-compliant, for Federal-aid projects obligated on or after October 1, 2026, all manufactured products permanently incorporated into the project must both be manufactured in the United States (satisfy the final assembly requirement) and have the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States be greater than 55 percent of the total cost of all components of the manufactured product (satisfy the 55 percent requirement).

4.0 – ADDITIONAL REQUIREMENTS

The Contractor has completed and submitted, or shall complete and submit, to the Cabinet a Buy America/Build America, Buy America Certificate prior to the Cabinet issuing the notice to proceed, in the format below. After submittal, the Contractor is bound by its original certification.

A false certification is a criminal act in violation of 18 U.S.C. § 1001. The Contractor has the burden of proof to establish that it’s in compliance.

At the Contractor’s request, the Cabinet may, but is not obligated to, seek a waiver of Buy America requirements if grounds for the waiver exist under 23 C.F.R. § 635.410(c) or will comply with the applicable Buy America requirements if a waiver of those requirements is not available or not pursued by the Cabinet.

Please refer to the Federal Highway Administration’s Buy America webpage for more information.

[Buy America - Construction Program Guide - Contract Administration - Construction - Federal Highway Administration \(dot.gov\)](#)

Effective - June 26, 2025, Letting

BUY AMERICA / BUILD AMERICA, BUY AMERICA (ACT) MATERIALS CERTIFICATE OF COMPLIANCE

The Contractor hereby certifies that it will comply with all relevant provisions of the Build America, Buy America Act, contained within the Infrastructure Investment and Jobs Act, Pub. L. NO. 117-58, §§ 70901-52, the requirements of 23 U.S.C. § 313, 23 C.F.R. § 635.410 and 2 C.F.R § 184.

Date Submitted:_____

Contractor:_____

Signature:_____

Printed Name:_____

Title:_____

NOTE: THIS CERTIFICATION IS IN ADDITION TO ANY AND ALL REQUIREMENTS OUTLINED IN THE CURRENT EDITION OF THE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION AND/OR SPECIAL NOTES CONTAINED IN THE PROJECT PROPOSAL.

SPECIAL NOTE FOR RECIPROCAL PREFERENCE

RECIPROCAL PREFERENCE TO BE GIVEN BY PUBLIC AGENCIES TO RESIDENT BIDDERS

By reference, KRS 45A.490 to 45A.494 are incorporated herein and in compliance regarding the bidders residency. Bidders who want to claim resident bidder status should complete the Affidavit for Claiming Resident Bidder Status along with their bid in the electronic bidding software. Submittal of the Affidavit should be done along the bid in Bid Express.

April 30, 2018

DGA BASE FOR SHOULDERS

Unless otherwise noted, the Department estimates the rate of application for DGA Base for Shoulders to be 115 lbs/sy per inch of depth. The Department will not measure necessary grading and/or shaping of existing shoulders prior to placing of DGA Base, but shall be incidental to the Contract unit price per ton for DGA Base.

Accept payment at the Contract unit price per ton as full compensation for all labor, materials, equipment, and incidentals for grading and/or shaping of existing shoulders and furnishing, placing, and compacting the DGA Base.

Culvert Project North Middletown Special Notes

1. Extend the existing culvert located on US 460 at the 19.17 M.P. approximately 4 feet perpendicular to the roadway, on each side while maintaining the existing skew and barrel dimension, or as directed by the Engineer. The contractor shall remove the existing parapet wall and wingwalls and dowel into the existing barrel. The barrel shall be extended approximately 4 FT and new headwall constructed using standard drawings STD-BSC-002, RDH-1215-02, RDH-1160-02, RDH1010-02, and RDH-1350-03 unless otherwise directed by the engineer. The contractor shall not disturb the existing roadway or asphalt surface in this area. The culvert shall be backfilled according to KYTC Standard Specifications and applicable KYTC Standard Drawings using granular backfill, as directed by the Engineer. The contractor shall place DGA on the shoulder of the roadway extending to the new parapet and blend the new shoulder into existing site conditions on either side of the new culvert extension approximately 4 FT in width and approximately 6 IN in depth, as field conditions allow and as directed by the Engineer.
2. Temporary traffic lights shall be used during construction. The contractor shall complete the work within 10 calendar days for each side of the culvert. The contractor shall be allowed 20 continuous calendar days to complete the work after construction is started. If the work is not complete after 20 continuous calendar days from the start of construction, liquidated damages will be applied according to KYTC Standard Specifications.
3. The Roadway Excavation Line Item shall include removal of wing walls and parapet from existing culvert.
4. The Clear and Grubbing Line Item shall include any area needed to complete the extension work on either side of the bridge. Including two trees on the West side of the culvert.

SPECIAL NOTE FOR DRAINAGE & SHOULDER WIDENING
FD04 009 0460 019-020

I. DESCRIPTION

Except as provided herein, perform all work in accordance with the Department's Standard and Supplemental Specifications, Special Provisions and Special Notes, and Standard and Sepia Drawings, current editions. Section references are to the Standard Specifications. This work shall consist of:

(1) Site preparation; (2) Erosion control; (3) Clearing and grubbing and removal of all obstructions; (4) excavation, structure excavation, and embankment; (5) Constructing reinforced concrete box culvert extensions with headwalls, culvert pipe; (6) Final dressing, cleanup, and seeding; (7) Maintain and control traffic; (8) Staking; and (9) Any other work as specified in this contract.

II. MATERIALS AND DESIGN

The Department will sample and test all materials in accordance with the Department's Sampling Manual. Make the materials available for sampling a sufficient time in advance of the use of the materials to allow for the necessary time for testing unless otherwise specified in these Notes.

A. **Maintain and Control Traffic.** See Traffic Control Plan.

B. **Erosion Control.** See Special Note for Erosion Control.

C. **Reinforced Concrete Box Culvert Extensions.** Use Class A Concrete. For Steel Reinforcement bars designated on the Drawings to be field bent, use Grade 40, 50, or 60 deformed bars. For all other Steel Reinforcement use Grade 60 deformed bars.

D. **Pipe Bedding.** See Section 701.02.04.

E. **Foundation Preparation.** Provide 6" of Crushed Limestone size No. 57 wrapped on all sides in Geotextile Fabric Class 2. Furnish other materials according to Section 603.

F. **Shoulder Reconstruction.** Furnish DGA and granular embankment for shoulder reconstruction. Adjust gradation requirements as approved or directed by the Engineer to accommodate minimum and maximum lift thicknesses and to provide smooth transitions.

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III. CONSTRUCTION METHODS

A. **Maintain and Control Traffic.** See Traffic Control Plan.

B. **Erosion Control.** See Special Note For Erosion Control.

C. **Staking.** See Special Notes for Staking.

D. **Site Preparation.** Be responsible for all site preparation, including, but not limited to: clearing and grubbing; tree and stump removal; roadway excavation, structure excavation, and embankment; backfilling, embankment in place, and borrow; removal of existing pipe(s), inlets, headwalls, concrete masonry headwalls, obstructions, or any other items; grading, reshaping, and compacting embankment; ditching, and cleaning culverts; cleaning inlet and outlet ditches; obtaining borrow and waste sites and disposal of materials, waste, and debris; and restoration, cleanup and final dressing. See Special Note for Waste and Borrow.

