



**CALL NO. 400**

**CONTRACT ID. 232415**

**MARTIN COUNTY**

**FED/STATE PROJECT NUMBER 080GR23P057-FD04**

**DESCRIPTION HODE ROAD (KY 292)**

**WORK TYPE GUARDRAIL**

**PRIMARY COMPLETION DATE 6/30/2024**

**LETTING DATE: September 28,2023**

Sealed Bids will be received electronically through the Bid Express bidding service until 10:00 AM EASTERN DAYLIGHT TIME September 28,2023. 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 - 12

CONTRACT ID - 232415  
080GR23P057-FD04  
COUNTY - MARTIN  
PCN - MP08002922301  
FD04 080 0292 016-017

HODE ROAD (KY 292) (MP 16.700) FROM 0.976 MILES NORTH OF RIVERSIDE APARTMENTS EXTENDING NORTH TO 0.151 MILES SOUTH OF DINGESS ROAD (MP 16.952), A DISTANCE OF 0.25 MILES.GUARDRAIL SYP NO. 12-4329.00.  
GEOGRAPHIC COORDINATES LATITUDE 37:52:52.00 LONGITUDE 82:25:12.00  
ADT 1,320

PCN - MP08002922302  
FD04 080 0292 017-018

HODE ROAD (KY 292) (MP 17.080) FROM 120 FEET SOUTH OF DINGESS ROAD EXTENDING NORTH TO 70 FEET NORTH OF WARDS TRAILER PARK ROAD (MP 17.313), A DISTANCE OF 0.23 MILES.GUARDRAIL SYP NO. 12-4330.00.  
GEOGRAPHIC COORDINATES LATITUDE 37:53:02.00 LONGITUDE 82:25:21.00  
ADT 1,320

PCN - MP08002922303  
FD04 080 0292 017-019

HODE ROAD (KY 292) (MP 17.450) FROM 230 FEET NORTH OF SUNSET LANE EXTENDING NORTH TO 0.189 MILES SOUTH OF JACOBS LANE (MP 18.270), A DISTANCE OF 0.82 MILES.GUARDRAIL SYP NO. 12-4332.00.  
GEOGRAPHIC COORDINATES LATITUDE 37:53:14.00 LONGITUDE 82:25:41.00  
ADT 1,320

COMPLETION DATE(S):  
COMPLETED BY 06/30/2024                      SPECIFIED COMPLETION DATE - ALL ITEMS IN 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](http://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](mailto: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](http://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 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 SHOULDER PREPARATION**

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The Department will grade, shape, and compact shoulder as shown on the typical section and as directed by the Engineer to provide proper template and foundation for the guardrail.

## SPECIAL NOTES FOR GUARDRAIL

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### I. DESCRIPTION

Except as specified herein, perform all work in accordance with the Department's 2019 Standard and Supplemental Specifications and 2020 Standard and Sepia Drawings, current editions. Article references are to the Standard Specifications.

Furnish all equipment, labor, materials, and incidentals for the following work items:

(1) Site preparation; (2) Guardrail, End Treatments, and Terminal Sections, as applicable; (3) Delineators for guardrail; (4) Maintain and control traffic; and (5) All other work specified as part of this contract.

### II. MATERIALS

Except as specified herein, provide for all materials to be sampled and tested in accordance with the Department's Sampling Manual and 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.

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

**B. Guardrail.** Furnish guardrail system components according to section 814 and the Standard Drawings; except furnish steel posts only, no alternates.

**C. Delineators for Guardrail.** Furnish Bi-directional White Delineators for Guardrail according to Standard Drawing RBR-055-01.

**D, Extra length Posts.** Furnish 9 foot long Extra Length Posts

**E. Erosion Control.** See Special Notes for Erosion Control.

### III. CONSTRUCTION METHODS

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

**B. Site Preparation.** Be responsible for all site preparation, including but not limited to, clearing and grubbing, excavation, embankment, and removal of all obstructions or any other items; temporary pollution and erosion control; disposal, of excess and waste materials and debris; and final dressing, cleanup, and seeding and protection. Perform all site preparation as approved or directed by the engineer.

**C Remove Guardrail.** See Sections 719.03.03 and 719.03.07.

## Guardrail

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**D. Guardrail.** Except as specified herein, construct guardrail system according to Section 719 and the Standard Drawings. Consider locations listed on the summary and/or shown on the drawings to be approximate only. The Engineer will determine the exact termini for individual guardrail installations at the time of construction. The Engineer will determine exact locations for Extra Length Posts and 2 Ply rail at the time of construction. Unless directed otherwise by the Engineer, provide a minimum three (3) foot shoulder width. Construct radii at entrances and road intersections as directed by the Engineer.

