



CALL NO. 369

CONTRACT ID. 232321

HARLAN COUNTY

FED/STATE PROJECT NUMBER FE01 048 0221 005-009

DESCRIPTION TACKY TOWN - BLEDSOE ROAD (KY 221)

WORK TYPE CULVERT REPLACEMENT

PRIMARY COMPLETION DATE 6/30/2024

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.

TABLE OF CONTENTS

PART I	SCOPE OF WORK <ul style="list-style-type: none">PROJECT(S), COMPLETION DATE(S), & LIQUIDATED DAMAGESCONTRACT NOTESSTATE CONTRACT NOTESSURFACING AREASASPHALT MIXTUREDGA BASEINCIDENTAL SURFACINGCOMPACTION OPTION BSPECIAL NOTE(S) APPLICABLE TO PROJECTWASTE AND BORROW SITESCOORDINATION OF WORK WITH OTHER CONTRACTSASPHALT MIX PAVEMENT WEDGE MONOLITHIC OPERATIONEDGE KEY (BY LINEAR FEET)REMOVAL OF GUARDRAIL IN ORDER TO ACCESS CONSTRUCTION SITETYPICAL SECTION DIMENSIONSTRAFFIC CONTROL PLAN 2 LANEDURABLE PAVEMENT EDGE DETAILSEROSION CONTROL PLAN FOR MAINTENANCE PROJECTSSKETCH MAP(S)TYPICAL SECTION(S)DETAIL SHEET(S)
PART II	SPECIFICATIONS AND STANDARD DRAWINGS <ul style="list-style-type: none">SPECIFICATIONS REFERENCESUPPLEMENTAL SPECIFICATION2020 STANDARD DRAWINGS THAT APPLY
PART III	EMPLOYMENT, WAGE AND RECORD REQUIREMENTS <ul style="list-style-type: none">LABOR AND WAGE REQUIREMENTSEXECUTIVE BRANCH CODE OF ETHICSKENTUCKY EQUAL EMPLOYMENT OPPORTUNITY ACT OF 1978 LOCALITY / STATEPROJECT WAGE RATES / STATE FUNDED
PART IV	INSURANCE
PART V	BID ITEMS

PART I
SCOPE OF WORK

ADMINISTRATIVE DISTRICT - 11

CONTRACT ID - 232321
FE01 048 0221 005-009
COUNTY - HARLAN
PCN - MP048022123W1
FE01 048 0221 005-009

TACKY TOWN - BLEDSOE ROAD (KY 221) (MP 5.900) FROM 225 FEET WEST OF VIOLA ROAD EXTENDING EAST
TO 545 FEET WEST OF KY 3466 (MP 8.500), A DISTANCE OF 02.60 MILES.CULVERT REPLACEMENT
GEOGRAPHIC COORDINATES LATITUDE 36:53:32.57 LONGITUDE 83:22:01.26
ADT 761

COMPLETION DATE(S):
COMPLETED BY 06/30/2024 applies to entire contract

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

SURFACING AREAS

The Department estimates the mainline surfacing width to be 22 feet.

The Department estimates the total mainline area to be surfaced to be 4,400 square yards.

The Department estimates the shoulder width to be 1 foot on each side.

The Department estimates the total shoulder area to be surfaced to be 400 square yards.

ASPHALT MIXTURE

Unless otherwise noted, the Department estimates the rate of application for all asphalt mixtures to be 110 lbs/sy per inch of depth.

DGA BASE

Unless otherwise noted, the Department estimates the rate of application for DGA Base to be 115 lbs/sy per inch of depth.

INCIDENTAL SURFACING

The Department has included in the quantities of asphalt mixtures established in the proposal estimated quantities required for resurfacing or surfacing mailbox turnouts, farm field entrances, residential and commercial entrances, curve widening, ramp gores and tapers, and road and street approaches, as applicable. Pave these areas to the limits as shown on Standard Drawing RPM-110-06 or as directed by the Engineer. In the event signal detectors are present in the intersecting streets or roads, pave the crossroads to the right of way limit or back of the signal detector, whichever is the farthest back of the mainline. Surface or resurface these areas as directed by the Engineer. The Department will not measure placing and compacting for separate payment but shall be incidental to the Contract unit price for the asphalt mixtures.

OPTION B

Be advised that the Department will control and accept compaction of asphalt mixtures furnished on this project under OPTION B in accordance with Sections 402 and 403.

Special Note for Drainage Repairs

Scope Summary

Repair and/or replace drainage structures located in Harlan County along KY 221 corridor from MP 5.9 to MP 8.5. Work shall include:

- Perform all work in compliance with KYTC Standard Specifications current edition.
- Saw cut pavement, excavate, remove existing structure, re-channel and/or pump any water flow that may be present necessary to place the new structure.
- Provide and place Class 2 filter fabric when dissimilar materials are encountered.
- Place the new culvert at the highest available elevation possible to improve safety. Obtain approval of the Section Engineer on the final proposed grades of the new culvert. Construct culvert to provide a minimum pavement structure above the culvert consisting of 4" DGA, 8" CL 2 Asph Base 1.00D PG64-22, and 1" Asph Surf 0.38D PG 64-22.
- Construct culvert with 1/8" to 1/4" per ft fall along flow line. The Section Engineer may approve variances based on field conditions during the work. Limits for inlet/outlet placement will be approved by the Section Engineer following review and acceptance of proposed layout. The final alignment of the new structure may differ from the existing drainage situation.
- Mechanically compact all fill and backfill material as outlined in the Specifications.
- Concrete aprons are permissible but not required at inlets and outlets of the box culverts.