Clear and Grub only the minimum area required for construction and/or as directed by the Engineer. Limit clearing and grubbing to the absolute minimum required to construct the widened slopes, roadway approaches, and entrances. Obtain the Engineer's approval before cutting or removing trees and removing fences, trees, and stumps from the cleared areas. Phase construction such that the potential for erosion is as minimal as possible. The Department has not determined the acreage to receive clearing and grubbing and the bidder must draw his own conclusions.

Provide positive drainage of slopes and ditches at all times during and upon completion of construction. Waste all removed materials not incorporated into the work at sites off the right of way obtained by the Contractor at no additional cost to the Department. Perform all site preparation only as approved or directed by the Engineer.

E. **Wingwalls of Existing Structures.** Be responsible for removal of the existing box culvert headwalls, culvert pipe, and entrance pipe as required by the work. Provide positive drainage of slopes and ditches at all times during and upon completion of construction.

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Waste all unusable and other removed materials not incorporated into the work at sites off the right of way obtained by the Contractor at no additional cost to the Department. Perform all excavation and removal of existing structures only as approved or directed by the Engineer.

F. Excavation and Embankment. Be responsible for all structure excavation required for box culvert construction and all roadway or other excavation required by the work. Excavate earth and rock as required to allow for installation of bedding and pipe, foundation preparation and box culvert extensions with the designed flow line elevations and fill cover heights. Provide positive drainage of slopes and ditches at all times during and upon completion of construction. Excavate for ditches and slopes and construct embankments according to Section 206 and as shown on the drawings or as directed by the Engineer. Warp and tie the slopes into the adjacent existing roadway to match existing slopes and ditches. Provide positive drainage of pavement, shoulders, slopes, and ditches at all times during and upon completion of construction.

Waste excess excavation and excavation unsuitable for reuse at sites off the right of way obtained by the Contractor at no additional cost to the Department. See Special Note for Waste and Borrow. Perform all excavation only as approved or directed by the Engineer.

G. Reinforced Concrete Box Culvert Extensions. Construct Reinforced Concrete Box Culvert Extensions according to Section 610 and as shown on the drawings or as directed by the Engineer. Prior to construction, verify and/or determine all dimensions and obtain the Engineer's approval of the final dimensions, grade, and flow line elevations. Provide positive drainage upon completion of the project.

H. Embankment. Construct embankments according to Section 206 and as shown on the drawings and summaries or as directed by the Engineer. If sufficient quantities of suitable excavation are not available to construct embankments, obtain borrow for embankment in place from approved sources off the right of way obtained by the Contractor at no additional cost to the Department. Warp and tie the slopes into the adjacent existing roadway to match existing slopes and ditches. Provide positive drainage of pavement, shoulders,

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slopes, and ditches at all times during and upon completion of construction. See Special Note for Waste and Borrow.

- I. **Shoulder Reconstruction.** Construct shoulder over backfilled box culvert extensions as shown on the summaries as directed by the Engineer. Adjust gradation requirements of asphalt mixtures for leveling and wedging as approved or directed by the Engineer to accommodate minimum and maximum lift thicknesses and to provide smooth transitions. Provide positive drainage of pavement and shoulders at all times during and upon completion of construction.
- J. **Ditching.** Construct ditches listed on the summary or as directed by the engineer. Prior to final acceptance, clean all drainage structures, new and existing to remain in place, within the limits of disturbed limits of each construction site. Provide positive drainage at all times during and upon completion of construction.
- K. **Final Dressing, Clean up, and Seeding and Protection.** After all work is completed, completely remove debris from the construction site. Perform Class A Final Dressing on all disturbed areas, both on and off the Right-of-Way. Sow all disturbed earthen areas according to the Special Note for Erosion Prevention and Sediment Control.
- L. **Disposal of Waste.** Dispose of all excess materials, waste, and debris off the right-of-way at approved sites obtained by the Contractor at no additional cost to the Department. See Special Note for Waste and Borrow.
- M. **Restoration.** Be responsible for all damage to public and/or private property resulting from the work. Restore all damaged features in like kind materials and design at no additional cost to the Department.
- N. **On-Site Inspection.** Make a thorough inspection of the site prior to submitting a bid and be thoroughly familiar with existing conditions so that the work can be expeditiously performed after a contract is awarded. The Department will consider submission of a bid as evidence of this inspection having been made and will not honor any claims resulting from site conditions.

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- O. **Right-of-Way Limits.** The Department has not determined exact limits of Right-of-Way. Limit work activities to obvious Right-of-Way, permanent or temporary easements, easements by estoppel and easements by prescription, and work areas secured by the Department through consent and release of the adjacent property owners. Be responsible for all encroachments onto private lands.
- P. **Utility Clearance.** Before beginning work, locate all existing utilities. Consider location of utilities shown on the drawings to be approximate only for informational purposes. The Department does not warrant the locations and assumes no responsibility for the accuracy or completeness. The Contractor must make his own determination. Work around and do not disturb existing utilities. It is not anticipated that any utility facilities will require relocation and/or adjustment however, in the event utilities are discovered that require relocation, the utility companies will work concurrently with the Contractor while relocating their facilities. Working days will not be charged for those days on which work on the controlling item is delayed due to the utility company's phase of the work, as provided in the Specifications. If the total delay exceeds ten working days, an extension of the specified completion dates for the applicable category of work will be negotiated with the Contractor for delay to the Contractor's work; however all Traffic Control Plan restrictions will remain in force.
- Q. **Caution.** Do not take information shown on the sketches and summaries in this proposal and the types and quantities of work listed as an accurate or complete evaluation of the material and conditions to be encountered during construction. Without regard to the materials encountered, all roadway excavation shall be unclassified. It shall be distinctly understood that any reference to rock, earth, or any other material in these notes and on the plans, drawings, or cross sections, whether in numbers or words, letters, or lines, is solely for the Department's information and is not to be taken as an indication of classified excavation or the quantity of either rock, earth, or any other material involved. The bidder must draw his own conclusion as to the conditions encountered. The Department does not give any guarantee as to the accuracy of the data and no claims will be considered for additional compensation or extensions of Contract time if the conditions encountered are not in accordance with the information shown.
- R. **Control.** Perform all work included in this contract under the absolute control of the Department of Highways. Obtain the Engineer's approval of all designs required to be furnished by the Contractor prior to incorporation into the work. The Department reserves the right to have other work performed by other contractors and its own forces and to permit public utility companies and others to do work during the construction within the limits of, or adjacent to, the project. Conduct operations and cooperate with such other parties so that interference with each other's work will be reduced to a minimum. By submitting bid, the Contractor agrees to make no claims against the Department for

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additional compensation due to delays or other conditions created by the operations of such other parties. Should a difference of opinion arise as to the rights of the Contractor and others working within the limits of, or adjacent to, the project, the Engineer will decide as to the respective rights of the various parties involved in order to assure the completion of the work in general harmony and in a satisfactory manner, and his decision shall be final and binding upon the Contractor.

