



**CALL NO. 400**

**CONTRACT ID. 215186**

**PIKE COUNTY**

**FED/STATE PROJECT NUMBER 121GR21D086-FD55**

**DESCRIPTION VARIOUS ROUTES**

**WORK TYPE BRIDGE REPLACEMENT**

**PRIMARY COMPLETION DATE 12/1/2022**

**LETTING DATE: December 10,2021**

Sealed Bids will be received electronically through the Bid Express bidding service until 10:00 am EASTERN STANDARD TIME December 10,2021. Bids will be publicly announced at 10:00 am EASTERN STANDARD TIME.

**PLANS AVAILABLE FOR 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"><li>• PROJECT(S), COMPLETION DATE(S), &amp; LIQUIDATED DAMAGES</li><li>• CONTRACT NOTES</li><li>• STATE CONTRACT NOTES</li><li>• ASPHALT MIXTURE</li><li>• INCIDENTAL SURFACING</li><li>• COMPACTION OPTION B</li><li>• LIQUIDATED DAMAGES</li><li>• TREE REMOVAL</li><li>• BRIDGE DEMOLITION, RENOVATION AND ASBESTOS ABATEMENT</li><li>• ASBESTOS ABATEMENT REPORT</li><li>• RIGHT OF WAY CERTIFICATION</li><li>• UTILITY IMPACT &amp; RAIL CERTIFICATION NOTES</li><li>• DEPT OF ARMY - NATIONWIDE PERMIT</li><li>• COMMUNICATING ALL PROMISES</li><li>• GEOTECHNICAL NOTES</li><li>• MATERIAL SUMMARY</li></ul>
PART II	SPECIFICATIONS AND STANDARD DRAWINGS <ul style="list-style-type: none"><li>• SPECIFICATIONS REFERENCE</li><li>• SUPPLEMENTAL SPECIFICATION</li><li>• [SN-1I] PORTABLE CHANGEABLE SIGNS</li><li>• [SP-69] EMBANKMENT AT BRIDGE END BENT STRUCTURES</li></ul>
PART III	EMPLOYMENT, WAGE AND RECORD REQUIREMENTS <ul style="list-style-type: none"><li>• LABOR AND WAGE REQUIREMENTS</li><li>• EXECUTIVE BRANCH CODE OF ETHICS</li><li>• KENTUCKY EQUAL EMPLOYMENT OPPORTUNITY ACT OF 1978 LOCALITY / STATE</li><li>• PROJECT WAGE RATES / STATE FUNDED</li></ul>
PART IV	INSURANCE
PART V	BID ITEMS

**PART I**  
**SCOPE OF WORK**

**ADMINISTRATIVE DISTRICT - 12**

**CONTRACT ID - 215186**  
**121GR21D086-FD55**  
**COUNTY - PIKE**  
**PCN - BR09815452000**  
**FD55 098 1545 000-001**

MULLEN FORK (MP 0.004) ADDRESS DEFICIENCIES OF MULLEN FRK BRIDGE OVER  
POND CREEK. (098C00021N) (MP 0.014), A DISTANCE OF 0.01 MILES.BRIDGE REPLACEMENT SYP NO.  
12-10012.00.  
GEOGRAPHIC COORDINATES LATITUDE 37:34:46.00 LONGITUDE 82:16:12.00

**PCN - BR09816142000**  
**FD55 098 1614 000-001**

JOHN MOORE BRANCH ROAD (MP 0.010) ADDRESS DEFICIENCIES OF JOHN MOORE BRANCH ROAD OVER  
ELKHORN CREEK (098C00044N) (MP 0.020), A DISTANCE OF 0.01 MILES.BRIDGE REPLACEMENT SYP NO.  
12-10028.00.  
GEOGRAPHIC COORDINATES LATITUDE 37:18:04.00 LONGITUDE 82:21:21.00

**COMPLETION DATE(S):**  
COMPLETED BY 12/01/2022                      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](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.

April 30, 2018

## **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



### **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.

### **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 CONTRACT COMPLETION DATE AND LIQUIDATED DAMAGES ON BRIDGE REPAIR CONTRACTS**

12-10012.00 Pike 098C00021N

### **I. COMPLETION DATE.**

Upon Notice to Proceed, the Contractor has the option of selecting the Begin Work date. Once selected, notify the Department in writing of the date selected at least two weeks prior to beginning work and provide a proposed project schedule. All work is to be completed by the specified contract completion date. The Contractor is allotted 60 calendar days once the bridge is closed and traffic is on the diversion to complete all work to safely reopen the structure with no lane closures. At a minimum, prior to reopening the bridge to traffic, all strength requirements and curing for materials used shall be completed per Division 600 of the Standard Specifications. Guardrail shall be installed to the satisfaction of the Engineer prior to reopening the bridge to traffic unless prior approval is obtained from the engineer for use of temporary railing.

The Engineer will begin charging calendar days for a structure on the day the Contractor closes the structure to traffic, regardless of holidays or seasonal weather limitations.

### **II. LIQUIDATED DAMAGES.**

Liquidated damages will be assessed to the Contractor in accordance with the Transportation Cabinet, Department of Highway's current Standard Specifications for Road and Bridge Construction, Section 108.09, when either the allotted number of calendar days or the specified completion date is exceeded.

Contrary to the Standard Specifications, liquidated damages will be assessed to the Contractor during the months of December, January, February and March when the contract time has expired on any individual bridge. Contract time will be charged during these months. All construction must be completed in accordance with the weather limitations specified in Section 606 and/or Section 601 as applicable. No extension of Contract time will be granted due to inclement weather or temperature limitations that occur due to starting work on the Contract or a structure late in the construction season.

Maintenance of the diversion must be completed within 24 hours for items that do not adversely affect traffic. In the event of a washout, and access is no longer maintained, the contractor has 4 hours to reopen the roadway to traffic. Failure to meet either the 24 hour requirement or the 4 hour requirement will result in Liquidated Damages being charged at a rate of \$750 per hour beyond the required time specified, once notified. Re-grading of the diversion will be incidental to maintain and control traffic, however additional material if deemed necessary by the Engineer will be paid as specified in the contract.

## **SPECIAL NOTE FOR CONTRACT COMPLETION DATE AND LIQUIDATED DAMAGES ON BRIDGE REPAIR CONTRACTS**

12-10028 Pike 098C00044N

### **I. COMPLETION DATE.**

Upon Notice to Proceed, the Contractor has the option of selecting the Begin Work date. Once selected, notify the Department in writing of the date selected at least two weeks prior to beginning work and provide a proposed project schedule. All work is to be completed by the specified contract completion date. The Contractor is allotted 60 calendar days once work begins to complete all work to safely open the structure with no lane closures. At a minimum, prior to opening to traffic, all strength requirements and curing for materials used shall be completed per Division 600 of the Standard Specifications.

The Engineer will begin charging calendar days for a structure on the day the Contractor begins work, with the exception of placement of signs, regardless of holidays or seasonal weather limitations.

### **II. LIQUIDATED DAMAGES.**

Liquidated damages will be assessed to the Contractor in accordance with the Transportation Cabinet, Department of Highway's current Standard Specifications for Road and Bridge Construction, Section 112.03.15A, when the lane closures are used beyond the allotted number of calendar days. Liquidated Damages will be assessed per the Standard Specification Section 108.09 when the contract time extends beyond the contract date.

Contrary to the Standard Specifications, liquidated damages will be assessed to the Contractor during the months of December, January, February and March when the contract time has expired on any individual bridge. Contract time will be charged during these months. All construction must be completed in accordance with the weather limitations specified in Section 606 and/or Section 601 as applicable. No extension of Contract time will be granted due to inclement weather or temperature limitations that occur due to starting work on the Contract or a structure late in the construction season.

## ***SPECIAL NOTE***

### **Tree Clearing Restriction**

DUE TO THE RECOVEREY PLAN FOR ENDANGERED BATS, NO TREE  
CLEARING IS PERMITTED FROM JUNE 1 THROUGH JULY 31.

**If there are any questions regarding this note, please contact Danny Peake,  
Director, Division of Environmental Analysis, 200 Mero Street, Frankfort, KY  
40601, Phone: (502) 564-7250.**

### **Special Note for Bridge Demolition, Renovation and Asbestos Abatement**

If the project includes any bridge demolition or renovation, the successful bidder is required to notify Kentucky Division for Air Quality (KDAQ) via filing of form (DEP 7036) a minimum of 10 working days prior to commencement of any bridge demolition or renovation work.

Any available information regarding possible asbestos containing materials (ACM) on or within bridges to be affected by the project has been included in the bid documents. These are to be included with the Contractor's notification filed with the KDAQ. If not included in the bid documents, the Department will provide that information to the successful bidder for inclusion in the KDAQ notice as soon as possible. If there are no documents stating otherwise, the bidders should assume there are no asbestos containing materials that will in any way affect the work.



## Asbestos Inspection Report

To: Tom Springer, QK4, Inc.

Date: 4-19-2019

Conducted By: Jeffrey Lee, Lee Engineering, llc  
Kentucky Accredited Asbestos Inspector # I11-05-8973

---

### Project and Structure Identification

098C00021N\_Pike\_12\_10012\_LEE\_4-19-2019

Structure ID: 098C00021N

County and Item No: Pike\_12\_10012

Structure Location: Mullen Frk Over Pond Creek

Sample Description: No Suspect ACM Observed.

Inspection Date: 3-4-2019

### Results and Recommendations

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

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

No suspect asbestos containing materials (ACM) were observed.

DEP 7036

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

\*\*\*File this form with *Regional Office where project will be performed\*\*\**

Kentucky Division for Air Quality  
300 Sower Boulevard, 2<sup>nd</sup> Floor  
Frankfort, KY 40601

PAGE 1 OF

INITIAL SUBMITTAL DATE

REVISION DATE

NOTIFICATION #

OFFICE USE ONLY

ID #

LOG #

Contractor

Address

City

State

Zip

Phone

Contact Person

Owner

Address

City

State

Zip

Phone

Contact Person

Project Location

Address

City

State

Zip

Facility Age (yrs.)

Size of Facility or Affected Part (sq.ft.)

#Floors Affected

Present and Prior Use of Facility

TYPE OF PROJECT (CHECK ONLY ONE):

Renovation ☐ Demolition ☐ Ordered Demolition ☐ Emergency ☐ Long-term ☐

PROJECT DATES:

Start Removal

End Removal

Start Renovation/Demolition

End Renovation/Demolition

**Amount of ACM to be Removed:**

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

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

Description of affected facility components

Asbestos detection technique

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

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

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

Transporter

Address

City

State

Zip

Phone

Disposal Site

Address

City

State

Zip

I hereby certify that at least one person trained as required by 40 CFR  
61.145(c)(8) will supervise the abatement work described herein. (optional  
for strictly non-friable work)

Submitted by:

Company Name:

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

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

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

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

### ***Line-by-Line Instructions:***

**Contractor/Owner:** the asbestos remover (or, for zero-asbestos demolitions, the demolition contractor). The owner is the entity having the work done.

**Project Location:** The location at the address given where the work is taking place (e.g., which building/floor/room?).

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

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

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

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

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

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

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

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

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

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

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

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

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

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





## Asbestos Inspection Report

To: Tom Springer, QK4, Inc.

Date: 7-19-2019

Conducted By: Jeffrey Lee, Lee Engineering, llc  
Kentucky Accredited Asbestos Inspector # 59640

---

### Project and Structure Identification

098C00044N\_Pike\_12-10028

Structure ID: 098C00044N

County and Item No: Pike\_12-10028

Structure Location: John Moore Branch Rd Over Elkhorn Creek

Sample Description: No Suspect ACM Observed.

Inspection Date: 7-9-2019

### Results and Recommendations

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

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

No suspect asbestos containing materials (ACM) were observed.