Specific to Box Culvert Construction

- RCBC must be designed for an HL-93 loading with a cover height of 2 feet or less. Concrete box culverts may be cast-in-place or precast.
- Precast box culverts must conform to Section 605 and Section 611 of the Departments Standard Specifications for Road and Bridge Construction (2019 edition) and all reference manuals and subsections referenced therein for manufacturing of precast units. Each section must be approved by Division of Materials prior to shipment with KY oval marking stamp of approval.
- Precast sections may be fabricated in any length but not less than 6 ft sections.
- For precast culverts, price per LF is to include:
 - i. Design, fabrication, site delivery, common excavation, and field assembly.
 - ii. All materials for sealing culvert joints, including 1 3/8" rolls of Mastic, and 9" exterior joint wrap.
 - iii. Sufficient joint sealant materials, Mastic, and Non-Shrink grout required to seal each section and seal lifting eyes.
 - iv. Fabric-wrapped drains for weep holes.
 - v. All other miscellaneous items with the exception of hoe ramming or other items listed as a direct pay item.
- For cast-in-place culverts, price per LF is to include:
 - i. Design, fabrication, site delivery, common excavation, and field construction.
 - ii. All materials, labor, and equipment required to form, place steel reinforcement, cast, cure, finish at the designated site.
 - iii. Fabric-wrapped drains for weep holes.
 - iv. All other miscellaneous items with the exception of hoe ramming or other items listed as a direct pay item.

- Submit culvert drawings to the Section Engineer for review and approval prior to fabrication. Weep holes are required. Box Culvert end sections are required with a finish, i.e. no male / female connection.
- Excavate roadway 8 ft wider than the RCBC span to allow equipment to compact 4 ft backfill stone on each of the culvert. Lay slopes back on 1:1 for safety. A typical section for a 6 ft span 4 ft rise RCBC is provided to clarify.
- Undercut box culvert seat foundations 2 ft. Replace with Class 2 filter fabric, and 2 ft of No. 57 Stone mechanically compacted. Any combination of quarried stone will be permitted providing the last 6 inches of material is either No. 57 or No. 8 Stone.
- Solid rock foundations are not anticipated during site foundation excavations. In the unlikely event solid rock is encountered, the required undercut will be omitted, and the foundation shall be leveled with No. 8 stone to establish the structure seat.
- Assemble, form, cast, or place new structure. Properly cure any fresh concrete incorporated in the final work as outlined in the Specifications.
- Use No. 57 Stone for structure backfill. Use Class 2 filter fabric to fully encapsulate the rock backfill.
- Provide headwalls using precast, cast-in-place, or verti-block (similar competitor designs accepted). Construct wings on skews to best accommodate final grade and alignment field conditions and as necessary to collect drainage from receiving ditch lines. Obtain approval of the Section Engineer on the final proposed wing wall construction.

Time and Schedule

Work may be performed at night. There are no date or time restrictions for holidays or special events. Complete all work listed in this agreement by June 30, 2024. There are no priority locations.

Provide the Section Engineer with an overall schedule for securing materials and the approach plan for initiating and completing the work by the required date in the contract. Provide the Section Engineer with a one week notice prior to beginning work on each site to allow sufficient time to prepare media releases notifying the public. Prior to initiating work at each location, bidder will be required to submit a schedule identifying the exact start date, a detailed traffic plan, and the expected completion date.

Staking

Survey site and provide the Section Engineer with existing and proposed alignment and grades for review and approval.

Site Preparation

Remove and dispose of all trees (including root balls) and vegetation within a 15 ft radius of the inlet and outlet of each structure.

Dispose of existing drainage structures removed. RCP and concrete removed may be crushed via mechanical means and used in new structure backfill. Protruding reinforcement will not be permitted in the backfill. Fragments greater than 4 inches are not permitted against the new structure in the backfill.

Secure a site off ROW for disposal of all excavated waste material. The Section Engineer will allow consideration for disposal of waste along ROW where practical and should site conditions are adequate.

Erosion Control

Dress and seed any bare areas at each project site with Seed Mix Type 2 in accordance with KYTC Specifications. Seeding will be incidental to other items in the bid for each site.

Asphalt Material for Tack

Contrary to Specifications, Asphalt Material for Tack will be incidental to other paving materials in this contract.

Signs

Contrary to Specifications, project signs will be incidental to other items in this contract. Install permanent mount signs for the overall length of the project. Individual drainage site signs, flagging, and temporary traffic signals for maintaining one lane traffic will be incidental to the Maintain and Control Traffic item.

Entrance Pipe and Culvert Pipe

Use only HDPE pipe for entrance indicated on the estimate. Deliver any used portion of the entrance pipe to the Harlan County Maintenance Garage. Pipe removal and pipe bedding/backfill is incidental.

Utilities

Locate all underground, above ground, and overhead utilities prior to beginning construction. Be responsible for contacting and maintaining liaison with all utility companies that have utilities located within the project limits. Do not disturb existing overhead or underground utilities. It is not anticipated that any utility facilities will need to be relocated and/or adjusted; however, in the event that it is discovered that the work does require that utilities be relocated and/or adjusted, the utility companies will work concurrently with the Contractor while relocating their facilities. Be responsible for repairing all utility damage that occurs due to the Contractor's operations at no additional cost to the Department. NOTIFY THE ENGINEER AND THE UTILITY OWNER(S) IMMEDIATELY WHEN IT IS DISCOVERED OR ANTICIPATED THAT ANY UTILITY CONFLICT COULD DELAY THE CONTRACTOR'S OPERATIONS. If the total delay exceeds ten working days, an extension of the specified completion date will be negotiated with the Contractor for delay to the Contractor's work; however, no extension will be granted for any delay caused by the Contractor's failure to notify the Engineer and/or the utility company as specified above when a conflict is discovered or anticipated as specified.

Quantities

Quantities are not guaranteed but based on typical drawings. Inconsistencies in excavations and field conditions encountered during performance of repair may warrant changes resulting in increased or reduced quantities. Compensation will be provided for only the quantity of material used. No consideration will be given to excessive overruns / underruns.

