



CALL NO. 367

CONTRACT ID. 232978

RUSSELL COUNTY

FED/STATE PROJECT NUMBER FE02 104 3281 B00032N 01.73

DESCRIPTION WARNER RIDGE ROAD (KY 3281)

WORK TYPE BRIDGE WITH GRADE, DRAIN & SURFACE

PRIMARY COMPLETION DATE 11/30/2023

LETTING DATE: May 25, 2023

Sealed Bids will be received electronically through the Bid Express bidding service until 10:00 AM EASTERN DAYLIGHT TIME May 25, 2023. 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 - 08

CONTRACT ID - 232978

FE02 104 3281 B00032N 01.73

COUNTY - RUSSELL

PCN - MB10432812302

FE02 104 3281 B00032N 01.73

WARNER RIDGE ROAD (KY 3281) REPLACE BRIDGE 104B00032N OVER JOBBES FORK AT MP 01.73, A
DISTANCE OF 0.04 MILES.BRIDGE WITH GRADE, DRAIN & SURFACE SYP NO. 08-40003.00.
GEOGRAPHIC COORDINATES LATITUDE 36:57:34.00 LONGITUDE 85:06:22.00
ADT

COMPLETION DATE(S):

COMPLETED BY 11/30/2023	APPLIES TO ENTIRE CONTRACT
50 CALENDAR Days	APPLIES TO 104B00032N

CONTRACT NOTES

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 fax (502) 564-7299 or 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/contract). 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 contractor, as defined in KRS 45A.030 (9) 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 contract for the purpose of financial audit or program review. Records and other prequalification information confidentially

disclosed as part of the bid process shall not be deemed as directly pertinent to the contract and shall be exempt from disclosure as provided in KRS 61.878(1)(c). 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.

In the event of a dispute between the contractor and the contracting agency, Attorney General, or the Auditor of Public Accounts over documents that are eligible for production and review, the Finance and Administration Cabinet shall review the dispute and issue a determination, in accordance with Secretary's Order 11-004.

BUILD AMERICA, BUY AMERICA ACT (BABA)

On November 15, 2021, President Biden signed into law the Infrastructure Investment and Jobs Act (IIJA), Pub. L. No. 117-58, includes the Build America, Buy America Act (“the Act”). Pub. L. No. 117-58, §§70901-52. The Act strengthens the Buy America preference to include “construction materials.” The current temporary waiver for **“construction materials”** will expire on November 10, 2022.

The Act will apply to construction materials as outlined in the guidance issued in OMB [M-22-11](#).

Construction Materials – Includes an article, material, or supply – other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives – that is or consists primarily of:

- Non-ferrous metals
- Plastic/polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- Glass (including optic glass);
- Lumber; or
- Drywall.

Construction Materials only applies to items, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project.

Construction Materials does not apply to tools, equipment or supplies brought to the jobsite and removed before completion.

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.

February 1, 2023

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

**SPECIAL NOTES
DISTRICT NO. 8
BRIDGE REPLACEMENT
RUSSELL COUNTY
CID 232976
BRIDGE NUMBER 104B00032N**

FE02 104 3281 B00032N 01.73

Russell County ~ KY 3281 (Warner Ridge Road) over Mt. Vernon Creek

Geographic Coordinates

Latitude 36° 57' 34.00" (36.9595)

Longitude -85° 06' 22.00" (-85.1060)

**SPECIAL NOTES FOR BRIDGE REPLACEMENT
104B00032N**

SPECIAL NOTE FOR LONGITUDINAL PAVEMENT JOINT ADHESIVE

SPECIAL NOTE FOR NON-TACKING TACK COAT

SPECIAL NOTE FOR CONCRETE SEALING

SPECIAL NOTE FOR CONTRACT COMPLETION DATE AND PENALTIES ON
BRIDGE REPAIR CONTRACTS

SPECIAL NOTE FOR BRIDGE PLANS

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SPECIAL NOTE FOR LONGITUDINAL PAVEMENT JOINT ADHESIVE

1. **DESCRIPTION.** This specification covers the requirements and practices for applying an asphalt adhesive material to the longitudinal joint of the surface course of an asphalt pavement. Apply the adhesive to the face of longitudinal joint between driving lanes for the first lane paved. Then, place and compact the adjacent lane against the treated face to produce a strong, durable, waterproof longitudinal joint.
2. **MATERIALS, EQUIPMENT, AND PERSONNEL.**

2.1 Joint Adhesive. Provide material conforming to Subsection 2.1.1.

2.1.1 Provide an adhesive conforming to the following requirements:

Property	Specification	Test Procedure
Viscosity, 400 ° F (Pa·s)	4.0 – 10.0	ASTM D 4402
Cone Penetration, 77 ° F	60 – 100	ASTM D 5329
Flow, 140 ° F (mm)	5.0 max.	ASTM D 5329
Resilience, 77 ° F (%)	30 min.	ASTM D 5329
Ductility, 77 ° F (cm)	30.0 min.	ASTM D 113
Ductility, 39 ° F (cm)	30.0 min.	ASTM D 113
Tensile Adhesion, 77 ° F (%)	500 min.	ASTM D 5329, Type II
Softening Point, ° F	171 min.	AASHTO T 53
Asphalt Compatibility	Pass	ASTM D 5329

Ensure the temperature of the pavement joint adhesive is between 380 and 410 °F when the material is extruded in a 0.125-inch-thick band over the entire face of the longitudinal joint.

2.2. Equipment.

2.2.1 Melter Kettle. Provide an oil-jacketed, double-boiler, melter kettle equipped with any needed agitation and recirculating systems.

2.2.2 Applicator System. Provide a pressure-feed-wand applicator system with an applicator shoe attached.

2.3 Personnel. Ensure a technical representative from the manufacturer of the pavement joint adhesive is present during the initial construction activities and available upon the request of the Engineer.

3. **CONSTRUCTION.**

3.1 Surface Preparation. Prior to the application of the pavement joint adhesive, ensure the face of the longitudinal joint is thoroughly dry and free from dust or any other debris that would inhibit adhesion. Clean the joint face by the use of compressed air.

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Ensure this preparation process occurs shortly before application to prevent the return of debris on the joint face.

3.2 Pavement Joint Adhesive Application. Ensure the ambient temperature is a minimum of 40 ° F during the application of the pavement joint adhesive. Prior to applying the adhesive, demonstrate competence in applying the adhesive according to this note to the satisfaction of the Engineer. Heat the adhesive in the melter kettle to the specified temperature range. Pump the adhesive from the melter kettle through the wand onto the vertical face of the cold joint. Apply the adhesive in a continuous band over the entire face of the longitudinal joint. Do not use excessive material in either thickness or location. Ensure the edge of the extruded adhesive material is flush with the surface of the pavement. Then, place and compact the adjacent lane against the joint face. Remove any excessive material extruded from the joint after compaction (a small line of material may remain).

3.3 Pavement Joint Adhesive Certification. Furnish the joint adhesive's certification to the Engineer stating the material conforms to all requirements herein prior to use.

3.4 Sampling and Testing. The Department will require a random sample of pavement joint adhesive from each manufacturer's lot of material. Extrude two 5 lb. samples of the heated material and forward the sample to the Division of Materials for testing. Reynolds oven bags, turkey size, placed inside small cardboard boxes or cement cylinder molds have been found suitable. Ensure the product temperature is 400°F or below at the time of sampling.

4. MEASUREMENT. The Department will measure the quantity of Pavement Joint Adhesive in linear feet. The Department will not measure for payment any extra materials, labor, methods, equipment, or construction techniques used to satisfy the requirements of this note. The Department will not measure for payment any trial applications of Pavement Joint Adhesive, the cleaning of the joint face, or furnishing and placing the adhesive. The Department will consider all such items incidental to the Pavement Joint Adhesive.
5. PAYMENT. The Department will pay for the Pavement Joint Adhesive at the Contract unit bid price and apply an adjustment for each manufacturer's lot of material based on the degree of compliance as defined in the following schedule. When a sample fails on two or more tests, the Department may add the deductions, but the total deduction will not exceed 100 percent.

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Pavement Joint Adhesive Price Adjustment Schedule						
Test	Specification	100% Pay	90% Pay	80% Pay	50% Pay	0% Pay
Joint Adhesive Referenced in Subsection 2.1.1						
Viscosity, 400 ° F (Pa•s)			3.0-3.4	2.5-2.9	2.0-2.4	≤1.9
ASTM D 3236	4.0-10.0	3.5-10.5	10.6-11.0	11.1-11.5	11.6-12.0	≥ 12.1
Cone Penetration, 77 ° F			54-56	51-53	48-50	≤ 47
ASTM D 5329	60-100	57-103	104-106	107-109	110-112	≥ 113
Flow, 140 ° F (mm) ASTM D 5329	≤ 5.0	≤ 5.5	5.6-6.0	6.1-6.5	6.6-7.0	≥ 7.1
Resilience, 77 ° F (%) ASTM D 5329	≥ 30	≥ 28	26-27	24-25	22-23	≤ 21
Tensile Adhesion, 77 ° F (%) ASTM D 5329	≥ 500	≥ 490	480-489	470-479	460-469	≤ 459
Softening Point, ° F AASHTO T 53	≥ 171	≥ 169	166-168	163-165	160-162	≤ 159
Ductility, 77 ° F (cm) ASTM D 113	≥ 30.0	≥ 29.0	28.0-28.9	27.0-27.9	26.0-26.9	≤ 25.9
Ductility, 39 ° F (cm) ASTM D 113	≥ 30.0	≥ 29.0	28.0-28.9	27.0-27.9	26.0-26.9	≤ 25.9

Code
20071EC

Pay Item
Joint Adhesive

Pay Unit
Linear Foot

May 7, 2014

SPECIAL NOTE FOR SEALING BRIDGE DECKS

These Notes or designated portions thereof, apply where so indicated on the plans, proposals or bidding instruction.

- I. **DESCRIPTION.** Perform all work in accordance with the Department's 2019 Standard Specifications, and applicable Supplemental Specifications, the attached sketches, and these Notes. Section references are to the Standard Specifications.
This work consists of: (1) Furnish all labor, materials, tools, and equipment; (2) Clean the bridge deck; (3) Seal the bridge deck; (4) Maintain & control traffic; and, (5) Any other work specified as part of this contract.

II. **MATERIALS.**

- A. **Sealer.** Use one of the following:

Product	Supplier
Protectosil BHN	Evonik Industries
Protectosil 300S	Evonik Industries
TK-590-40 Tri-Silane 40%	TK Products
SW-244-100	Chemical Products Industries, Inc.
TK-590-1 MS Tri-Silane	TK Products
MasterProtect H1000	BASF
Aquanil Plus 40	ChemMasters
SIL-ACT ATS-100	Advanced Chemical Technologies
Certivex Penseal BTS 100%	Vexcon
Pentreat 244-40	W.R. Meadows
Aquanil Plus 40A	ChemMasters

- B. Coverage Rate:** Follow all manufacturers recommendations for coverage rates except the application rate must not exceed the square footage coverage rate per gallon of sealer as given in the chart below. If the manufacturer recommends a coverage rate greater than given in the table below, apply sealer at the rate given in the table below for the chosen sealers silane percentage.

% Silane	Coverage rate (ft ² /gallon)
100	300
40	120
20	60

III. CONSTRUCTION.

- A. Curing Compound.** Contrary to Section 609.03.12 of the specifications, curing compound is not to be used on this deck due to potentially causing issues with the concrete sealer. During the deck pour, finishing, and tining operations the Class AA concrete shall be kept continuously moist with the use of a mister until burlap or curing blankets are applied to the surface. At no point should water be pooling or running off the surface or the surface of the concrete be allowed to become dry. After the burlap or curing blankets are installed, cure in accordance with the specifications. Include all costs in the unit price bid for Class AA concrete. Failure to properly cure the concrete in accordance with this note and the specifications may result in weakened or cracked concrete. If the concrete is weakened or cracked due to improper curing, the contractor will be responsible for providing alternates to fix the issues to the Engineer for review and the contractor will be solely responsible for all costs to do so, up to complete replacement. Do not begin any construction on fixing any issues without approval of the Engineer.
- B. Cleaning the Deck.** Dry clean the deck to remove all loose debris. Remove all visible hydrocarbons from the surface with detergent approved by the manufacturer of the deck sealant. Pressure wash all surfaces to be sealed at 2000 to 3000 psi. Install pressure gauges at each wand to verify pressure. Use 30° fan tip or as recommended by the manufacturer of the deck sealant. Hold pressure washing wand a minimum of 45° from the deck with a maximum stand-off distance of 12 inches.
- C. Sealing the Deck.** Allow new concrete to cure a minimum 28 days prior to application of sealer. Monitor weather conditions prior to sealer application. Refer to manufacturer's recommendations for proper ambient conditions. Do not apply sealer if precipitation is anticipated within the time stated by the manufacturer. Allow the deck to dry 24 hours (after washing or rain event) before sealer application. The deck can be reopened to traffic while drying. Sealer must be applied within 48 hours of washing or the deck must be rewashed. Divide the deck into predefined areas of specific square footage to aid in determining usage. Comply with manufacturer's usage recommendation. Using a low

pressure pump, apply sealer and spread evenly with broom or squeegee; do not allow pooling to remain. When each predefined area is complete, measure the amount of sealer used to verify proper usage. After sealing, follow manufacturer's recommended cure time before opening to traffic. On vertical surfaces, apply the sealer in a flooding application from the bottom up, so the material runs down 6 to 8 inches below the spray pattern.

D. Inspection: Monitor all aspects of the project to assure compliance to this specification. Observe and document general conditions during the entirety of the project. Verify that each phase of work has been satisfactorily completed prior to beginning the next phase. Phases are described as follows:

1. Dry cleaning to remove loose debris, verify and document:
 - a. All debris has been removed and disposed of properly.
2. Removal of hydrocarbons, verify and document:
 - a. The manufacturer's recommended detergent is used for removal.
 - b. Hydrocarbons have been satisfactorily removed.
3. Pressure washing, verify and document:
 - a. Washing pressure at the wand.
 - b. Tip size used.
 - c. Wash angle and stand-off distance.
 - d. The deck is satisfactorily cleaned.
4. Sealer application, verify and document:
 - a. Proper cure time for new concrete.
 - b. Deck surface is dry.
 1. Document time since washed.
 2. Was deck opened to traffic after washing?
 - c. Ambient conditions.
 1. Document ambient temperature, surface temperature, relative humidity, and dew point.
 - d. Application and distribution method.
 - e. Coverage to be complete and even.
 - f. Material is not allowed to remain pooled.
 - g. Monitor material usage.
 - h. No traffic until proper cure time is allowed.

IV. MEASUREMENT

- A. Concrete Sealing.** The Department will measure the quantity per square feet of each area sealed.

V. PAYMENT

- A. Concrete Sealing.** Payment at the contract unit price per square feet is full compensation for the following: (1) Furnish all labor, materials, tools, and equipment; (2) Clean the bridge deck; (3) Seal the bridge deck; (4) Maintain & control traffic; and, (5) Any other work specified as part of this contract.

SPECIAL NOTE FOR NON-TRACKING TACK COAT

1. DESCRIPTION AND USEAGE. This specification covers the requirements and practices for applying a non-tracking tack asphalt coating. Place this material on the existing pavement course, prior to placement of a new asphalt pavement layer. Use when expedited paving is necessary or when asphalt tracking would negatively impact the surrounding area. This material is not suitable for other uses. Ensure material can “break” within 15 minutes under conditions listed in 3.2.
2. MATERIALS, EQUIPMENT, AND PERSONNEL.

2.1 Non-Tracking Tack. Provide material conforming to Subsection 2.1.1.

2.1.1 Provide a tack conforming to the following material requirements:

Property	Specification	Test Procedure
Viscosity, SFS, 77 ° F	20 – 100	AASHTO T 72
Sieve, %	0.3 max.	AASHTO T 59
Asphalt Residue ¹ , %	50 min.	AASHTO T 59
Oil Distillate, %	1.0 max.	AASHTO T 59
Residue Penetration, 77 ° F	0 - 30	AASHTO T 49
Original Dynamic Shear (G*/sin δ), 82 ° C	1.0 min.	AASHTO T 315
Softening Point, ° F	149 min.	AASHTO T 53
Solubility, %	97.5 min.	AASHTO T 44

¹ Bring sample to 212 °F over a 10-15 minute period. Maintain 212 °F for 15-20 minutes or until 30-40 mL of water has distilled. Continue distillation as specified in T59.

- 2.2. Equipment. Provide a distributor truck capable of heating, circulating, and spraying the tack between 170 °F and 180 °F. Do not exceed 180 °F. Circulate the material while heating. Provide the correct nozzles that is recommend by the producer to ensure proper coverage of tack is obtained. Ensure the bar can be raised to between 14” and 18” from the roadway.
- 2.3. Personnel. Ensure the tack supplier has provided training to the contractor on the installation procedures for this product. Make a technical representative from the supplier available at the request of the Engineer.

3. CONSTRUCTION.

3.1 Surface Preparation. Prior to the application of the non-tracking tack, ensure the pavement surface is thoroughly dry and free from dust or any other debris that would inhibit adhesion. Clean the surface by scraping, sweeping, and the use of compressed air. Ensure this preparation process occurs shortly before application to prevent the return of debris on to the pavement. If rain is expected within one hour after application, do not apply material. Apply material only when the surface is dry, and no precipitation is expected.