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

\*\*\*File this form with Regional Office where project will be performed\*\*\*

Kentucky Division for Air Quality  
300 Sower Boulevard, 2<sup>nd</sup> Floor  
Frankfort, KY 40601

PAGE 1 OF  
INITIAL SUBMITTAL DATE  
REVISION DATE  
NOTIFICATION #

OFFICE USE ONLY

ID #  
LOG #

**Contractor** \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Contact Person \_\_\_\_\_  
**Owner** \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Contact Person \_\_\_\_\_

**Project Location** \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Facility Age (yrs.) \_\_\_\_\_ Size of Facility or Affected Part (sq.ft.) \_\_\_\_\_  
#Floors Affected \_\_\_\_\_ Present and Prior Use of Facility \_\_\_\_\_

**TYPE OF PROJECT (CHECK ONLY ONE):**

Renovation ☐ Demolition ☐ Ordered Demolition ☐ Emergency ☐ Long-term ☐

**PROJECT DATES:**

Start Removal \_\_\_\_\_ End Removal \_\_\_\_\_  
Start Renovation/Demolition \_\_\_\_\_ End Renovation/Demolition \_\_\_\_\_

**Amount of ACM to be Removed:**

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

**Description** of planned renovation/demolition, including abatement methods  
& demo/reno methods. \_\_\_\_\_

**Description** of affected facility components \_\_\_\_\_

**Asbestos** detection technique \_\_\_\_\_

**Amount of Cat. I & II nonfriable ACM** involved but will not be removed: \_\_\_\_\_

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

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

**Transporter** \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_

**Disposal Site**

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

I hereby certify that at least one person trained as required by 40 CFR  
61.145(c)(8) will supervise the abatement work described herein. (optional  
for strictly non-friable work)

**Submitted by:** \_\_\_\_\_

**Company Name:** \_\_\_\_\_

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

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

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

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

### ***Line-by-Line Instructions:***

**Contractor/Owner:** the asbestos remover (or, for zero-asbestos demolitions, the demolition contractor). The owner is the entity having the work done.

**Project Location:** The location at the address given where the work is taking place (e.g., which building/floor/room?).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

	<p>KENTUCKY TRANSPORTATION CABINET Department of Highways <b>DIVISION OF RIGHT OF WAY &amp; UTILITIES</b></p>	<p>TC 62-226 Rev. 01/2016 Page 1 of 1</p>
<p><b>RIGHT OF WAY CERTIFICATION</b></p>		

<input checked="" type="checkbox"/>	<b>Original</b>	<input type="checkbox"/>	<b>Re-Certification</b>	<b>RIGHT OF WAY CERTIFICATION</b>	
<b>ITEM #</b>		<b>COUNTY</b>		<b>PROJECT # (STATE)</b>	<b>PROJECT # (FEDERAL)</b>
12-10012		Pike		1100 FD04 121 9414001R	
<b>PROJECT DESCRIPTION</b>					
Bridging Kentucky - 098C00021N - Mullen Fork over Pond Creek (replacement)					
<input type="checkbox"/> <b>No Additional Right of Way Required</b>					
Construction will be within the limits of the existing right of way. The right of way was acquired in accordance to FHWA regulations under the Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970, as amended. No additional right of way or relocation assistance were required for this project.					
<input checked="" type="checkbox"/> <b>Condition # 1 (Additional Right of Way Required and Cleared)</b>					
All necessary right of way, including control of access rights when applicable, have been acquired including legal and physical possession. Trial or appeal of cases may be pending in court but legal possession has been obtained. There may be some improvements remaining on the right-of-way, but all occupants have vacated the lands and improvements, and KYTC has physical possession and the rights to remove, salvage, or demolish all improvements and enter on all land. Just Compensation has been paid or deposited with the court. All relocations have been relocated to decent, safe, and sanitary housing or that KYTC has made available to displaced persons adequate replacement housing in accordance with the provisions of the current FHWA directive.					
<input type="checkbox"/> <b>Condition # 2 (Additional Right of Way Required with Exception)</b>					
The right of way has not been fully acquired, the right to occupy and to use all rights-of-way required for the proper execution of the project has been acquired. Some parcels may be pending in court and on other parcels full legal possession has not been obtained, but right of entry has been obtained, the occupants of all lands and improvements have vacated, and KYTC has physical possession and right to remove, salvage, or demolish all improvements. Just Compensation has been paid or deposited with the court for most parcels. Just Compensation for all pending parcels will be paid or deposited with the court prior to AWARD of construction contract					
<input type="checkbox"/> <b>Condition # 3 (Additional Right of Way Required with Exception)</b>					
The acquisition or right of occupancy and use of a few remaining parcels are not complete and/or some parcels still have occupants. All remaining occupants have had replacement housing made available to them in accordance with 49 CFR 24.204. KYTC is hereby requesting authorization to advertise this project for bids and to proceed with bid letting even though the necessary right of way will not be fully acquired, and/or some occupants will not be relocated, and/or the just compensation will not be paid or deposited with the court for some parcels until after bid letting. KYTC will fully meet all the requirements outlined in 23 CFR 635.309(c)(3) and 49 CFR 24.102(j) and will expedite completion of all acquisitions, relocations, and full payments after bid letting and prior to AWARD of the construction contract or force account construction.					
Total Number of Parcels on Project		3	<b>EXCEPTION (S) Parcel #</b>		<b>ANTICIPATED DATE OF POSSESSION WITH EXPLANATION</b>
<b>Number of Parcels That Have Been Acquired</b>					
Signed Deed		3			
Condemnation		0			
Signed ROE		0			
<b>Notes/ Comments (Use Additional Sheet if necessary)</b>					
<b>LPA RW Project Manager</b>			<b>Right of Way Supervisor</b>		
Printed Name				Printed Name	
Signature				<div style="display: flex; align-items: center;"> <div style="margin-right: 10px;"> <b>Askin, Mark</b> </div> <div> <small>Digitally signed by Mark Askin, DN: cn=Askin, Mark, o=Strand Associates, Inc., ou=Louisville, email=mark.askin@strand.com, Date: 2020.07.30 15:01:38 -04'00'</small> </div> </div>	
Date				Date	
<b>Right of Way Director</b>			<b>FHWA</b>		
Printed Name		Dean M. Loy		Printed Name	
Signature		<div style="display: flex; align-items: center;"> <div style="margin-right: 10px;"> <b>DM Loy</b> </div> <div> <small>Digitally signed by DM Loy, Date: 2020.07.30 15:01:38 -04'00'</small> </div> </div>		Signature	
Date				Date	

KENTUCKY TRANSPORTATION CABINET  
Department of Highways  
DIVISION OF RIGHT OF WAY & UTILITIES  
**RIGHT OF WAY CERTIFICATION**TC 62-226  
Rev. 01/2016  
Page 1 of 1

<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Re-Certification	<b>RIGHT OF WAY CERTIFICATION</b>	
<b>ITEM #</b>	<b>COUNTY</b>	<b>PROJECT # (STATE)</b>	<b>PROJECT # (FEDERAL)</b>
12-10028	Pike	1100 FD04 121 9414001R	
<b>PROJECT DESCRIPTION</b>			
Bridging Kentucky - 098C00044N - John Moore Branch over Elkhorn Creek (replacement)			
<input type="checkbox"/> <b>No Additional Right of Way Required</b>			
Construction will be within the limits of the existing right of way. The right of way was acquired in accordance to FHWA regulations under the Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970, as amended. No additional right of way or relocation assistance were required for this project.			
<input checked="" type="checkbox"/> <b>Condition # 1 (Additional Right of Way Required and Cleared)</b>			
All necessary right of way, including control of access rights when applicable, have been acquired including legal and physical possession. Trial or appeal of cases may be pending in court but legal possession has been obtained. There may be some improvements remaining on the right-of-way, but all occupants have vacated the lands and improvements, and KYTC has physical possession and the rights to remove, salvage, or demolish all improvements and enter on all land. Just Compensation has been paid or deposited with the court. All relocations have been relocated to decent, safe, and sanitary housing or that KYTC has made available to displaced persons adequate replacement housing in accordance with the provisions of the current FHWA directive.			
<input type="checkbox"/> <b>Condition # 2 (Additional Right of Way Required with Exception)</b>			
The right of way has not been fully acquired, the right to occupy and to use all rights-of-way required for the proper execution of the project has been acquired. Some parcels may be pending in court and on other parcels full legal possession has not been obtained, but right of entry has been obtained, the occupants of all lands and improvements have vacated, and KYTC has physical possession and right to remove, salvage, or demolish all improvements. Just Compensation has been paid or deposited with the court for most parcels. Just Compensation for all pending parcels will be paid or deposited with the court prior to AWARD of construction contract			
<input type="checkbox"/> <b>Condition # 3 (Additional Right of Way Required with Exception)</b>			
The acquisition or right of occupancy and use of a few remaining parcels are not complete and/or some parcels still have occupants. All remaining occupants have had replacement housing made available to them in accordance with 49 CFR 24.204. KYTC is hereby requesting authorization to advertise this project for bids and to proceed with bid letting even though the necessary right of way will not be fully acquired, and/or some occupants will not be relocated, and/or the just compensation will not be paid or deposited with the court for some parcels until after bid letting. KYTC will fully meet all the requirements outlined in 23 CFR 635.309(c)(3) and 49 CFR 24.102(j) and will expedite completion of all acquisitions, relocations, and full payments after bid letting and prior to AWARD of the construction contract or force account construction.			
Total Number of Parcels on Project	1	<b>EXCEPTION (S) Parcel #</b>	<b>ANTICIPATED DATE OF POSSESSION WITH EXPLANATION</b>
<b>Number of Parcels That Have Been Acquired</b>			
Signed Deed	1		
Condemnation	0		
Signed ROE	0		
<b>Notes/ Comments (Use Additional Sheet if necessary)</b>			
<b>LPA RW Project Manager</b>		<b>Right of Way Supervisor</b>	
Printed Name		Printed Name	Mark Askin, PE
Signature		Signature	Mark Askin
Date		Date	05/10/21
<b>Right of Way Director</b>		<b>FHWA</b>	
Printed Name	Dean M. Loy	Printed Name	
Signature	DM Loy	Signature	
Date		Date	

## UTILITIES AND RAIL CERTIFICATION NOTE

<p><b>Pike County</b> <b>Mile point: 0.005 to 0.015</b> <b>ADDRESS DEFICIENCIES OF MULLEN FORK OVER POND CREEK. (098C00021N)</b> <b>ITEM NUMBER: 12-10012</b></p>
---

### PROJECT NOTES ON UTILITIES

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

The contractor shall make every effort to protect underground facilities from damage as prescribed in the Underground Facility Damage Protection Act of 1994, Kentucky Revised Statute KRS 367.4901 to 367.4917. It is the contractor's responsibility to determine and take steps necessary to be in compliance with federal and state damage prevention directives. The contractor is instructed to contact KY 811 for the location of existing underground utilities. Contact shall be made a minimum of two (2) and no more than ten (10) business days prior to excavation. The contractor shall submit Excavation Locate Requests to the Kentucky Contact Center (KY 811) via web ticket entry. The submission of this request does not relieve the contractor from the responsibility of contacting non-member facility owners, whom are to be contacted through their individual Protection Notification Center. It may be necessary for the contractor to contact the County Court Clerk to determine what utility companies have facilities in the area. Non-compliance with these directives can result in the enforcement of penalties.

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

### NOTE: DO NOT DISTURB THE FOLLOWING FACILITIES LOCATED WITHIN THE PROJECT DISTURB LIMITS

Not Applicable

**\*The Contractor is fully responsible for protection of all utilities listed above\***

## UTILITIES AND RAIL CERTIFICATION NOTE

<p><b>Pike County</b> <b>Mile point: 0.005 to 0.015</b> <b>ADDRESS DEFICIENCIES OF MULLEN FORK OVER POND CREEK. (098C00021N)</b> <b>ITEM NUMBER: 12-10012</b></p>
---

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

The overhead AT&T communication lines over the east end of the proposed bridge are to be relocated such that they are not directly over the limits of the new eastern foundation/piles. The utility pole (Kentucky Power/AEP) left Sta. 148+80 of the diversion road will be relocated, as well as the temporary service pole located left Sta. 149+75 of the diversion road.