Erect guardrail to the lines and grades shown on current Standard Drawings or as directed by the Engineer by any method approved by the Engineer which allows construction of the guardrail to the true grade without apparent sags.

When installing guardrail, do not leave the blunt end exposed where it would be hazardous to the public. When it is not practical to complete the construction of the guardrail and the permanent end treatments and terminal sections first, provide a temporary end by connecting at least 25 feet of rail to the last post, and by slightly flaring, and burying the end of the rail completely into the existing shoulder. If left overnight, place a drum with bridge panel in advance of the guardrail end and maintain during use.

**E. Delineators for Guardrail.** Construct Delineators for Guardrail according to Standard Drawing RBR-055-01.

**F. Property Damage.** Be responsible for all damage to public and/or private property resulting from the work. Restore damaged roadway features and private property at no additional cost to the Department.

**G. Coordination with Utility Companies.** 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 as a result of guardrail operations at no additional cost to the Department.

**H. Right of Way Limits.** The Department has not established exact limits of the Right-of-Way. Limit work activities to obvious Right-of-Way, permanent or temporary easements, and work areas secured by the Department through consent and release of the adjacent property owners. Be responsible for all encroachments onto private lands.

**I. Disposal of Waste.** Dispose of all removed concrete, debris, and other waste and debris off the Right-of-Way at sites obtained by the Contractor at no additional cost to the Department. See Special; Note for Waste and Borrow.

Guardrail  
Page 3 of 3

**J. Final Dressing, Clean Up, and Seeding and Protection.** Apply Class A Final Dressing to all disturbed areas, both on and off the Right-of-Way. Sow all disturbed earthen areas according to the Special Notes for Erosion Control.

**K. Erosion Control.** See Special Notes for Erosion Control.

**IV. METHOD OF MEASUREMENT**

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

**B. Site preparation.** Other than the bid items listed, the Department will not measure Site Preparation for separate payment but shall be incidental to Guardrail, End Treatments, and Terminal Sections as applicable.

**C. Remove Guardrail.** See Section 719.04.08.

**D. Guardrail, Terminal Sections, Extra Length Posts, and End Treatments.** See Section 719.04.01 through 719.04.04.

**E. Delineators for Guardrail.** See Standard Drawing RBR-055-01.

**F. Erosion Control.** See Special Notes for Erosion Control.

**V. BASIS OF PAYMENT**

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

**B. Remove Guardrail.** See Section 719.05.

**B. Guardrail, Terminal Sections, Extra Length Posts, and End Treatments.** See Section 719.05.

**C. Delineators for Guardrail.** See Standard Drawing RBR-055-01

### **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**

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### **TRAFFIC CONTROL GENERAL**

Except as specified herein, maintain and control traffic in accordance with the 2019 Standard and Supplemental Specifications, Special Provisions and Special Notes, and the 2020 Standard and Sepia Drawings, current editions. Except for the roadway and traffic control bid items listed, furnish all other items necessary to maintain and control traffic incidental to the Contract lump sum price 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 the devices in like new condition until completion of the work.

### **PROJECT PHASING & CONSTRUCTION PROCEDURES**

At the discretion of the Engineer, the Department may specify days and hours when lane closures will not be allowed. Prior to beginning work, provide a proposed lane closure and work schedule for the approval of the Engineer. The Department will provide public notification. Notify the Engineer immediately and obtain prior approval of any proposed deviations from the approved schedule.

Maintain alternating one-way traffic during construction. Unless directed otherwise by the Engineer, provide a minimum clear lane width of eight (8) feet. If traffic should be stopped due to construction operations, and a school bus on an official run arrives on the scene, immediately make provisions for the passage of the bus.

### **LANE & SHOULDER CLOSURES**

Do not leave lane closures in place during non-working hours. Do not store materials or equipment on shoulders during non-working hours. Protect partially completed guardrail system with a lane closure during non-working hours.

### **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 2

## **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.

## **BARRICADES**

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

## **PAVEMENT EDGE DROP-OFFS**

Treat 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. The Engineer will allow cones in lieu of plastic drums, panels, and barricades during daylight working hours only. The Department will wedge drop-offs within 10 feet of traffic with DGA as directed or approved by the Engineer with a 1:1 or flatter slope in daylight working hours, or 3:1 or flatter slope during nighttime hours or when work is not active in the drop-off area.

Pedestrians and Bicyclists – Protect Pedestrians and Bicyclists as directed by the Engineer.