3.2 Non-tracking Tack Application. Placement of non-tracking tack is not permitted from October 1st to May 15th. When applying material, ensure the roadway temperature is a minimum of 40°F and rising. Prior to application, demonstrate competence in applying the tack according to this note to the satisfaction of the Engineer. Heat the tack in the distributor to between 170 – 180 °F. After the initial heating, between 170 – 180 °F, the material may be sprayed between 165 °F and 180 °F. Do not apply outside this temperature range. Apply material at a minimum rate of 0.70 pounds (0.08 gallons) per square yard. Ensure full coverage of the material on the pavement surface. Full coverage of this material is critical. Increase material application rate if needed to achieve full coverage. Schedule the work so that, at the end of the day's production, all non-tracking tack is covered with the asphalt mixture. If for some reason the non-tracking tack cannot be covered by an asphalt mixture, ensure the non-tracking tack material is clean and reapply the non-tracking tack prior to placing the asphalt mixture. Do not heat material more than twice in one day.

3.3 Non-tracking Tack Certification. Furnish the tack certification to the Engineer stating the material conforms to all requirements herein prior to use.

3.4 Sampling and Testing. The Department will require a sample of non-tracking tack be taken from the distributor at a rate of one sample per 15,000 tons of mix. Take two 1 gallon samples of the heated material and forward the sample to the Division of Materials for testing within 7 days. Ensure the product temperature is between 170 and 180 °F at the time of sampling.

4. MEASUREMENT. The Department will measure the quantity of non-tracking tack in tons. The Department will not measure for payment any extra materials, labor, methods, equipment, or construction techniques used to satisfy the requirements of this note. The Department will not measure for payment any trial applications of non-tracking tack, the cleaning of the pavement surface, or furnishing and placing the non-tracking tack. The Department will consider all such items incidental to the non-tracking tack.
5. PAYMENT. The Department will pay for the non-tracking tack at the Contract unit bid price and apply an adjustment for each manufacturer's lot of material based on the degree of compliance as defined in the following schedule. Non-tracking tack will not be permitted for use from October 1st to May 15th. During this timeframe, the department will allow the use of an approved asphalt emulsion in lieu of a non-tracking tack product but will not adjust the unit bid price of the material. When a sample fails on two or more tests, the Department may add the deductions, but the total deduction will not exceed 100 percent.

Non-Tracking Tack Price Adjustment Schedule						
Test	Specification	100% Pay	90% Pay	80% Pay	50% Pay	0% Pay
Viscosity, SFS, 77 ° F	20 – 100	19 - 102	17 - 18	15 - 16	14	≤13
			103 - 105	106 - 107	108 - 109	≥ 110
Sieve, %	0.30 max.	≤ 0.40	0.41 - 0.50	0.51 - 0.60	0.61 - 0.70	≥ 0.71
Asphalt Residue, %	50 min.	≥49.0	48.5 – 48.9	48.0 – 48.4	47.5-47.9	≤ 47.4
Oil Distillate, %	1.0 max.	≤1.0	1.1-1.5	1.6 - 1.7	1.8-1.9	>2.0
Residue Penetration, 77 ° F.	30 max.	≤ 31	32 - 33	34 - 35	36 - 37	≥ 38
Original Dynamic Shear (G*/sin δ), 82 ° C	1.0 min.	≥0.95	0.92 – 0.94	0.90 – 0.91	0.85 - 0.89	≤ 0.84
Softening Point, ° F	149 min.	≥145	142 - 144	140 - 141	138 - 139	≤ 137
Solubility, %	97.5 min.	≥ 97.0	96.8 – 96.9	96.6 – 96.7	96.4 – 96.5	≤ 96.3

Code
24970EC

Pay Item
Asphalt Material for Tack Non-Tracking

Pay Unit
Ton

Revised: May 23, 2022

**SPECIAL NOTE FOR CONTRACT COMPLETION DATE AND
PENALTIES ON BRIDGE REPAIR CONTRACTS**

- 1. COMPLETION DATE.** The Contractor has the option of selecting the starting date for this Contract. Once selected, notify the Department in writing of the date selected at least two weeks prior to beginning work. All work is to be completed by the date listed below. An allotted number of Calendar days are assigned to each structure in this contract as shown below.

<u>STRUCTURE</u>	<u>NO. OF CALENDAR DAYS</u>	<u>COMPLETION DATE</u>
104B00032N	50	November 30, 2023

Contrary to Section 108.07.03, the Engineer will begin charging calendar days for a structure on the day the Contractor starts work or sets up traffic control on that particular structure. A **penalty of \$500.00 per day** will be assessed when the allotted number of calendar days is exceeded for each structure.

All construction must be completed in accordance with the weather limitations specified in Section 606 and/or Section 601 as applicable. No extension of Contract time will be granted due to inclement weather or temperature limitations that occur due to starting work on the Contract or a structure late in the construction season.

SPECIAL NOTE FOR BRIDGE PLANS

See Project Related Information for Bridge Plans.
Drawing Number 28697 with Roadway Plans.



KENTUCKY TRANSPORTATION CABINET
Department of Highways
DIVISION OF RIGHT OF WAY & UTILITIES

TC 62-226
Rev. 01/2016
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RIGHT OF WAY CERTIFICATION

<input checked="" type="checkbox"/>	Original	<input type="checkbox"/>	Re-Certification	RIGHT OF WAY CERTIFICATION	
ITEM #		COUNTY		PROJECT # (STATE)	PROJECT # (FEDERAL)
8-54.00 (8-40003.00)		Russell		FE02 104 625B00032N	N/A
PROJECT DESCRIPTION					
Warner Ridge Road (KY 3281 Culvert Replacement)					
<input type="checkbox"/> No Additional Right of Way Required					
Construction will be within the limits of the existing right of way. The right of way was acquired in accordance to FHWA regulations under the Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970, as amended. No additional right of way or relocation assistance were required for this project.					
<input checked="" type="checkbox"/> Condition # 1 (Additional Right of Way Required and Cleared)					
All necessary right of way, including control of access rights when applicable, have been acquired including legal and physical possession. Trial or appeal of cases may be pending in court but legal possession has been obtained. There may be some improvements remaining on the right-of-way, but all occupants have vacated the lands and improvements, and KYTC has physical possession and the rights to remove, salvage, or demolish all improvements and enter on all land. Just Compensation has been paid or deposited with the court. All relocations have been relocated to decent, safe, and sanitary housing or that KYTC has made available to displaced persons adequate replacement housing in accordance with the provisions of the current FHWA directive.					
<input type="checkbox"/> Condition # 2 (Additional Right of Way Required with Exception)					
The right of way has not been fully acquired, the right to occupy and to use all rights-of-way required for the proper execution of the project has been acquired. Some parcels may be pending in court and on other parcels full legal possession has not been obtained, but right of entry has been obtained, the occupants of all lands and improvements have vacated, and KYTC has physical possession and right to remove, salvage, or demolish all improvements. Just Compensation has been paid or deposited with the court for most parcels. Just Compensation for all pending parcels will be paid or deposited with the court prior to AWARD of construction contract					
<input type="checkbox"/> Condition # 3 (Additional Right of Way Required with Exception)					
The acquisition or right of occupancy and use of a few remaining parcels are not complete and/or some parcels still have occupants. All remaining occupants have had replacement housing made available to them in accordance with 49 CFR 24.204. KYTC is hereby requesting authorization to advertise this project for bids and to proceed with bid letting even though the necessary right of way will not be fully acquired, and/or some occupants will not be relocated, and/or the just compensation will not be paid or deposited with the court for some parcels until after bid letting. KYTC will fully meet all the requirements outlined in 23 CFR 635.309(c)(3) and 49 CFR 24.102(j) and will expedite completion of all acquisitions, relocations, and full payments after bid letting and prior to AWARD of the construction contract or force account construction.					
Total Number of Parcels on Project		3		EXCEPTION (S) Parcel #	
Number of Parcels That Have Been Acquired				ANTICIPATED DATE OF POSSESSION WITH EXPLANATION	
Signed Deed		3			
Condemnation					
Signed ROE					
Notes/ Comments (Text is limited. Use additional sheet if necessary.)					
LPA RW Project Manager				Right of Way Supervisor	
Printed Name				Printed Name Jeff Ray	
Signature				Signature 2023.04.24 13:55:33	
Date				Date -04'00'	
Right of Way Director				FHWA	
Printed Name		2023.04.25		Printed Name	
Signature		12:39:20		Signature	
Date		-04'00'		Date	

UTILITIES AND RAIL CERTIFICATION NOTE

Russell County
FE02 08 104 104B00032N
Mile point: 1.725 TO 1.726
Bridge Replacement on KY-3281 over Mt. Vernon Creek (104B00032N).
ITEM NUMBER: 08-40003.00

PROJECT NOTES ON UTILITIES

For all projects under 2000 Linear feet which require a normal excavation locate request pursuant to KRS 367.4901-4917, the awarded contractor shall field mark the proposed excavation or construction boundaries of the project (also called white lining) using the procedure set forth in KRS 367.4909(9)(k). For all projects over 2000 linear feet, which are defined as a "Large Project" in KRS 367.4903(18), the awarded contractor shall initially mark the first 2000 linear feet minimally of proposed excavation or construction boundaries of the project to be worked using the procedure set forth in KRS 367.4909(9)(k). This temporary field locating of the project excavation boundary shall take place prior to submitting an excavation location request to the underground utility protection Kentucky Contact Center. For large projects, the awarded contractor shall work with the impacted utilities to determine when additional white lining of the remainder of the project site will take place. This provision shall not alter or relieve the awarded contractor from complying with requirements of KRS 367.4905 to 367.4917 in their entirety.

Please Note: The information presented in this Utility Note is informational in nature and the information contained herein is not guaranteed.

The contractor will be responsible for contacting all utility facility owners on the subject project to coordinate his activities. The contractor will coordinate his activities to minimize and, where possible, avoid conflicts with utility facilities. Due to the nature of the work proposed, it is unlikely to conflict with the existing utilities beyond minor facility adjustments. Where conflicts with utility facilities are unavoidable, the contractor will coordinate any necessary relocation work with the facility owner and Resident Engineer. The Kentucky Transportation Cabinet maintains the right to remove or alter portions of this contract if a utility conflict occurs. The utility facilities as noted in the previous section(s) have been determined using data garnered by varied means and with varying degrees of accuracy: from the facility owners, a result of S.U.E., field inspections, and/or reviews of record drawings. The facilities defined may not be inclusive of all utilities in the project scope and are not Level A quality, unless specified as such. It is the contractor's responsibility to verify all utilities and their respective locations before excavating.

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. The contractor is instructed to contact KY 811 for

UTILITIES AND RAIL CERTIFICATION NOTE

Russell County
FE02 08 104 104B00032N
Mile point: 1.725 TO 1.726
Bridge Replacement on KY-3281 over Mt. Vernon Creek (104B00032N).
ITEM NUMBER: 08-40003.00

the location of existing underground utilities. Contact shall be made a minimum of two (2) and no more than ten (10) business days prior to excavation. The contractor shall submit Excavation Locate Requests to the Kentucky Contact Center (KY 811) via web ticket entry. The submission of this request does not relieve the contractor from the responsibility of contacting non-member facility owners, whom are to be contacted through their individual Protection Notification Center. It may be necessary for the contractor to contact the County Court Clerk to determine what utility companies have facilities in the area. Non-compliance with these directives can result in the enforcement of penalties.

Utility coordination efforts determined that no significant utility relocation work is required to complete the project. Any work pertaining to these utility facilities is defined in the bid package and is to be carried out as instructed by the Kentucky Transportation Cabinet. The contractor will be responsible for any coordination or adjustments that are discussed or quantified in the proposal.

NOTE: DO NOT DISTURB THE FOLLOWING FACILITIES LOCATED JUST OUTSIDE THE PROJECT DISTURB LIMITS

City of Jamestown Water District has a water line with a valve located at the north side of the bridge just outside the disturb limits and adjacent to the new guardrail to be install and should be avoid during construction.

THE FOLLOWING FACILITY OWNERS ARE RELOCATING/ADJUSTING THEIR FACILITIES WITHIN THE PROJECT LIMITS AND WILL BE COMPLETE PRIOR TO CONSTRUCTION

Not Applicable

UTILITIES AND RAIL CERTIFICATION NOTE

<div>Russell County FE02 08 104 104B00032N Mile point: 1.725 TO 1.726 Bridge Replacement on KY-3281 over Mt. Vernon Creek (104B00032N). ITEM NUMBER: 08-40003.00</div>
--

THE FOLLOWING FACILITY OWNERS HAVE FACILITIES TO BE RELOCATED/ADJUSTED BY THE OWNER OR THEIR SUBCONTRACTOR AND IS TO BE COORDINATED WITH THE ROAD CONTRACT

Not Applicable

THE FOLLOWING FACILITY OWNERS HAVE FACILITIES TO BE RELOCATED/ADJUSTED BY THE ROAD CONTRACTOR AS INCLUDED IN THIS CONTRACT

Not Applicable

<p>Russell County</p> <p>FE02 08 104 104B00032N</p> <p>Mile point: 1.725 TO 1.726</p> <p>Bridge Replacement on KY-3281 over Mt. Vernon Creek (104B00032N).</p> <p>ITEM NUMBER: 08-40003.00</p>

☒ No Rail Involvement ☐ Rail Involved ☐ Rail Adjacent

Facility Owner	Address	Contact Name	Phone	Email
City of Jamestown water	P.O. Box 587, Jamestown KY 42629	Neal Jackson	(270)566-4436	jamestownpwd@gmail.com



KENTUCKY TRANSPORTATION CABINET
Department of Highways
DIVISION OF ENVIRONMENTAL ANALYSIS
CATEGORICAL EXCLUSION DETERMINATION

TC 58-48
Rev. 10/2019
Page 1 of 1

1. PROJECT SUMMARY

Item #: 8-40003.00 (KYTC Structure ID 104B00032N)	Project Sponsor: FHWA and KYTC
Route(s): KY 3281	County: Russell County
Project Description: The project will entail the replacement of the bridge on KY 3281 over Jobbes Fork in Russell County, KY (Appendix A, Exhibits 1 and 2) KYTC Item #8-40003.00. Photographs of the structure are within the Bridged Inspection Report, as a part of the Cultural Historic Summary, and within the Ecology No Effect Finding for Mussels (Please see Appendix B). Please see Appendix A for project exhibits and Appendix D for project plans.	






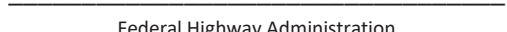
2. ENVIRONMENTAL DETERMINATION

Functional Area	Determination	Comments/Commitments/Mitigation
Public and Resource Agency Controversy	No	No controversy
Total acreage of fee simple ROW	0.201	No issues.
Number of Total Relocations	0	No relocations
Environmental Justice Impacts	No	No impacts
Section 106: Architectural Historic	No Effect	No effect: SHPO concurrence received 12/5/22 (Appendix B)
Section 106: Archaeological Resources	No Effect	No effect: SHPO concurrence received 1/10/23 (Appendix B)
Section 4(f)	No 4(f) Properties	No 4(f) properties
Section 6(f)	No 6(f) Properties	No 6(f) properties
Noise	Not a Type I	No study or further action
Air Quality Impacts		No study or further action
Hazardous Materials Impacts	No	No Asbestos Containing Materials (ACM) present (Appendix C)
Section 7: T&E Species		No Habitat/No Effect (Mussels), 0.2 acres bat habitat (Appendix B)
Anticipated Feet of Stream Impacts	75 feet	Below Notification Requirements (BNR)
Anticipated Acreage of Wetland Impacts	Stream Only	No impacts
Anticipated Permits	Yes	Below Notification Requirements (BNR)
Other:		KPDES KY R-10
Other:	Endangered Bats	No clearing trees 5"+DBH 6/1-7/31, \$870 to BCF (Appendix B)
Other:		

Based on the criteria listed above, in review of the most recent Categorical Exclusion Agreement between KYTC and FHWA, the subject project is determined to be considered a Categorical Exclusion, Level CEMP.