S. METHOD OF MEASUREMENT

Except as provided herein, the Department will measure all work in accordance with the Standard and Supplemental Specifications, Special Provisions and Special Notes, and Standard and Sepia Drawings, current editions. Consider quantities listed and shown on the summaries and drawings to be approximate only. The Department will measure only the bid items listed and the actual quantities of each incorporated in the work. Consider all other items required to complete the work as incidental to the listed bid items, as applicable.

a. **Maintain and Control Traffic.** See Traffic Control Plan.

b. **Site Preparation.** Other than the bid items listed, the Department will measure Site Preparation as one lump sum. The Department will not measure tree and stump removal and embankment; backfilling and embankment in place; removal of reinforced concrete box culvert headwalls; removal of obstructions, or any other items; grading, reshaping, and compacting embankment; obtaining borrow and waste sites and disposal of materials, waste, and debris; and restoration, cleanup and final dressing.

c. **Erosion Control.** See Special Note for Erosion Control.

d. **Clearing and Grubbing.** The Department will measure Clearing and Grubbing as one lump sum.

e. **Bedding and Backfill.** The Department will not measure geotextile fabric, flowable fill, and granular bedding materials, but shall be incidental to Foundation Preparation.

f. **Box Culvert Extensions.** The Department will measure Class A Concrete according to Section 601 .04.01 . The Department will measure Steel Reinforcement according to Section

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602.04.01. The Department will not measure removal or replacement of unstable material; removal of existing headwalls; repair of damage to, removal of silt and debris from, and providing a neat cut for the joint on the portion of the structure designated to remain, but shall be incidental to Site Preparation or Foundation Preparation, as applicable.

g. **Foundation Preparation.** The Department will measure Foundation Preparation as l Lump Sum. The Department will not measure crushed limestone, geotextile fabric, removing masonry headwalls, roadway excavation, borrow excavation, undercut, cofferdams, or foundation seals, but shall be incidental to Site Preparation or Foundation Preparation as applicable.

h. **Shoulder Restoration.** The Department will measure DGA and Granular Embankment in Tons.

i. **Restoration, Final Dressing, Clean Up, and Seeding and Protection.** The Department will not measure restoration, final dressing, clean up, and seeding and protection, but shall be incidental to Site Preparation and erosion control.

j. **Staking.** See Special Note for Staking.

k. **Solid Rock Excavation.** The Department will measure Solid Rock Excavation in Cubic Yards. Removal of wingwalls and parapet of existing structure will not be measured but be included in Solid Rock Excavation.

Basis of Payment

The Department will make direct payment only for the bid items listed. Consider all other items required to complete the construction to be incidental to the bid items listed.

A. **Maintain and Control Traffic.** See Traffic Control Plan.

B. **Site Preparation.** Accept payment at the contract lump sum unit price as full compensation for all materials, equipment, labor, and incidentals, including, but not limited to: tree and stump removal; embankment; backfilling, embankment in place, and borrow; removal of existing pipe, inlets, headwalls, concrete masonry headwalls, obstructions, or any other items; grading, reshaping, and compacting embankment; ditching, and cleaning culverts; cleaning inlet and outlet ditches; obtaining borrow and waste sites and disposal of materials, waste, and debris; and restoration, cleanup and final dressing.

Drainage & Shoulder Widening
FD04 009 0460 019-020
Page 8 of 8

- C. **Erosion Control.** See Special Notes for Erosion Control.
- D. **Staking.** See Special Note for Staking.
- E. **Foundation Preparation.** Accept payment at the contract lump sum unit price as full compensation for all materials, equipment, labor, and incidentals, for crushed limestone, geotextile fabric, removing masonry headwalls, borrow excavation, undercut, cofferdams, and foundation seals.
- F. **Box Culvert Extensions.** Accept payment at the contract unit price per cubic yard of Class A Concrete and per pound of Steel Reinforcement constructing the box culvert extensions including, but not limited to repair of damage to, removal of silt and debris from, and providing a neat cut for the joint on the portion of the structure designated to remain.
- G. **Shoulder Restoration.** Accept payment at the contract unit price for DGA and Granular Embankment as full compensation for all materials, equipment, labor, and incidentals, required to rebuild shoulders.
- H. **Solid Rock Excavation.** Accept payment at the contract unit price for Roadway Excavation-Special (Solid Rock Excavation) as full compensation for all materials, equipment, labor, and incidentals required for structural excavation. Including but not limited to wingwall and parapet removal of existing structure.

SPECIAL NOTE FOR STAKING
FD04 009 0460 019-020

In addition to the requirements of Section 201, perform the following:

1. Determine and/or verify culvert sections, plans, and elevations, to provide proper alignment with the roadway and provide positive drainage upon completion of construction; and
2. Determine and/or verify fill cover heights and obtain Engineer's approval; and
3. Establish ditch profiles and slopes to insure positive drainage upon completion of the work; and
4. Determine dimensions not shown on the drawings, verify the Bills of Reinforcement, and determine required reinforcement not shown on the Bills of Reinforcement, required to construct the culvert extensions.
5. Obtain the Engineer's approval of all plans and details to be developed and furnished by the Contractor prior to incorporating into the work; and
6. Produce and furnish the Engineer "as Built" plans; and
7. Perform any and all other staking operations required to control and construct the work.

SPECIAL PROVISION FOR WASTE AND BORROW SITES

Obtain U.S. Army Corps of Engineer's approval before utilizing a waste or borrow site that involves "Waters of the United States". The Corps of Engineers defines "Waters of the United States" as perennial or intermittent streams, ponds or wetlands. The Corps of Engineers also considers ephemeral streams, typically dry except during rainfall but having a defined drainage channel, to be jurisdictional waters. Direct questions concerning any potential impacts to "Waters of the United States" to the attention of the appropriate District Office for the Corps of Engineers for a determination prior to disturbance. Be responsible for any fees associated with obtaining approval for waste and borrow sites from the U.S. Army Corps of Engineer or other appropriate regulatory agencies.

1-296 Waste & Borrow Sites
01/02/2012

SPECIAL NOTE FOR TYPICAL SECTION DIMENSIONS

Consider the dimensions shown on the typical sections for pavement and shoulder widths and thickness' to be nominal or typical dimensions. The Engineer may direct or approve varying the actual dimensions to be constructed to fit existing conditions. Do not widen existing pavement or shoulders unless specified elsewhere in this proposal or directed by the engineer.

1-3725 Typical Section Dimensions
01/02/2012

TRAFFIC CONTROL PLAN FD04 009 0460 019-020

TRAFFIC CONTROL GENERAL

Except as provided herein, maintain and control traffic in accordance with the Standard and Supplemental Specifications, Special Provisions and Special Notes, and the Standard and Sepia Drawings, current editions. Except for the roadway and traffic control bid items listed, all items of work necessary to maintain and control traffic will be paid at the lump sum bid price to 'Maintain and Control Traffic'.