## **SPECIAL NOTE FOR EROSION CONTROL**

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### **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

## Erosion Control

### Page 2 of 3

local government agency laws, regulations, rules, specifications, and permits. Contrary to Section 105.05, in case of discrepancy between these notes, the Standard Specifications, Interim Supplemental Specifications, Special and Special Notes, Standard and Sepia Drawings, and such state and local government agency requirements, adhere to the most restrictive requirement.

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

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

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

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

## IV. MEASUREMENT

**Erosion Control 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.

## Erosion Control

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**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 **NOT** measure Erosion Control for separate payment. The Department will not measure developing, updating, and maintaining a BMP plan for each site; providing a KEPSC-RI qualified inspector; locating, furnishing, installing, inspecting, maintaining, and removing erosion and water pollution control items; 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 the applicable items of work.

## V. BASIS OF PAYMENT

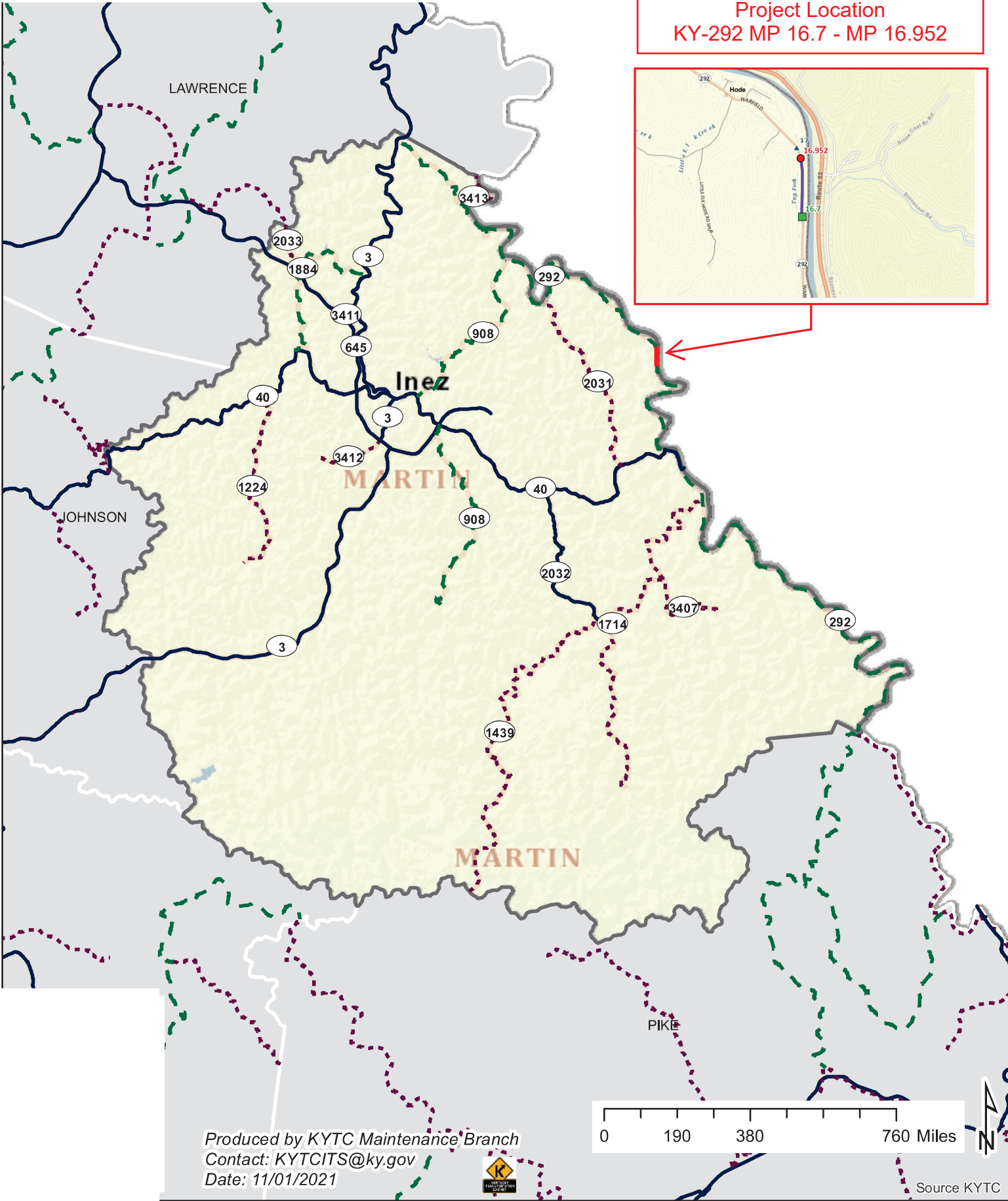
**Erosion Control Blanket.** If not listed as a bid item, but required by the BMP, the Department will pay for Erosion Control Blankets as Extra Work according to Sections 104.03 and 109.04.