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

Not Applicable

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

The existing stream gauge attached to the bridge shall be carefully removed and stored in a secure location during bridge reconstruction. When construction of the new bridge is complete, the gauge shall be reattached to the bridge in coordination with Pike County Emergency Management officials. Mr. Doug Tackett, Director of Pike County Emergency Management, shall be contacted and the gauge shall be reattached to his satisfaction.

**RAIL COMPANIES HAVE FACILITIES IN CONJUNCTION WITH THIS PROJECT AS NOTED**

☒ No Rail Involvement   ☐ Rail Involved   ☐ Rail Adjacent

## UTILITIES AND RAIL CERTIFICATION NOTE

<p><b>Pike County</b> <b>Mile point: 0.005 to 0.015</b> <b>ADDRESS DEFICIENCIES OF MULLEN FORK OVER POND CREEK. (098C00021N)</b> <b>ITEM NUMBER: 12-10012</b></p>
---

### AREA FACILITY OWNER CONTACT LIST

Facility Owner	Address	Contact Name	Phone	Email
Mountain Water District - Water	P.O. Box 3157 Pikeville, KY 41502	Roy Sawyers	6066316165	rsawyers@mtwater.org
Kentucky Power Company - Electric	12333 Kevin Avenue Ashland, KY 41102	Ronald Canfield	6069291462	rlcanfield@aep.com
AT&T - Communication	12 Walters Road Pikeville, KY 41501	Jack Saylor	6064249328	Js2299@att.com
Pike Couny Emergency Management – Emergency Response	1617 Foxhaven Drive, Richmond, KY 40475	Doug Tackett	6064227989	DougTackett@pike911.org



## UTILITIES AND RAIL CERTIFICATION NOTE

**Pike County**  
**Mile point: 0.010 TO 0.020**  
**ADDRESS DEFICIENCIES ON JOHN MOORE BRANCH RD OVER ELKHORN CREEK (098C00044N)**  
**ITEM NUMBER: 12-10028.00**

### PROJECT NOTES ON UTILITIES

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

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

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

The contractor shall make every effort to protect underground facilities from damage as prescribed in the Underground Facility Damage Protection Act of 1994, Kentucky Revised Statute KRS 367.4901 to 367.4917. It is the contractor's responsibility to determine and take steps necessary to be in compliance with federal and state damage prevention directives. The contractor is instructed to contact KY 811 for the location of existing underground utilities. Contact shall be made a minimum of two (2) and no more than ten (10) business days prior to excavation. The contractor shall submit Excavation Locate Requests to the Kentucky Contact Center (KY 811) via web ticket entry. The submission of this request does not relieve the contractor from the responsibility of contacting non-member facility owners, whom

## UTILITIES AND RAIL CERTIFICATION NOTE

**Pike County**  
**Mile point: 0.010 TO 0.020**  
**ADDRESS DEFICIENCIES ON JOHN MOORE BRANCH RD OVER ELKHORN CREEK (098C00044N)**  
**ITEM NUMBER: 12-10028.00**

are to be contacted through their individual Protection Notification Center. It may be necessary for the contractor to contact the County Court Clerk to determine what utility companies have facilities in the area. Non-compliance with these directives can result in the enforcement of penalties.

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

**NOTE: DO NOT DISTURB THE FOLLOWING FACILITIES LOCATED WITHIN THE PROJECT AREA**

American Electric Power - Electric

AT&T - Telephone

Elkhorn City Water Department - Water

Lindsey & Elliott Gas Co. - Natural Gas

**\*The Contractor is fully responsible for protection of all utilities listed above\***

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

Not Applicable

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

Not Applicable

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

Not Applicable

## UTILITIES AND RAIL CERTIFICATION NOTE

**Pike County**  
**Mile point: 0.010 TO 0.020**  
**ADDRESS DEFICIENCIES ON JOHN MOORE BRANCH RD OVER ELKHORN CREEK (098C00044N)**  
**ITEM NUMBER: 12-10028.00**

### RAIL COMPANIES HAVE FACILITIES IN CONJUNCTION WITH THIS PROJECT AS NOTED

☒ No Rail Involvement   ☐ Rail Involved   ☐ Rail Adjacent

### AREA FACILITY OWNER CONTACT LIST

Facility Owner	Address	Contact Name	Phone	Email
American Electric Power - Electric	3249 North Mayo Trail Pikeville, KY 41501	Bill Johnson	(606) 794- 7381	wmjohnson@aep.com
AT&T - Telephone	P.O. Box 280 Middlesboro, KY 40965	Jack Salyer	(606) 424- 9328	js2299@att.com
Elkhorn City Water Department - Water	395 S. Patty Loveless Drive Elkhorn City, KY 41522	Dwayne Tackett	(606) 754- 5080	elkhorncityhall@bellsouth.net
Lindsey & Elliott Gas Co. - Natural Gas	105 Laurel Lane Pikeville, KY 41501	Will Lindsey	(606) 437- 4386	willlindsey@hotmail.com

**Prior to beginning work, contractor shall contact Lindsey & Elliott Gas Co. to locate their facilities in the area.**

Kentucky Transportation  
Cabinet Project:

# ***N O T I C E***

---

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

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

---

**PROJECT DESCRIPTION: Bridge Replacement  
Mullen Fork Road over Pond Creek  
Pike County, KY  
KYTC Item No. 12-10012**

---

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

---

Kentucky Transportation  
Cabinet Project:

## Locations Impacting Water Quality

Station-Location	Description
Bridge ID: <b>098C00021N</b>	<b>Mullen Fork Road over Pond Creek</b> project will entail replacing the existing bridge and constructing a new bridge in the same location and with the same current geometrics (bridge width, length, hydraulic opening, etc.). The project may involve the removal of debris and/or sediment.

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

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

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

Terms for Nationwide Permit No. 3 – Maintenance Projects

(a) The repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, requirements of other regulatory agencies, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized. This NWP also authorizes the removal of previously authorized structures or fills. Any stream channel modification is limited to the minimum necessary for the repair, rehabilitation, or replacement of the structure or fill; such modifications, including the removal of material from the stream channel, must be immediately adjacent to the project. This NWP also authorizes the removal of accumulated sediment and debris within, and in the immediate vicinity of, the structure or fill. This NWP also authorizes the repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. In cases of catastrophic events, such as hurricanes or tornadoes, this two-year limit may be waived by the district engineer, provided the permittee can demonstrate funding, contract, or other similar delays.

(b) This NWP also authorizes the removal of accumulated sediments and debris outside the immediate vicinity of existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.). The removal of sediment is limited to the minimum necessary to restore the waterway in the vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend farther than 200 feet in any direction from the structure. This 200 foot limit does not apply to maintenance dredging to remove accumulated sediments blocking or restricting outfall and intake structures or to maintenance dredging to remove accumulated sediments from canals associated with outfall and intake structures. All dredged or excavated materials must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization.

(c) This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to conduct the maintenance activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. After conducting the maintenance activity, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

(d) This NWP does not authorize maintenance dredging for the primary purpose of navigation. This NWP does not authorize beach restoration. This NWP does not authorize new stream channelization or stream relocation projects.

Notification: For activities authorized by paragraph (b) of this NWP, the permittee must submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 32). The pre-construction notification must include information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals. (Authorities: Section 10 of the Rivers and Harbors Act of 1899 and section 404 of the Clean Water Act (Sections 10 and 404))

Note: This NWP authorizes the repair, rehabilitation, or replacement of any previously authorized structure or fill that does not qualify for the Clean Water Act section 404(f) exemption for maintenance.



MATTHEW G. BEVIN  
GOVERNOR

CHARLES G. SNAVELY  
SECRETARY

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

R. BRUCE SCOTT  
COMMISSIONER

300 SOWER BOULEVARD  
FRANKFORT, KENTUCKY 40601

**General Certification--Nationwide Permit # 3  
Maintenance**

This General Certification is issued March 19, 2017, in conformity with the requirements of Section 401 of the Clean Water Act of 1977, as amended (33 U.S.C. §1341), as well as Kentucky Statute KRS 224.16-050.

For this and all nationwide permits, the definition of surface water is as per 401 KAR 10:001 Chapter 10, Section 1(80): Surface Waters means those waters having well-defined banks and beds, either constantly or intermittently flowing; lakes and impounded waters; marshes and wetlands; and any subterranean waters flowing in well-defined channels and having a demonstrable hydrologic connection with the surface. Lagoons used for waste treatment and effluent ditches that are situated on property owned, leased, or under valid easement by a permitted discharger are not considered to be surface waters of the commonwealth.

The Commonwealth of Kentucky hereby certifies under Section 401 of the Clean Water Act (CWA) that it has reasonable assurances that applicable water quality standards under Kentucky Administrative Regulations Title 401, Chapter 10, established pursuant to Sections 301, 302, 304, 306 and 307 of the CWA, will not be violated for the activity covered under NATIONWIDE PERMIT 3, namely Maintenance, provided that the following conditions are met:

1. The activity will not occur within surface waters of the Commonwealth identified by the Kentucky Division of Water as Outstanding State or National Resource Water, Cold Water Aquatic Habitat, or Exceptional Waters.
2. The activity will not occur within surface waters of the Commonwealth identified as perpetually-protected (e.g. deed restriction, conservation easement) mitigation sites.
3. The activity will impact less than 1/2 acre of wetland/marsh.
4. The activity will impact less than 300 linear feet of surface waters of the Commonwealth.

**General Certification--Nationwide Permit # 3**  
**Maintenance**  
**Page 2**

5. The Kentucky Division of Water may require submission of a formal application for an individual certification for any project if the project has been determined to likely have a significant adverse effect upon water quality or degrade the waters of the Commonwealth so that existing uses of the water body or downstream waters are precluded.
6. Activities that do not meet the conditions of this General Water Quality Certification require an Individual Section 401 Water Quality Certification.
7. Activities qualifying for coverage under this General Water Quality Certification are subject to the following conditions:
  - Projects requiring in-stream stormwater detention/retention basins shall require individual water quality certifications.
  - Erosion and sedimentation pollution control plans and Best Management Practices must be designed, installed, and maintained in effective operating condition at all times during construction activities so that violations of state water quality standards do not occur.
  - Sediment and erosion control measures, such as check-dams constructed of any material, silt fencing, hay bales, etc., shall not be placed within surface waters of the Commonwealth, either temporarily or permanently, without prior approval by the Kentucky Division of Water's Water Quality Certification Section. If placement of sediment and erosion control measures in surface waters is unavoidable, design and placement of temporary erosion control measures shall not be conducted in such a manner that may result in instability of streams that are adjacent to, upstream, or downstream of the structures. All sediment and erosion control devices shall be removed and the natural grade restored within the completion timeline of the activities.
  - Measures shall be taken to prevent or control spills of fuels, lubricants, or other toxic materials used in construction from entering the watercourse.
  - Removal of riparian vegetation shall be limited to that necessary for equipment access.
  - To the maximum extent practicable, all in-stream work under this certification shall be performed under low-flow conditions.
  - Heavy equipment, e.g. bulldozers, backhoes, draglines, etc., if required for this project, should not be used or operated within the stream channel. In those instances in which such in-stream work is unavoidable, then it shall be performed in such a manner and duration as to minimize turbidity and disturbance to substrates and bank or riparian vegetation.
  - Any fill shall be of such composition that it will not adversely affect the biological, chemical, or physical properties of the receiving waters and/or cause violations of water quality standards. If rip-rap is utilized, it should be of such weight and size that bank stress or slump conditions will not be created because of its placement.



**General Certification--Nationwide Permit # 3**  
**Maintenance**  
**Page 3**

- If there are water supply intakes located downstream that may be affected by increased turbidity and suspended solids, the permittee shall notify the operator when such work will be done.
- Should evidence of stream pollution or jurisdictional wetland impairment and/or violations of water quality standards occur as a result of this activity (either from a spill or other forms of water pollution), the Kentucky Division of Water shall be notified immediately by calling (800) 928-2380.

Non-compliance with the conditions of this general certification or violation of Kentucky state water quality standards may result in civil penalties.