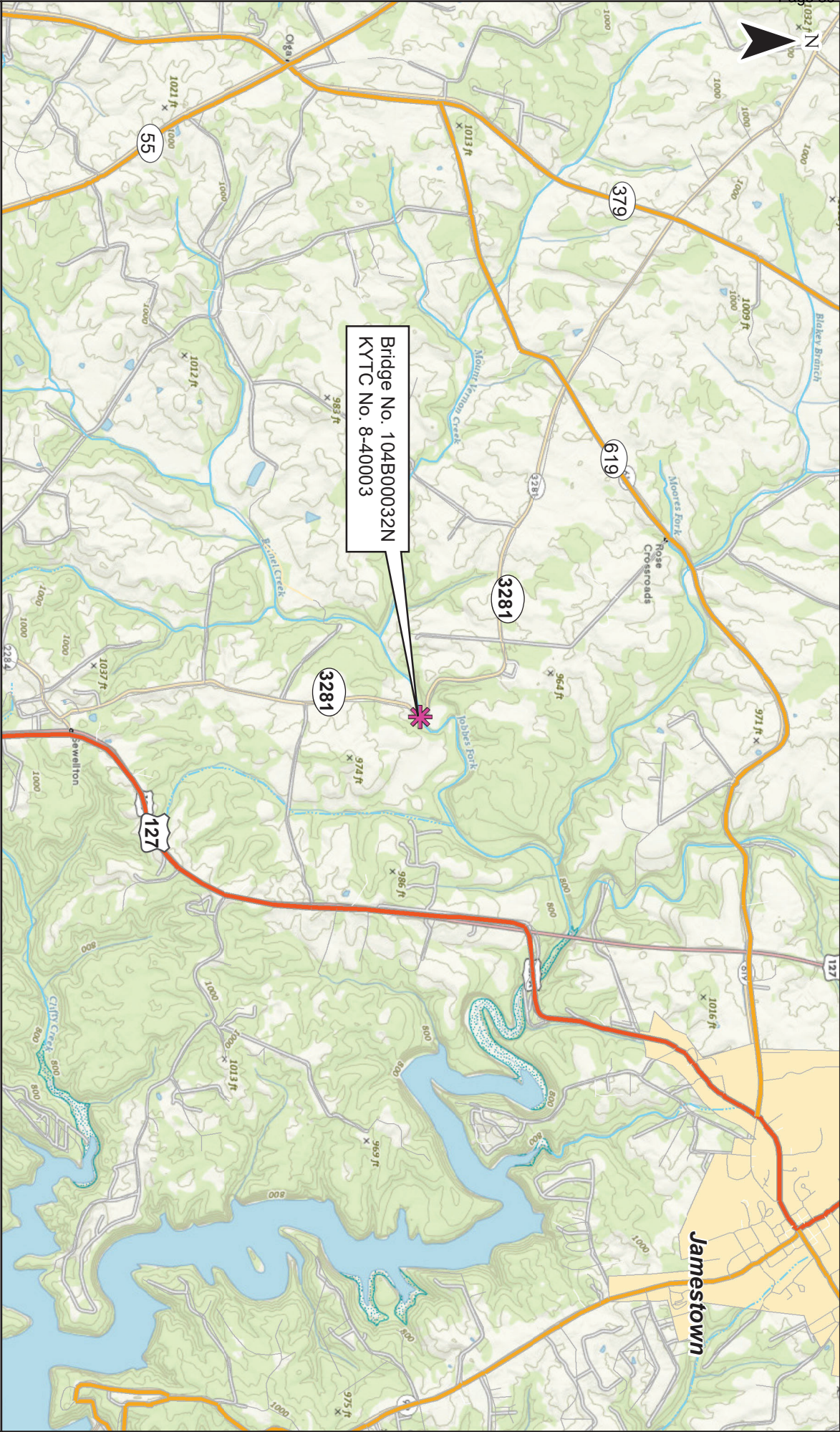
3. ENVIRONMENTAL DOCUMENT APPROVAL

Based on the information obtained during the environmental review process and included as attachments to this form, the project is determined to be a Categorical Exclusion under 23 CFR part 771 pursuant to the National Environmental Policy Act and complies with all other applicable environmental laws, regulations, and Executive Orders. The project action does not individually or cumulatively have a significant effect on the natural and human environment.

			
District Environmental Coordinator	Project Manager	Environmental Project Manager	Director of Environmental Analysis
		3/8/23	
Recommended by FHWA	Federal Highway Administration	Date	Date

APPENDIX A

Exhibits

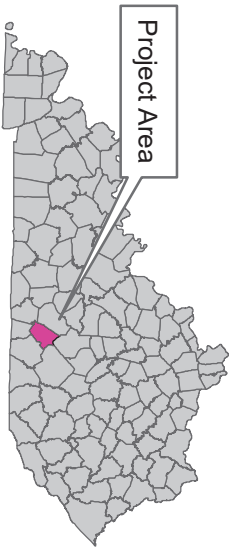


 Bridge Replacement Location

Exhibit 1: Vicinity Map

KY-3281 Bridge Replacement
KYTC No. 8-40003
Bridge No. 104B00032N
Russell County, KY

0 0.5 1 Miles



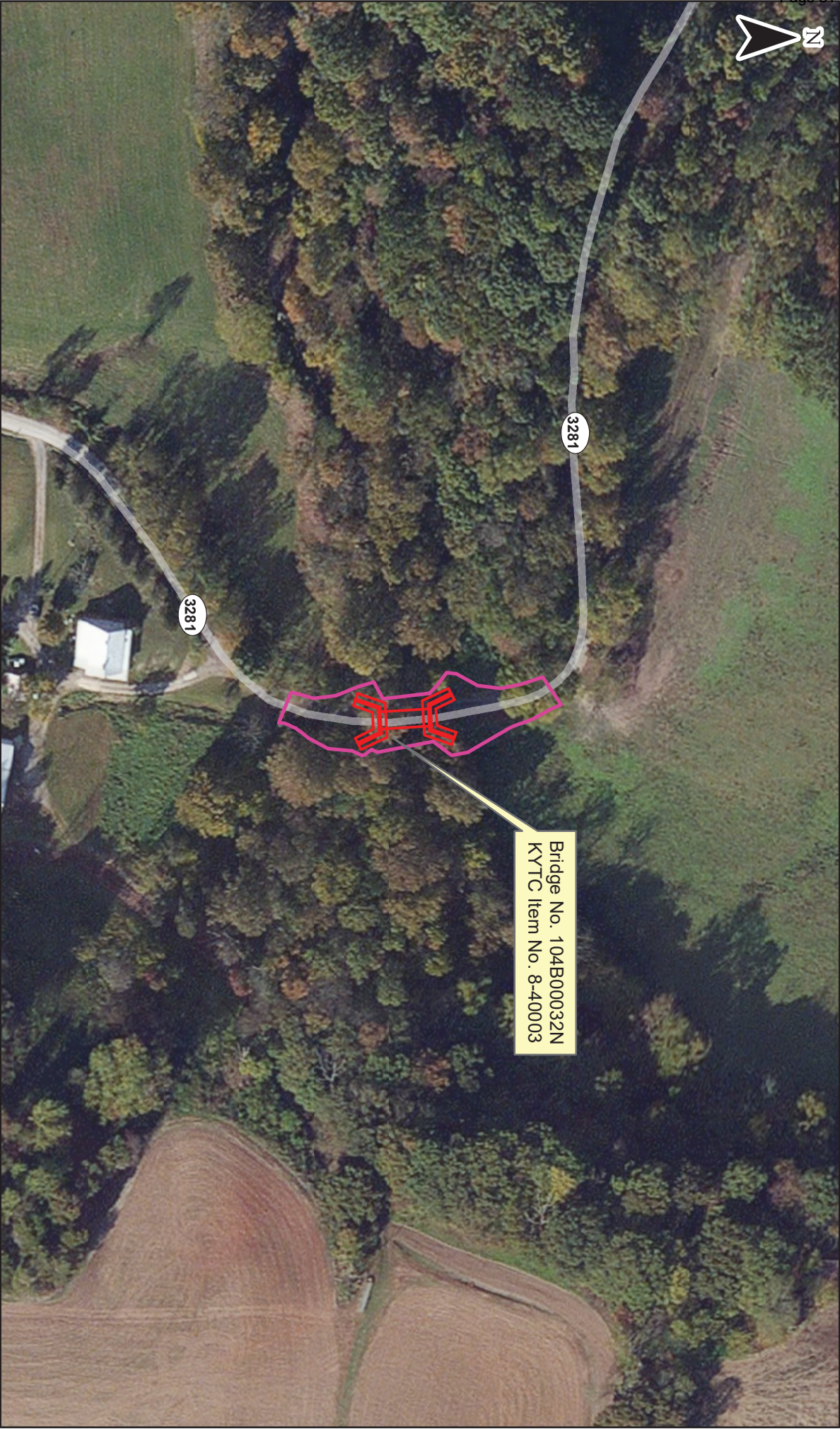


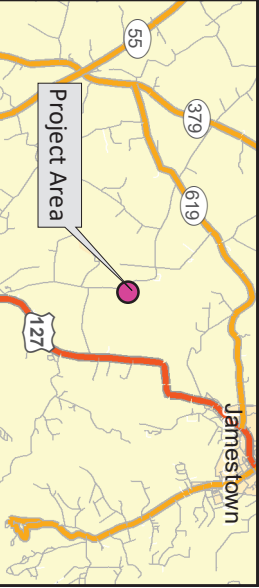
Exhibit 2: Proposed Disturbed Limits

 Proposed Disturbed Limits

 Bridge Design

KY-3281 Bridge Replacement
Bridge No. 104B00032N
KYTC Item No. 8-40003
Russell County, KY

0 120 240 Feet



APPENDIX B

Coordination



ANDY BESHEAR
GOVERNOR

REBECCA W. GOODMAN
SECRETARY

ANTHONY R. HATTON
COMMISSIONER

**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601
TELEPHONE: 502-564-2150
TELEFAX: 502-564-4245

January 20, 2023

HMB
3 HMB Circle
Frankfort, KY 40601

RE: Bridge Replacement on KY 3281 over Jobbes Fork (KYTC Item #8-40003.00) (NEPA 2022-65)

Dear Sir or Madam,

The Energy and Environment Cabinet serves as the state clearinghouse for review of environmental documents generated pursuant to the National Environmental Policy Act (NEPA). Within the Cabinet, the Commissioner's Office in the Department for Environmental Protection (DEP) coordinates the review for Kentucky state agencies. We received your letter requesting an environmental review for this project. We have reviewed the document and provided comments below.

Division of Enforcement

The Kentucky Division of Enforcement does not have any concerns about this project proposal.

BACKGROUND

The Division of Enforcement is not aware of any enforcement actions associated with this project. The bridge is located in a rural area. Jobbes Fork, which the bridge crosses, is the nearest water body. The Division of Enforcement anticipates, from the proposal, that any disturbances will be very localized.

KY-3281 (Warner Ridge Road) crossing Jobbes Fork



Local area around the bridge



Division of Water

Water Quality Branch

Comment: Best management practices should be utilized to reduce runoff from project activities into nearby waters.

Questions should be directed to Andrea Fredenburg, (502) 782-6950,
Andrea.Fredenburg@ky.gov.

Field Operations Branch

Comment: 1) Developers would need to submit a Notice of Intent (NOI) for a KPDES General Stormwater Construction Activities and receive approval from DOW before implementing construction.

2) Construction plans would need to include development of a SWPPP (Stormwater Pollution Prevention Plan) applicable to the site and install/maintain proper Best Management Practices

(BMPs) within the project area and throughout the duration of project to ensure protection of surface waters.

3) Ensure pre-dig planning of markup of all drinking water and wastewater collection system lines to ensure service lines are not damaged or services disrupted.

3) For the stream crossing section: Floodplain construction approval will need to be determined through DOW's Water Resources Branch.

4) For the stream crossing location: Developers to obtain a 404 Water Quality Certification approval through the USACE.

Questions should be directed to Constance Coy, (502) 782-6587, Constance.Coy@ky.gov.

Watershed Management Branch

Water Supply Section:

Comment: This proposed project is within the Jamestown Municipal Water Works designated Source Water Protection Areas, Zone 2 (Zone of Responsibility/1 hour to 5 hour Time of Travel).

Source Water Protection should include best management practices or BMP's that prevent, reduce, or eliminate storm water runoff, soil erosion, and movement of nutrients, bacteria, and contaminants into unprotected waterways that may pose threats to public drinking water supplies. It should also include contingency planning strategies if protective measures fail or accidents and/or disasters occur and emergency response planning for water supply contamination or service interruption. Examples can be referenced here:

<https://www.epa.gov/sourcewaterprotection/source-water-protection-practices> or

<https://eec.ky.gov/Environmental-Protection/Water/Protection/Pages/SWP.aspx>

Questions should be directed to Chip Zimmer at (502) 782-7141, Edward.Zimmer@ky.gov.

Groundwater Section:

Comment: The proposed work is endorsed by the Groundwater Section of the Watershed Management Branch. However, it is our recommendation that site be made aware of the requirements of 401 KAR 5:037 and the need to develop a Groundwater Protection Plan (GPP) for the protection of groundwater resources within that area.

Questions should be directed to Kurtis Spears at (502) 782-7119, Kurtis.Spears@ky.gov.

Water Resources Branch

Floodplain Management Section:

Comment: KYTC is exempt from state stream construction permitting for highway projects, but must self enforce to meet all FEMA requirements.

A 404 permit from the US Army Corps of Engineers and 401 Water Quality Certification may also be required. Our Water Quality Certification section will review the application to determine if 401/404 permitting is needed. For information on permitting procedures or for other information, visit <https://eec.ky.gov/Environmental-Protection/Water/PermitCert/WQ401Cert/Pages/Apply-for-Certification.aspx>

Questions should be directed to Shawn Hokanson at (502) 782-6977, Shawn.Hokanson@ky.gov.

Water Quality Certification Section:

Comment: If the activity requires a federal permit due to activities in or near Waters of the U.S., a Clean Water Act Section 401 Water Quality Certification from the DOW may be required for this project.

Questions should be directed to the Water Quality Certification Section, (502) 564-3410, 401WQC@ky.gov.

Dam Safety Section:

Comment: No comments.

Questions should be directed to Glen Alexander at (502) 782-6874 or Glen.Alexander@ky.gov.

Surface Water Permits Branch

Permit Support Section:

Comment: If the construction area disturbed is equal to or greater than 1 acre, the applicant will need to apply for a Kentucky Pollutant Discharge Elimination System (KPDES) stormwater discharge permit.

Questions should be directed to the Permit Support Section, (502) 564-3410, SWPBsupport@ky.gov.

Division of Waste Management

Based on the information provided by the applicant for this project:

UST Branch records indicate no underground storage tank site issues identified within the project impact area. If any USTs are encountered during the project construction they should be reported to KDWM. Any UST issues or questions should be directed to the UST Branch.

Superfund Branch records indicate no superfund site issues identified within the project impact area. Any superfund issues or questions should be directed to the Superfund Branch.

Solid Waste Branch records indicate no active or historic landfill sites within the project impact area. Any solid waste issues or questions should be directed to the Solid Waste Branch.

Hazardous Waste Branch records indicate no hazardous waste issues identified within the project impact area. Any hazardous waste issues or questions should be directed to the Hazardous Waste Branch.

RLA Branch records indicate no RLA tracked open dumps within the project impact area. Any questions or issues should be directed to the RLA Branch.

All solid waste generated by this project must be disposed of at a permitted facility.

If asbestos, lead paint and/or other contaminants are encountered during this project contact the Division of Waste Management for proper disposal and closure.

The information provided is based on those facilities or sites that KDWM currently has in its database. If you would like additional information on any of these facilities or sites, you may contact the file room custodian at (502) 782-6357. Please keep in mind additional locations of

releases, potential contamination or waste facilities may be present but unknown to the agency. Therefore, it is recommended that appropriate precautions be taken during construction activities. Please report any evidence of illegal waste disposal facilities and releases of hazardous substances, pollutants, contaminants or petroleum to the 24-hour Environmental Response Team at 1-800-928-2380.

Division for Air Quality

401 KAR 63:010, Fugitive Emissions, states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored without taking reasonable precaution to prevent particulate matter from becoming airborne. Additional requirements include the covering of open bodied trucks, operating outside the work area transporting materials likely to become airborne, and that no one shall allow earth or other material being transported by truck or earth-moving equipment to be deposited onto a paved street or roadway. Please note the Fugitive Emissions Fact Sheet located at <https://eec.ky.gov/Environmental-Protection/Air/Documents/Fugitive%20Dust%20Fact%20Sheet.pdf>

401 KAR 63:005 states that open burning shall be prohibited except as specifically provided. Open Burning is defined as the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the Open Burning Brochure located at <https://eec.ky.gov/Environmental-Protection/Air/Pages/Open-Burning.aspx>

The Division would like to offer the following suggestions on how this project can help us stay in compliance with the National Ambient Air Quality Standards (NAAQS). These air quality control strategies are beneficial to the health of citizens of Kentucky.

- Utilize alternatively fueled equipment.
- Utilize other emission controls that are applicable to your equipment.
- Reduce idling time on equipment.

The Division also suggests an investigation into compliance with applicable local government regulations.

Kentucky Nature Preserves

Your project might have the potential of impacting federally or state listed species and natural communities. Go to the Kentucky Biological Assessment Tool (kynaturepreserves.org) to obtain a Standard Occurrence Report for information regarding listed species known within your project area. The report will also provide information on public and private conservation lands, areas of biodiversity significance, and other natural resources in your project area for which the Office of Kentucky Nature Preserves maintains data.

This review is based upon the information that was provided by the applicant. An endorsement of this project does not satisfy, or imply, the acceptance or issuance of any permits, certifications or approvals that may be required from this agency under Kentucky Revised Statutes or Kentucky

Administrative Regulations. Such endorsement means this agency has found no major concerns from the review of the proposed project as presented other than those stated as conditions or comments. If you should have any questions, please contact me at (502) 782-0863 or e-mail Louanna.Aldridge@ky.gov.