**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.



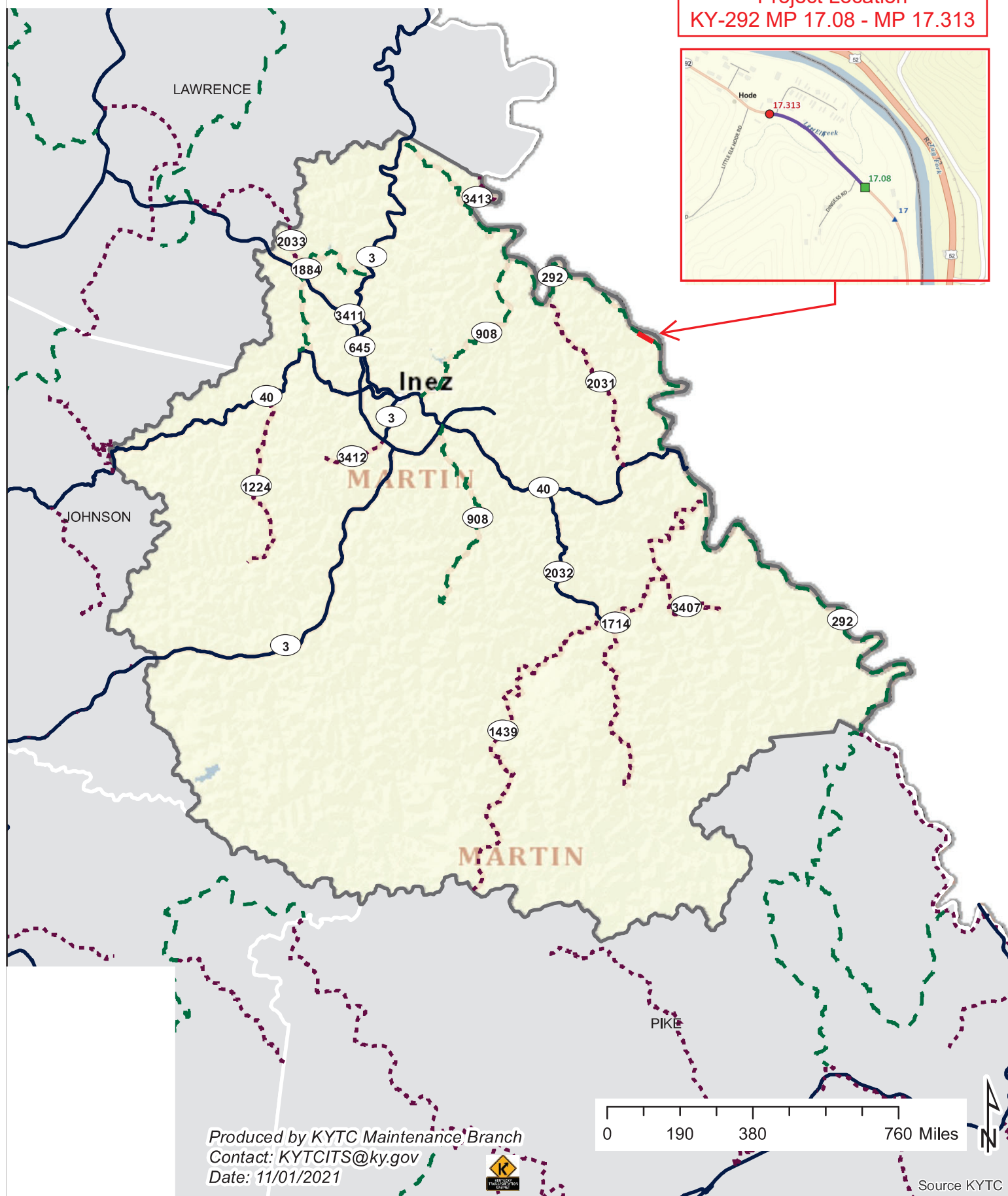
Project Location  
KY-292 MP 16.7 - MP 16.952