PROJECT PHASING, LANE CLOSURES & CONSTRUCTION PROCEDURES

A minimum of thirty calendar days prior to beginning work, submit a proposed work schedule to the Engineer for approval. Partner with the Engineer to develop a traffic phasing plan prior to erecting any lane closures. As a minimum, the plan shall include the following items:

1. Only allow operations on one end of a culvert at a time; and
2. When lane closures are in place, maintain alternating one lane of traffic at all times during construction and provide a minimum clear lane width of nine (9) feet; and
3. Provide for passage of vehicles of up to 16 feet in width; and
4. If traffic should be stopped due to construction operations, and a school bus on an official run arrives on the scene, make provisions for the passage of the bus as quickly as possible; and
5. At any time, the Engineer may specify additional days and hours when lane closures will not be allowed; and
6. Contrary to Section 112.04.17, the Department will not measure long term lane closures, but shall be incidental to Temporary Signal 2 Phase.

The Department will prepare a Public Information Plan and provide public notification. Notify the Engineer immediately and obtain prior approval of any deviations from the previously approved closure schedule.

LANE & SHOULDER CLOSURES

When active operations do not require a lane closure, reduce lane closures to a shoulder closure, or remove as appropriate. The Engineer will allow shoulder closures during non-working hours. Do not park equipment or store materials on a closed lane or shoulder during non-working hours.

Traffic Control Plan
FD04 009 0460 019-020
Page 2 of 4

BLASTING

If required, the Department will allow blasting only during periods lane closures are allowed. Halt all traffic blast, clean the existing pavement and return traffic to normal operation subject to the following conditions:

1. Halt all traffic at a safe distance, as determined by the Engineer, on either side of the impending explosion.
2. Traffic may be halted a maximum of 15 minutes per hour to allow the execution of the "shot" and to allow for removal of rock fragments and debris.
3. Have suitable equipment at the site and in a running mode for the purpose of cleaning the existing pavement.
4. Immediately after any blast inspect the pavement for any debris that may be a hazard to traffic prior to allowing traffic to proceed. Return traffic to normal operation in the least amount of time possible.

CHANGEABLE MESSAGE SIGNS

Provide changeable message signs in advance of and within the project at locations determined by the Engineer. The Engineer will determine the messages to be displayed. In the event of damage or mechanical electrical failure, repair or replace the Changeable Message Sign within 24 hours. The Department will measure for payment the maximum number of Changeable Message Signs in concurrent use at the same time on a single day on all sections of the contract. The Department will measure individual Changeable Message Signs only once for payment, regardless of how many times they are set, reset, removed, and relocated during the duration of the project. The Department will not measure replacements for damaged Changeable Message Signs or for Changeable Message Signs the Engineer directs be replaced due to poor condition or readability. Retain possession of the Changeable Message Signs upon completion of the work.

TEMPORARY SIGNS

The Engineer may require additional signing and/or traffic control devices in addition to the items shown on the Standard Drawings. Sign posts and splices shall be compliant with NCHRP 350 or MASH. Manufacturer's documentation validating this compliance shall be provided to the Engineer prior to installation. Signs, including any splices, shall be installed according to manufacturer's specifications and installation recommendations. Contrary to section 112.04.02 the Department will measure only long term signs (signs intended to be continuously in place for more than 3 days) for payment. The Department will not measure short term signs (signs intended to be left in place for 3 days or less) for payment, but shall be incidental to Maintain and Control Traffic. Contrary to Section 112.04.02 the Department will measure

Traffic Control Plan
FD04 009 0460 019-020
Page 3 of 4

individual signs only once for payment, regardless of how many times they are erected or relocated. The Department will not measure replacements for damaged signs directed by the Engineer to be replaced due to poor condition or reflectivity.

PERMANENT SIGNS

Protect permanent signs within the work area. Cover permanent signs that do not conform to the required traffic control. Relocate, remove, store, and reset permanent signs that interfere with the work. Replace permanent signs damaged or lost by the Contractor's operations in like kind materials and design at no additional cost to the Department. Deliver removed signs not reset to the Department's Bourbon County maintenance facility. The Department will not measure covering, protecting, removing, storing, resetting or replacing permanent signs, and delivering signs to the maintenance facility, but shall be incidental to Maintain and Control Traffic.

TEMPORARY ENTRANCES

The Engineer will not require the Contractor to provide continuous access to farms, single family, duplex, or triplex residential properties during working hours; however, provide reasonable egress and ingress to each such property when actual operations are not in progress at that location. Limit the time during which a farm or residential entrance is blocked to the minimum length of time required for actual operations, not extended for the Contractor's convenience, and in no case exceeding six (6) hours. Notify all residents twenty-four hours in advance of any driveway or entrance closings and make any accommodations necessary to meet the access needs of disabled residents.

Maintain direct access to all side streets and roads, schools, churches, commercial properties, and apartment complexes of four or more units at all times.

The Department will measure asphalt materials and aggregates required to construct and maintain any temporary entrances which may be necessary to provide temporary access; however, the Department will not measure excavation and/or embankment, temporary pipe, or other materials, but shall be incidental to Site Preparation and/or Maintain and Control Traffic as applicable. The Engineer will determine the type of surfacing material, asphalt or aggregate, to be used at each entrance.

BARRICADES

The Department will not measure barricades used in lieu of barrels and cones for channelization or delineation, but shall be incidental to Maintain and Control Traffic according to Section 112.04.01.

The Department will measure barricades used to protect pavement removal areas and other drop-offs within ten (10) feet of traffic in individual units Each. The Department will measure for payment the maximum number of barricades in concurrent use at the same time on a single day on all sections of the

Traffic Control Plan
FD04 009 0460 019-020
Page 4 of 4

contract. The Department will measure individual barricades only once for payment, regardless of how many times they are set, reset, removed, and relocated during the duration of the project. The Department will not measure replacements for damaged barricades the Engineer directs to be replaced due to poor condition or reflectivity. Retain possession of the Barricades upon completion of the work.

PAVEMENT STRIPING

Install temporary and permanent striping according to Section 1 1 2, with the following exceptions:

If the Contractor's operations or phasing requires temporary striping that must subsequently be removed and that varies from the striping on the existing surface to remain in place, use an approved removable lane tape at no additional cost to the Department.

PAVEMENT EDGE DROP-OFFS

Protect pavement edge drop-offs that traffic is not expected to cross, except accidentally, as follows:

Less than 2" - No protection required.

2" to 4" - Place plastic drums, vertical panels, or barricades every 50 feet. During daylight working hours only, the Engineer will allow the Contractor to use cones in lieu of plastic drums, panels, and barricades. Wedge the drop-off with Asphalt Mix for Leveling and Wedging or Crushed Stone Base, as determined by the Engineer, with a 1:1 or flatter slope in daylight hours, or 3:1 or flatter slope during nighttime hours, when work is not active in the drop-off area.

Greater than 4" - Protect drop-offs greater than 4 inches by placing drums, vertical panels, or barricades every 25 feet. The Engineer will not allow the use of cones in lieu of drums, vertical panels, or barricades for drop-offs greater than 4". For drop-offs within 10 feet of traffic, Place Type III Barricades directly in front of the drop-off facing on coming traffic in both directions of travel. Provide warning signs as shown on the Standard Drawings or as directed by the Engineer. If drop-offs are within ten (10) feet of traffic, backfill on the same day as excavated.

Pedestrians & Bicycles - Protect pedestrian and bicycle traffic as directed by the engineer.