Guardrail

The following sites have existing guardrail along the east bound lane: MP 6.62, MP 7.37, MP 7.62, MP 7.76, and MP 8.38. Remove and reset up to 50 LF of the guardrail at each site as needed to perform the site work.

Site Summary

Harlan KY 221 Project Site Summary					
Site	MP	Latitude, Longitude	Length (ft)	Culvert Type	Comments
1	5.98	36.8851, -83.388	48	7X5 RCBC	Existing 4X4 Box Culvert and 18" RCP in Blue Line Area. Upgrade 4X4 to 7X5 and replace the 18" RCP with 24" HDPE.
2	6.23	36.8858, -83.3834	16	7X5 RCBC	Extend existing 7X5 Box Culvert at inlet a distance of 16 LF. Clean existing 7X5 barrel entire length. Cleaning is incidental to the extension.
3	6.62	36.8866, -83.3766	56	8X4 RCBC	Existing 4X4 Box Culvert is hydraulically deficient. HDPE Pipe was used on the inlet side several years ago to extend and provide additional shoulder. The extension has failed. The adjacent SB approach is blocked with no outlet available for the water at this location. Replace with 8X4 RCBC and add a 24" HDPE cross drain at the approach road to outlet the water under KY 221.
4	7.00	36.8895, -83.3713	48	5X4 RCBC	Existing 42" RCP 95% blocked and 18" RCP with L Headwall 100% blocked. Replace with 5X4 RCBC and add a 24" HDPE cross drain at the approach road to outlet the water under KY 221.
5	7.21	36.8914, -83.3683	48	10X6 RCBC	Hall Branch - Existing 6X4 Box Culvert is hydraulically deficient but is open and draining well. Signs of erosion are evident at the outlet end. Replace with 10X6 RCBC
6	7.37	36.8929, -83.3661	48	5X3 RCBC	Existing 24" RCP with L Headwall with joint separation is hydraulically deficient. Roadway damage is evident at the inlet shoulder. Replace with 5X3 RCBC.
7	7.62	36.8955, -83.3627	48	4X4 RCBC	Existing 24" CMP 12 ft deep at inlet completely blocked with makeshift mountain waterline ran through it. Pipe is hydraulically deficient. Replace with 4X4 RCBC and raise elevation to prevent extreme dropoff at inlet.
8	7.76	36.8969, -83.3614	48	5X3 RCBC	Existing 24" CMP 15 ft deep at inlet is hydraulically deficient and shows signs of joint failure. A sinkhole has developed in the NB lane and is continuing to worsen. Replace with 5X3 RCBC and raise elevation to prevent extreme dropoff at inlet.
9	8.38	36.9014, -83.353	48	6X4 RCBC	Existing 42" RCP is hydraulically deficient with moderate joint separation. Replace with 6X4 RCBC.

SPECIAL PROVISION FOR WASTE AND BORROW SITES

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

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

COORDINATION OF WORK WITH OTHER CONTRACTS

Be advised, there may be an active project(s) adjacent to or within this project. The Engineer will coordinate the work of the Contractors. See Section 105.06.

1-3193 Coordination Contracts
01/02/2012

SPECIAL NOTE FOR PAVEMENT WEDGE AND SHOULDER MONOLITHIC OPERATION

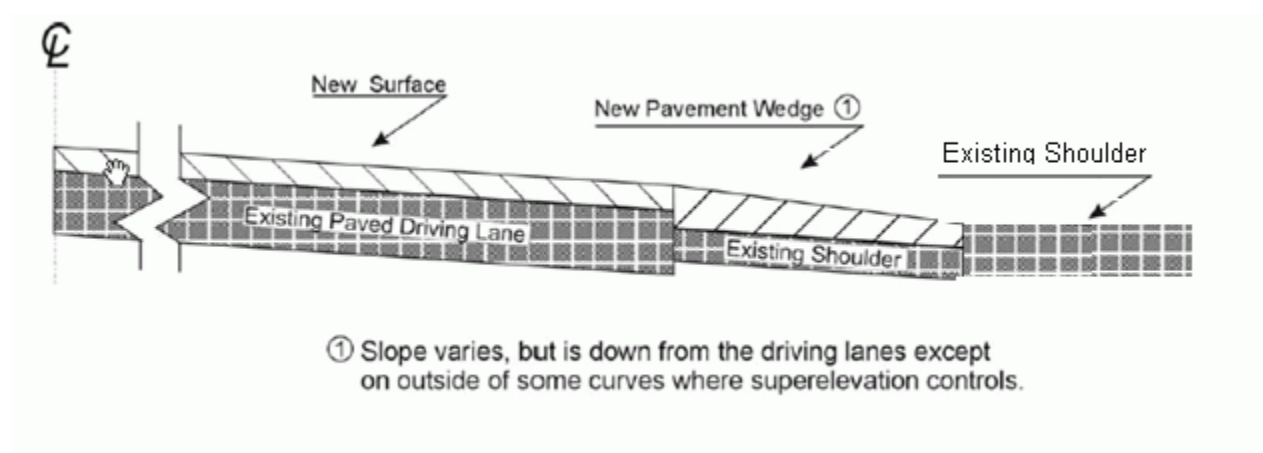
1.0 MATERIALS. Provide an Asphalt Surface Mixture conforming to Section 403 of the Standard Specifications, as applicable to the project, for the pavement wedge.

2.0 CONSTRUCTION. Place the specified Asphalt Surface Mixture on shoulders monolithically with the driving lane. Prime the existing shoulder with tack material as the Engineer directs before placing the wedge. Construct according to Section 403.03 of the Standard Specifications.

Equip the paver with a modified screed that extends the full width of the wedge being placed and is tapered to produce a wedge. Obtain the Engineer's approval of the modified screed before placing shoulder wedge monolithically with the driving lane.