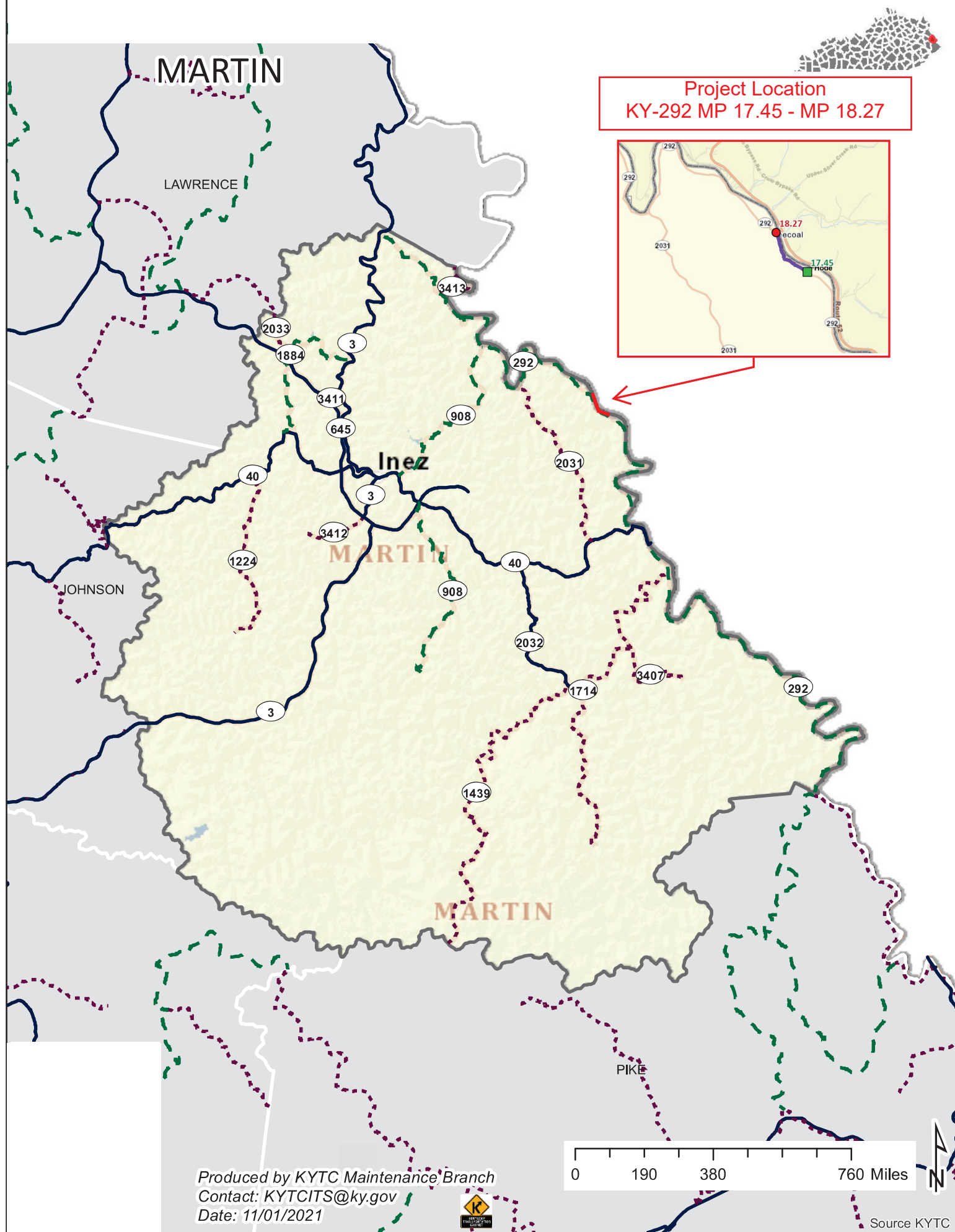
Produced by KYTC Maintenance Branch  
Contact: KYTCITS@ky.gov  
Date: 11/01/2021



Source KYTC









MATERIAL SUMMARY

CONTRACT ID: 232415

080GR23P057-FD04

MP08002922301

HODE ROAD (KY 292) FROM 0.976 MILES NORTH OF RIVERSIDE APARTMENTS EXTENDING NORTH TO 0.151 MILES SOUTH OF DINGESS ROAD GUARDRAIL, A DISTANCE OF .25 MILES.