SPECIAL NOTE FOR EROSION CONTROL

FD04 009 0460 019-020

I. DESCRIPTION

Perform all erosion and water pollution control work in accordance with the Department's Standard and Interim Supplemental Specifications, Special Provisions and Special Notes, and Standard and Sepia Drawings, current editions, and as directed by the Engineer. Section references are to the Standard Specifications. This work shall consist of:

(1) Developing and preparing a Best Management Practices Plan (BMP) tailored to suit the specific construction phasing for each site within the project; (2) Preparing the project site for construction, including locating, furnishing, installing, and maintaining temporary and/or permanent erosion and water pollution control measures as required by the BMP prior to beginning any earth disturbing activity on the project site; (3) Clearing and grubbing and removal of all obstructions as required for construction; (4) Removing all erosion control devices when no longer needed; (5) Restoring all disturbed areas as nearly as possible to their original condition; (6) Preparing seedbeds and permanently seeding all disturbed areas; (7) Providing a Kentucky Erosion Prevention and Sediment Control Program (KEPSC-RI) qualified inspector; and (8) Performing any other work to prevent erosion and/or water pollution as specified by this contract, required by the BMP, or as directed by the Engineer.

II. MATERIALS

Furnish materials in accordance with these notes, the Standard Specifications and Interim Supplemental Specifications, and applicable Special Provisions and Special Notes, and Standard and Sepia Drawings, current editions. Provide for all materials to be sampled and tested in accordance with the Department's Sampling Manual. Unless directed otherwise by the Engineer, make the materials available for sampling a sufficient time in advance of the use of the materials to allow for the necessary time for testing.

III. CONSTRUCTION

Be advised, these Erosion Control Plan Notes do not constitute a BMP plan for the project. Jointly with the Engineer, prepare a site specific BMP plan for each drainage area within the project in accordance with Section 213. Provide a unique BMP at each project site using good engineering practices taking into account existing site conditions, the type of work to be performed, and the construction phasing, methods and techniques to be utilized to complete the work. Be responsible for all erosion prevention, sediment control, and water pollution prevention measures required by the BMP for each site. Represent and warrant compliance with the Clean Water Act (33 USC

Section 1251 et seq.), the 404 Permit, the 401 Water Quality Certification, and applicable state and local government agency laws, regulations, rules, specifications, and permits. Contrary to Section 105.05, in case of discrepancy between these notes, the Standard Specifications, Interim Supplemental Specifications, Special and Special Notes, Standard and Sepia Drawings, and such state and local government agency requirements, adhere to the most restrictive requirement.

Conduct operations in such a manner as to minimize the amount of disturbed ground during each phase of the construction and limit the haul roads to the minimum required to perform the work. Preserve existing vegetation not required to be removed by the work or the contract. Seed and/or mulch disturbed areas at the earliest opportunity. Use silt fence, silt traps, temporary ditches, brush barriers, erosion control blankets, sodding, channel lining, and other erosion control measures in a timely manner as required by the BMP and as directed or approved by the Engineer. Prevent sediment laden water from leaving the project, entering an existing drainage structure, or entering a stream.

Provide for erosion control measures to be in place and functioning prior to any earth disturbance within a drainage area. Compute the volume and size of silt control devices necessary to control sediment during each phase of construction. Remove sediment from silt traps before they become a maximum of $\frac{1}{2}$ full. Maintain silt fence by removing accumulated trappings and/or replacing the geotextile fabric when it becomes clogged, damaged, or deteriorated, or when directed by the Engineer. Properly dispose of all materials trapped by erosion control devices at approved sites off the right of way obtained by the Contractor at no additional cost to the Department (See Special Note for Waste and Borrow).

As work progresses, add or remove erosion control measures as required by the BMP applicable to the Contractor's project phasing and construction methods and techniques. Update the volume calculations and modify the BMP as necessary throughout the duration of the project. Ensure that an updated BMP is kept on site and available for public inspection throughout the life of the project.

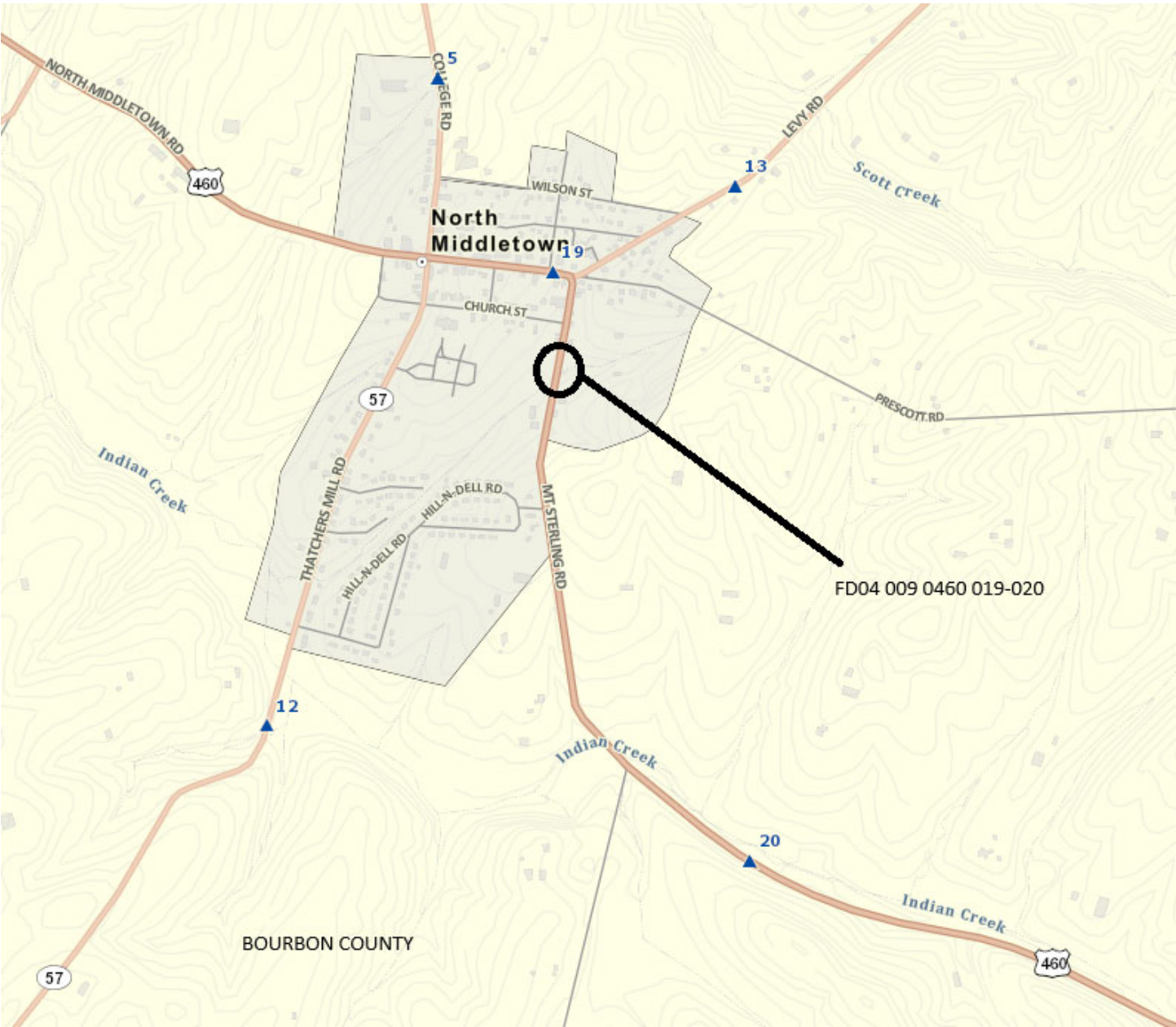
After all construction is complete, restore all disturbed areas in accordance with Section 212. Completely remove all temporary erosion control devices not required as part of the permanent erosion control from the construction site. Prior to removal, obtain the Engineer's concurrence of items to be removed. Grade the remaining exposed earth (both on and off the Right of-Way) as nearly as possible to its original condition, or as directed by the Engineer. Prepare the seed bed areas and sow all exposed earthen areas with the applicable seed mixture(s) according to Section 212.03.03.