The wedge may vary in thickness at the edge of the milled area in the shoulder. If the area to receive the shoulder wedge is milled prior to placement, during rolling operations pinch the outside edge of the new inlay wedge to match the existing shoulder elevation not being resurfaced. Unless required otherwise by the Contract, construct rolled or sawed rumble strips according to Section 403.03.08, as applicable.

The following sketch is primarily for the computation of quantities; however, the wedge will result in a similar cross-section where sufficient width exists. Do not construct a shoulder for placing the wedge unless specified elsewhere in the Contract.

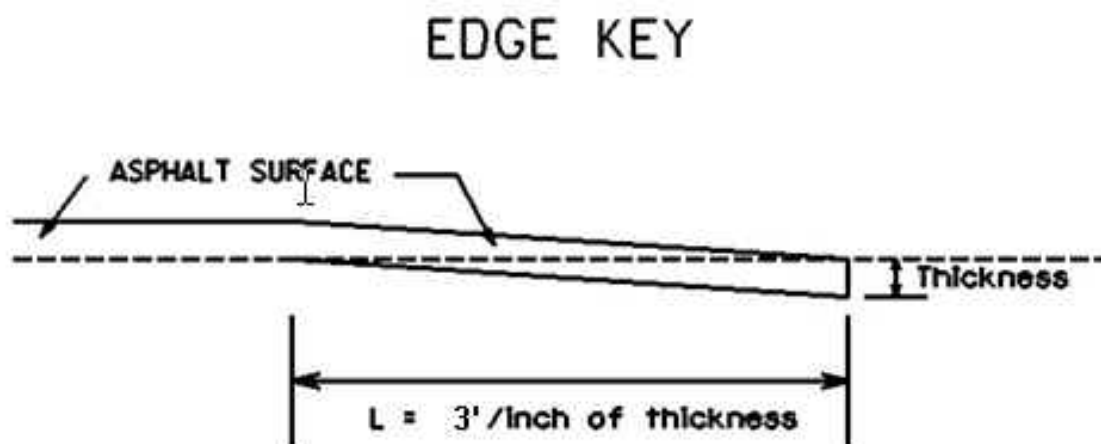


3.0 MEASUREMENT. The Department will measure Asphalt Surface Mixture placed as the pavement wedge according to Section 403.

4.0 PAYMENT. The Department will make payment for the completed and accepted quantities of Asphalt Surface Mixtures on pavement wedges according to Section 403.

SPECIAL NOTE FOR EDGE KEY

Construct Edge Keys at the beginning of project, end of project, at railroad crossings, and at intersections with ramps, as applicable. Unless specified in the Contract or directed by the Engineer, do not construct edge keys at intersecting streets, roads, alleys, or entrances. Cut out the existing asphalt surface to the required depth and width shown on the drawing and heel the new surface into the existing surface. The Department will measure the Edge Key at the joint as the width of the pavement perpendicular to the centerline in linear feet. The Department will pay for this work at the Contract unit price per linear foot, which shall be full compensation for all labor, materials, equipment, and incidentals for removal and disposal of the existing asphalt surface required to construct the edge key.



Thickness = 1.00 Inches

L = 3.00 LF

L = Length of Edge Key

SPECIAL NOTES FOR REMOVAL OF GUARDRAIL IN ORDER TO ACCESS CONSTRUCTION SITE

If necessary to provide access to work sites and with prior approval of the Engineer, remove the existing guardrail system rail elements, posts, and offset blocks. Remove the minimum amount of the guardrail system required to provide access to the work site. Do not disturb guardrail end treatments, terminal sections, and/or bridge end connectors. Perform all guardrail removal operations under a full shoulder closure. Remove the guardrail immediately before access is needed and replace it immediately when access is no longer needed. Do not leave guardrail down overnight or at other times when operations are not actually in progress.

When removing and replacing guardrail, do not leave blunt ends exposed where they would be hazardous to the public. If left in place during operations, protect exposed ends with a temporary end treatment installed by connecting at least 25 feet of rail to the exposed end, and by slightly flaring, and burying the end of the rail completely into the existing shoulder. Place a drum with bridge panel in advance of the guardrail end and maintain during operations.

Reset the guardrail to the lines and grades existing immediately prior to removal as shown on current standard drawings or as designated by the Engineer. The Engineer will check the existing guardrail to be removed and reset before removal begins. If components are found missing or damaged to the extent that they cannot be reused, the Department will furnish the necessary parts and materials to the Contractor for installation when the guardrail is reset. The Department will make these parts available to the Contractor at the Department's Harlan County Maintenance facility. Be responsible for all damage to the existing guardrail system resulting from the work. Replace any parts that are damaged or lost during the guardrail removal and replacement process. Correct any vertical or horizontal misalignment not present prior to removal by any method approved by the Engineer, which allows the construction of the guardrail to the true grade and prevents apparent sags.

The Department will not measure removing and resetting the existing guardrail, replacing guardrail components that were damaged or missing prior to project with components furnished by the Department, furnishing and installing parts lost or damaged by the Contractor, and providing and maintaining a temporary end treatment with drum and panel, but shall be incidental to other items of work, as applicable.

SPECIAL NOTE FOR TYPICAL SECTION DIMENSIONS

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

1-3725 Typical Section Dimensions
01/02/2012

TRAFFIC CONTROL PLAN

TRAFFIC CONTROL GENERAL

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

Contrary to Section 106.01, furnish new, or used in like new condition, traffic control devices at the beginning of the work and maintain in like new condition until completion of the work.

PROJECT PHASING & CONSTRUCTION PROCEDURES

The Engineer may specify days and hours when lane closures will not be allowed.

Maintain alternating one way traffic during construction. Provide a minimum clear lane width of 10 feet; however, provide for passage of vehicles of up to 16 feet in width. If traffic should be stopped due to construction operations, and a school bus on an official run arrives on the scene, make provisions for the passage of the bus as quickly as possible.