Project Line No	Bid Code	DESCRIPTION	Quantity	Unit
0005	01987	DELINEATOR FOR GUARDRAIL BI DIRECTIONAL WHITE	25.00	EACH
0010	02351	GUARDRAIL-STEEL W BEAM-S FACE	1,237.50	LF
0015	02351	GUARDRAIL-STEEL W BEAM-S FACE - (2 PLY)	50.00	LF
0020	02360	GUARDRAIL TERMINAL SECTION NO 1	1.00	EACH
0025	02371	GUARDRAIL END TREATMENT TYPE 7	3.00	EACH
0030	02399	EXTRA LENGTH GUARDRAIL POST	5.00	EACH
0035	02562	TEMPORARY SIGNS	150.00	SQFT
0040	02650	MAINTAIN & CONTROL TRAFFIC - (FD04 080 0292 016-017)	1.00	LS
0045	02569	DEMOBILIZATION	1.00	LS

CONTRACT ID: 232415

080GR23P057-FD04

MP08002922302

HODE ROAD (KY 292) FROM 120 FEET SOUTH OF DINGESS ROAD EXTENDING NORTH TO 70 FEET NORTH OF WARDS TRAILER PARK ROAD GUARDRAIL, A DISTANCE OF .23 MILES.

Project Line No	Bid Code	DESCRIPTION	Quantity	Unit
0050	01987	DELINEATOR FOR GUARDRAIL BI DIRECTIONAL WHITE	30.00	EACH
0055	02351	GUARDRAIL-STEEL W BEAM-S FACE	1,487.50	LF
0060	02360	GUARDRAIL TERMINAL SECTION NO 1	2.00	EACH
0065	02371	GUARDRAIL END TREATMENT TYPE 7	2.00	EACH
0070	02381	REMOVE GUARDRAIL	175.00	LF
0075	02399	EXTRA LENGTH GUARDRAIL POST	50.00	EACH
0080	02562	TEMPORARY SIGNS	150.00	SQFT
0085	02650	MAINTAIN & CONTROL TRAFFIC - (FD04 080 0292 017-018)	1.00	LS
0090	02569	DEMOBILIZATION	1.00	LS

MATERIAL SUMMARY

CONTRACT ID: 232415

080GR23P057-FD04

MP08002922303

HODE ROAD (KY 292) FROM 230 FEET NORTH OF SUNSET LANE EXTENDING NORTH TO 0.189 MILES SOUTH OF JACOBS LANE GUARDRAIL, A DISTANCE OF .82 MILES.

Project Line No	Bid Code	DESCRIPTION	Quantity	Unit
0095	01987	DELINEATOR FOR GUARDRAIL BI DIRECTIONAL WHITE	87.00	EACH
0100	02351	GUARDRAIL-STEEL W BEAM-S FACE	4,312.50	LF
0105	02351	GUARDRAIL-STEEL W BEAM-S FACE - (2 PLY)	125.00	LF
0110	02360	GUARDRAIL TERMINAL SECTION NO 1	5.00	EACH
0115	02371	GUARDRAIL END TREATMENT TYPE 7	6.00	EACH
0120	02381	REMOVE GUARDRAIL	537.50	LF
0125	02396	REMOVE GUARDRAIL END TREATMENT - TYPE 7	1.00	EACH
0130	02399	EXTRA LENGTH GUARDRAIL POST	50.00	EACH
0135	02562	TEMPORARY SIGNS	150.00	SQFT
0140	02650	MAINTAIN & CONTROL TRAFFIC - (FD04 080 0292 017-019)	1.00	LS
0145	02569	DEMOBILIZATION	1.00	LS

GUARDRAIL SUMMARY  
FD04 080 0292 016-017

NEW GUARDRAIL							REMOVE GUARDRAIL				
LANE	END TREAT.	BEGIN MILEPOINT	END MILEPOINT	END TREAT.	LIN FEET	REMARKS	LANE	BEGIN MILEPOINT	END MILEPOINT	LIN FEET	REMARKS
NORTH BOUNDS	TYPE 7	16.700	16.750	TERMINAL SECTION NO. 1	275.0						
NORTH BOUNDS	TYPE 7	16.770	16.952	TYPE 7	962.5						

End Treatment Type 1	0
End Treatment Type 3	0
End Treatment Type 4A	0
End Treatment Type 7	3
Terminal Section No. 1	1

GUARDRAIL SUMMARY  
FD04 080 0292 017-018

NEW GUARDRAIL							REMOVE GUARDRAIL				
LANE	END TREAT.	BEGIN MILEPOINT	END MILEPOINT	END TREAT.	LIN FEET	REMARKS	LANE	BEGIN MILEPOINT	END MILEPOINT	LIN FEET	REMARKS
NORTH BOUND	TERMINAL SECTION NO. 1	17.080	17.181	TYPE 7	537.5		NORTHG BOUND	17.080	17.112	175.0	
SOUTH BOUND	TYPE 7	17.135	17.313	TERMINAL SECTION NO.1	950.0						
					0.0					0.0	