**US Army Corps  
of Engineers®**

Louisville District

# 2017 Nationwide Permit General Conditions

The following General Conditions must be followed in order for any authorization by NWP to be valid:

1. Navigation. (a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the US Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species.

3. Spawning Areas. Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. Migratory Bird Breeding Areas. Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds. No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).

7. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. Removal of Temporary Fills. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. Single and Complete Project. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. Wild and Scenic Rivers. (a) No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

(b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. The permittee shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

(c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: <http://www.rivers.gov/>

17. Tribal Rights. No activity may impair tribal rights (including treaty rights), protected tribal resources, or tribal lands.

18. Endangered Species. (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless section 7 consultation addressing the effects of the proposed activity has been completed. Direct effects are the immediate effects on the listed species and critical habitat caused by the NWP activity. Indirect effects are those effects on listed species and critical habitat that are caused by the NWP activity and are later in time, but still are reasonably certain to occur.

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

(c) Non-federal permittees must submit a pre-construction notification (PCN) to the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the PCN must include the name(s) of the endangered or threatened species that might be affected by the proposed activity or that utilize the designated critical habitat that might be affected by the proposed work. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete PCN. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification the proposed activities will have "no effect" on listed species or critical habitat, or until Section 7 consultation has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from Corps.

(d) As a result of formal or informal consultation with the USFWS or NMFS the district engineer may add species-specific permit conditions to the NWP.

(e) Authorization of an activity by a NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the USFWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will review the ESA section 10(a)(1)(B) permit, and if he or she determines that it covers the proposed NWP activity, including any incidental take of listed species that might occur as a result of conducting the proposed NWP activity, the district engineer does not need to conduct a separate section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete PCN whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

(g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the USFWS and NMFS or their world wide web pages at <http://www.fws.gov/> or <http://www.fws.gov/pac> and <http://www.nmfs.noaa.gov/pz/species/esa> respectively.

19. **Migratory Birds and Bald and Golden Eagles.** The permittee is responsible for ensuring their action complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting appropriate local office of the U.S. Fish and Wildlife Service to determine applicable measures to reduce impacts to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. **Historic Properties.** (a) In cases where the district engineer determines that the activity may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of Section 106 of the National Historic Preservation Act. If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those

requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of or potential for the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of Section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause an effect on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, and adverse effect. Where the non-Federal applicant has identified historic properties on which the activity might have the potential to cause effects and notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed.

(d) For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-federal applicant that he or she cannot begin the activity until Section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the activity on historic properties.

21. **Discovery of Previously Unknown Remains and Artifacts.** If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal and state coordination required to determine if the items or remains warrant recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters. Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the US are not authorized by NWP's 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, and 52 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWP's 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWP's only after it is determined that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse effects of the proposed activity are minimal, and provides a project-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse environmental effects.

(d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation to ensure that the activity results in no more than minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)).

(e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g. conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. Restored riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on the both sides of a stream or if the waterbody is a lake or coastal waters. Then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g. riparian areas and/or wetlands compensation) based on what is best for the aquatic environmental on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWP's, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation if the use of mitigation bank or in-lieu fee program credits is not appropriate and practicable.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f).)

(3) Since the likelihood of success is greater, and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

(4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)).

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site and the number of credits to be provided.

(6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan.

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWP's. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any project resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the minimal impact requirement for the NWP's.

(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or separate permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible compensatory mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. Safety of Impoundment Structures. To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality. Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA Section 401, individual 401 Water Quality

Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or USEPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

29. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature: "When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

(Transferee)

(Date)

30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

- (a) A statement that the authorized work was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;
- (b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(i)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and
- (c) The signature of the permittee certifying the completion of the work and mitigation. The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

31. Activities Affecting Structures or Works Built by the United States. If an NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally

authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires Section 408 permission is not authorized by the NWP until the appropriate Corps office issues the section 408 permission to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. Pre-Construction Notification (PCN). (a) Timing. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

- (1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or
- (2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or in the vicinity of the project, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f) and/or Section 106 of the National Historic Preservation (see 33 CFR 330.4(g)) has been completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Pre-Construction Notification: The PCN must be in writing and include the following information:

- (1) Name, address and telephone numbers of the prospective permittee;
- (2) Location of the proposed activity;
- (3) Identify the specific NWP or NWPs the prospective permittee wants to use to authorize the proposed activity;

(4) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by any proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant pre-crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures. For single and complete linear projects, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other water for each single and complete crossing of those wetlands, other special aquatic sites, and other waters. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the project and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an

illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-federal permittees, if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, for non-Federal applicants the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed activity or utilize the designated critical habitat that may be affected by the proposed activity. For any NWP activity that requires pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. Federal permittees must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the "study river" (see general condition 16); and

(10) For an activity that requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from the Corps office having jurisdiction over that USACE project;

(c) Form of PCN Notification: The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is an NWP PCN and must include all of the information required in paragraphs (b)(1) through (10) of this general condition. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) Agency Coordination: (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the project's adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for: (i) all NWP activities that require preconstruction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that require pre-construction notification and will result in the loss of greater than 300 linear feet of stream bed; (iii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iv) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line or ordinary high water mark.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural

resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or e-mail that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of PCN notifications to expedite agency coordination.

#### Further Information

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.

2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.

3. NWPs do not grant any property rights or exclusive privileges.

4. NWPs do not authorize any injury to the property or rights of others.

5. NWPs do not authorize interference with any existing or proposed Federal project (see general condition 31).





ANDY BESHEAR  
GOVERNOR

REBECCA W. GOODMAN  
SECRETARY

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

ANTHONY R. HATTON  
COMMISSIONER

300 SOWER BOULEVARD  
FRANKFORT, KENTUCKY 40601

July 21, 2020

Danny Peake  
Kentucky Transportation Cabinet (KYTC)  
200 Mero St  
Frankfort, KY 40622

Re: §401 Water Quality Certification  
John Moore Branch Bridge over Elkhorn Creek  
WQC No: WQC2020-048-1  
AI No.: 165923; Activity ID: APE20200001  
KYTC Item No.: 12-10028  
USACE ID No.: LRL-2020-00530-cdb  
Elkhorn Creek  
Pike County, Kentucky

Dear Mr. Peake:

Pursuant to Section 401 of the Clean Water Act (CWA), the Commonwealth of Kentucky certifies it has reasonable assurances that applicable water quality standards under Kentucky Administrative Regulations Title 401, Chapter 10, established pursuant to Sections 301, 302, 303, 304, 306, and 307 of the CWA, will not be violated by the above referenced project provided that the U.S. Army Corps of Engineers authorizes the activity under a federal permit or license, and the attached conditions are met.

All future correspondence on this project must reference AI No. **165923**. **The attached document is your official Water Quality Certification; please read it carefully.** Please contact Samantha Vogeler by phone at 502-782-6995 or email at [samantha.vogeler@ky.gov](mailto:samantha.vogeler@ky.gov) if you have any questions.

Sincerely,

A handwritten signature in black ink, reading "Elizabeth M Harrod".

**Elizabeth M Harrod, Supervisor**  
Water Quality Certification Section  
Kentucky Division of Water

EH:SV  
Attachment

cc: Andrew Logsdon, KYTC: Frankfort (via email: [Andrew.Logsdon@ky.gov](mailto:Andrew.Logsdon@ky.gov))

Dave Harmon, KYTC: Frankfort (via email: Dave.Harmon@ky.gov)  
Crystal Byrd, USACE: Louisville District (via email: Crystal.D.Byrd@ky.gov)  
Richard Clausen, Redwing Ecological Services Inc (via email: rclausen@redwingeco.com)  
Lee Andrews, USFWS: Frankfort (via email: kentuckyes@fws.gov)  
Michaela Lambert, Big Sandy Basin Coordinator (via email: Michaela.Lambert@ky.gov)  
Ashton Johnson, Hazard Regional Field Office (via email: Ashton.Johnson@ky.gov)



**KTC Water Quality Certification**  
John Moore Branch Bridge - Pike Co  
Facility Requirements  
Permit Number: WQC2020-048-1  
Activity ID No.:APE20200001

**ACTV0000000001 (AI: 165923; KYTC Item # 12-10028) Kentucky Transportation Cabinet:**

**Submittal/Action Requirements:**

Condition No.	Condition
S-1	Kentucky Transportation Cabinet (KYTC) shall notify the Water Quality Certification Project Manager or Supervisor of the scheduled start of construction activities at least two weeks before the start of construction. [Clean Water Act]
S-2	KYTC shall submit monthly photographs and a narrative discussion documenting the status of the approved stream work to the Water Quality Certification Project Manager or Supervisor. Electronic submissions are acceptable. [Clean Water Act]
S-3	KYTC shall notify the Water Quality Certification Project Manager or Supervisor of the substantial completion of construction no later than two weeks post-construction. [Clean Water Act]
S-4	KYTC shall submit as-built drawings within 90 days after substantial completion of construction to the Water Quality Certification Section Project Manager or Supervisor. [Clean Water Act]
S-5	KYTC shall submit a report within 90 days after substantial completion of construction to the Water Quality Certification Project Manager or Supervisor containing a description of the work completed to restore all streams impacted by the placement of temporary fill material. The report shall include representative photos of the stream areas prior to the placement of temporary fill material, photos of the areas after restoration, and a description of the restoration work completed. [Clean Water Act]

**KTC Water Quality Certification**  
John Moore Branch Bridge - Pike Co  
Facility Requirements  
Permit Number: WQC2020-048-1  
Activity ID No.:APE20200001

ACTV0000000001 (AI: 165923; KYTC Item # 12-10028) Kentucky Transportation Cabinet:

**Narrative Requirements:**

Condition No.	Condition
T-1	<p>The work approved by this certification shall be limited to the following temporary and permanent impacts associated with the replacement of the John Moore Branch Road over Elkhorn Creek Bridge (37.301047 N, 82.355657 W):</p> <ul style="list-style-type: none"><li>- Removal of the existing bridge including in-stream piers and abutments; construction of a new single-span bridge located immediately downstream; and installation of rip-rap scour protection for abutments and in-stream pier; coffer dams used during construction to isolate work areas to minimize impacts, resulting in 85 linear feet of permanent impacts to Elkhorn Creek.</li><li>- Big Sandy crayfish habitat will be enhanced after construction by placing 10 boulders within the work area resulting in 0.002 acres of fill (3.3 cubic yards).</li><li>- Temporary stream access for bridge removal and construction and construction of cofferdams, resulting in 85 linear feet of temporary impacts to Elkhorn Creek.</li></ul> <p>Following construction, the temporary fill material shall be removed and the streams impacted by temporary fill shall be returned to pre-construction contours. [Clean Water Act]</p>
T-2	<p>All work performed under this certification shall adhere to the design and specifications set forth in the following document(s):</p> <ul style="list-style-type: none"><li>- Application for Permit to Construct Across or Along a Stream and/or Water Quality Certification dated June 17, 2020.</li><li>- Preconstruction Notification for Nationwide Permit 3 and Request for Individual Water Quality Certification packet dated June 17, 2020.</li><li>- Additional information provided concerning boulder slab placement received July 21, 2020.</li><li>- Biological Assessment Report dated December 23, 2019.</li><li>- Request for Individual Water Quality Certification Public Notice Bridging Kentucky - Multiple Bridge Rehabilitation/Replacement Projects 2018-2020 Biennium Project packet dated April 15, 2019. [Clean Water Act]</li></ul>
T-3	<p>KYTC is responsible for preventing degradation of waters of the Commonwealth from soil erosion. An erosion and sedimentation control plan must be designed, implemented, and maintained in effective operating condition at all times during construction. [Clean Water Act]</p>
T-4	<p>Sediment control structures including, but not limited to, check dams, silt fencing, and hay bales shall not be placed in the stream channel(s). [Clean Water Act]</p>
T-5	<p>Heavy equipment (e.g. bulldozers, backhoes, draglines, etc.), if required for this project, should not be used or operated within the stream channel. In those instances where such instream work is unavoidable, then it shall be performed in such a manner and duration as to minimize re-suspension of sediments and disturbance to the channel, banks, or riparian vegetation. [Clean Water Act]</p>
T-6	<p>Remove all sediment and erosion control measures after re-vegetation has become well-established. [Clean Water Act]</p>