LANE CLOSURES

Do not leave lane closures in place during non-working hours.

SIGNS

Sign posts and splices shall be compliant with NCHRP 350 or MASH. Manufacturer's documentation validating this compliance shall be provided to the Engineer prior to installation. Signs, including any splices, shall be installed according to manufacturer's specifications and installation recommendations. Contrary to section 112.04.02, only long-term signs (signs intended to be continuously in place for more than 3 days) will be measured for payment. Short-term signs (signs intended to be left in place for 3 days or less) will not be measured for payment but will be incidental to Maintain and Control Traffic.

CHANGEABLE MESSAGE SIGNS

If deemed necessary by the Engineer, the Department will furnish, operate, and maintain Changeable Message Signs.

Traffic Control Plan
Page 2 of 3

TEMPORARY ENTRANCES

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

Except as allowed by the Phasing as specified above, maintain direct access to all side streets and roads, schools, churches, commercial properties and apartments or apartment complexes of four or more units at all times.

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

PAVEMENT MARKINGS

If there is to be a deviation from the existing striping plan, the Engineer will furnish the Contractor a striping plan prior to placement of the final surface course.

Install Temporary Striping according to Section 112 with the following exception:

If the Contractor's operations or phasing requires temporary markings that must subsequently be removed from the final surface course, use an approved removable lane tape; however, the Department will not measure removable lane tape for separate payment, but will measure and pay for removable lane tape as temporary striping.

Traffic Control Plan
Page 3 of 3

PAVEMENT EDGE DROP-OFFS

Do not allow a pavement edge between opposing directions of traffic or lanes that traffic is expected to cross in a lane change situation with an elevation difference greater than 1½". Place Warning signs (MUTCD W8-11 or W8-9A) in advance of and at 1500' intervals throughout the drop-off area. Dual post the signs on both sides of the traveled way. Wedge all transverse transitions between resurfaced and unresurfaced areas which traffic may cross with asphalt mixture for leveling and wedging. Remove the wedges prior to placement of the final surface course.

Protect pavement edges that traffic is not expected to cross, except accidentally, as follows:

Less than 2" - No protection required.

2" to 4" - Place plastic drums, vertical panels, or barricades every 50 feet. During daylight working hours only, the Engineer will allow the Contractor to use cones in lieu of plastic drums, panels, and barricades. Wedge the drop-off with DGA or asphalt mixture for leveling and wedging with a 1:1 or flatter slope in daylight hours, or 3:1 or flatter slope during nighttime hours, when work is not active in the drop-off area.

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

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



EXISTING
FILL SLOPE or
DITCH FORESLOPE

EXISTING
FILL SLOPE or
DITCH FORESLOPE

1. DETAILS DO NOT APPLY TO OVERLAYS LESS THAN 1 INCH THICK.
2. THE DURABLE PAVEMENT EDGE DEVICE MAY BE DISENGAGED AT DRIVEWAYS, SIDE STREETS, HIGH SHOULDERS, AND OTHER LOCATIONS NOT FEASIBLE TO CONSTRUCT, AS APPROVED BY THE ENGINEER.

DURABLE PAVEMENT EDGE DETAILS

SPECIAL NOTE FOR EROSION CONTROL

I. DESCRIPTION

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

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

II. MATERIALS

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

III. CONSTRUCTION

Be advised, these Erosion Control Plan Notes do not constitute a BMP plan for the project. Jointly with the Engineer, prepare a site specific BMP plan for each drainage area within the project in accordance with Section 213. Provide a unique BMP at each project site using good engineering practices taking into account existing site conditions, the type of work to be performed, and the construction phasing, methods and techniques to be utilized to complete the work. Be responsible for all erosion prevention, sediment control, and water pollution prevention measures required by the BMP for each site. Represent and warrant compliance with the Clean Water Act (33 USC Section 1251 et seq.), the 404 Permit, the 401 Water Quality Certification, and applicable state and local government agency laws, regulations, rules, specifications, and permits. Contrary to Section 105.05, in case of discrepancy between theses notes, the Standard Specifications, Interim Supplemental Specifications, Special and Special Notes, Standard and Sepia Drawings, and such state and local government agency requirements, adhere to the most restrictive requirement.

Erosion Control

Page 2 of 3

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

Provide for erosion control measures to be in place and functioning prior to any earth disturbance within a drainage area. Compute the volume and size of silt control devices necessary to control sediment during each phase of construction. Remove sediment from silt traps before they become a maximum of ½ full. Maintain silt fence by removing accumulated trappings and/or replacing the geotextile fabric when it becomes clogged, damaged, or deteriorated, or when directed by the Engineer. Properly dispose of all materials trapped by erosion control devices at approved sites off the right of way obtained by the Contractor at no additional cost to the Department (See Special Note for Waste and Borrow).

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

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

IV. MEASUREMENT

Erosion Control Blanket. If required by the BMP, the Department will measure Erosion Control Blanket according to Section 212.04.07.

Sodding. If required by the BMP, the Department will measure Sodding according to Section 212.04.08.

Channel Lining. If required by the BMP, the Department will measure Channel Lining according to Sections 703.04.04-703.04.07.

Erosion Control. Contrary to Sections 212.04, 213.04, and 703.04 other than Erosion Control Blankets, Sodding, and Channel Lining, the Department will measure Erosion Control as one lump sum. The Department will not measure developing, updating, and maintaining a BMP plan for each site; providing a KEPSC-RI qualified inspector; locating,

Erosion Control

Page 3 of 3

furnishing, installing, inspecting, maintaining, and removing erosion and water pollution control items; Roadway Excavation, Borrow Excavation, Embankment In Place, Topsoil Furnished and Placed, and Spreading Stockpiled Topsoil; Topdressing Fertilizer, Temporary and Permanent Seeding and Protection, Special Seeding Crown Vetch, and Temporary Mulch; Sedimentation Basin and Clean Sedimentation Basin, Silt Trap Type "A" and Clean Silt Trap Type "A"; Silt Trap Type "B" and Clean Silt Trap Type "B"; Silt Trap Type "C" and Clean Silt Trap Type "C"; Temporary Silt Fence and Clean Temporary Silt Fence; Plants, Vines, Shrubs, and Trees; Gabion and Dumped Stone Deflectors and Riffle Structures; Boulders; Temporary Ditches and clean Temporary Ditches; Geotextile Fabric, and all other erosion and water pollution control items required by the BMP or the Engineer, but shall be incidental to Erosion Control.