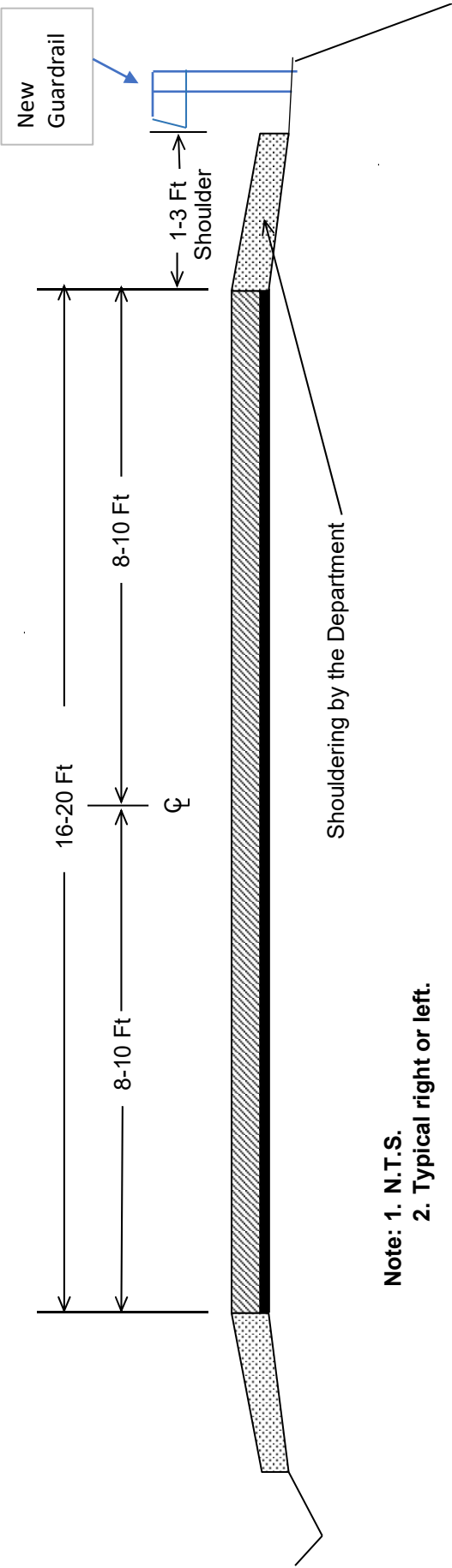
End Treatment Type 1	0
End Treatment Type 3	0
End Treatment Type 4A	0
End Treatment Type 7	2
Terminal Section No. 1	2

GUARDRAIL SUMMARY  
FD04 080 0292 017-019

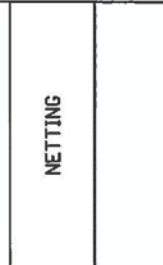
NEW GUARDRAIL							REMOVE GUARDRAIL				
LANE	END TREAT.	BEGIN MILEPOINT	END MILEPOINT	END TREAT.	LIN FEET	REMARKS	LANE	BEGIN MILEPOINT	END MILEPOINT	LIN FEET	REMARKS
NORTH BOUND	TYPE 7	17.450	17.494	TERMINAL SECTION NO. 1	237.5		NORTH BOUND	17.553	17.648	512.5	
NORTH BOUND	TERMINAL SECTION NO.1	17.494	17.527	TYPE 7	175.0						
NORTH BOUND	TYPE 7	17.528	17.648	TYPE 7	637.5						
NORTH BOUND	TERMINAL SECTION NO.1	17.655	17.682	TYPE 7	150.0						
NORTH BOUND	TERMINAL SECTION NO.1	17.682	17.833	TERMINAL SECTION NO. 1	800.0						
NORTH BOUND	TYPE 7	17.833	18.270	TIE TO EXISTING	2,312.5		NORTH BOUND	17.845	17.848	25.0	
							NORTH BOUND	18.270			REMOVE TYPE 7 END TREAT
TOTALS					4,312.5					537.5	

End Treatment Type 1	0
End Treatment Type 3	0
End Treatment Type 4A	0
End Treatment Type 7	6
Terminal Section No. 1	5

**TYPICAL SECTION  
KY 292**



**Note:** 1. N.T.S.  
2. Typical right or left.



Contract Id: \_\_\_\_\_ Contractor: \_\_\_\_\_

Section Engineer: \_\_\_\_\_ District & County: \_\_\_\_\_

DESCRIPTION	UNIT	QTY LEAVING PROJECT	QTY RECEIVED@BB YARD
GUARDRAIL (Includes End treatments & crash cushions)	LF	_____	_____
STEEL POSTS	EACH	_____	_____
STEEL BLOCKS	EACH	_____	_____
WOOD OFFSET BLOCKS	EACH	_____	_____
BACK UP PLATES	EACH	_____	_____
CRASH CUSHION	EACH	_____	_____
NUTS, BOLTS, WASHERS	BAG/BCKT	_____	_____
DAMAGED RAIL TO MAINT. FACILITY	LF	_____	_____
DAMAGED POSTS TO MAINT. FACILITY	EACH	_____	_____