Sincerely,



Louanna Aldridge
Environmental Scientist Consultant Sr.
Office of the Commissioner
Department for Environmental Protection
Energy and Environment Cabinet



ANDY BESHEAR
GOVERNOR

TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY HERITAGE COUNCIL
THE STATE HISTORIC PRESERVATION OFFICE

MICHAEL E. BERRY
SECRETARY

JACQUELINE COLEMAN
LT. GOVERNOR

410 HIGH STREET
FRANKFORT, KENTUCKY 40601
(502) 564-7005
www.heritage.ky.gov

CRAIG A. POTTS
EXECUTIVE DIRECTOR &
STATE HISTORIC PRESERVATION OFFICER

January 10, 2023

Mr. Daniel R. Peake, Director
Division of Environmental Analysis
Kentucky Transportation Cabinet
200 Mero Street
Frankfort, Kentucky 40602

Re: *Phase I Archaeological Survey for the Replacement of the KY 3281 (Warner Ridge Road) Over Jobbes Fork Bridge* by David Schatz
Kentucky Bridges Program
KYTC Item #s 8-40003

Dear Mr. Peake,

Thank you for your recent digital submission of an archaeological report pertaining to the above-referenced bridge rehabilitations and replacements. We understand that the Federal Highway Administration is the lead federal agency for these undertakings. Two Precontact archaeological sites (15Ru171 and 15Ru172) were located within the area of potential effects (APE) during investigation. We accept the archaeology report without revision.

Sites 15Ru171 and 15Ru172 are documented as open-air Precontact habitations without mounds. Boundaries of site 15Ru171 do not extend beyond the APE. The portions of site 15Ru172 beyond the APE remain unassessed. The author recommends portions of sites within the APE as ineligible for listing in the National Register of Historic Places (NRHP). We concur with the author's recommendations.

KYTC, through qualified designated consultants, recommends a determination of *No Historic Properties Affected* for these undertakings. We concur with those determinations.

Please feel free to contact Stephanie Dooley with any questions or concerns at Stephanie.Dooley@ky.gov

Sincerely,

A handwritten signature in black ink, appearing to read "C. Potts".

Craig A. Potts,
Executive Director and
State Historic Preservation Officer

KHC # 230032
CP: nk, sd
e-cc: Anne Bader (CIA), Phil Mink (OSA)

**KENTUCKY HIGHWAY DEPARTMENT
DISTRICT #8 BRIDGES
Russell County Bridge #104B00032N
KYTC Item No. 8-40003**

Cultural Historic Summary

**KENTUCKY TRANSPORTATION CABINET
2022**

Cultural Historic
Program Review Form for Architectural History

KYTC No: 8-40003	Bridge No: 104B00032N
Route: Warren Ridge Rd	Year Built: 1986
County: Russell	Bridge Project Type: Replacement
KHC Site Check: FY23-5050	Lat/Long: 36.959568/-85.105983

Project Type Listed the FHWA/KYTC/ACHP Section 106 Programmatic Agreement 2019:

- Attachment #2-11. Bridge rehabilitation, reconstruction, or replacement Replacement

Area of Potential Effects defined as a distance of 150-foot from the centerline of the Project in all directions as per SHPO guidance and indicated on the attached maps.

Program Comment Bridge Type: No

Are there Historical Resources within the Project APE (per KHC database): No
NRHP-listed or potentially eligible sites/districts (>50 years): No

Is the bridge eligible for the NRHP: No

Are there Identified Sites in the APE: Yes

Site #	Eligibility	Effect	SHPO Concurrence Signature
1	Not Eligible	N/A	<i>Matt Zagle</i>

Discuss Basis For Finding:

- Photographs: Yes
- Aerial/Topography Maps: Yes
- Other: Fieldwork

POTENTIAL TO AFFECT HISTORIC PROPERTIES (If Adverse complete page 2): No Effect
Historic Context:

ATTACHMENTS:

Map showing topography, APE, Identified Historic Resources: Yes
Relevant Photographs: Yes
KHC Survey Form(s): No
Project Plans: No

Date of Field Investigation:	9/19/2022	As Determined by:	Evan Christodoulou/CRAI
Date of Desktop Review:		QA/QC Determined by:	

Organization	Name	Title	Date
KYTC DEA:			
KYSHPO:	<i>Matt Zagle</i>	106 Reviewer	12/5/2022

Cultural Historic Project Summary Sheet Russell County Bridge #104B00032N KYTC Item No. 8-40003

1. What the Project includes:

A replacement project will entail complete removal of the bridge and construction of a new bridge with design life of 75 years. The replacement project will replace the bridge in the same location with current geometrics (bridge width, length, hydraulic opening, etc.) to avoid environmental impacts, utility impacts, and minimize the need for new right of way. The project will not include any reconstruction of the roadways approaching the bridge. Traffic will be detoured onto existing roads, rather than on a temporary crossing of the stream.

2. Eligibility Recommendations:

The bridge reportedly dates to 1986 and consists of a single lane with a concrete deck and supported by concrete abutments and a central concrete pier. Low concrete curbs run along both sides of the bridge. The bridge is not associated with any significant events or persons and is not an exceptional example of a particular bridge type or method of construction. The bridge superstructure is an undistinguished example of concrete slab and concrete box beam, a very common type built in large numbers throughout the state. Thus, the bridge lacks the significance and integrity to distinguish it as a notable example of its type in eastern Kentucky. As such, it is recommended not eligible for listing in the National Register of Historic Places (NRHP) under Criterion A, B, or C.

The additional resource is not recommended as not eligible for listing in the National Register of Historic Places (NRHP) under Criterion A, B, or C.

3. Determination of Effect:

Since the bridge and additional resource within the APE are not eligible, the project will result in no historic properties affected.



Bridge Inspection Report

104B00032N

Inspector: Rick Rogers
Entered by: RROGERSCON
04/14/2022
Substandard (12 months)

IDENTIFICATION		Heath Index: 74.32	
Structure Num (8):	104B00032N	SubStd: No	SubStd Reason: Not Sub-Standa
NBI Number:	104B00032N	Inspection Type	Freq (92)
Structure Name:		Last Insp (93)	Next Insp
Location (9):	2.0 MI SE OF JCT KY 619	Routine	12
Carries (7):	KY-3281	Element	12
Type of Service (42A):	1 Highway	Fracture Critical (A)	1/1/1901
Feature Crossed (6):	MT. VERNON CREEK	Underwater (B)	1/1/1901
Type of Service (42B):	5 Waterway	Special Insp (C)	4/23/2021
Placecode (4):	Not Applicable		
County (3):	Russell (104)		
State (1):	21 Kentucky		
Admin Area:	Inventory		
District:	District 8		
Latitude (16):	36° 57' 34"		
Longitude (17):	85° 6' 22"		
Owner (22):	State Highway Agency		
Maint. Resp. (21):	State Highway Agency		
Year Built (27):	1986		
Year Recon (106):	0		
Border State (98A):	Not Applicable (P)		
Border Number (98):			
% Responsibility (98B):	-1		

LOAD RATING AND POSTING	
Posting Status (41):	P Posted for load
Posting (70):	0 >39.9% below
Signs Posted Cardinal:	Yes
Signs Posted Non-Cardinal:	Yes
Recmd Date:	4/27/2020
Posted Date:	5/11/2020
Required Postings (Tons.)	Field Postings (Tons.)
Gross: 22.00	Gross: 22.00
Truck Type 1:	Truck Type 1
Truck Type 2:	Truck Type 2
Truck Type 3:	Truck Type 3
Truck Type 4:	Truck Type 4
SUV 5:	SUV 5:
SUV 6:	SUV 6:
SUV 7:	SUV 7:
EV Single Axle:	EV Gross:
EV Tandem Axle:	

DECK GEOMETRY		DECK CONDITION	
Deck Geometry (68):	5 Above Tolerable		
Deck Area:	616.00 sq ft		
Deck Type (107):	2 Concrete Precast Panel		
Wearing Surface (108A):	1 Monolithic Concrete		
Membrane (108B):	0 None		
Deck Protection (108C):	None		
Approach Roadway width (32):	14.11 ft.		
Width Curb to Curb (51):	13.45 ft.		
O. to O. Width (52):	14.00 ft.		
Curb / Sidewalk Width L (50A):	0.67 ft.		
Curb / Sidewalk Width R (50B):	0.67 ft.		
Median (33):	0 No median		
Deck Rating (58):	6 Satisfactory		
Bridge Rail (36A):	0 Substandard		
Transition (36B):	N N/A or not required		
Approach Rail (36C):	N N/A or not required		
Approach Rail Ends (36D):	N N/A or not required		

SUPERSTRUCTURE GEOMETRY		SUPERSTRUCTURE CONDITION	
# of Main Spans (45):	2		
# of Approach Spans (46):	0		
Main Material (43 A):	1 Concrete		
Main Design (43 B):	05 Multiple Box Beam		
Max Span Length (48):	21.00 ft.		
Structure Length (49):	44.00 ft.		
NBIS Length (37):	Long Enough		
Temp Structure (103):	Not Applicable (P)		
Skew (34):	0°		
Structure Flared (35):	0 No flare		
Parallel Structure (101):	No bridge exists		
Approach Alignment (72):	6 Equal Min Criteria		
Superstructure Rating (59):	4 Poor		
Structure Evaluation (67):	4 Minimum Tolerable		



Bridge Inspection Report

104B00032N

Inspector: Rick Rogers
Entered by: RROGERSCON
04/14/2022
Substandard (12 months)

SUBSTRUCTURE GEOMETRY		
Navigation Control (38):	Permit Not Required	
Nav Vert Clearance (39):		
Nav Horiz Clearance (40):		
Pier Protection (111):	Not Applicable (P)	
Lift Bridge Vertical Clearance (116):		
Scour Rating (113):	4 Stable, needs action	SUBSTRUCTURE CONDITION Substructure Rating (60): 5 Fair Channel Rating (61): 6 Bank Slumping
Waterway Adequacy (71):	4 Tolerable	

KYTC FIELDS			
Overlay:	No	Scour Observed:	Moderate Scour
Overlay Type:	None	Scour Risk :	Low Risk
Overlay Thickness:		Scour Analysis/Assessment :	Assessment Performed
Overlay Year:		Scour POA :	Not Required
Cross Section:	Yes	Scour POA Date :	
Cross Section Date:	04/14/2022	Next Cross Section Due Date :	04/14/2023

ROUTE ON STRUCTURE: KY-3281		ROADWAY CLASSIFICATION		CLEARANCES	
ROADWAY LOCATION					
Pos Prefix (5A):	Route On Structure	Funct Class (26):	09 Rural Local	Vertical (10):	99.99 ft.
Kind of Hwy (5B):	3 State Hwy	Level Service (5C):	1 Mainline	Min Vert Over (53):	99.99 ft.
Route Num (5D):	03281	NHS (104):	0 Not on NHS	Vert Ref (54A):	N Feature not hwy or RR
LRS Route (13A/B):		Defense Hwy (100):	0 Not a STRAHNET hwy	Unclearance (54B):	0.00 ft.
Milepost (11):	1.73 mi	Toll Facility (20):	3 On free road	Horizontal (47):	13.12 ft.
Suffix (5E):	0 N/A (NBI)	ADT (29):	89 Cars/Day	Min Lat Left (56):	0.00 ft.
Lanes On (28A):	1	Pct Trucks (109):	0.00%	Min Lat Right (55B):	0.00 ft.
Detour Length (19):	6.85 mi	ADT Year (30):	2021	Horiz Ref (55A):	N Feature not hwy or RR
				Unclearance (69):	N Not applicable (NBI)







Russell County Bridge # 104B00032N

KYTC Item No. 8-40003



Russell County Bridge # 104B00032N

KYTC Item No. 8-40003

KYTC Item no. 8-40003

Russell County Bridge No. 104B00032N

Resource within 150 ft APE.

A residence and outbuildings (Site 1) are located approximately 256 ft south of the bridge. While the residence, and the outbuildings associated with it, are not standing within the APE – their parcel does intersect with it. The residence is a one-and-half-story, five-bay (ww/d/d/w/w), side-gabled, house. The house is topped by a standing seam roof and clad in vinyl siding. The foundation was covered and not visible from the ROW. The windows piercing the residence contain six-over-six, double-hung, vinyl windows. Two interior, brick clad, chimneys are visible piercing the central ridge of the roofline. The façade features a two single-leaf entries, sheltered within a porch that wraps around the north (façade) and east elevations. The roof of the porch is topped by standing seam and helped supported by eight wood piers. The porch also features a wood railing, connecting the piers to one another. The foundation of the porch is covered by a wood lattice. Located approximately 86 ft southeast of the residence is a transverse frame barn (Resource A). Located approximately 48 ft south-southeast of the residence is an outbuilding (Resource B). Located approximately 280 ft south of the residence is a metal equipment barn with an attached concrete block front-building (Resource C). Approximately 390 ft south of the residence is a grouping of metal grain bins (Resource D). The residence at Site 1, the primary resource, is first seen on a 1951 aerial photograph. The house appears to be a common example of early to mid-twentieth century vernacular architecture, thus not eligible for listing in the NRHP under Criterion A, B, or C.

Site 1



Façade of house, looking southwest.



Transverse barn (Resource A), looking southeast.



Outbuilding (Resource B), looking south.



Metal barn and attached concrete block building (Resource C), looking southeast.



Grouping of metal grain bins (Resource D), looking east-southeast.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Kentucky Ecological Services Field Office
J C Watts Federal Building, Room 265
330 West Broadway
Frankfort, KY 40601-8670
Phone: (502) 695-0468 Fax: (502) 695-1024



In Reply Refer To:

September 09, 2022

Project Code: 2022-0083983

Project Name: Russell County - KY-3281, Warner Ridge Road - Bridge Replacement

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2))

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(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

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Attachment(s):

- Official Species List

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Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Kentucky Ecological Services Field Office

J C Watts Federal Building, Room 265

330 West Broadway

Frankfort, KY 40601-8670

(502) 695-0468

09/09/2022

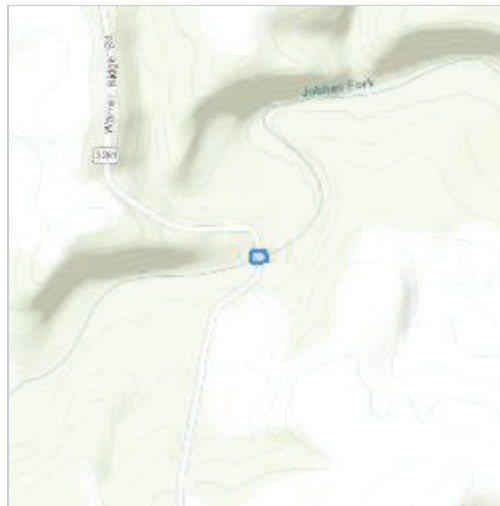
2

Project Summary

Project Code: 2022-0083983
Project Name: Russell County - KY-3281, Warner Ridge Road - Bridge Replacement
Project Type: Bridge - Replacement
Project Description: This project is for the improvement of KY-3281 (Warner Ridge Road) by replacing the existing structurally deficient concrete bridge with a new bridge. This location is southwest of Jamestown, Kentucky near the intersection of KY-3281 (Warner Ridge Road) and Lewis Cemetery Road.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.959474099999994,-85.10600706965934,14z>



Counties: Russell County, Kentucky

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Endangered Species Act Species

There is a total of 8 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 3 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.
-

Mammals

NAME	STATUS
<p>Gray Bat <i>Myotis grisescens</i></p> <p>No critical habitat has been designated for this species.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none">▪ The project area includes potential gray bat habitat. <p>Species profile: https://ecos.fws.gov/ecp/species/6329</p> <p>General project design guidelines:</p> <p>https://ipac.ecosphere.fws.gov/project/3MJXRIZCDJDHHJJLFVSPHEJDI/documents/generated/6422.pdf</p>	Endangered
<p>Indiana Bat <i>Myotis sodalis</i></p> <p>There is final critical habitat for this species. The location of the critical habitat is not available.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none">▪ The project area includes 'potential' habitat. All activities in this location should consider possible effects to this species. <p>Species profile: https://ecos.fws.gov/ecp/species/5949</p> <p>General project design guidelines:</p> <p>https://ipac.ecosphere.fws.gov/project/3MJXRIZCDJDHHJJLFVSPHEJDI/documents/generated/6422.pdf</p>	Endangered
<p>Northern Long-eared Bat <i>Myotis septentrionalis</i></p> <p>No critical habitat has been designated for this species.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none">▪ The specified area includes areas in which incidental take would not be prohibited under the 4(d) rule. For reporting purposes, please use the "streamlined consultation form," linked to in the "general project design guidelines" for the species. <p>Species profile: https://ecos.fws.gov/ecp/species/9045</p> <p>General project design guidelines:</p> <p>https://ipac.ecosphere.fws.gov/project/3MJXRIZCDJDHHJJLFVSPHEJDI/documents/generated/6422.pdf</p>	Threatened