IV. MEASUREMENT

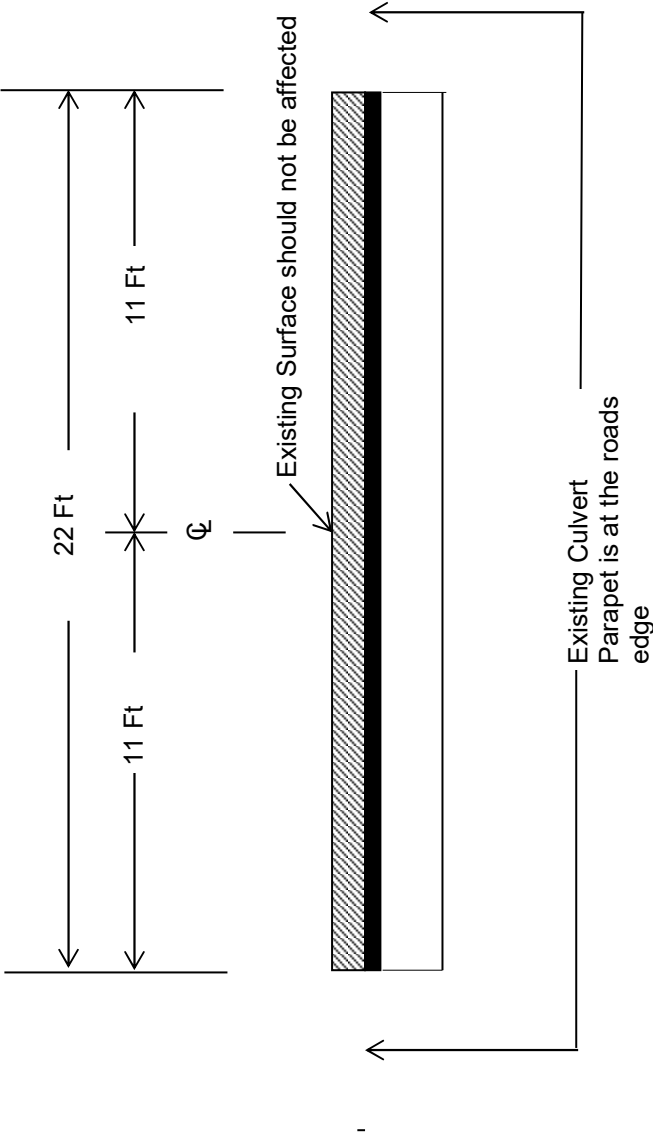
Erosion Control. Contrary to Sections 212.04, 213.04, and 703.04 the Department will measure Erosion Control as one lump sum. The Department will not measure developing, updating, and maintaining a BMP plan for each site; providing a KEPSC-RI qualified inspector; locating, furnishing, installing, inspecting, maintaining, and removing erosion and water pollution control items; Erosion Control Blanket, Sodding, Channel Lining, Borrow Excavation, Embankment In Place, Topsoil Furnished and Placed, and Spreading Stockpiled Topsoil; Topdressing Fertilizer, Temporary and Permanent Seeding and Protection, Special Seeding Crown Vetch, and Temporary Mulch; Sedimentation Basin and Clean Sedimentation Basin, Silt Trap Type "A" and Clean Silt Trap Type "A"; Silt Trap Type "B" and Clean Silt Trap Type "B"; Silt Trap Type "C" and Clean Silt Trap Type "C"; Temporary Silt Fence and Clean Temporary Silt Fence; Plants, Vines, Shrubs, and Trees; Gabion and Dumped Stone Deflectors and Riffle Structures; Boulders; Temporary Ditches and clean Temporary Ditches; Geotextile Fabric, and all other erosion and water pollution control items required by the BMP or the Engineer, but shall be incidental to Erosion Control.

V. Basis of Payment

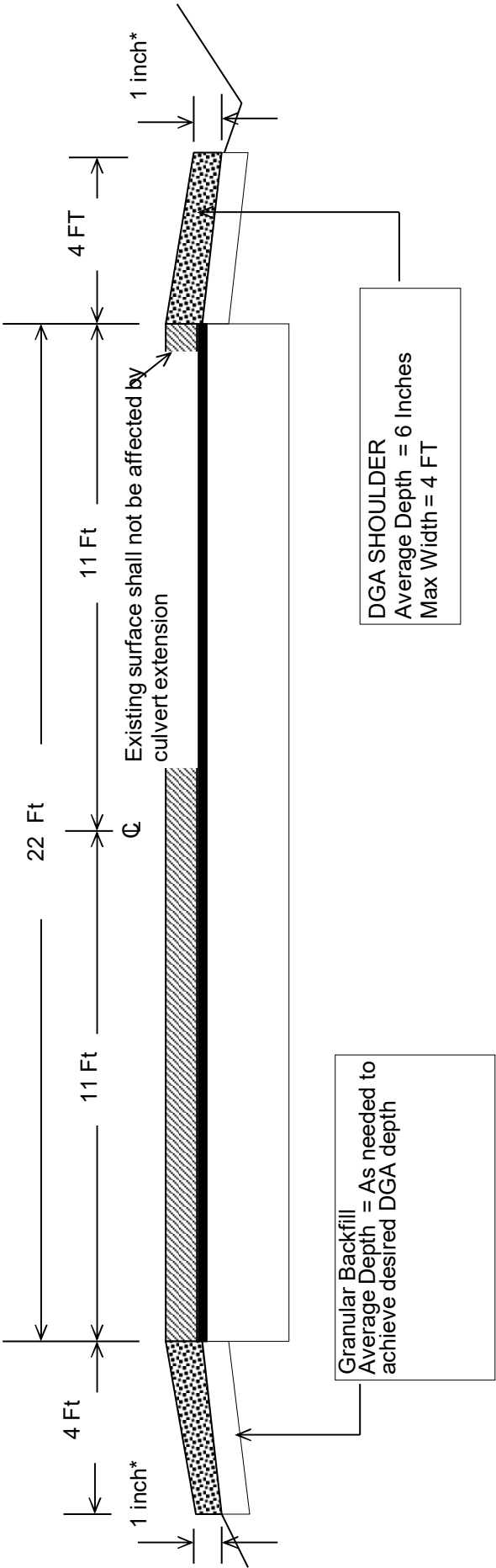
Erosion Control. Contrary to Sections 212.05 and 213.05, other than Erosion Control Blanket, Sodding, and Channel Lining, payment at the Contract lump sum price for Erosion Control, shall be full compensation for all materials, equipment, labor and incidentals necessary to complete the erosion and water pollution control work as specified in these notes, Sections 212 and 213, the Supplemental Specifications, applicable Special Provisions and Special Notes, and Standard and Sepia Drawings, including but not limited to developing, updating, and maintaining a BMP plan for each site; providing a KEPSC-RI qualified inspector; locating, furnishing, installing, inspecting, maintaining, and removing erosion and water pollution control items; Roadway Excavation, Borrow Excavation, Embankment In Place, Topsoil Furnished and Placed, and Spreading Stockpiled Topsoil; Topdressing Fertilizer, Temporary and Permanent Seeding and Protection, Special Seeding Crown Vetch, and Temporary Mulch; Sedimentation Basin and Clean Sedimentation Basin, Silt Trap Type “A” and Clean Silt Trap Type “A”; Silt Trap Type “B” and Clean Silt Trap Type “B”; Silt Trap Type “C” and Clean Silt Trap Type “C”; Temporary Silt Fence and Clean Temporary Silt Fence; Plants, Vines, Shrubs, and Trees; Gabion and Dumped Stone Deflectors and Riffle Structures; Boulders; Temporary Ditches and clean Temporary Ditches; Geotextile Fabric and all other erosion and water pollution control items required by the BMP or the Engineer.