**\*Required Signatures before Leaving Project Site**

Printed Section Engineer’s Representative\_\_\_\_\_ & Date\_\_\_\_\_

Signature Section Engineer’s Representative\_\_\_\_\_ & Date\_\_\_\_\_

Printed Contractor’s Representative\_\_\_\_\_ & Date\_\_\_\_\_

Signature Contractor’s Representative\_\_\_\_\_ & Date\_\_\_\_\_

**\*Required Signatures after Arrival at Bailey Bridge Yard (All material on truck must be counted & the quantity received column completed before signatures)**

Printed Bailey Bridge Yard Representative\_\_\_\_\_ & Date\_\_\_\_\_

Signature Bailey Bridge Yard Representative\_\_\_\_\_ & Date\_\_\_\_\_

Printed Contractor’s Representative\_\_\_\_\_ & Date\_\_\_\_\_

Signature Contractor’s Representative\_\_\_\_\_ & Date\_\_\_\_\_

\*\*Payment for the bid item remove guardrail will be based upon the quantities shown in the Bailey Bridge Yard received column. Payment will not be made for guardrail removal until the guardrail verification sheets are electronically submitted to the Section Engineer by the Bailey Bridge Yard Representative.



**PART II**

**SPECIFICATIONS AND STANDARD DRAWINGS**

### **STANDARD SPECIFICATIONS**

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

### **SUPPLEMENTAL SPECIFICATIONS**

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

APPLICABLE 2020 KENTUCKY STANDARD DRAWINGS

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TYPICAL GUARDRAIL INSTALLATIONS .....	RBI-001-12
TYPICAL GUARDRAIL INSTALLATIONS .....	RBI-002-07
STEEL BEAM GUARDRAIL (“W”-BEAM).....	RBR-001-13
GUARDRAIL COMPONENTS.....	RBR-005-11
GUARDRAIL TERMINAL SECTIONS .....	RBR-010-06
STEEL GUARDRAIL POSTS.....	RBR-015-06
GUARDRAIL SYSTEM TRANSITION .....	RBR-018
GUARDRAIL END TREATMENT TYPE 7 .....	RBR-050-08
GUARDRAIL END TREATMENT TYPE 7 ALTERNATE ANCHOR .....	RBR-051-01
DELINEATORS FOR GUARDRAIL.....	RBR-055-01
CURVE WIDENING AND SUPERELEVATION TRANSITIONS .....	RGS-001-07
MISCELLANEOUS STANDARDS.....	RGX-001-06
APPROACHES, ENTRANCES, AND MAIL BOX TURNOUT .....	RPM-110-07
LANE CLOSURE TWO-LANE HIGHWAY .....	TTC-100-05
SHOULDER CLOSURE .....	TTC-135-03

## **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](mailto: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**

Report Date 8/24/23

Section: 0001 - GUARDRAIL

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0010	01987		DELINEATOR FOR GUARDRAIL BI DIRECTIONAL WHITE	142.00	EACH		\$	
0020	02351		GUARDRAIL-STEEL W BEAM-S FACE	7,037.50	LF		\$	
0030	02351		GUARDRAIL-STEEL W BEAM-S FACE (2 PLY)	175.00	LF		\$	
0040	02360		GUARDRAIL TERMINAL SECTION NO 1	8.00	EACH		\$	
0050	02371		GUARDRAIL END TREATMENT TYPE 7	11.00	EACH		\$	
0060	02381		REMOVE GUARDRAIL	712.50	LF		\$	
0070	02396		REMOVE GUARDRAIL END TREATMENT TYPE 7	1.00	EACH		\$	
0080	02399		EXTRA LENGTH GUARDRAIL POST	105.00	EACH		\$	
0090	02562		TEMPORARY SIGNS	450.00	SQFT		\$	
0100	02650		MAINTAIN & CONTROL TRAFFIC (FD04 080 0292 016-017)	1.00	LS		\$	
0110	02650		MAINTAIN & CONTROL TRAFFIC (FD04 080 0292 017-018)	1.00	LS		\$	
0120	02650		MAINTAIN & CONTROL TRAFFIC (FD04 080 0292 017-019)	1.00	LS		\$	

Section: 0002 - DEMOBILIZATION

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0130	02569		DEMOBILIZATION	1.00	LS		\$	