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Clams

NAME	STATUS
Cumberland Bean (pearlymussel) <i>Villosa trabalis</i> Population: Wherever found; Except where listed as Experimental Populations No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6061 General project design guidelines: https://ipac.ecosphere.fws.gov/project/3MJXRIZCDJDHHJL FVSQPHEJDI/documents/generated/5640.pdf	Endangered
Cumberlandian Combshell <i>Epioblasma brevidens</i> Population: Wherever found; Except where listed as Experimental Populations There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/3119 General project design guidelines: https://ipac.ecosphere.fws.gov/project/3MJXRIZCDJDHHJL FVSQPHEJDI/documents/generated/5640.pdf	Endangered
Fluted Kidneyshell <i>Ptychobranhus subtentus</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/1397 General project design guidelines: https://ipac.ecosphere.fws.gov/project/3MJXRIZCDJDHHJL FVSQPHEJDI/documents/generated/5640.pdf	Endangered
Littlewing Pearlymussel <i>Pegias fabula</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2572 General project design guidelines: https://ipac.ecosphere.fws.gov/project/3MJXRIZCDJDHHJL FVSQPHEJDI/documents/generated/5640.pdf	Endangered

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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IPaC User Contact Information

Agency: Kentucky Transportation Cabinet

Name: Kyle Sams

Address: 3 HMB Circle



City: Frankfort

State: KY

Zip: 40601

Email: ksams@hmbpe.com

Phone: 5026959800

	<p align="center">Kentucky Transportation Cabinet Federal Highway Administration NO EFFECT FINDING</p>		
KYTC Item No:	8-40003	Route:	KY-3281
Quadrangle(s):	Jamestown	County(ies):	Russell
Project Description: (Type of improvement, areas to be impacted, crossroad improvements, easements, etc.)			
<p>This project is for the improvement of KY-3281 (Warner Ridge Road) over Jobbes Fork by replacing the existing structurally deficient concrete bridge with a new bridge. This location is southwest of Jamestown, Kentucky near the intersection of KY-3281 (Warner Ridge Road) and Lewis Cemetery Road.</p>			
<p><u>RUSSELL COUNTY LISTED SPECIES:</u></p> <p>Indiana Bat (<i>Myotis sodalis</i>)</p> <p>Northern Long-eared Bat (<i>Myotis septentrionalis</i>)</p> <p>Gray Bat (<i>Myotis grisescens</i>)</p> <p>Cumberland Bean (Pearlymussel) (<i>Villosa trabalis</i>)</p> <p>Cumberland Combshell (<i>Epioblasma brevidens</i>)</p> <p>Fluted Kidneyshell (<i>Ptychobranchus subtentus</i>)</p> <p>Littlewing Pearlymussel (<i>Pegias fabula</i>)</p> <p>Species covered in this No Effect document include listed mussel species. The Indiana bat, gray bat, and the northern long-eared bat will be addressed via <i>Programmatic Biological Opinion on the Effects of Transportation Projects in Kentucky on the Indiana Bat and Gray Bat</i>.</p>			
Methodologies: (Methods of assessment, who, what, when, resources, etc.)			
<p>Biologists reviewed literature on listed species and used GIS mapping to do an initial investigation of the area. Field visits were made by HMB permitted biologists to investigate the stream and habitat on site. On Wednesday, August 10, 2022, HMB performed a habitat assessment on the streams within the project for live mussels, relic shells, and suitable habitat for the listed mussels.</p>			
Results: (Compare habitat used by listed species with available habitat)			
<p>A field assessment conducted on Wednesday, August 10, 2022 by HMB indicated that no mussels or mussel habitat were found during the surveys. The stream in the project area is not conducive to mussels because the stream lacks the appropriate substrate. This stream is a perennial stream and has been affected by prior land use activities.</p>			
<p>Determinations:</p> <p>NO HABITAT, NO EFFECT for:</p> <p>Cumberland Bean (Pearlymussel) (<i>Villosa trabalis</i>)</p> <p>Cumberland Combshell (<i>Epioblasma brevidens</i>)</p> <p>Fluted Kidneyshell (<i>Ptychobranchus subtentus</i>)</p> <p>Littlewing Pearlymussel (<i>Pegias fabula</i>)</p>			

The project has been assessed in accordance with the provisions of Section 7 of the Endangered Species Act. As a designated representative of the FHWA, the KYTC has determined that the project will have No Effect on any listed species or their critical habitat, and further Section 7(a)(2) consultation with the Service is not required.

Nathan Click

KYTC Signature

12/15/2022

Date

Nathan Click

Print Name

E.A.T.S. Milestones updated

Name

Date

PHOTOS:



Jobbes Fork



Bridge to be replaced



Bridge to be replaced and creek below bridge



Jobbes Fork



Jobbes Fork

BATS IN BRIDGES DATASHEET

KYTC Structure ID104B00032N

KYTC Item No8-40003

Bridge Location: KY 3281 (Warner Ridge Rd) over Jobbes Fork

County:Russell

Lat:36.959444

Long:-85.105981


Date:8/10/2022

Time of Survey:10:40 AM


Investigator Name(s):Todd McDaniel

Bridge Type: (check one)


☐ Parallel Box Beam




☐ Steel I-beam



☐ Pre-stressed Girder



☒ Flat Slab / Box



☐ Cast in Place



☐ Trapezoidal Box

☐ Culvert – Box



☐ Culvert – Pipe/Round☐ Other:

Underdeck Material:

☒ Concrete☐ Corrugated Steel☐ Other:

Road Type: (check one) ☐ Interstate ☐ U.S. Highway ☐ State Road ☒ County Road

Surrounding Habitat: (check all that apply)

☒ Residential ☒ Row Crop ☐ Commercial ☒ Woodland ☒ Grassland ☒ Pasture ☒ Riparian ☐ Mixed ☐ Wetland

Conditions Under Bridge: (check all that apply)

☐ Bare ground /sediment ☐ Concrete ☐ Rip rap ☒ Flowing water ☐ Standing water

☒ Open vegetation (not obstructing flight path) ☐ Closed vegetation (may obstruct flight path)

☐ Two lane road ☐ Four (or more) lane highway ☐ Dirt road ☐ Railroad

☒ Evidence of superstructure flooding Bridge height above water: 6 ft

Bat indicators: (check all that apply) ☐ Visual ☐ Smell ☐ Sound ☐ Staining ☐ Guano ☒ None

Use intensity: (check one) ☐ Minor (scattered, individual guano pellets and/or few small areas of staining covering <1 ft each - few bats or temporary usage)

☐ Major (guano piles and/or large areas of staining covering >1 ft each – semi permanent colony)

Bats Present: ☐ YES ☐ NO

BATS IN BRIDGES DATASHEET

Species Present (record number of individuals if known)

<input type="text"/>	Myotis septentrionalis (Northern long-eared)	<input type="text"/>	Lasiurus noctivagans (Silver-haired)
<input type="text"/>	Myotis sodalis (Indiana)	<input type="text"/>	Perimyotis subflavus (Tri-colored)
<input type="text"/>	Myotis leibii (Eastern small-footed)	<input type="text"/>	Eptesicus fuscus (Big brown)
<input type="text"/>	Myotis lucifugus (Little brown)	<input type="text"/>	Nycticeius humeralis (Evening)
<input type="text"/>	Myotis grisescens (Gray)	<input type="text"/>	Tadarida brasiliensis (Braz. free-tailed)
<input type="text"/>	Myotis austroriparius (Southeastern)	<input type="text"/>	Corynorhinus t. townsendii (Virginia)
<input type="text"/>	Lasiurus cinereus (Hoary)	<input type="text"/>	Corynorhinus rafinesquii (Rafinesque's)
<input type="text"/>	Lasiurus borealis (Eastern red)	<input type="text"/>	UNKNOWN
<input type="text"/>	Lasiurus seminolus (Seminole)		

Roost description (If known, check all that apply): ☐ Day Roost ☐ Nursery Roost ☐ Night Roost ☐ Unknown

Number of roosts

Roost feature: (check all that apply)

☐ Crack/crevice/expansion joint: underside of bridge ☐ Crack/crevice/expansion joint: top side of bridge

☐ Plugged drain ☐ Under/along the main bridge structure ☐ Rail ☐ Other:

Human disturbance or traffic under bridge or at structure? ☐ High ☐ Low ☒ None

Evidence of bats using bird nests? ☐ Yes ☒ No (if yes, please describe and photograph nest location)

Areas Inspected: (check all that apply)

☐ Vertical surfaces on I-beams ☒ Vertical surfaces between concrete end walls and bridge deck

☒ Expansion joints ☒ Rough surfaces ☐ Guardrails ☒ Crevices ☐ Other:

Areas NOT Inspected because of safety or inaccessibility:

Additional Comments / Sketch:

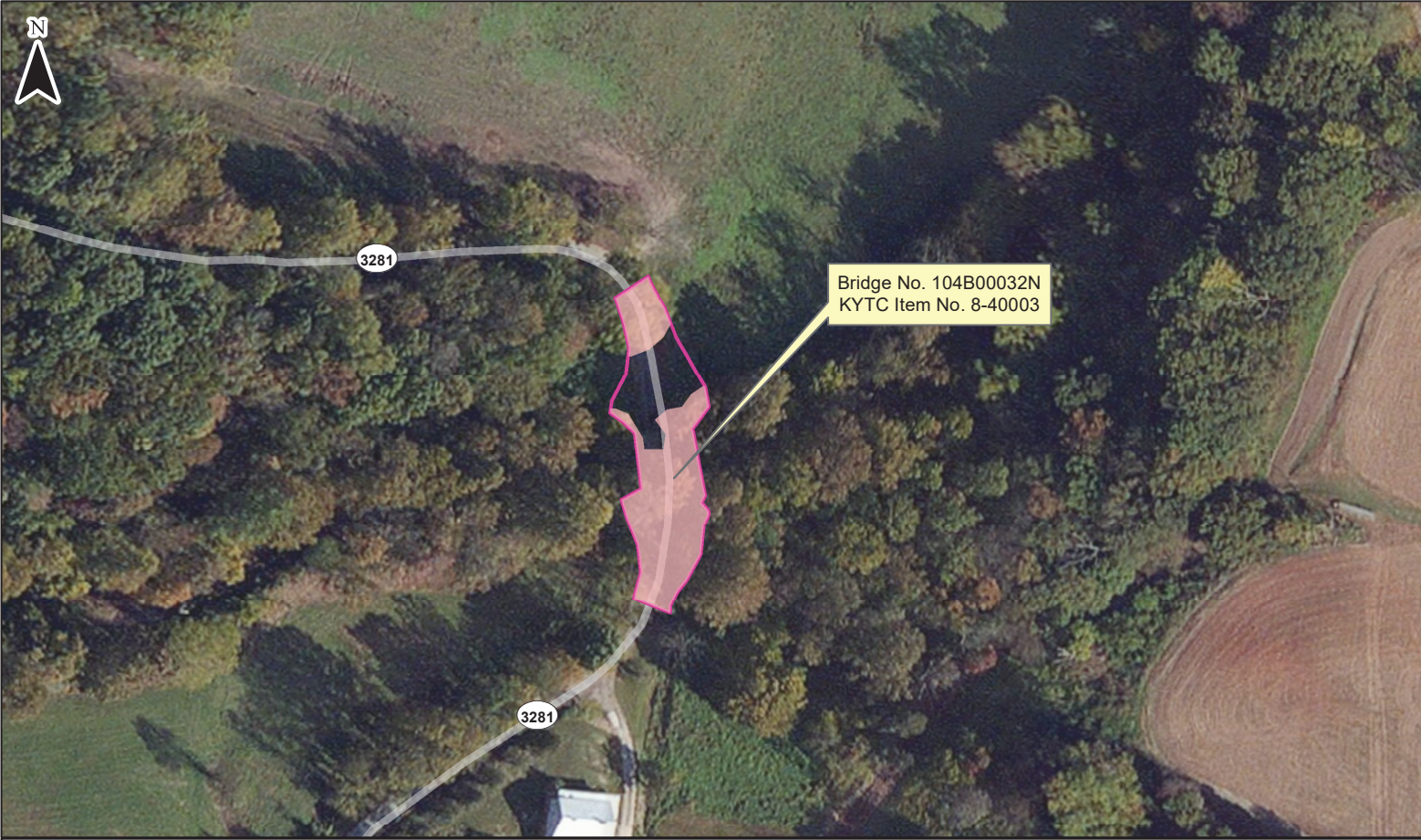


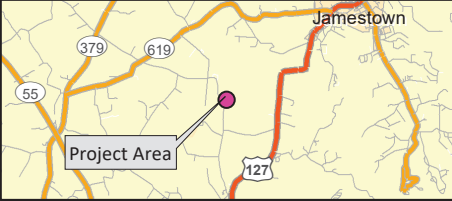


Exhibit 3: Potential Bat Habitat Take

-  Proposed Disturbed Limits
-  Potential Bat Habitat Take (0.2 ac)

KY-3281 Bridge Replacement
Bridge No. 104B00032N
KYTC Item No. 8-40003
Russell County, KY



Addressing Bats in Kentucky
(2020 KYTC- FHWA Programmatic Bat Program for Foraging Habitat, and Summer/Temporary Roosting)

Project Number: 8-40003

County: Russel

Road: KY-3281

Lat/Long: -85.106434 36.959399

Indiana Bat Summer Roosting:

	Inactive Season		Add Active Season (*NO June/July)		Add Non-volant Season **	
Habitat Type	Dates	Rate	Dates	Rate	Dates	Rate
Known Swarming	November 15 - March 31	1.75	April 1 - November 14*	2.25	June 1 - July 31	2.75
Known Summer	October 15 - March 31	1.25	April 1 - October 14*	1.75	June 1 - July 31	2.25
Unsurveyed	October 15 - March 31	0.50	April 1 - October 14*	1.00	June 1 - July 31	1.50

* NO June 1 - July 31 tree removal

** Requires project-specific coordination with USFWS-KFO; 20 acre maximum per project

Special Note for Tree Removal Chosen:

No clearing trees 5"+ DBH from June 1 to July 31

Comments: "MA,LTAA" for the IB - "unsurveyed" habitat; "MA,LTAA" for the NLEB but will not result in prohibited take - swarming habitat, but consistent with the 4d rule

IB Project Habitat Designation	# Individual Trees (0.09 ac/each)	Block Acreage	Acreage Impacted (Individual + Block)	Habitat Rate	Standard Land Acreage Value	Cost (\$)
Unsurveyed	0.00	0.20	0.20	1.00	\$4,350.00	\$870.00
			0.00			\$0.00
			0.00			\$0.00
			0.00			\$0.00
TOTAL PAYMENT DUE						\$870.00

Signatures:

Nathan Click

3/1/2023

DEA Biologist

☒ EATS Updated

Dora Alexander

3/6/23

Project Manager

Date

Date

Addressing Bats in Kentucky
(2020 KYTC- FHWA Programmatic Bat Program for Foraging Habitat, and Summer/Temporary Roosting)

Project Number: 8-40003		County: Russel		Road: KY-3281		Lat/Long: -85.106434 36.959399	
Northern Long-eared Bat	<input checked="" type="checkbox"/> 4(d) Rule	<input type="checkbox"/> BA/BO	Gray bat	<input type="checkbox"/> NH/NFX	<input checked="" type="checkbox"/> Prog NLTAA	<input type="checkbox"/> BA/BO	
Foraging BMP Commitments: YES <input checked="" type="checkbox"/> N/A <input type="checkbox"/>		Bridges & Temporary Roosting: (Attach Bridge Assessment Form) NO YES: Species Observed: Known Maternity Colony <input checked="" type="checkbox"/> <input type="checkbox"/> Known Bachelor Colony <input checked="" type="checkbox"/> <input type="checkbox"/> No Signs/ Absent <input checked="" type="checkbox"/> <input type="checkbox"/> Signs / Present (≤ 5 individuals) <input checked="" type="checkbox"/> <input type="checkbox"/>					
Signatures: Nathan Click		3/1/2023 <input checked="" type="checkbox"/> EATS Updated (Initial) Dana Alexander					
DEA Biologist		Date		Project Manager		Date	

Kentucky Transportation
Cabinet Project:

N O T I C E

**DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS
NATIONWIDE SECTION 404 PERMIT AUTHORIZATION**

**DEPARTMENT FOR ENVIRONMENTAL PROTECTION
KENTUCKY DIVISION OF WATER
SECTION 401 WATER QUALITY CERTIFICATION**

PROJECT DESCRIPTION:

The Sections 404 and 401 activities for this project have previously been permitted under the authority of the Department of the Army, Section 404 Nationwide Permit Number 3, *Maintenance Projects* (with additional *Kentucky Regional General Conditions*), and the Kentucky Division of Water, Section 401 General Water Quality Certification. For these authorized permits to be valid, the attached conditions must be followed. The contractor shall post a copy of this Nationwide Permit Number 3 and General Water Quality Certification in a conspicuous location at the project site, with unencumbered public access, for the duration of construction and comply with the general conditions required.

Kentucky Transportation
Cabinet Project:

Locations Impacting Water Quality

Station-Location	Description
Bridge ID: 104B00032N	This project consists of improving KY-3281 by replacing a structurally deficient bridge southwest of Jamestown, Kentucky. Minor deviations from the original structure may be required to meet current construction codes and/or safety standards.

This project involves work near and/or within Jurisdictional Waters of the United States as defined by the U. S. Army Corps of Engineers; therefore, requiring a Nationwide Number 3 General Section 404 permit. The Division of Water conditionally certified this General Permit. Importantly, one of those conditions regards the use of heavy equipment in any stream channel, or streambed. If there is need to cross the stream channel with heavy equipment, or conduct work within the stream channel, a work platform or temporary crossing, is authorized. This should be constructed with clean rock and sufficient pipe to allow stream flow to continue, unimpeded. Other conditions may be found under the heading, *General Certification—Nationwide Permit # 3 Maintenance Projects*.