**KTC Water Quality Certification**  
John Moore Branch Bridge - Pike Co  
Facility Requirements  
Permit Number: WQC2020-048-1  
Activity ID No.: APE20200001

**ACTV0000000001 (AI: 165923; KYTC Item # 12-10028) Kentucky Transportation Cabinet:**

**Narrative Requirements:**

Condition No.	Condition
T-7	Any fill or riprap shall be of a composition that shall not cause violations of water quality standards by adversely affecting the biological, chemical, or physical properties of waters of the Commonwealth. If riprap is used, it shall be of a weight and size that bank stress or slump conditions shall not occur. [Clean Water Act]
T-8	In-stream work shall not be conducted during the Big Sandy crayfish egg extrusion and rearing of juveniles, July 20th through September 10th. [Clean Water Act]
T-9	If the scope of work or construction plans change, including, but not limited to, Department of the Army permit modification, a letter requesting a modification should be submitted to the Water Quality Certification Project Manager or Supervisor. [Clean Water Act]
T-10	Attached to this certification and cover letter is a listing of General Conditions for Water Quality Certification that apply to this project. [Clean Water Act]
T-11	If construction does not commence within two years of the date of this letter, this certification will become void. A letter requesting a renewal should be submitted to the Water Quality Certification Project Manager or Supervisor at least one month prior to expiration. [Clean Water Act]
T-12	Should evidence or report of any particular fish or wildlife resource area(s) experience substantial adverse impacts, stream designated use impairments, and/or violations of water quality standards occur as a result of bridge construction operations and activities, the Water Quality Certification Section Project Manager or Supervisor shall be notified immediately and reserves the right to impose additional restrictions, additional investigations, or alternative practices in order to protect and preserve the biological integrity of the resource area(s). [Clean Water Act]
T-13	In acknowledgement of fish and wildlife resource areas, based on the actual or potential presence of threatened and/or endangered species and/or their critical habitat designations within this certification, the Water Quality Certification Section has relied on the most current information, data, and supporting documentation that has been obtained and utilized at the time of the application evaluation. If, subsequent to the acknowledgement of site-specific certification(s), such information, data, surveys, or other supporting documentation confirm the presence of threatened and/or endangered species and/or their critical habitat designations, this certification may be modified, suspended, or revoked, in whole or in part. [Clean Water Act]
T-14	The Division of Water reserves the right to modify or revoke this certification should it be determined that the activity is in noncompliance with any condition set forth in this certification. [Clean Water Act]

**KTC Water Quality Certification**  
John Moore Branch Bridge - Pike Co  
Facility Requirements  
Permit Number: WQC2020-048-1  
Activity ID No.:APE20200001

ACTV0000000001 (AI: 165923; KYTC Item # 12-10028) Kentucky Transportation Cabinet:

**Narrative Requirements:**

Condition No.	Condition
T-15	Other permits from the Division of Water may be required for this activity. If this activity occurs within a floodplain, a Permit to Construct Across or Along a Stream may be required. Please contact the Floodplain Management Section Supervisor (502-564-3410) for more information. If the project will disturb one acre or more of land, or is part of a larger common plan of development or sale that will ultimately disturb one acre or more of land, a Kentucky Pollution Discharge Elimination System (KPDES) Stormwater Permit shall be required. Please contact the Surface Water Permits Branch (502-564-3410 or SWPBSupport@ky.gov) for more information. A Groundwater Protection Plan is required if any of the activities listed in Section 2(2) of 401 KAR 5:037 are conducted. A Water Withdrawal Application is required for any activities proposing raw water withdrawals of 10,000 gallons per day or more. For technical assistance contact the Watershed Management Branch at 502-564-3410 or visit eec.ky.gov. [Clean Water Act]

ANDY BESHEAR  
GOVERNOR



REBECCA W. GOODMAN  
SECRETARY

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

ANTHONY R. HATTON  
COMMISSIONER

300 SOWER BOULEVARD  
FRANKFORT, KENTUCKY 40601

**ATTENTION APPLICANT**

**If your project involves one or more of the following activities, you may need more than one permit from the Kentucky Division of Water.**

- \*building in a floodplain**
- \*road culvert in a stream**
- \*streambank stabilization**
- \*stream cleanout**
- \*utility line crossing a stream**
- \*construction sites greater than 1 acre**

- **Construction sites greater than 1 acre will require the filing of a Notice of Intent to be covered under the KPDES General Stormwater Permit. This permit requires the creation of an erosion control plan.**

**Contact: Surface Water Permits Branch (SWPB) Support at  
[SWPBsupport@ky.gov](mailto:SWPBsupport@ky.gov)**

- **Projects that involve filling in the floodplain will require a floodplain construction permit from the Water Resources Branch.**

**Contact: Floodplain Management Section Supervisor at (502) 564-3410**

- **Projects that involve work IN a stream, such as bank stabilization, road culverts, utility line crossings, and stream alteration will require a floodplain permit and a Water Quality Certification from the Division of Water.**

**Contact: Elizabeth Harrod at (502) 782-6700**

**A complete listing of environmental programs administered by the Kentucky Department for Environmental Protection is available from Director Paul Miller by calling (502) 782-4505.**

## GENERAL CONDITIONS FOR WATER QUALITY CERTIFICATION

1. The Kentucky Division of Water may require submission of a formal application for an Individual Certification for any project if the project has been determined to likely have a significant adverse effect upon water quality or degrade the waters of the Commonwealth so that existing uses of the water body or downstream waters are precluded.
2. Nationwide permits issued by the U.S. Army Corps of Engineers for projects in Outstanding State Resource Waters, Cold Water Aquatic Habitats, and Exceptional Waters as defined by 401 KAR 10:026 shall require individual water quality certifications.
3. Projects requiring in-stream stormwater detention/retention basins shall require individual water quality certifications.
4. Erosion and sedimentation pollution control plans and Best Management Practices must be designed, installed, and maintained in effective operating condition at all times during construction activities so that violations of state water quality standards do not occur.
5. Sediment and erosion control measures (e.g., check-dams, silt fencing, or hay bales) shall not be placed within surface waters of the Commonwealth, either temporarily or permanently, without prior approval by the Kentucky Division of Water's Water Quality Certification Section. If placement of sediment and erosion control measures in surface waters is unavoidable, placement shall not be conducted in such a manner that may cause instability of streams that are adjacent to, upstream, or downstream of the structures. All sediment and erosion control measures shall be removed and the natural grade restored prior to withdrawal from the site.
6. Measures shall be taken to prevent or control spills of fuels, lubricants, or other toxic materials used in construction from entering the watercourse.
7. To the maximum extent practicable, all in-stream work under this certification shall be performed during low flow.
8. Heavy equipment (e.g. bulldozers, backhoes, draglines, etc.), if required for this project, should not be used or operated within the stream channel. In those instances where such in-stream work is unavoidable, then it shall be performed in such a manner and duration as to minimize re-suspension of sediments and disturbance to the channel, banks, or riparian vegetation.
9. If there are water supply intakes located downstream that may be affected by increased turbidity, the permittee shall notify the operator when work will be performed.
10. Removal of existing riparian vegetation should be restricted to the minimum necessary for project construction.
11. Should stream pollution, wetland impairment, and/or violations of water quality standards occur as a result of this activity (either from a spill or other forms of water pollution), the Kentucky Division of Water shall be notified immediately by calling 800/564-2380.



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY ENGINEER DISTRICT, LOUISVILLE**  
**EASTERN KENTUCKY REGULATORY OFFICE**  
845 Sassafras Creek Road  
Sassafras, Kentucky 41759-8806

July 22, 2020

Regulatory Division  
South Branch  
ID No. LRL-2020-00530

Danny Peake  
Kentucky Transportation Cabinet (KYTC)  
200 Mero Street  
Frankfort, Ky 40622

Dear Mr. Peake:

This is in response to your request for authorization to replace an existing bridge (KYTC Item No. 12-10028) located on John Moore Branch Road over Elkhorn Creek in Pike County, Ky. The information supplied by you was reviewed to determine whether a Department of the Army (DA) permit will be required under the provisions of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act.

Your project is considered maintenance of a structure which has been previously authorized, either by DA Permit or by having been constructed prior to current Federal laws. Therefore, the project is authorized under the provisions of 33 CFR 330 Nationwide Permit (NWP) No. 3, Maintenance, as published in the Federal Register January 6, 2017. Under the provisions of this authorization you must comply with the enclosed Terms and General Conditions for Nationwide Permit No. 3, and the following Special Conditions:

- a.) This Corps permit does not authorize you to take an endangered species, in particular the Big Sandy Crayfish. In order to legally take a listed species, you must have separate authorization under the ESA (e.g., an ESA Section 10 permit, or a BO under ESA Section 7, with "incidental take" provisions with which you must comply). The enclosed USFWS BO contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" that is also specified in the BO. Your authorization under this Corps permit is conditional upon your compliance with all of the mandatory terms and conditions associated with incidental take of the attached BO, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the BO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with

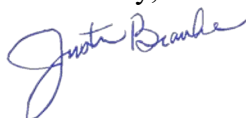
your Corps permit. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its BO, and with the ESA.

- b.) The permittee shall comply with the terms and conditions of the enclosed Individual WQC for the project, No. 2020-048-1, dated July 21, 2020.

This verification is valid until March 18, 2022. The enclosed Compliance Certification must be submitted to the District Engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later. Note that we also perform periodic inspections to ensure compliance with our permit conditions and applicable Federal laws. A copy of this letter will be forwarded to your agent and to the KDOW.

If you have any questions, please contact us by writing to the Eastern Kentucky Regulatory Office at 845 Sassafras Creek Road, Sassafras, KY 41759, ATTN: CELRL-RDS, or contact Crystal Byrd directly at 606-642-3404 or [crystal.d.byrd@usace.army.mil](mailto:crystal.d.byrd@usace.army.mil). Any correspondence on this matter should refer to our ID Number LRL-2020-00530.

Sincerely,

A handwritten signature in blue ink, appearing to read "Justin Branham".