Bourbon County
FD04 009 0460 019-020
TYPICAL SECTION
(BEFORE EXTENSION)
Culvert at MP 19.17



Bourbon County
FD04 009 0460 019-020
TYPICAL SECTION
(AFTER EXTENSION)
MP 19.17



* Where Existing Site Conditions Permit

PART II

SPECIFICATIONS AND STANDARD DRAWINGS

STANDARD SPECIFICATIONS

Any reference in the plans or proposal to previous editions of the *Standard Specifications for Road and Bridge Construction* and *Standard Drawings* are superseded by *Standard Specifications for Road and Bridge Construction, Edition of 2019* and *Standard Drawings, Edition of 2020*.

SUPPLEMENTAL SPECIFICATIONS

The contractor shall use the Supplemental Specifications that are effective at the time of letting. The Supplemental Specifications can be found at the following link:
<http://transportation.ky.gov/Construction/Pages/Kentucky-Standard-Specifications.aspx>

2019 STANDARD DRAWINGS THAT APPLY

FD04 009 0460 019-020

CHANNEL LINING CLASS II AND III	RDD-040-05
PRECAST BOX CULVERT HEADWALLS – 0° SKEW (BOX RISE LESS THAN 6’-0”)	
(LAYOUT AND STEEL PATTERN).....	RDH-1000-02
PRECAST BOX CULVERT HEADWALLS – 0° SKEW (BOX RISE 6’-0” OR GREATER)	
(LAYOUT AND STEEL PATTERN).....	RDH-1005-02
CULVERT, ENTRANCE & STORM SEWER PIPE TYPES & COVER HEIGHTS	RDI-001-10
PIPE BEDDING FOR CULVERTS, ENTRANCE AND STORM SEWER PIPE.....	RDI-020-09
PIPE BEDDING FOR CULVERTS, ENTRANCE, AND STORM SEWER REINFORCED CONCRETE PIPE ..	RDI-021-01
PIPE BEDDING, TRENCH CONDITION.....	RDI-025-05
PIPE BEDDING, TRENCH CONDITION REINFORCED CONCRETE PIPE.....	RDI-026-01
COATINGS, LININGS AND PAVINGS FOR NON-STRUCTURAL PLATE PIPE	RDI-035-02
EROSION CONTROL BLANKET SLOPE INSTALLATION.....	RDI-040-01
TEMPORARY SILT FENCE	RDX-210-03
TEMPORARY SILT FENCE WITH WOVEN WIRE FENCE FABRIC	RDX-215-01
SILT TRAP - TYPE A	RDX-225-01
SILT TRAP - TYPE B	RDX-230-01
CURVE WIDENING AND SUPERELEVATION TRANSITIONS.....	RGS-001-07
MISCELLANEOUS STANDARDS PART 1	RGX-001-06
TYPICAL EMBANKMENT FOUNDARTION BENCHES	RGX-010-04
ONE POINT PROCTER FAMILY OF CURVES	RGX-200-01
APPROACHES, ENTRANCES, AND MAIL BOX TURNOUT	RPM-110-07
LANE CLOSURE TWO-LANE HIGHWAY	TTC-100-04
SHOULDER CLOSURE.....	TTC-135-02
PAVEMENT CONDITION WARNING SIGNS.....	TTD-125-02

PART III

EMPLOYMENT, WAGE AND RECORD REQUIREMENTS

**TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS**

**LABOR AND WAGE REQUIREMENTS
APPLICABLE TO OTHER THAN FEDERAL-AID SYSTEM PROJECTS**

- I. Application
- II. Nondiscrimination of Employees (KRS 344)

I. APPLICATION

1. These contract provisions shall apply to all work performed on the contract by the contractor with his own organization and with the assistance of workmen under his immediate superintendence and to all work performed on the contract by piecework, station work or by subcontract. The contractor's organization shall be construed to include only workmen employed and paid directly by the contractor and equipment owned or rented by him, with or without operators.

2. The contractor shall insert in each of his subcontracts all of the stipulations contained in these Required Provisions and such other stipulations as may be required.

3. A breach of any of the stipulations contained in these Required Provisions may be grounds for termination of the contract.

3. If the contractor is in control of apprenticeship or other training or retraining, including on-the-job training programs, he shall not discriminate against an individual because of his race, color, religion, national origin, sex, disability or age forty (40) and over, in admission to, or employment in any program established to provide apprenticeship or other training.

4. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representative of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for non-compliance.

Revised: January 25, 2017

II. NONDISCRIMINATION OF EMPLOYEES

**AN ACT OF THE KENTUCKY
GENERAL ASSEMBLY TO PREVENT
DISCRIMINATION IN EMPLOYMENT
KRS CHAPTER 344
EFFECTIVE JUNE 16, 1972**

The contract on this project, in accordance with KRS Chapter 344, provides that during the performance of this contract, the contractor agrees as follows:

1. The contractor shall not fail or refuse to hire, or shall not discharge any individual, or otherwise discriminate against an individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, national origin, sex, disability or age (forty and above); or limit, segregate, or classify his employees in any way which would deprive or tend to deprive an individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, national origin, sex, disability or age forty (40) and over. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

2. The contractor shall not print or publish or cause to be printed or published a notice or advertisement relating to employment by such an employer or membership in or any classification or referral for employment by the employment agency, indicating any preference, limitation, specification, or discrimination, based on race, color, religion, national origin, sex, or age forty (40) and over, or because the person is a qualified individual with a disability, except that such a notice or advertisement may indicate a preference, limitation, or specification based on religion, national origin, sex, or age forty (40) and over, or because the person is a qualified individual with a disability, when religion, national origin, sex, or age forty (40) and over, or because the person is a qualified individual with a disability, is a bona fide occupational qualification for employment.