In order for this authorization to be valid, the attached conditions must be followed. The contractor shall post a copy of this Nationwide Permit Number 3 Approval in a conspicuous location at the project site, for the duration of the construction, and comply with the general conditions as required.

To more readily expedite construction, the contractor may elect to alter the design, or perform the work in a manner different from what was originally proposed and specified. Prior to commencing such alternative work, the contractor shall obtain written permission from the Division of Construction and the Kentucky Transportation Cabinet, Division of Environmental Analysis. If such changes necessitate further permitting, then the contractor will be responsible for applying to the U. S. Army Corps of Engineers and the Kentucky Division of Water. A copy of any request to the Corps of Engineers or Division of Water to alter this proposal and subsequent responses shall be forwarded to the Division of Environmental Analysis, DA Permit Coordinator, for office records and for informational purposes.

APPENDIX C

Hazardous Materials



Linebach ■ Funkhouser, Inc.
ENVIRONMENTAL COMPLIANCE & CONSULTING

Asbestos Inspection Report

To: Randall Thomas, HMB Professional Engineers, Inc.

Date: August 24, 2022

Conducted By: Russell H. Brooks, LFI, Inc.

Project and Structure Identification

Project: Russell County: Item No. 8-40003

Structure ID: #104B00032N

Structure Location: Warner Ridge Rd Bridge over Jobbes Fork, Russell County, Kentucky

Sample Description: No suspect asbestos containing (ACM) were observed

Inspection Date: August 18, 2022

Results and Recommendations

The asbestos inspection was performed in accordance with current United States Environmental Protection Agency (US EPA) regulations, specifically 40 CFR Part 61, Asbestos National Emissions Standards for Hazardous Air Pollutants (NESHAP) revision, final rule effective November 20, 1990.

It is recommended that this report accompany the 10-Day Notice of Intent for Demolition ([DEP7036 Form](#)) which is to be submitted to the Kentucky Division of Air Quality prior to abatement, demolition, or renovation of any building or structure in the Commonwealth.

No suspect asbestos containing (ACM) were observed.

DEP 70308

**NOTIFICATION OF ASBESTOS
ABATEMENT/DEMOLITION/RENOVATION**
(Instructions for completing form on back)

File this form with Regional Office where project will be performed

Kentucky Division for Air Quality
300 Sower Boulevard, 2nd Floor
Frankfort, KY 40601

PAGE 1 OF
INITIAL SUBMITTAL DATE
REVISION DATE
NOTIFICATION #

OFFICE USE ONLY
ID #
LOG #

Contractor _____
Address _____
City _____ State _____ Zip _____
Phone _____ Contact Person _____
Owner _____
Address _____
City _____ State _____ Zip _____
Phone _____ Contact Person _____
Project Location _____
Address _____
City _____ State _____ Zip _____
Facility Age (yrs.) _____ Size of Facility or Affected Part (sq.ft.) _____
#Floors Affected _____ Present and Prior Use of Facility _____

TYPE OF PROJECT (CHECK ONLY ONE):
Renovation ☐ Demolition ☐ Ordered Demolition ☐ Emergency ☐ Long-term ☐

PROJECT DATES:
Start Removal _____ End Removal _____
Start Renovation/Demolition _____ End Renovation/Demolition _____

Amount of ACM to be Removed:

	Regulated ACM (FACM)	Category II nonfriable ACM (optional)	Category I nonfriable ACM (optional)
Linear Feet			
Square Feet			
Cubic Feet			

Description of planned renovation/demolition, including abatement methods
& demo/reno methods. _____

Description of affected facility components _____

Asbestos detection technique _____
Amount of Cat. I & II nonfriable ACM involved but will not be removed: _____

Describe **physical characteristics** that make it nonfriable and **methods**
to keep it nonfriable (optional): _____

Describe **contingency plan** should nonfriable ACM become friable or
additional ACM be uncovered during renovation/ demolition: _____

Transporter _____
Address _____
City _____ State _____ Zip _____
Phone _____
Disposal Site _____
Address _____
City _____ State _____ Zip _____
I hereby certify that at least one person trained as required by 40 CFR
61.145(c)(8) will supervise the abatement work described herein. (optional
for strictly non-friable work)
Submitted by: _____
Company Name: _____

INSTRUCTIONS FOR COMPLETING FORM DEP7036: NOTIFICATION OF ASBESTOS ABATEMENT/DEMOLITION/RENOVATION

Filing Deadline: This form must be completed and filed with the Kentucky Division for Air Quality at least ten (10) working days before starting any asbestos removal, demolition, or other work which will disturb asbestos-containing material (ACM) in Kentucky facilities outside Jefferson County and in schools statewide, including Jefferson County. File with appropriate Regional Office.

Renotification: If developments occur that invalidate information on a notification (e.g., changes in dates, amounts, locations), file a revised form within the time frames specified in 401 KAR 58:025. Notifications may be numbered in the top-left corner (optional). First two digits are project year; remaining digits are project number (e.g., the first project in 1999 is 99-1).

Attachments: Attachments may be included to provide additional information, propose alternative procedures, declare nonfriable removal, identify secondary transporters, etc.

Line-by-Line Instructions:

Contractor/Owner: the asbestos remover (or, for zero-asbestos demolitions, the demolition contractor). The owner is the entity having the work done.
Project Location: The location at the address given where the work is taking place (e.g., which building/floor/room?).

Present/Prior Use: Enter the present and prior use(s) of the facility.

Type of Project: Each choice shown in this category has a specific description under 401 KAR 58:025:

Emergency renovations result from a sudden, unexpected event. If the project is an emergency renovation, attach a detailed description of the sudden, unexpected event that necessitated removal. Include the exact date and hour the event occurred and explain how the event caused an unsafe condition, or would cause equipment damage or unreasonable financial burden.

Planned renovations are renovations that do not qualify as emergency renovations.

A long-term notification is a type of planned renovation which involves a number of nonscheduled small-scale removals whose annual total exceeds the NESHAP threshold amounts and can be estimated based on past years' experience. File yearly estimate at least 10 working days before the beginning of the calendar year for which a long-term notification is being given.

Demolitions involve the wrecking or taking out of a load-supporting structural member, such as a load-bearing beam or wall. Tearing down a structure, dismantling it piecemeal, and moving it from one place to another are all considered demolitions.

Ordered demolitions must result from a demolition order issued by a government agency because the building is structurally unsound and in danger of imminent collapse. For ordered demolitions, attach to the notification a signed, dated copy of order that includes demolition deadlines and name/title/authority of the government representative issuing the order.

Project Dates: Schedules must be precise and accurate. The "start removal" date is the date the removers arrive on-site and begin physically preparing the work area for removal. "End removal" is the date the removers dismantle the work area after cleaning and clearing it. If circumstances arise that invalidate previously submitted start dates, a revised notification must be submitted showing the updated, correct start date. If the start date has been moved up, submit written renotification at least ten working days before the new start date. If the start date has been moved back, telephone the Division as soon as possible before the original date and submit written renotification no later than the original start date.

Schedules for renovation and demolition (next line after removal schedule) are handled similarly, except that renotification is required only for schedule changes involving demolitions, not renovations.

Amount of ACM: In this table, enter the amount and type (RACM, Category I, and/or Category II) of asbestos that will be removed. Although the regulation does not require you to identify the amount of nonfriable ACM that will be removed, the table provides space for nonfriable ACM to accommodate those notifiers who choose to document these removals.

Description of project: Describe the demolition or renovation work to be performed and method(s) to be used, including work practices and engineering controls to be used.

Asbestos Detection Technique: Give a general description of the asbestos survey, for example, "ASHERA-style survey by accredited inspector; samples analyzed by PLM."

Amount of nonfriable ...: If all nonfriable ACM will be properly removed, enter "NA."

Contingency Plans: If Category II nonfriable ACM becomes crumbled, pulverized, or reduced to powder, or if additional RACM is discovered, describe procedures to be followed. For example, "Move demolition activity away from ACM immediately; remove the ACM using regulation-required procedures." Even "Stop work, call Division for Air Quality" is OK.

Commonwealth of Kentucky

Department for Environmental Protection
Division for Air Quality

Russell Henry Brooks

Has met the requirements of 401 KAR 58:005 and is accredited as an:

Asbestos Inspector

Agency Interest Id:

138451

License Number:

71841

Issue Date:

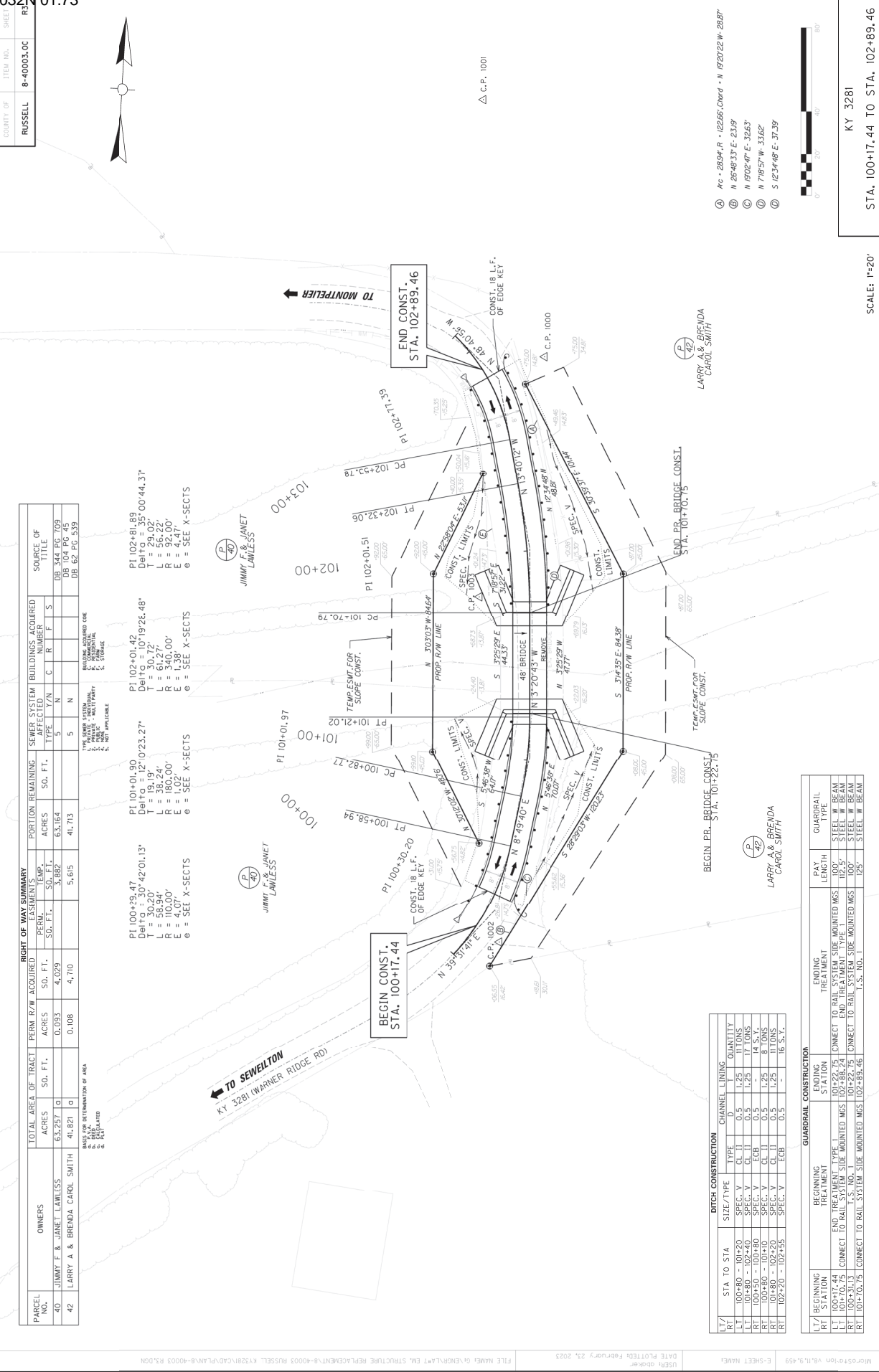
03/24/2022

Expiration Date:

03/15/2023

APPENDIX D

Design



COUNTY OF	ITEM NO.	SHEET
RUSSELL	8-40003.0C	85

RIGHT OF WAY SUMMARY				
PARCEL NO.	OWNERS	TOTAL AREA OF TRACT ACRES	PERM. R/W ACQUIRED SO. FT.	PORTION REMAINING ACRES
40	JIMMY F. & JANET LAWLESS	63.257	0.093	63.164
42	LARRY A. & BRENDA CAROL SMITH	41.821	0.108	41.713

SEWER SYSTEM BUILDINGS ACQUIRED				
NO.	TYPE	NO.	TYPE	NO.
DB 344 PG 709		DB 104 PG 45		DB 62 PG 539

SOURCE OF TITLE				
DB 344 PG 709		DB 104 PG 45		DB 62 PG 539

PORTION REMAINING				
DB 344 PG 709		DB 104 PG 45		DB 62 PG 539

SOURCE OF TITLE				
DB 344 PG 709		DB 104 PG 45		DB 62 PG 539

SOURCE OF TITLE				
DB 344 PG 709		DB 104 PG 45		DB 62 PG 539

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DB 344 PG 709		DB 104 PG 45		DB 62 PG 539

SOURCE OF TITLE				
DB 344 PG 709		DB 104 PG 45		DB 62 PG 539

ESTIMATE OF QUANTITIES

[illegible]Page 80 of 103

GENERAL NOTES

SPREAD FOOTING: This Bridge did not have any drilling performed because rock was noted in the creek.

Based on a review of the existing subsurface conditions and anticipated structural loads, it is recommended that a bearing foundation system consisting of spread footings be used for all bridge substructure elements. A presumptive bearing resistance of 12 ksf on unweathered bedrock is being recommended.

Excavation for footings at the structure locations should be level and free of loose, water softened material, etc. Additional rock excavation to achieve suitable bearing conditions may be required depending upon topography and bedrock weathering conditions.

Solid rock excavation will be required for installation of the substructure's spread footings. The contractor shall take care during blasting and other excavation methods to avoid over-breakage and damage to the bedrock beneath the footings.

Footing excavations in bedrock shall be cut neatly so that no forming or backfilling is necessary in the construction of the portions of the footings located in rock. Concrete shall be placed directly against the cut rock faces. Mass concrete should be placed in the excavation from the top of the footing to the bedrock surface where the footing does not extend to the bedrock surface.

Bearing elevation of footings may be adjusted at the discretion of the Engineer if competent, unweathered bedrock is found at a higher elevation than specified for the respective substructure element. The top of new spread footings should be fully embedded into unweathered bedrock. At a minimum, two-foot embedment into competent bedrock shall be maintained.

Prior to placement of any concrete or reinforcing steel in a foundation excavation, the excavation bottom shall be clean and all wet, or loose materials shall be removed. In no case should materials be placed on or near the excavation surface. Any loose or undesirable material or rock materials at or near the bearing elevation will need to be undercut and replaced with mass concrete.

The bedrock at this location is highly susceptible to weathering and softening in the presence of water. Water must be kept out of the footing excavations. The footing steel and concrete should be placed the same day as or as soon as practical after the footing excavation is made. If the bedrock becomes softened at bearing elevation, the softened material should be undercut to unweathered material prior to placing the concrete.

Sheeting, shoring, cofferdams and/or dewatering methods may be required for construction of the substructures. Include all costs in the lump sum bid for Foundation Preparation.

Removal of existing spread footings will be required in the excavation for proposed spread footings. The existing footings shall be removed and the base of the new spread footings must be at or below the base of the existing footings. (Note: Minimum 2.0 feet of embedment must still be maintained.)

SUPERSTRUCTURE SLAB: The superstructure slab shall be poured continuously from end to end of slab before allowing concrete to set.

SPECIFICATIONS: All references to the Specifications are to the current edition of the Kentucky Department of Highways Standard Specifications for Road and Bridge Construction with current Supplemental Specifications. All references to the AASHTO Specifications are to the current edition of the AASHTO LRFD Bridge Design Specs, with Interims.

DESIGN LOAD: This bridge is designed for a KYHL-93 live load. The KYHL-93 live load is arrived at by increasing the standard HL-93 truck and lane loads as specified in the AASHTO Specifications by 25%.

FUTURE WEARING SURFACE: This Structure is designed for a 15 PSF future wearing surface load.

DESIGN STRESSES: Concrete Class "A" ~ f'c = 3500 psi
Concrete Class "AA" ~ f'c = 4000 psi
Steel Reinforcement ~ fy = 60,000 psi

REINFORCEMENT: Dimensions shown from the face of concrete to bars are to center of bars unless otherwise shown. Spacing of bars is from center to center of bars. Clear distance to face of concrete is 2", unless otherwise noted. Any reinforcing bars designated by suffix (e) in the plans shall be epoxy coated in accordance with section 811.10 of the Standard Specifications. Any reinforcing bars designated by suffix (s) in a bill of reinforcement shall be considered a stirrup for purposes of bend diameters.