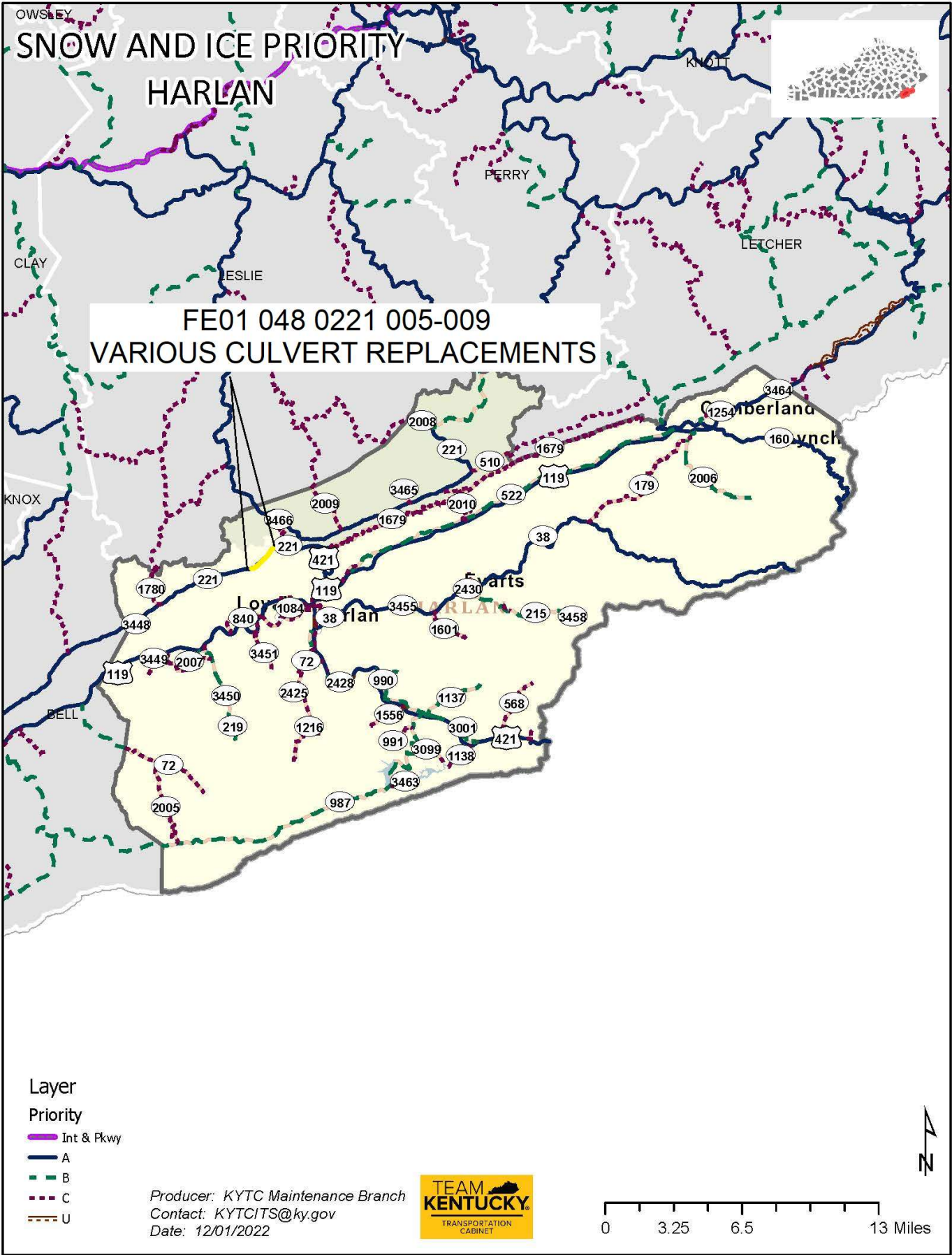
V. Basis of Payment

Erosion Control Blanket. If not listed as a bid item, but required by the BMP, the Department will pay for Erosion Control Blankets as Extra Work according to Sections 104.03 and 109.04.