Justin Branham  
Team Leader, South Branch  
Regulatory Division

Enclosures

Byrd/NWP3-KY



### **Addresses for Coordinating Agencies**

USEPA, Region IV  
WCOB c/o SEDS (Room A100-13)  
980 College Station Road  
Athens, Georgia 30605-2720

U.S. Fish & Wildlife Service  
J.C. Watts Federal Building  
330 West Broadway, Suite 265  
Frankfort, KY 40601

Director  
Kentucky Energy & Environment Cabinet  
Division of Water  
300 Sower Boulevard  
Frankfort, KY 40601

Mr. Doug Dawson  
Ky. Dept. of Fish and Wildlife Resources  
#1 Game Farm Road  
Frankfort, KY 40601

Executive Director  
State Historic Preservation Officer  
Kentucky Heritage Council  
The Barstow House  
410 High Street, Frankfort, KY 40601

Richard Clausen, Agent  
Redwing Ecological Services, Inc.  
1139 South Forth Street  
Louisville, KY 40203

**Compliance Certification:**

**Permit Number: LRL-2020-00530**

**Name of Permittee: Kentucky Transportation Cabinet**

**Date of Issuance: July 22, 2020**

Upon completion of the activity authorized by this permit and any mitigation required by this permit, sign this certification and return it to the following address:

U.S. Army Corps of Engineers  
CELRL-RDS  
845 Sassafras Creek Road  
Sassafras, Kentucky 41759

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

---

Signature of Permittee

---

Date



Communicate All Promises (CAP) - 1

Project:	A5 D12 098C00021N Pike	Project Number:	
Process Document:	CAP - 1	Overall Due Date:	
Current Workflow Step:	Finish	Step Due Date:	
Subject:	_01/18/2020 (ISU - 1)		
Status:	Closed		

Commitments:	<p><b>RE: Historic Mullen Fork Road Bridge (No. 098C00021N) over Pond Creek</b> <b>Kentucky Transportation Cabinet Item No. 12-10012.00</b> <b>Pike County, Kentucky</b></p> <p>A Memorandum of Agreement (MOA) entered into by the Federal Highway Administration (FHWA), the Kentucky State Historic Preservation Officer (KY SHPO), and the Kentucky Transportation Cabinet (KYTC), pursuant to 36 CFR Part 800.6, includes legally binding commitments to address the project's adverse effect to the above-referenced historic bridge.</p> <p>Through the MOA, the FHWA and the KY SHPO have agreed that the following stipulations shall govern the project until the MOA is terminated or all stipulations have been implemented.</p> <p>The FHWA will ensure that the measures identified below are carried out. The Contractor shall carry out all tasks necessary to complete the following stipulated measures per the MOA.</p> <ul style="list-style-type: none"><li>• Traffic diversion will be provided to the south of the bridge to avoid the stone wall along the stream on the north side.</li><li>• The stone wall along the stream on the north side of the bridge will be retained where possible; where not possible to retain, replace the wall using similar construction methods and materials.</li><li>• The concrete/stone abutments will be replicated using similar construction methods and materials.</li><li>• The concrete railing along either side of the bridge will be replicated. The railing will not be the exactly the same as the existing because the current wall creates a sight-distance issue that is a safety hazard for cars. Therefore, the new wall will be set back approximately two feet farther from KY 100 to give drivers more distance to see oncoming vehicles.</li></ul> <p>MOA pp. 5 - 6</p>
--------------	---

Discipline Category:	Construction
Initiator Comments:	

Attached Processes

Process	Subject	Step	Since	Attached By	Date Attached
Issues #1	_01/18/2020	Finish	01.18.2020	Springer, Tom (QK4, Inc.)	01.18.2020

CAP Notes  
12-10028 098C00044N  
(Communicating All Promises)

The following notes are required to be fulfilled as part of the Contract

1. The property of the former school is eligible to be listed in the National Register of Historic Places. The property must be avoided. A Do Not Disturb line has been placed on the plans. Fencing needs to be installed along the property line to avoid use of this site, as illustrated on the attached exhibit.



2. The following commitments have been made to U.S. Fish and Wildlife Service and must be adhered to for this contract:
  - (1) Enhanced EPSC measures
  - (2) Relocation of blackside dace and Cumberland darters from proposed work areas prior to in-stream activities
  - (3) Weekly relocation of blackside dace and Cumberland darters

from the proposed work areas when activities will occur in-stream (i.e. coffer dam construction and removal)

(4) Avoid work in the streams during the spawning season (April 1 through June 30)

(5) Use tarping/netting under the bridge during existing bridge superstructure removal

(6) Use coffer dams or similar method to isolate the work area and prevent debris from entering the stream during repointing of the abutments and wingwalls.

(7) Minimize coffer dam footprints and duration of use to the extent possible.

(8) Revegetate disturbed areas as quickly as possible to minimize erosion and sedimentation into the stream.

(9) When operating machinery near the stream or within the riparian area, implement BMPs to avoid and minimize the potential for accidental spills that could result in water quality contamination and have a spill response plan in place should an accidental spill occur.

(10) When working in the stream, discontinue work for 4 hours after a 0.25-inch or greater rainfall event to minimize sediment disturbance.

## **SPECIAL NOTE**

### **Compliance with Section 7 of the Endangered Species Act**

#### **Regarding Endangered Aquatic Species**

#### **John Moore Branch Road over Elkhorn Creek, Pike County**

**Item No.: 12-10028.00**

**Bridge No.: 098C00044N**

Through consultation with the Federal Highway Administration (FHWA) and the U.S. Fish and Wildlife Services (USFWS), the following commitments identified in the Biological Opinion (BO) signed by the USFWS April 24, 2020, must be implemented for compliance with Section 7 of the Endangered Species Act of 1973 (ESA).

- **Contractors will avoid work in the stream during the reproductive season (July 20 through September 10) to protect the threatened Big Sandy crayfish (*Cambarus callainus*) habitat and individuals, and to protect this species during egg extrusion and rearing of juveniles.**
- **Contractors will place 10 slab boulders in the vicinity of the new bridge once complete. The boulders will be placed in the area extending from the upstream edge of the existing bridge to 30 feet downstream of the new bridge. The boulders shall be a minimum size of 3 feet wide by 3 feet long by 1 foot high. The Bridging Kentucky Environmental Team will assist with determining the placement of the boulders.**
- **Work shall not commence at this site until the pre-construction capture and relocation of the crayfishes by the KYTC or Bridging Kentucky qualified biologists, not the contractor, have been completed satisfactorily. (See Penalties and Violations below.)**

The Bridging Kentucky Environmental Team will complete the capture and relocation of the crayfish from proposed work areas prior to in-stream activities, and weekly when activities will occur in-stream. Therefore, it is imperative the Contractor notify the Environmental Team 30 days prior to mobilization by contacting Tom Springer: 502-544-6310 or [BKY\\_Env@docs.e-builder.net](mailto:BKY_Env@docs.e-builder.net). Relocation efforts must follow the guidance provided in the BO and detailed in the approved Relocation Work Plan, including:

- Avoid relocation of the crayfish and work below OHWM from July 20 – September 10 during the egg extrusion and rearing period.
- Avoid relocation when water temperatures are below 50°F.
- Avoid relocation after significant rain events.
- Hold captured individuals on-site during structure placement and release them at the installed habitat structures after placement of the structures.

Additional commitments in the BO the Contractor must implement for compliance are:

- Use enhanced erosion control and sediment prevention measures (see *Special Note for OSRW&MobilForm-KDOWguide-EnhancedBMPs*).
- Use tarping/netting under the bridge during existing bridge superstructure removal to minimize debris entering the stream and the potential for crushing/striking individuals.
- Use coffer dams or similar method to isolate the work area and prevent debris from entering the stream during construction of the proposed abutments and removal of the existing abutments.

- Use temporary work pad during removal of the in-stream pier to avoid use of equipment in the stream. The temporary work pad, if needed, will be installed at the location of the existing bridge on the right descending bank of the stream.
- Revegetate disturbed areas immediately following completion of ground disturbance activities to minimize erosion and entry of sedimentation into the stream.
- When operating machinery on the temporary work pad or within the riparian area, implement the BMPs to avoid and minimize the potential for accidental spills that could result in water quality contamination, and have a spill response plan in place should an accidental spill occur.
- When in the stream, discontinue work for 4 hours after a 0.25-inch or greater rainfall event to minimize sediment disturbance.

Stipulations in Kentucky's *Standard Specifications for Roads and Bridges, Section 213—Water Pollution Control*, and *BMPs for Controlling Erosion, Sediment, and Pollutant Runoff from Construction Sites* also must be used for all construction activities and followed through completion of construction.

The following exceptions to the above-referenced documents shall also apply:

- Contrary to the Kentucky's *BMPs for Controlling Erosion, Sediment, and Pollutant Runoff from Construction Sites*:
  - Initiate and complete corrective action to remedy deficiencies within twenty-four (24) hours of receipt of the Engineer's documentation of deficiency.
  - Use spill containment areas where appropriate to protect sinkholes and outfalls.
  - Stabilize disturbed areas prior to a forecasted rain event.
- Contrary to Kentucky *Standard Specifications for Roads and Bridges, Section 213* for erosion control, the Contractor shall:
  - Stabilize and protect disturbed areas within seven (7) days of cessation of land disturbing activities.
  - Perform verification inspections twice a week and per the standard post-rain event inspections.
  - Initiate corrective action to address deficiencies identified during the twice weekly and post-rain event inspections with 24 hours of being reported and complete the corrective action within three (3) days.

### **Penalties and Violations of the 1973 ESA**

Section 11 of the ESA, Penalties and Enforcement, identifies both Civil Penalties and Criminal Violations for non-compliance. A criminal violation may result in imprisonment and a fine of up to \$50,000. A civil violation of a major provision may result in a \$25,000 fine (knowing violation) or a \$12,000 fine. Please reference the following site for more detailed information on penalties and enforcement of the ESA: <https://www.fws.gov/endangered/laws-policies/section-11.html> These consequences will be borne by the contractor if these commitments are not carried out, not the least of which is the notification to KYTC so their qualified biologists can relocate the crayfish prior to construction.

In the event that crayfish are not relocated prior to in-stream work is started then the Section 7 of the ESA coordination that took place to clear the project will no longer be valid, which would



also invalidate the permit for the project. Construction will be halted until a new coordination with US Fish and Wildlife Service can take place (90-135 day) and concurrence received from their office. The responsibility of undertaking that coordination and securing necessary clearances to continue work will the Contractor's.

#### Liquidated Damages

Failure to provide erosion prevention and sediment control measures to levels required for this project and acceptable to the Engineer within the timeframes identified shall result in Liquidated Damages equal to \$3,500 per calendar day. These Liquidated Damages are assessed separately from any other Liquidated Damages associated with this bridge project.

**If there are any questions regarding this note, please contact Danny Peake, Director, Division of Environmental Analysis, 200 Mero Street, Frankfort, KY 40601, Phone (502) 564-7250.**



January 6, 2020

Mr. Stuart McIntosh, PE  
Bridging Kentucky Area Team Leader  
J.M. Crawford and Associates, Inc.  
131 Prosperous Place #18A  
Lexington, KY 40509

RE: Geotechnical Exploration  
Pike County, Kentucky  
John Moore Branch Road over Elkhorn Creek  
Bridge No. 098C00044N

Dear Mr. McIntosh:

## **1 INTRODUCTION**

The abbreviated geotechnical engineering report for this structure has been completed. The project is a part of the Bridging Kentucky Program. The project is to replace the existing bridge at John Moore Branch Road over Elkhorn Creek in Pike County, Kentucky.

## **2 GEOLOGY**

The structure is in the Elkhorn City Geologic Quadrangle (GQ-951) in Pike County, Kentucky. The geologic mapping indicates the soils at this site are of the lower to middle Pennsylvanian-aged Bee Rock Sandstone formation. This formation consists of sandstone and shale. The sandstone is largely quartzose sandstone, light gray in color, fine to coarse grained and subangular to subrounded. The shale is described as being medium to dark gray, even to ripple laminated and silty to sandy.

Various active gas wells are located around the project. The closest well (Well No. 7049) is about 0.25 miles southwest of the bridge. The Elswick coal bed is shown to be located in the surrounding hillside near elevation 920 feet.

## **3 DRILLING AND SAMPLING**

One soil test boring was completed at this location. Soil samples were obtained to a depth of approximately 3.0 feet prior to auger refusal. Approximately 12.9 feet of rock core was obtained.

The borings "as drilled" latitude and longitude in decimal degrees were surveyed as a part of the Bridging Kentucky Program and are included in Table 1. Table 1 provides a summary of the locations, elevations, and depths of the borings drilled for the proposed bridge.

Pike County  
John Moore Branch Road over Elkhorn Creek  
Bridge No. 098C00044N

January 6, 2020  
Page 2 of 5

**Table 1: Bridge over Elkhorn Creek– Summary of Boring**

Hole No.	Latitude	Longitude	Surface Elevation (ft.) MSL	Top of Rock		Refusal / Begin Core		Bottom of Hole	
				Depth (ft.)	Elevation (ft.) MSL	Depth (ft.)	Elevation (ft.) MSL	Depth (ft.)	Elevation (ft.) MSL
B-1	37.301066	-82.355579	766.0	8.0	758.0	3.0	763.0	15.9	750.1
B-2	37.300949	-82.355623	777.0	17.0	760.0	13.1	763.9	22.3	754.7

#### 4 GROUNDWATER CONDITIONS

Groundwater was encountered at a depth of 2.0 feet in Boring B-1. To accurately determine the long-term groundwater level, as well as the seasonal and precipitation induced fluctuations of the groundwater level, it is necessary to install piezometers in the borings, and monitor them for an extended length of time. During excavation the groundwater table will produce seepage durations and rates that will vary depending on the recent precipitation and the hydraulic conductivity of the material.