BEVELED EDGES: Bevel all exposed edges 3/4", unless otherwise noted.

COMPLETION OF THE STRUCTURE: The Contractor is required to complete the structure in accordance with the plans and specifications. Material, labor or construction operations, not otherwise specified, are to be included in the bid item most appropriate to the work involved. This may include cofferdams, shoring, excavations, backfilling, removal of all or parts of existing structures, phase construction, incidental materials, labor or anything else required to complete the structure.

SHOP DRAWINGS: Submit shop drawings that are required by the plans and specifications directly to the Division of Structural Design and Engineering. Plans and specifications are proposed by a fabricator or supplier, submit those changes to the Department through the Contractor.

FOUNDATION DATA: See Foundation Layout Sheet.

DIMENSIONS: Dimensions are for a normal temperature of 60 degrees Fahrenheit. Layout dimensions are horizontal dimensions.

MASONRY COATING: Contrary to the Specifications, do not apply Masonry Coating. Apply Concrete Sealing in place of Masonry Coating as noted in CONCRETE SEALER note.

CONCRETE SEALER: All areas detailed in the specifications as requiring masonry coating shall be sealed in accordance with the special note for concrete sealing. The superstructure deck shall also be sealed as shown herein these plans. Concrete surfaces (except the deck) shall receive the ordinary surface finish as described in section 601.03.18(A) prior to being sealed.

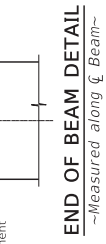
CORK: The cost for cork under the superstructure and is incidental to the unit price for Class "AA" Concrete.




VERIFYING FIELD CONDITIONS: The contractor shall verify all dimensions before ordering material. New material that is unsuitable because of variations in the field conditions shall be replaced at Contractors expense.

The following abbreviations may have been used in the preparation of these plans:

bet.	Between
b.t.	Back Face
b.t.c.	Bottom of Footing
BOS	Bottom of Slab
bot.	Bottom
Br.	Bearing
C to C	Center to Center
c.e.	Current Edition
C.Y.	Cubic Yard
Chd.	Chord
CL	Center Line
Clr.	Clear
Conc.	Concrete
cu.	Cubic
D.	Diameter
diag.	Diagonal
el.	Each Face
El.	Elevation
eq.	Equal
Est.	Estimate
Ext.	Exterior
F to F	Face to Face
f.f.	Front Face
f.s.	Far Side
fr.	Front
ft.	Feet
I.D.	Inside Diameter
int.	Interior
Int.	Interior
L	Left
LBS	Low Bridge Seat
LBS.	Pounds
M	Meter
MPH	Miles per Hour
n.s.	Near Side
O.D.	Outside Diameter
Opp.	Opposite
PC	Point of Curve
Perp.	Perpendicular
Pl.	Plan
PPC	Precast Prestressed Concrete
PPCDU	Precast Prestressed Concrete Deck Unit
PSI	Pounds per Square Inch
PT	Point of Tangent
R	Radius
R	Right
RCBC	Reinforced Concrete Box Culvert
RCDG	Reinforced Concrete Deck Girder
Req'd.	Required
RR	Railroad
Slid	Shoulder
spa.	Spaces
Std.	Standard
Std.	Standard
Str.	Straight
Tan	Tangent
Thru	Through
TOF	Top of Footing
TOS	Top of Slab
Tot.	Total
Typ.	Typical
Vert.	Vertical
W. P.	Working Point
Yd.	Yard

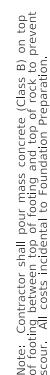
	COMMONWEALTH OF KENTUCKY DEPARTMENT OF HIGHWAYS		USBR - 04040106 DATE PLOTTED: 24-04-2023	PREPARED BY Division of Structural Design		DATE: JANUARY 2023 DESIGNED BY: J. Van Zee CHECKED BY: K. Ee SEEMED BY: E. Downey FILE NAME: C001058-1003_RussellCounty232978.dgn	GENERAL NOTES		ROUTE KY 3281	ITEM NO. 8-40003.00	COUNTY OF RUSSELL
											DRAWN BY 28697
Mt. Vernon Creek											SHEET NO. 52



 COMMONWEALTH OF KENTUCKY DEPARTMENT OF HIGHWAYS				PREPARED BY		Division of Structural Design		DATE: January 2023		CHECKED BY		ROUTE		ITEM NO. 8-40003.00		COUNTY OF RUSSELL	
		REVISION		DATE													
FILE NAME: E:\08\H1085-4003_Russell\Detail\28697.dgn																	
DATE PLOTTED: 2/4/2023																	
USER: brian.miller																	
MicroStation v10.16.3.31																	



FOUNDATION LAYOUT



Spread Footing Record Abutment #1		
Point	Plan Footing Elevation	As-Built Footing Elevation
A	795.757	
B	795.757	
C	795.757	

Footings are designed for a maximum pressure of 8 KSF. The allowable bearing capacity is 12 KSF.

The Project Resident Engineer is to record the "As-Built" condition of the bottom of footing and submit one copy of this sheet to:

Kentucky Transportation Cabinet
Director, Division of Structural Design
3rd Floor East
200 Metro Street
Frankfort, KY 40622

If the spread footing foundation is stepped due to unsuitable material found at the given elevation, record the location and elevation of the step as well.

[illegible]

PREPARED BY

**Division of
Structural Design**

DATE: January 2023
DESIGNED BY: J. Van Zee
DETAILED BY: E. Downey
03_RussellDetail(2)78607.dwg

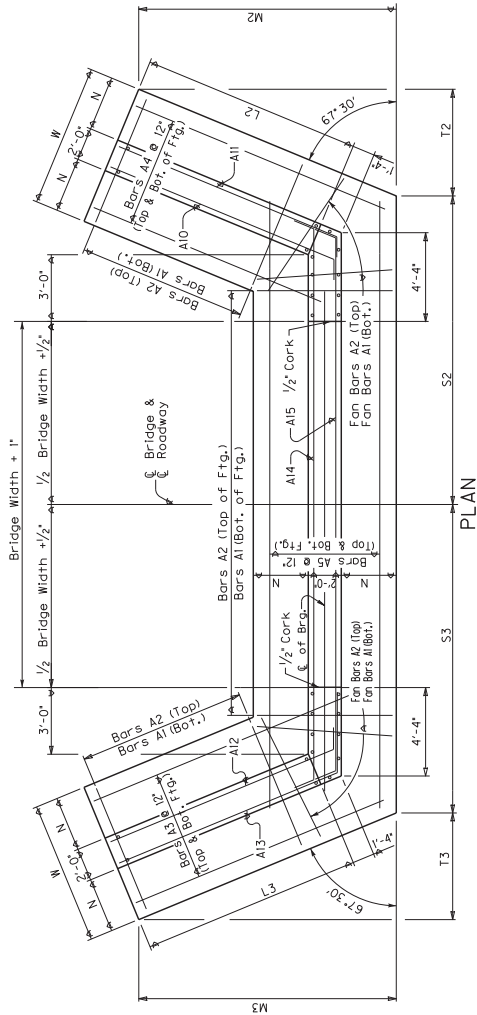
	CHECKED BY
	K. Ee
	J. Van Zee

ROUTE
KY 3281

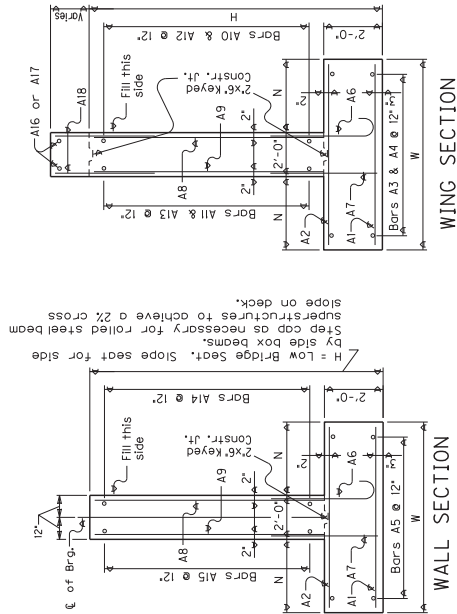
ITEM NO.	COUNTY OF
8-40003.00	RUSSELL
SHEET NO.	DRAWING NUMBER
S4	28697

0° SKEW VARIABLE BRIDGE WIDTH 2:1 FILL SLOPES
22.5° SKEW FROM ROADWAY ON WINGS

ABUTMENT SKEW CORRECTION FACTOR (SCF) = 1.000

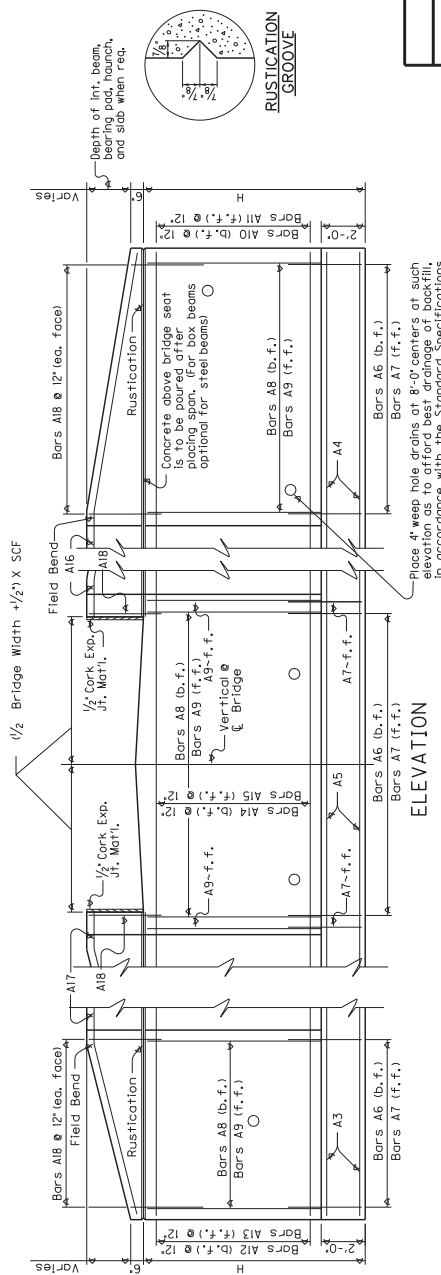


Notes: Trim A16 & A17 bars if necessary



WING SECTION

WALL SECTION



Place 4" weep hole drains at 8'-0" centers at such elevation as to afford best drainage of backfill, in accordance with the Standard Specifications.



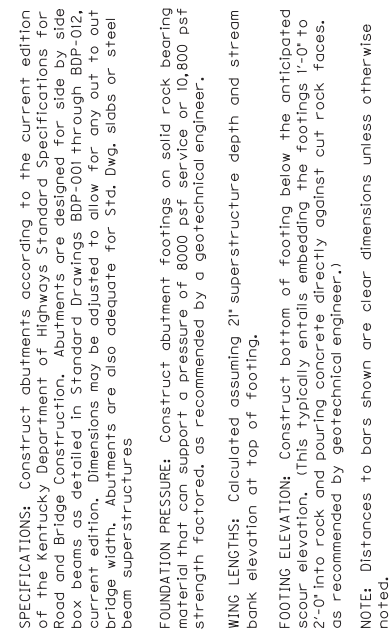
PLAN OF SUPERSTRUCTURE SLAB

ABUTMENT DETAILS
Pleasant Creek Run

ROUTE	ITEM NO.	COUNTY OF
KY 3281	8-40003.00	RUSSELL
	SHEET NO.	DRAWING NUMBER
	55	28697

PLAN OF SUPERSTRUCTURE SLAB

Table of Dimensions

Reinforcement Details

GENERAL NOTES

SPECIFICATIONS: Construct abutments according to the current edition of the Kentucky Department of Highways Standard Specifications for Road and Bridge Construction. Abutments are designed for side by side box beams as detailed in Standard Drawings BDP-001 through BDP-012, current edition. Dimensions may be adjusted to allow for any out to beam width. Abutments are also adequate for Std. Dwg. slabs or steel beam superstructures

FOUNDATION PRESSURE: Construct abutment footings on solid rock bearing material that can support a pressure of 8000 psf service or 10,800 psf strength factored, as recommended by a geotechnical engineer.

WING LENGTHS: Calculated assuming 21" superstructure depth and stream bank elevation at top of footing.

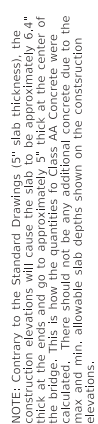
FOOTING ELEVATION: Construct bottom of footing below the anticipated scour elevation. (This typically entails embedding the footings 1'-0" to 2'-0" into rock and pouring concrete directly against cut rock faces, as recommended by geotechnical engineer.)

NOTE: Distances to bars shown are clear dimensions unless otherwise noted.

MATERIAL SPECIFICATIONS:
Concrete, Class "A" = 3500 psi
Steel Reinforcement = Grade 60

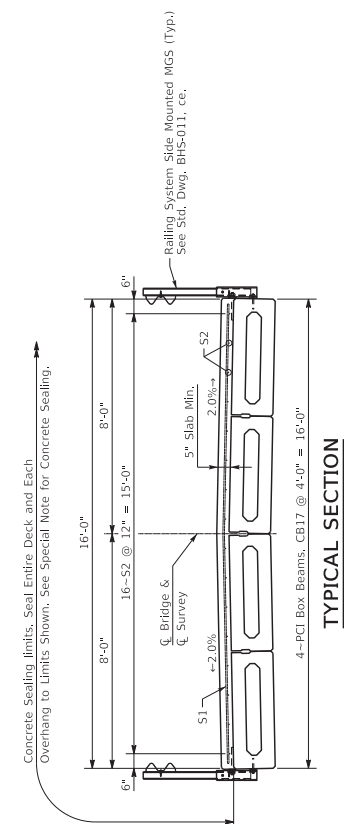
ABUTMENT DETAILS		ROUTE	ITEM NO.	COUNTY OF
CROSSING Pleasant Creek Run		KY 3281	8-40003.00	RUSSELL
			SHEET NO.	DRAWING NUMBER
			56	28697

MARK	TYPE	NO.	SIZE	LENGTH	LOCATION
S1e	Str.	48	5	15- 8	S1ab
S2e	Str.	16	5	47- 8	S1ab





V-Groove" Justification

NOTE: Guardrail Inserts In beam will need to be varied vertically to maintain proper clearance to top of slab.



TYPICAL SECTION

 COMMONWEALTH OF KENTUCKY DEPARTMENT OF HIGHWAYS	 Kentucky Department of Transportation	REVISION	DATE	PREPARED BY Division of Structural Design	DATE: JANUARY 2023	CHECKED BY	ROUTE KY 3281	ITEM NO. 8-40003.00	COUNTY OF RUSSELL
					DESIGNED BY: J. Van Zee	K. Ee			
DATE PLOTTED: 2/24/2023				FILE NAME: H:\BHT\0208-4-0003_Russell\0208-4-0003.dgn		CROSSING Mt. Vernon Creek		SUPERSTRUCTURE	

CONSTRUCTION ELEVATIONS

LOCATION	BEAM 1			BEAM 2			BEAM 3		
	CONSTR.	TOP OF BEAM	DIMA. "x"	CONSTR.	TOP OF BEAM	DIMA. "x"	CONSTR.	TOP OF BEAM	DIMA. "x"
SKREW LN A4		812.743			812.743			812.743	
SKREW LN B1		812.743			812.743			812.743	
SKREW LN CC		812.710			812.710			812.710	
SKREW LN DD		812.710			812.710			812.710	
SKREW LN O1		812.754			812.754			812.754	
GRID LN O2		812.763			812.763			812.763	
GRID LN O3		812.765			812.765			812.765	
GRID LN O4		812.743			812.743			812.743	
GRID LN O5		812.743			812.743			812.743	
GRID LN O6		812.720			812.720			812.720	

NOTES FOR ELEVATIONS TAKEN ON PRESTRESSED CONCRETE BOX BEAMS

Take elevations on top of beam at points indicated after the beams have been laterally tensioned and grouted. The beam elevations are to be read to three decimal places and entered in tables under "Top of Beam" elevations.

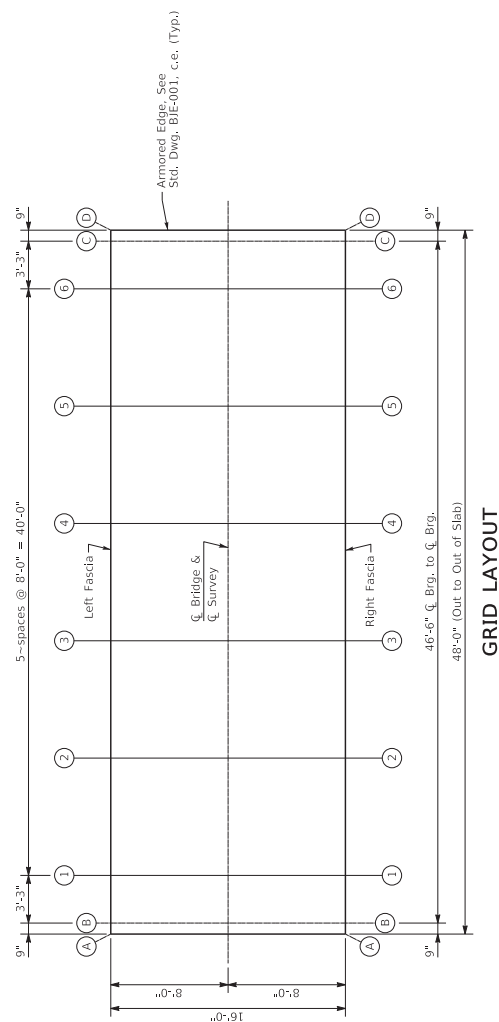
Compute dimension "X" as follows: "Construction Elevation" minus "Top of Beam" elevation equals dimension "X". Construction Elevations include camber due to weight of the concrete slab and barrier. Measuring of dimension "X" gives the final check on beam tolerances for camber, beam damage, and errors in erection that produce excessive beam-to-beam tolerances, sagging, and unsightly fascia beams.