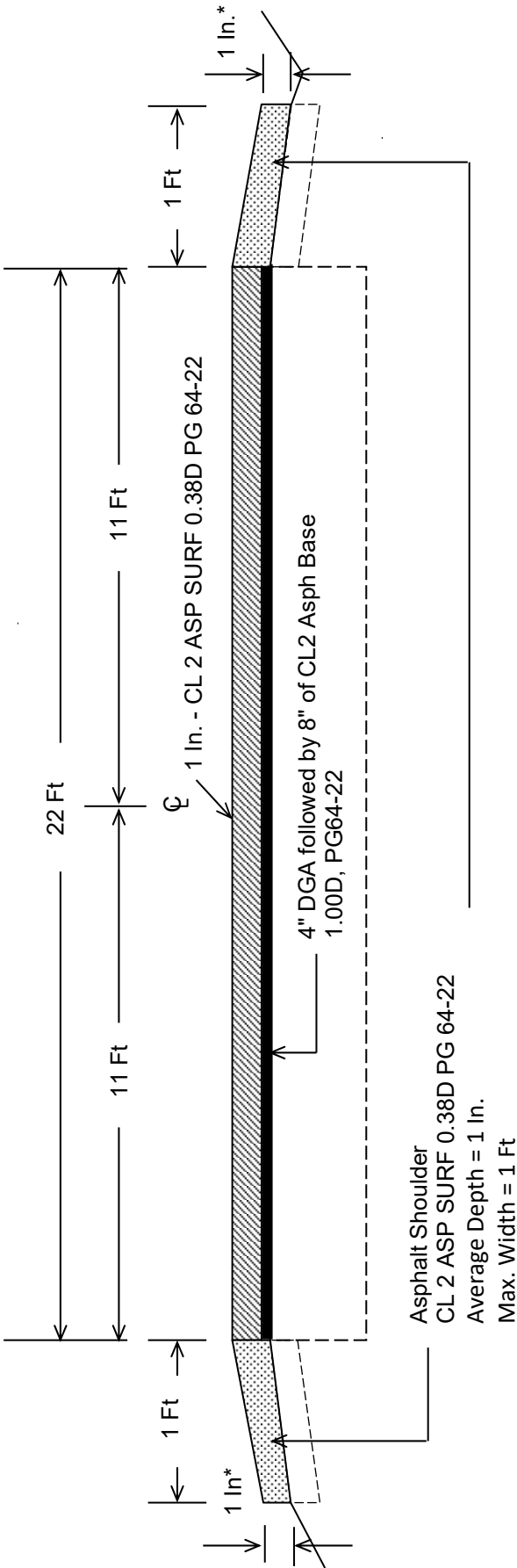
Sodding. If not listed as a bid item, but required by the BMP, the Department will pay for Sodding as Extra Work according to Sections 104.03 and 109.04.

Channel Lining. If not listed as a bid item, but required by the BMP, the Department will pay for Channel Lining as Extra Work according to Sections 104.03 and 109.04.

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



Harlan County
TYPICAL SECTION
FE01 048 0221 005-009
MP's 5.900 to 8.500



TYPICAL VALID AT CULVERT REPLACEMENT LOCATIONS

*Where Existing Site Conditions Permit

Site Quantity Estimates

KY 221 MP 5.98 Site Work Item and Quantities Estimate		
Work Item	Unit	Quantity
7 X 5 RCBC	LF	48
Headwalls	EA	2
Fabric - Class 2	SY	700
No. 57 Stone	TON	515
DGA	TON	40
Channel Lining - CL II	TON	75
CL 2 ASPH BASE 1.00D PG 64-22	TON	39
CL 2 ASPH SURF 0.38D PG 64-22	TON	34
PAVE STRIPING-PERM PAINT-4 IN	LF	800
Staking	LS	1
Maintain and Control Traffic	LS	1
Erosion Control	LS	1
CULVERT PIPE-24 IN	LF	40

KY 221 MP 6.23 Site Work Item and Quantities Estimate		
Work Item	Unit	Quantity
7 X 5 RCBC	LF	16
Headwalls	EA	2
Fabric - Class 2	SY	400
No. 57 Stone	TON	172
DGA	TON	0
Channel Lining - CL II	TON	50
CL 2 ASPH BASE 1.00D PG 64-22	TON	0
CL 2 ASPH SURF 0.38D PG 64-22	TON	34
PAVE STRIPING-PERM PAINT-4 IN	LF	800
Staking	LS	1
Maintain and Control Traffic	LS	1
Erosion Control	LS	1

KY 221 MP 6.62 Site Work Item and Quantities Estimate		
Work Item	Unit	Quantity
8 X 4 RCBC	LF	56
Headwalls	EA	2
Fabric - Class 2	SY	700
No. 57 Stone	TON	531
DGA	TON	39
Channel Lining - CL II	TON	25
CL 2 ASPH BASE 1.00D PG 64-22	TON	38
CL 2 ASPH SURF 0.38D PG 64-22	TON	34
PAVE STRIPING-PERM PAINT-4 IN	LF	800
Staking	LS	1
Maintain and Control Traffic	LS	1
Erosion Control	LS	1
ENTRANCE PIPE-24 IN	LF	40

KY 221 MP 7.00 Site Work Item and Quantities Estimate		
Work Item	Unit	Quantity
5 X 4 RCBC	LF	48
Headwalls	EA	2
Fabric - Class 2	SY	700
No. 57 Stone	TON	421
DGA	TON	36
Channel Lining - CL II	TON	50
CL 2 ASPH BASE 1.00D PG 64-22	TON	34
CL 2 ASPH SURF 0.38D PG 64-22	TON	34
PAVE STRIPING-PERM PAINT-4 IN	LF	800
Staking	LS	1
Maintain and Control Traffic	LS	1
Erosion Control	LS	1
ENTRANCE PIPE-24 IN	LF	40

KY 221 MP 7.21 Site Work Item and Quantities Estimate		
Work Item	Unit	Quantity
10 X 6 RCBC	LF	48
Flowable Fill	CY	30
Fabric - Class 2	SY	700
No. 57 Stone	TON	626
DGA	TON	47
Channel Lining - CL II	TON	25
CL 2 ASPH BASE 1.00D PG 64-22	TON	45
CL 2 ASPH SURF 0.38D PG 64-22	TON	35
PAVE STRIPING-PERM PAINT-4 IN	LF	800
Staking	LS	1
Maintain and Control Traffic	LS	1
Erosion Control	LS	1

KY 221 MP 7.37 Site Work Item and Quantities Estimate		
Work Item	Unit	Quantity
5 X 3 RCBC	LF	48
Headwalls	EA	2
Fabric - Class 2	SY	700
No. 57 Stone	TON	356
DGA	TON	33
Channel Lining - CL II	TON	200
CL 2 ASPH BASE 1.00D PG 64-22	TON	32
CL 2 ASPH SURF 0.38D PG 64-22	TON	33
PAVE STRIPING-PERM PAINT-4 IN	LF	800
Staking	LS	1
Maintain and Control Traffic	LS	1
Erosion Control	LS	1