EXECUTIVE BRANCH CODE OF ETHICS

The Executive Branch Code of Ethics created by Kentucky Revised Statutes (KRS) Chapter 11A, effective July 14, 1992, establishes the ethical standards that govern the conduct of all executive branch employees. The Executive Branch Code of Ethics, which states, in part:

KRS 11A.040 (7) provides:

A present or former public servant listed in KRS 11A.010(9)(a) to (g) shall not, within one (1) year following termination of his or her office or employment, accept employment, compensation, or other economic benefit from any person or business that contracts or does business with, or is regulated by, the state in matters in which he was directly involved during the last thirty-six (36) months of his tenure. This provision shall not prohibit an individual from returning to the same business, firm, occupation, or profession in which he was involved prior to taking office or beginning his term of employment, or for which he received, prior to his state employment, a professional degree or license, provided that, for a period of one (1) year, he or she personally refrains from working on any matter in which he was directly involved during the last thirty-six (36) months of his or her tenure in state government. This subsection shall not prohibit the performance of ministerial functions, including but not limited to filing tax returns, filing applications for permits or licenses, or filing incorporation papers, nor shall it prohibit the former officer or public servant from receiving public funds disbursed through entitlement programs.

KRS 11A.040 (9) states:

A former public servant shall not represent a person or business before a state agency in a matter in which the former public servant was directly involved during the last thirty-six (36) months of his tenure, for a period of one (1) year after the latter of:

- a) The date of leaving office or termination of employment; or
- b) The date the term of office expires to which the public servant was elected.

This law is intended to promote public confidence in the integrity of state government and to declare as public policy the idea that state employees should view their work as a public trust and not to obtain private benefits.

If you have worked for the executive branch of state government within the past year, you may be subject to the law's prohibitions. The law's applicability may be different if you hold elected office or are contemplating representation of another before a state agency.

Also, if you are affiliated with a firm which does business with the state and which employs former state executive-branch employees, you should be aware that the law may apply to them.

In case of doubt, the law permits you to request an advisory opinion from the Executive Branch Ethics Commission, 1025 Capital Center Drive, Suite 105, Frankfort, Kentucky 40601; telephone (502) 564-7954.

Revised: March 11, 2025

Kentucky Equal Employment Opportunity Act of 1978

The requirements of the Kentucky Equal Employment Opportunity Act of 1978 (KRS 45.560-45.640) shall apply to this Contract. The apparent low Bidder will be required to submit EEO forms to the Division of Construction Procurement, which will then forward to the Finance and Administration Cabinet for review and approval. No award will become effective until all forms are submitted and EEO/CC has certified compliance. The required EEO forms are as follows:

- EEO-1: Employer Information Report
- Affidavit of Intent to Comply
- Employee Data Sheet
- Subcontractor Report

These forms are available on the Finance and Administration's web page under ***Vendor Information, Standard Attachments and General Terms*** at the following address:
<https://www.eProcurement.ky.gov>.

Bidders currently certified as being in compliance by the Finance and Administration Cabinet may submit a copy of their approval letter in lieu of the referenced EEO forms.

For questions or assistance please contact the Finance and Administration Cabinet by email at **finance.contractcompliance@ky.gov** or by phone at 502-564-2874.

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

FEDERAL MINIMUM WAGE

\$7.25 PER HOUR

BEGINNING JULY 24, 2009

- OVERTIME PAY

At least 1½ times your regular rate of pay for all hours worked over 40 in a workweek.
- CHILD LABOR

An employee must be at least **16** years old to work in most non-farm jobs and at least **18** to work in non-farm jobs declared hazardous by the Secretary of Labor.

Youths **14** and **15** years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs under the following conditions:

No more than

 - **3** hours on a school day or **18** hours in a school week;
 - **8** hours on a non-school day or **40** hours in a non-school week.

Also, work may not begin before **7 a.m.** or end after **7 p.m.**, except from June 1 through Labor Day, when evening hours are extended to **9 p.m.** Different rules apply in agricultural employment.
- TIP CREDIT

Employers of “tipped employees” must pay a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee’s tips combined with the employer’s cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. Certain other conditions must also be met.
- ENFORCEMENT

The Department of Labor may recover back wages either administratively or through court action, for the employees that have been underpaid in violation of the law. Violations may result in civil or criminal action.

Employers may be assessed civil money penalties of up to \$1,100 for each willful or repeated violation of the minimum wage or overtime pay provisions of the law and up to \$11,000 for each employee who is the subject of a violation of the Act’s child labor provisions. In addition, a civil money penalty of up to \$50,000 may be assessed for each child labor violation that causes the death or serious injury of any minor employee, and such assessments may be doubled, up to \$100,000, when the violations are determined to be willful or repeated. The law also prohibits discriminating against or discharging workers who file a complaint or participate in any proceeding under the Act.
- ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage and/or overtime pay provisions.
 - Special provisions apply to workers in American Samoa and the Commonwealth of the Northern Mariana Islands.
 - Some state laws provide greater employee protections; employers must comply with both.
 - The law requires employers to display this poster where employees can readily see it.
 - Employees under 20 years of age may be paid \$4.25 per hour during their first 90 consecutive calendar days of employment with an employer.
 - Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.



For additional information:

1-866-4-USWAGE
(1-866-487-9243) TTY: 1-877-889-5627

WWW.WAGEHOUR.DOL.GOV



U.S. Wage and Hour Division

PART IV

BID ITEMS

252257

Section: 0001 - ROADWAY

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0010	02187		SITE PREPARATION	1.00	EACH		\$	
0020	02562		TEMPORARY SIGNS	200.00	SQFT		\$	
0030	02650		MAINTAIN & CONTROL TRAFFIC	1.00	LS		\$	
0040	02726		STAKING	1.00	LS		\$	
0050	04933		TEMP SIGNAL 2 PHASE	1.00	EACH		\$	
0060	21415ND		EROSION CONTROL	1.00	LS		\$	

Section: 0002 - DRAINAGE

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0070	00001		DGA BASE	100.00	TON		\$	
0080	02200		ROADWAY EXCAVATION	20.00	CUYD		\$	
0090	02223		GRANULAR EMBANKMENT	200.00	CUYD		\$	
0100	02545		CLEARING AND GRUBBING (ACRES)	1.00	LS		\$	
0110	08003		FOUNDATION PREPARATION	1.00	LS		\$	
0120	08100		CONCRETE-CLASS A	30.00	CUYD		\$	
0130	08150		STEEL REINFORCEMENT	2,600.00	LB		\$	
0140	22978EN		ROADWAY EXCAVATION-SPECIAL (SOLID ROCK EXCAVATION)	10.00	CUYD		\$	

Section: 0003 - DEMOBILIZATION

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0150	02569		DEMOBILIZATION	1.00	LS		\$	