For setting templates, measure dimension "X" above top of beams for top of template. Do not set template by elevations.

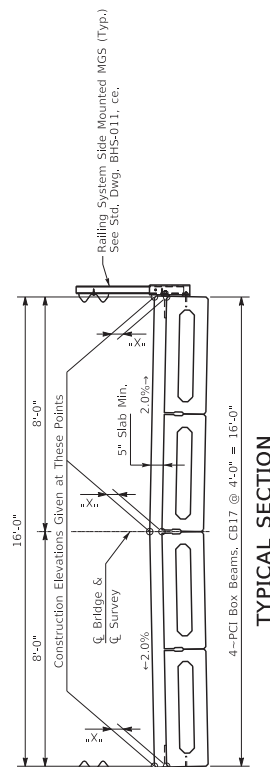
Temporary supports or shoring will not be permitted under the girders when pouring the concrete floor slab or when taking "Top of Beam" elevations.

Note to Resident: The "Maximum Allowable Camber" shown on the beam sheet is the amount of camber, measured prior to casting the deck, above which the beam will begin to encroach into the slab.

The minimum allowable dimension "X" or slab thickness is $4\frac{3}{8}$ " (0.395'). If any computed dimension "X" is less than that, adjustments will need to be made to the "X-X" dimensions on some or all grid lines. Adjustments must meet approval of the Engineer.



GRID LAYOUT



TYPICAL SECTION

 COMMONWEALTH OF KENTUCKY DEPARTMENT OF HIGHWAYS	 KENTUCKY DEPARTMENT OF TRANSPORTATION	REVISION	DATE	PREPARED BY Division of Structural Design	DATE: January 2023 DESIGNED BY: J. Van Zee J. Van Zee CHECKED BY: E. Doney E. Doney DETAIL BY: E. Doney E. Doney	ROUTE KY 3281	DRAWING NUMBER 28697	SHEET NO. 58	COUNTY RUSSELL
		CONSTRUCTION ELEVATIONS							

PART II

SPECIFICATIONS AND STANDARD DRAWINGS

SPECIFICATIONS REFERENCE

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>

SPECIAL PROVISION FOR EMBANKMENT AT BRIDGE END BENT STRUCTURES

This Special Provision will apply when indicated on the plans or in the proposal. Section references herein are to the Department's Standard Specifications for Road and Bridge Construction, Current Edition.

1.0 DESCRIPTION. Construct a soil, granular, or rock embankment with soil, granular or cohesive pile core and place structure granular backfill, as the Plans require. Construct the embankment according to the requirements of this Special Provision, the Plans, Standard Drawing RGX 100 and 105, and the Standard Specifications, Current Edition.

2.0 MATERIALS.

2.1 Granular Embankment. Conform to Subsection 805.10. When Granular Embankment materials are erodible or unstable according to Subsection 805.03.04, use the Special Construction Methods found in 3.2 of the Special Provision.

2.2 Rock Embankment. Provide durable rock from roadway excavation that consists principally of Unweathered Limestone, Durable Shale (SDI equal to or greater than 95 according to KM 64-513), or Durable Sandstone.

2.3 Pile Core. Provide a pile core in the area of the embankments where deep foundations are to be installed unless otherwise specified. The Pile Core is the zone indicated on Standard Drawings RGX 100 and 105 designated as Pile Core. Material control of the pile core area during embankment construction is always required. Proper Pile Core construction is required for installation of foundation elements such as drilled or driven piles or drilled shafts. The type of material used to construct the pile core is as directed in the plans or below. Typically, the pile core area will be constructed from the same material used to construct the surrounding embankment. Pile Core can be classified as one of three types:

A) Pile Core - Conform to Section 206 of the Standard Specifications. Provide pile core material consisting of the same material as the adjacent embankment except the material in the pile core area shall be free of boulders or particle sizes larger than 4 inches in any dimension or any other obstructions that may hinder pile driving operations. If the pile core material hinders pile driving operations, take the appropriate means necessary to reach the required pile tip elevation, at no expense to the Department.

B) Granular Pile Core. Granular pile core is required only when specified in the plans. Select a gradation of durable rock to facilitate pile driving that conforms to Subsection 805.11. If granular pile core material hinders pile driving operations, take appropriate means necessary to reach the required pile tip elevation, at no expense to the Department.

C) Cohesive Pile Core. Cohesive Pile Core is required only when specified in the plans. Conform to Section 206 of the Standard Specifications and use soil with at least 50 percent passing a No. 4 sieve having a minimum Plasticity Index (PI) of 10. In addition, keep the cohesive pile core free of boulders, larger than 4 inches in any dimension, or any other obstructions, which would interfere with drilling operations. If cohesive pile core material interferes with drilling operations, take appropriate means necessary to maintain

excavation stability, at no expense to the Department.

2.4 Structure Granular Backfill. Conform to Subsection 805.11

2.5 Geotextile Fabric. Conform to Type I or Type IV in Section 214 and 843.

3.0 CONSTRUCTION.

3.1 General. Construct roadway embankments at end bents according to Section 206 and in accordance with the Special Provision, the Plans, and Standard Drawings for the full embankment section. In some instances, granular or rock embankment will be required for embankment construction for stability purposes, but this special provision does not prevent the use of soil when appropriate. Refer to the plans for specific details regarding material requirements for embankment construction.

Place and compact the pile core and structure granular backfill according to the applicable density requirements for the project. If the embankment and pile core are dissimilar materials (i.e., a granular pile core is used with a soil embankment or a cohesive pile core is used with a granular embankment), a Geotextile Fabric, Type IV, will be required between the pile core and embankment in accordance with Sections 214 and 843 of the Standard Specifications.

When granular or rock embankment is required for embankment construction, conform to the general requirements of Subsection 206.03.02 B. In addition, place the material in no greater than 2-foot loose lifts and compact with a vibrating smooth wheel roller capable of producing a minimum centrifugal force of 15 tons. Apply these requirements to the full width of the embankment for a distance of half the embankment height or 50 feet, whichever is greater, as shown on Standard Drawing RGX-105.

When using granular pile core, install 8-inch perforated underdrain pipe at or near the elevation of the original ground in the approximate locations depicted on the standard drawing, and as the Engineer directs, to ensure positive drainage of the embankment. Wrap the perforated pipe with a fabric of a type recommended by the pipe manufacturer.

After constructing the embankment, excavate for the end bent cap, drive piling, install shafts or other foundation elements, place the mortar bed, construct the end bent, and complete the embankment to finish grade according to the construction sequence shown on the Plans or Standard Drawings and as specified hereinafter.

Certain projects may require widening of existing embankments and the removal of substructures. Construct embankment according to the plans. Substructure removal shall be completed according to the plans and Section 203. Excavation may be required at the existing embankment in order to place the structure granular backfill as shown in the Standard Drawings.

After piles are driven or shafts installed (see design drawings), slope the bottom of the excavation towards the ends of the trench as noted on the plans for drainage. Using a separate pour, place concrete mortar, or any class concrete, to provide a base for forming and placing the cap. Place side forms for the end bent after the mortar has set sufficiently to support workmen and forms without being disturbed.

Install 4-inch perforated pipe in accordance with the plans and Standard Drawings. In the event slope protection extends above the elevation of the perforated pipe, extend the pipe through the slope protection.

After placing the end bent cap and achieving required concrete cylinder strengths, remove adjacent forms and fill the excavation with compacted structure granular backfill material (maximum 1' loose lifts) to the level of the berm prior to placing beams for the bridge. Place Type IV geotextile fabric between embankment material and structure granular backfill. After completing the end bent backwall, or after completing the span end

wall, place the compacted structure granular backfill (maximum 1' loose lifts) to subgrade elevation. If the original excavation is enlarged, fill the entire volume with compacted structure granular backfill (maximum 1' loose lifts) at no expense to the Department. Do not place backfill before removing adjacent form work. Place structure granular backfill material in trench ditches at the ends of the excavation. Place Geotextile Fabric, Type IV over the surface of the compacted structure granular backfill prior to placing aggregate base course.

Tamp the backfill with hand tampers, pneumatic tampers, or other means approved by the Engineer. Thoroughly compact the backfill under the overhanging portions of the structure to ensure that the backfill is in intimate contact with the sides of the structure.

Do not apply seeding, sodding, or other vegetation to the exposed granular embankment.

3.2 Special Construction Methods. Erodible or unstable materials may erode even when protected by riprap or channel lining; use the special construction method described below when using these materials.

Use fine aggregates or friable sandstone granular embankment at "dry land" structures only. Do not use them at stream crossings or locations subject to flood waters.

For erodible or unstable materials having 50 percent or more passing the No. 4 sieve, protect with geotextile fabric. Extend the fabric from the original ground to the top of slope over the entire area of the embankment slopes on each side of, and in front of, the end bent. Cover the fabric with at least 12 inches of non-erodible material.

For erodible or unstable materials having less than 50 percent passing a No. 4 sieve, cover with at least 12 inches of non-erodible material.

Where erodible or unstable granular embankment will be protected by riprap or channel lining, place Type IV geotextile fabric between the embankment and the specified slope protection.

4.0 MEASUREMENT.

4.1 Granular Embankment. The Department will measure the quantity in cubic yards using the plan quantity, increased or decreased by authorized adjustments as specified in Section 204. The Department will not measure for payment any Granular Embankment that is not called for in the plans.

The Department will not measure for payment any special construction caused by using erodible or unstable materials and will consider it incidental to the Granular Embankment regardless of whether the erodible or unstable material was specified or permitted.

4.2 Rock Embankment. The Department will not measure for payment any rock embankment and will consider it incidental to roadway excavation or embankment in place, as applicable. Rock embankments will be constructed using granular embankment on projects where there is no available rock present within the excavation limits of the project.

4.3 Pile Core. Pile core will be measured and paid under roadway excavation or embankment in place, as applicable. The Department will not measure the pile core for separate payment. The Department will not measure for payment the 8-inch perforated underdrain pipe and will consider it incidental to the Pile Core.

4.4 Structure Granular Backfill. The Department will measure the quantity in cubic yards using the plan quantity, increased or decreased by authorized adjustments as specified in Section 204. The Department will not measure any additional material required for backfill outside the limits shown on the Plans and Standard Drawings for payment and will

consider it incidental to the work.

The Department will not measure for payment the 4-inch perforated underdrain pipe and will consider it incidental to the Structure Granular Backfill.

4.5 Geotextile Fabric. The Department will not measure the quantity of fabric used for separating dissimilar materials when constructing the embankment and pile core and will consider it incidental to embankment construction.

The Department will not measure for payment the Geotextile Fabric used to separate the Structure Granular Backfill from the embankment and aggregate base course and will consider it incidental to Structure Granular Backfill.

The Department will not measure for payment the Geotextile Fabric required for construction with erodible or unstable materials and will consider it incidental to embankment construction.

4.6 End Bent. The Department will measure the quantities according to the Contract. The Department will not measure furnishing and placing the 2-inch mortar or concrete bed for payment and will consider it incidental to the end bent construction.

4.7 Structure Excavation. The Department will not measure structure excavation on new embankments for payment and will consider it incidental to the Structure Granular Backfill or Concrete as applicable.

5.0 PAYMENT. The Department will make payment for the completed and accepted quantities under the following:

<u>Code</u>	<u>Pay Item</u>	<u>Pay Unit</u>
02223	Granular Embankment	Cubic Yards
02231	Structure Granular Backfill	Cubic Yards

The Department will consider payment as full compensation for all work required in this provision.

September 16, 2016

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

In the 1992 regular legislative session, the General Assembly passed and Governor Brereton Jones signed Senate Bill 63 (codified as KRS 11A), the Executive Branch Code of Ethics, which states, in part:

KRS 11A.040 (7) provides:

No present or former public servant shall, within six (6) months following termination of his 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 six (6) months, he personally refrains from working on any matter in which he was directly involved during the last thirty-six (36) months of his 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 as a way to obtain private benefits.

If you have worked for the executive branch of state government within the past six months, 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 104, Frankfort, Kentucky 40601; telephone (502) 564-7954.

Revised: May 23, 2022

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

PART IV

INSURANCE

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

PART V

BID ITEMS

Section: 0001 - PAVING (104B00032N)

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0010	00001		DGA BASE	303.00	TON		\$	
0020	00078		CRUSHED AGGREGATE SIZE NO 2	155.00	TON		\$	
0030	00100		ASPHALT SEAL AGGREGATE	3.50	TON		\$	
0040	00103		ASPHALT SEAL COAT	.50	TON		\$	
0050	00221		CL2 ASPH BASE 0.75D PG64-22	110.00	TON		\$	
0060	00301		CL2 ASPH SURF 0.38D PG64-22	32.00	TON		\$	
0070	20071EC		JOINT ADHESIVE	185.00	LF		\$	
0080	24970EC		ASPHALT MATERIAL FOR TACK NON-TRACKING	.30	TON		\$	

Section: 0002 - ROADWAY (104B00032N)

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0090	00439		ENTRANCE PIPE-12 IN	20.00	LF		\$	
0100	01987		DELINEATOR FOR GUARDRAIL BI DIRECTIONAL WHITE	12.00	EACH		\$	
0110	02014		BARRICADE-TYPE III	2.00	EACH		\$	
0120	02230		EMBANKMENT IN PLACE	196.00	CUYD		\$	
0130	02351		GUARDRAIL-STEEL W BEAM-S FACE	337.50	LF		\$	
0140	02360		GUARDRAIL TERMINAL SECTION NO 1	2.00	EACH		\$	
0150	02367		GUARDRAIL END TREATMENT TYPE 1	2.00	EACH		\$	
0160	02429		RIGHT-OF-WAY MONUMENT TYPE 1	10.00	EACH		\$	
0170	02483		CHANNEL LINING CLASS II	69.00	TON		\$	
0180	02545		CLEARING AND GRUBBING (LESS THAN 1 ACRE)	1.00	LS		\$	
0190	02562		TEMPORARY SIGNS	150.00	SQFT		\$	
0200	02585		EDGE KEY	36.00	LF		\$	
0210	02602		FABRIC-GEOTEXTILE CLASS 1	225.00	SQYD		\$	
0220	02650		MAINTAIN & CONTROL TRAFFIC	1.00	LS		\$	
0230	02671		PORTABLE CHANGEABLE MESSAGE SIGN	2.00	EACH		\$	
0240	02701		TEMP SILT FENCE	250.00	LF		\$	
0250	02703		SILT TRAP TYPE A	2.00	EACH		\$	
0260	02705		SILT TRAP TYPE C	2.00	EACH		\$	
0270	02706		CLEAN SILT TRAP TYPE A	2.00	EACH		\$	
0280	02708		CLEAN SILT TRAP TYPE C	2.00	EACH		\$	
0290	02726		STAKING	1.00	LS		\$	
0300	02731		REMOVE STRUCTURE	1.00	LS		\$	
0310	05950		EROSION CONTROL BLANKET	146.00	SQYD		\$	
0320	05963		INITIAL FERTILIZER	.10	TON		\$	
0330	05985		SEEDING AND PROTECTION	3,000.00	SQYD		\$	
0340	05989		SPECIAL SEEDING CROWN VETCH	360.00	SQYD		\$	
0350	05992		AGRICULTURAL LIMESTONE	2.00	TON		\$	
0360	06514		PAVE STRIPING-PERM PAINT-4 IN	464.00	LF		\$	

Section: 0003 - BRIDGE (104B00032N)

Report Date 4/20/23

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0370	03299		ARMORED EDGE FOR CONCRETE	32.00	LF		\$	
0380	08002		STRUCTURE EXCAV-SOLID ROCK	122.40	CUYD		\$	
0390	08003		FOUNDATION PREPARATION	1.00	LS		\$	
0400	08100		CONCRETE-CLASS A	267.00	CUYD		\$	
0410	08104		CONCRETE-CLASS AA	13.60	CUYD		\$	
0420	08150		STEEL REINFORCEMENT	32,356.00	LB		\$	
0430	08151		STEEL REINFORCEMENT-EPOXY COATED	1,580.00	LB		\$	
0440	08662		PRECAST PC BOX BEAM CB17-48	192.00	LF		\$	
0450	23378EC		CONCRETE SEALING	2,562.00	SQFT		\$	
0460	25017ED		RAIL SYSTEM SIDE MOUNTED MGS	81.30	LF		\$	

Section: 0004 - DEMOBILIZATION &/OR MOBILIZATION

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0470	02569		DEMOBILIZATION	1.00	LS		\$	