KY 221 MP 7.62 Site Work Item and Quantities Estimate		
Work Item	Unit	Quantity
4 X 4 RCBC	LF	48
Headwalls	EA	2
Fabric - Class 2	SY	700
No. 57 Stone	TON	410
DGA	TON	34
Channel Lining - CL II	TON	50
CL 2 ASPH BASE 1.00D PG 64-22	TON	33
CL 2 ASPH SURF 0.38D PG 64-22	TON	33
PAVE STRIPING-PERM PAINT-4 IN	LF	800
Staking	LS	1
Maintain and Control Traffic	LS	1
Erosion Control	LS	1

KY 221 MP 7.76 Site Work Item and Quantities Estimate		
Work Item	Unit	Quantity
5 X 3 RCBC	LF	48
Headwalls	EA	2
Fabric - Class 2	SY	700
No. 57 Stone	TON	356
DGA	TON	33
Channel Lining - CL II	TON	50
CL 2 ASPH BASE 1.00D PG 64-22	TON	32
CL 2 ASPH SURF 0.38D PG 64-22	TON	33
PAVE STRIPING-PERM PAINT-4 IN	LF	800
Staking	LS	1
Maintain and Control Traffic	LS	1
Erosion Control	LS	1

KY 221 MP 8.38 Site Work Item and Quantities Estimate		
Work Item	Unit	Quantity
6 X 4 RCBC	LF	48
Headwalls	EA	2
Fabric - Class 2	SY	700
No. 57 Stone	TON	432
DGA	TON	37
Channel Lining - CL II	TON	100
CL 2 ASPH BASE 1.00D PG 64-22	TON	35
CL 2 ASPH SURF 0.38D PG 64-22	TON	34
PAVE STRIPING-PERM PAINT-4 IN	LF	800
Staking	LS	1
Maintain and Control Traffic	LS	1
Erosion Control	LS	1

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>

2020 KENTUCKY STANDARD DRAWINGS

MISCELLANEOUS STANDARDS.....	RGX-001-06
APPROACHES, ENTRANCES, AND MAIL BOX TURNOUT	RPM-110-07
PAVEMENT STRIPING DETAILS FOR TWO LANE TWO WAY ROADWAYS	TPM-175
LANE CLOSURE TWO-LANE HIGHWAY	TTC-100-05
SHOULDER CLOSURE	TTC-135-03
PAVEMENT CONDITION WARNING SIGNS.....	TTD-125-06
MOBILE OPERATION FOR PAINT STRIPING CASE I	TTS-100-02
MOBILE OPERATION FOR PAINT STRIPING CASE II.....	TTS-105-02

PIPE AND BOX CULVERT AND HEADWALLS
FOR ALL PIPE AND BOX CULVERT HEADWALLS (RDH SERIES) SEE HEADWALL SUPPLEMENT

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 $1\frac{1}{2}$ 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

Report Date 4/25/23

Section: 0001 - ROADWAY

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0010	00001		DGA BASE	299.00	TON		\$	
0020	00071		CRUSHED AGGREGATE SIZE NO 57	3,819.00	TON		\$	
0030	00212		CL2 ASPH BASE 1.00D PG64-22	288.00	TON		\$	
0040	00301		CL2 ASPH SURF 0.38D PG64-22	304.00	TON		\$	
0050	00443		ENTRANCE PIPE-24 IN	80.00	LF		\$	
0060	00464		CULVERT PIPE-24 IN	40.00	LF		\$	
0070	02187		SITE PREPARATION (ALL SITES)	9.00	EACH		\$	
0080	02383		REMOVE & RESET GUARDRAIL	900.00	LF		\$	
0090	02483		CHANNEL LINING CLASS II	625.00	TON		\$	
0100	02585		EDGE KEY	400.00	LF		\$	
0110	02603		FABRIC-GEOTEXTILE CLASS 2	6,000.00	SQYD		\$	
0120	02650		MAINTAIN & CONTROL TRAFFIC (ALL SITES)	1.00	LS		\$	
0130	02726		STAKING (ALL SITES)	1.00	LS		\$	
0140	02731		REMOVE STRUCTURE (MP 5.98, 6.62)	1.00	LS		\$	
0150	06514		PAVE STRIPING-PERM PAINT-4 IN	7,200.00	LF		\$	
0160	21415ND		EROSION CONTROL (ALL SITES)	1.00	LS		\$	
0170	23231EC		BOX CULVERT-4 FT X 4 FT	48.00	LF		\$	
0180	24575ES610		HEADWALL (10X6)	2.00	EACH		\$	
0190	24575ES610		HEADWALL (4X4)	2.00	EACH		\$	
0200	24575ES610		HEADWALL (5X3)	4.00	EACH		\$	
0210	24575ES610		HEADWALL (5X4)	2.00	EACH		\$	
0220	24575ES610		HEADWALL (6X4)	2.00	EACH		\$	
0230	24575ES610		HEADWALL (7X5)	4.00	EACH		\$	
0240	24575ES610		HEADWALL (8X4)	2.00	EACH		\$	
0250	24694ED		BOX CULVERT (10X6)	48.00	LF		\$	
0260	24694ED		BOX CULVERT (5 X3)	96.00	LF		\$	
0270	24694ED		BOX CULVERT (5X4)	48.00	LF		\$	
0280	24694ED		BOX CULVERT (6X4)	48.00	LF		\$	
0290	24694ED		BOX CULVERT (7X5)	64.00	LF		\$	
0300	24694ED		BOX CULVERT (8X4)	56.00	LF		\$	

Section: 0002 - DEMOBILIZATION

Report Date 4/25/23

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0310	02568		MOBILIZATION	1.00	LS		\$	
0320	02569		DEMOBILIZATION	1.00	LS		\$	