#### 5 LABORATORY TESTING

The laboratory testing indicates that the soil samples at this location were predominantly sand, with some silt and clay. USCS classifications indicate the subsurface to be comprised of ML, silt with sand. AASHTO classifications indicate A-4 with a group index of zero.

#### 6 ENGINEERING ANALYSIS AND RECOMMENDATIONS

We understand that the current plans are to construct the new bridge east of the current bridge. During our investigation we performed rod soundings above the exposed rockface located on the northern bank of Elkhorn Creek. We determined that the overburden thickness in this area varies from one to two feet. This abutment is referred to as Abutment No. 1. We suggest spread footings on rock as the substructure for Abutment No. 1. We estimate the rockline at this abutment to be located near elevation 777 feet based on the rod soundings and survey data.

Multiple rod soundings result in no refusal at the southern bank of Elkhorn Creek. We determined to drill in the creek bed to determine the rock depth. We have referred to the southern abutment as Abutment No. 2. We suggest utilizing pre-drilled point bearing piles driven to bedrock for Abutment No. 2. Further guidance on foundation design is provided in Section 6.1 below.

##### 6.1 OPTION 1 SPREAD FOOTINGS ON ROCK

**6.1.1 Abutment #1**– Size the footings at service limit state using a presumptive bearing resistance of **20 ksf** on competent unweathered bedrock.

##### 6.2 OPTION 2 PRE-DRILLED PILES

**6.2.1 Abutment #2**– Use pre-drilled end bearing steel H-Piles with reinforced pile points driven to bedrock. The approximate point of pile elevation is near 760 feet. We recommend a resistance factor ( $\phi_c$ ) of 0.6 to determine the maximum nominal resistance of the piles.

Pike County  
John Moore Branch Road over Elkhorn Creek  
Bridge No. 098C00044N

January 6, 2020  
Page 3 of 5

**6.2.2 Wave Equation Analysis**– Drivability analyses were performed for the H-piles at this location. These analyses indicate that a single acting diesel hammer with rated energies of 10 foot-kips to 20.5 foot-kips is recommended to adequately drive the H-piles without encountering excessive blow counts or overstressing the piles. The use of hammers other than single acting diesel may require different energy ranges.

Drivability analyses were performed assuming continuous driving. If interruptions in driving individual piles should occur, difficulties in continuing the installation process will likely occur due to pile “set” characteristics.

### **6.3 BOTH OPTIONS**

**6.3.1 Settlement at End Bents**– A settlement analysis was not required due to the relatively small amount of new fill that will be added.

**6.3.2 Embankment Stability**– Due to the minimal amount of new fill, no embankment stability analyses were deemed necessary.

## **7 PLAN NOTES**

Add the following plan notes as necessary at the appropriate locations in the plans.

### **7.1 OPTION 1 SPREAD FOOTINGS ON ROCK**

**7.1.1** Based on a review of the existing subsurface conditions and anticipated structural loads, it is recommended that a rock bearing foundation system consisting of spread footings be used for all bridge substructure elements. A presumptive bearing resistance of **20 ksf** on unweathered bedrock is being recommended.

**7.1.2** Foundation excavations should be properly braced/shored to provide adequate safety to people working in or around the excavations. Bracing should be performed in accordance with applicable federal, state and local guidelines.

**7.1.3** Temporary shoring, sheeting, cofferdams, and/or dewatering methods may be required to facilitate foundation construction. It should be anticipated that groundwater will be encountered at foundation locations within the floodplain.

**7.1.4** Rock-bearing spread footings are being provided for substructure elements. Foundation excavations for footings at the structure locations should be level and free of loose, water softened material, etc. Additional rock excavation to achieve suitable bearing conditions may be required depending upon topography and bedrock weathering conditions.

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

**7.1.6** Bearing elevation of footings may be adjusted at the discretion of the Engineer if competent, unweathered bedrock is found at a higher elevation than specified for the

Pike County  
John Moore Branch Road over Elkhorn Creek  
Bridge No. 098C00044N

January 6, 2020  
Page 4 of 5

respective substructure element. The top of new spread footings should be fully embedded into unweathered bedrock.

- 7.1.7** Prior to placement of any concrete or reinforcing steel in a foundation excavation, the excavation bottom should be clean and all soft, wet, or loose materials should be removed. In no case should concrete be placed upon compressible or water-softened materials.
- 7.1.8** Concrete placement for footings should be placed as soon as practical after completion of the footing excavation. If the bedrock becomes softened at bearing elevation, the softened material should be undercut to unweathered material prior to placement of reinforcing steel and concrete. Seasonal groundwater fluctuations may cause groundwater infiltration into the footing excavation, and a dewatering method may be necessary.
- 7.1.9** Any clay seams or suspect weak materials at or near the bearing elevation will need to be undercut and replaced with mass concrete.
- 7.1.10** Footing excavations in bedrock shall be cut neatly so that no forming or backfilling is necessary in the construction of the portions of the footings located in rock. Concrete shall be placed directly against the cut rock faces. Mass concrete should be placed in the excavation from the top of the footing to the bedrock surface where the footing does not extend to the bedrock surface.

## **7.2 OPTION 2 PRE-DRILLED PILES**

- 7.2.1** A plan note should be included by the designer to address pre-drilling for piles at specified locations to the estimated bearing elevation. Where pre-drilling is necessary for pile installation, holes shall be drilled into solid rock. A minimum pile length of 10 feet is required below the pile bent/pile cap. Backfill the holes with sand or pea gravel after the pile is placed in the hole. A temporary casing may be required to prevent collapse of the hole. If used, remove the casing as the hole is being backfilled. Drive piles to refusal after backfill operations are complete. Include the cost of all materials, labor, and equipment needed to pre-drill, backfill the holes, and drive the piles to refusal in the price per linear foot for "Pre-drilling for Piles".
- 7.2.2** Foundation excavations should be properly braced/shored to provide adequate safety to people working in or around the excavations. Bracing should be performed in accordance with applicable federal, state and local guidelines.
- 7.2.3** Temporary shoring, sheeting, cofferdams, and/or dewatering methods may be required to facilitate foundation construction. It should be anticipated that groundwater will be encountered at foundation locations with the flood plain.
- 7.2.4** A diesel pile driving hammer with a rated energy between 10 foot-kips and 20.5 foot-kips will be required to drive 12x53 steel H-piles to practical refusal without encountering excessive blow counts or damaging the piles. The Contractor shall submit the proposed pile driving system to the Engineer for approval prior to the installation of the first pile.

Pike County  
John Moore Branch Road over Elkhorn Creek  
Bridge No. 098C00044N

January 6, 2020  
Page 5 of 5

Approval of the pile driving system by the Engineer will be subject to satisfactory field performance of the pile driving procedures.

- 7.2.5** For this project, minimum blow requirements may be reached after total penetration becomes  $\frac{1}{2}$  inch or less for ten consecutive blows, practical refusal is obtained after the pile is struck an additional ten blows with total penetration of  $\frac{1}{2}$  inch or less. Advance the production piling to the driving resistances specified above and to depths determined by test pile(s). Immediately cease driving operations if the pile visibly yields or becomes damaged during driving.
- 7.2.6** If hard driving is encountered because of dense strata or an obstruction, such as a boulder before the pile is advanced to the depth anticipated, the Engineer will determine if more blows than the average driving resistance specified for practical refusal is required to further advance the pile. Drive additional production and test piles if directed by the Engineer.
- 7.2.7** The installation of the pile foundations should conform to current AASHTO LRFD Bridge Design Specifications, and Section 604 of the current edition of the Kentucky Department of Highways Standard Specifications for Road and Bridge Construction.
- 7.2.8** The Kentucky Transportation Cabinet recommends that protective pile points be used on end bearing piles to allow for embedment into the top of bedrock. Use of reinforced pile points capable of penetrating boulders and hard layers which may be encountered is recommended. Installation of pile points should be in accordance with Section 604 of the Kentucky Standard Specifications for Road and Bridge Construction, current edition.

The designer should feel free to contact AEI at 270-651-7220 for further recommendations or if any questions arise pertaining to this project.

Sincerely,

AMERICAN ENGINEERS, INC.



Jackson Daugherty, PE, PMP  
Geotechnical Engineer

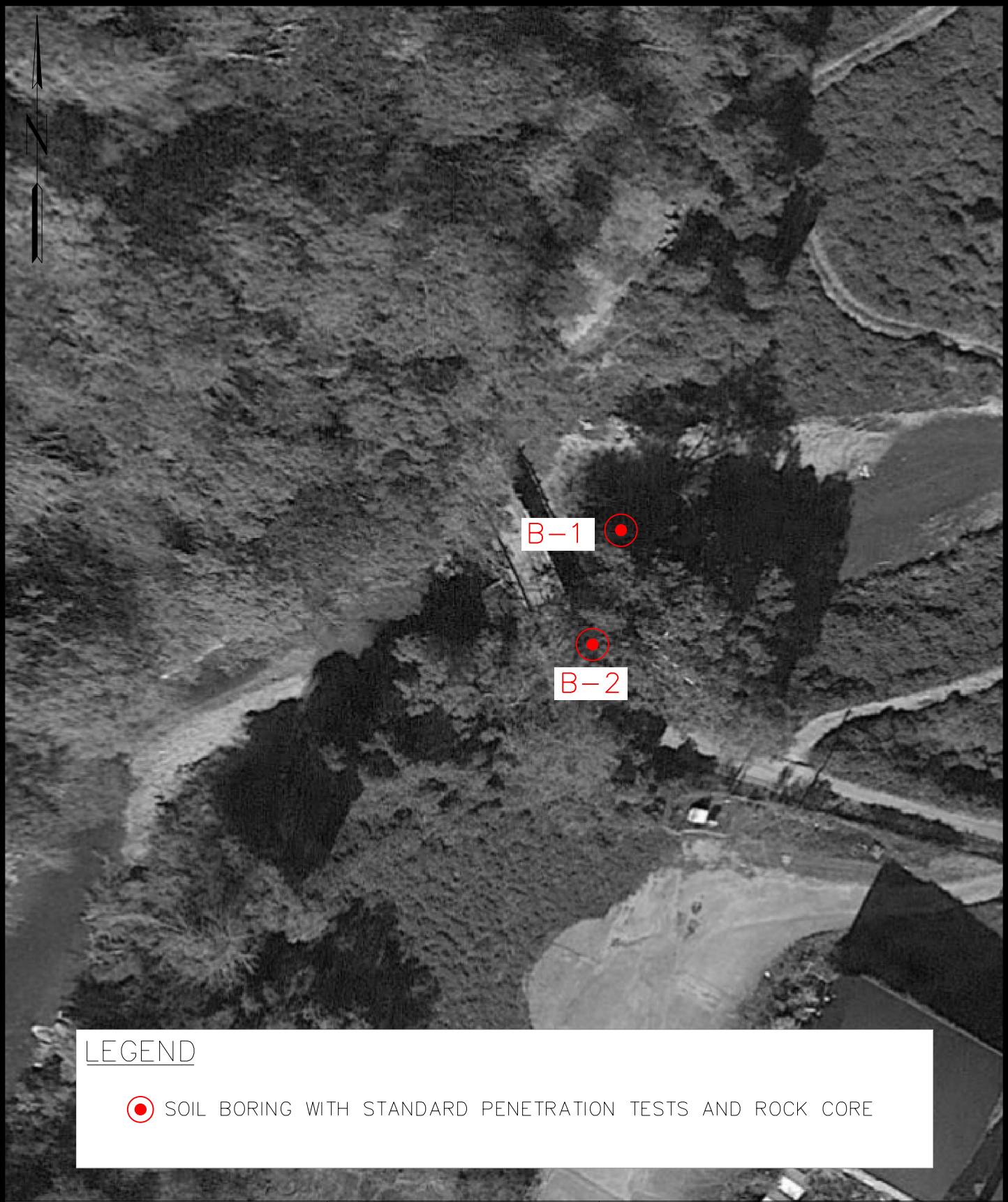


Dennis Mitchell, PE, PMP  
Director of Geotechnical Services


Attachments:


- Boring Layout
- Typed Boring Log
- Laboratory Data

PLOT DATE: 1/6/2020 8:31:10 AM USER: JACKSON DAUGHERTY  
T:\GEOTECH SUPPORT\KYTC\218-158 BRIDGING KY PROGRAM\GEOTECH\ROUND 1 BRIDGES\REPORTS\PIKE 098C00044N\SUPPORT INFO\PIKE 098C00044N LAYOUT.DGN



LEGEND

 SOIL BORING WITH STANDARD PENETRATION TESTS AND ROCK CORE

	GRAPHIC SCALE:		BRIDGING KENTUCKY	
	NTS			
	DATE: 01/06/2020		BRIDGE: 098C00044N	PAGE NO. -
	DRAWN BY: JD	CKD. BY: DM	SHEET: JOHN MOORE BRANCH ROAD OVER ELKHORN CREEK	FIG. NO. -
	AEI JOB NO.: 218-158			
FILE NAME:				

Printed: 1/3/20

Page 1 of 1

Project ID: <u>098C00044N</u>		<u>Pike - Big Branch Road</u>		Project Type: <u>Structure County Bridge</u>					
Item Number: <u>12-10028</u>		<u>Elkhorn Creek</u>		Project Manager: <u>Dennis Mitchell</u>					
Hole Number <u>B-1</u>		Immediate Water Depth <u>2.0 (09/23/19)</u>		Start Date <u>09/23/2019</u>					
Surface Elevation <u>766.0'</u>		Static Water Depth <u>NA</u>		End Date <u>09/23/2019</u>					
Total Depth <u>15.9'</u>		Driller <u>Adam Cash</u>		Latitude(83) <u>37.301066</u>					
Location <u>+ 'Lt.</u>				Longitude(83) <u>-82.355579</u>					
Lithology		Overburden		Sample No.	Depth (ft)	Rec. (ft)	SPT Blows	Sample Type	Remarks
Elevation	Depth	Description		Std/Ky RQD	Run (ft)	Rec (ft)	Rec (%)	SDI (JS)	
763.0	3.0	Soft to hard, brown, wet, silt with sand (A-4 (0), ML). (Begin Core)		1	0.0-1.5	1.0	3-5-4	SPT	
				2	1.5-3.0	1.5	14-18-23	SPT	
759.5	6.5	Brown to gray boulders, (sandstone, chert conglomerate, alluvial fill).		0 / 0	2.9	1.0	34		5.9
758.0	8.0	Dark gray to gray sandstone, (interbedded shale, thin to thick bedded, micaceous).							
750.1	15.9	Dark gray to gray shale, (thin bedded, interbedded sandstone).		0 / 0	5.0	3.6	72		10.9
				74 / 60	5.0	5.0	100		
		(Bottom of Hole 15.9')							15.9
									20
									25
									30
									35
									40
									45
									50



Project ID: <u>098C00044N</u>		<u>Pike - Big Branch Road</u>			Project Type: <u>Structure County Bridge</u>				
Item Number: <u>12-10028</u>		<u>Elkhorn Creek</u>			Project Manager: <u>Dennis Mitchell</u>				
Hole Number <u>B-2</u>		Immediate Water Depth <u>NA</u>		Start Date <u>01/02/2020</u>		Hole Type <u>core</u>			
Surface Elevation <u>777.0'</u>		Static Water Depth <u>NA</u>		End Date <u>01/02/2020</u>		Rig_Number <u>CME 45</u>			
Total Depth <u>22.3'</u>		Driller <u>James Felts</u>		Latitude(83) <u>37.300949</u>					
Location <u>+ 'Lt.</u>				Longitude(83) <u>-82.355623</u>					
Lithology		Description	Overburden	Sample No.	Depth (ft)	Rec. (ft)	SPT Blows	Sample Type	Remarks
Elevation	Depth		Rock Core	Std/Ky RQD	Run (ft)	Rec (ft)	Rec (%)	SDI (JS)	
5		(OVERBURDEN).							5
10									10
763.9	13.1	(Begin Core)							
15		Brown to gray boulders, (sandstone, chert conglomerate, alluvial fill).	26 / 26	3.8	1.5	39			refusal on boulder @ 13.1-14.1
760.0	17.0								16.9
20		Light gray sandstone, silty, (thin to thick bedded, micaceous, moderately hard).	76 / 58	5.0	4.9	98			20
754.7	22.3		100 / 100	0.4	0.4	100			21.9 22.3
25		(Bottom of Hole 22.3')							25
30									30
35									35
40									40
45									45
50									50

Project ID: 098C00044N  
Location: Pike  
Item No: 12-10028

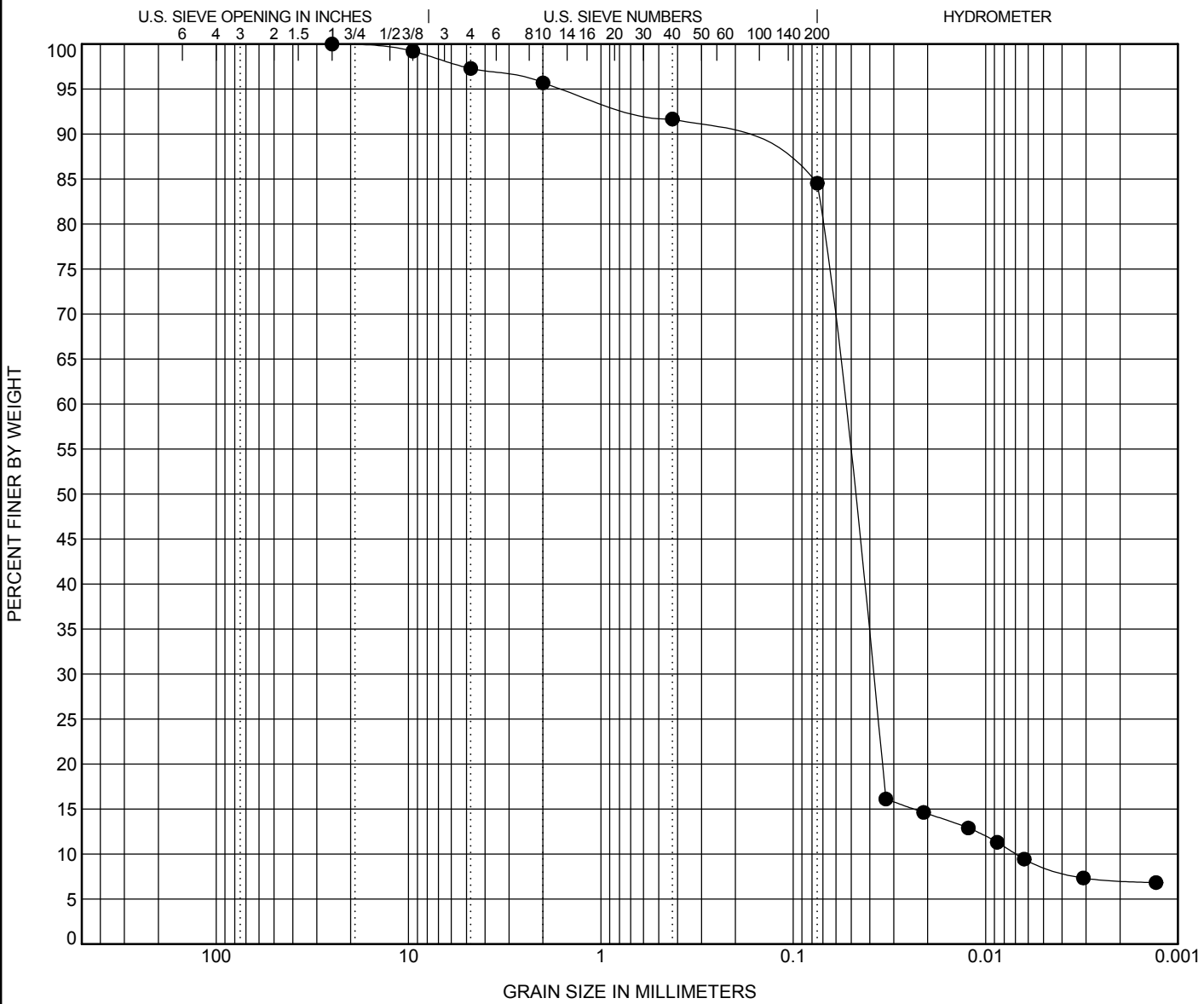
Hole	Sample Type	Depth	Liquid Limit	Plastic Limit	PI	D50	%<#200 Sieve	AASHTO	Classification	Water Content (%)	Dry Density (pcf)	CBR
B-1	SPT	0	0	0	0	0.015	85	A-4 (0)	ML	7.4		
B-1	SPT									7.7		

Total Jars: 0  
Total SPT: 0  
Total ST: 0  
Total Cut Bags: 0  
Total Fill Bags: 0

Project ID: **098C00044N**  
Item Number: **12-10028**

**Pike - Big Branch Road**  
**Elkhorn Creek**

Project Type: **Structure County Bridge**  
Project Manager: **Dennis Mitchell**



## Page 1 of 1

Project ID: <b><u>098C00044N</u></b>	<b><u>Pike - Big Branch Road</u></b>	Project Type: <b><u>Structure County Bridge</u></b>
Item Number: <b><u>12-10028</u></b>	<b><u>Elkhorn Creek</u></b>	Project Manager: <b><u>Dennis Mitchell</u></b>

MATERIAL SUMMARY

CONTRACT ID: 215186

121GR21D086-FD55

BR09815452000

MULLEN FORK ADDRESS DEFICIENCIES OF MULLEN FRK BRIDGE OVER POND CREEK. (098C00021N)  
BRIDGE REPLACEMENT, A DISTANCE OF .01 MILES.

Project Line No	Bid Code	DESCRIPTION	Quantity	Unit
0175	01987	DELINEATOR FOR GUARDRAIL BI DIRECTIONAL WHITE	4.00	EACH
0180	02223	GRANULAR EMBANKMENT	28.00	CUYD
0185	02351	GUARDRAIL-STEEL W BEAM-S FACE	62.50	LF
0190	02360	GUARDRAIL TERMINAL SECTION NO 1	2.00	EACH
0195	02545	CLEARING AND GRUBBING - APPROX. AREA	1.00	LS
0200	02650	MAINTAIN & CONTROL TRAFFIC	1.00	LS
0205	02651	DIVERSIONS (BY-PASS DETOURS)	1.00	LS
0210	02671	PORTABLE CHANGEABLE MESSAGE SIGN	2.00	EACH
0215	02726	STAKING	1.00	LS
0220	02731	REMOVE STRUCTURE	1.00	LS
0225	03299	ARMORED EDGE FOR CONCRETE - PRECAST CONCRETE SPAN	48.00	LF
0230	03304	BRIDGE OVERLAY APPROACH PAVEMENT	304.00	SQYD
0235	08003	FOUNDATION PREPARATION	1.00	LS
0240	08019	CYCLOPEAN STONE RIP RAP	35.00	TON
0245	08033	TEST PILES	34.00	LF
0250	08039	PRE-DRILLING FOR PILES	100.00	LF
0255	08046	PILES-STEEL HP12X53	138.00	LF
0260	08094	PILE POINTS-12 IN	10.00	EACH
0265	08100	CONCRETE-CLASS A	66.00	CUYD
0270	08104	CONCRETE-CLASS AA	27.00	CUYD
0275	08150	STEEL REINFORCEMENT	4,100.00	LB
0280	08151	STEEL REINFORCEMENT-EPOXY COATED	3,150.00	LB
0285	08662	PRECAST PC BOX BEAM CB17-48	333.00	LF
0290	21415ND	EROSION CONTROL	1.00	LS
0295	21476ED	SNOW FENCE	2,264.00	LF
0300	23378EC	CONCRETE SEALING	3,250.00	SQFT
0305	25024ED	CLASSIC BRIDGE RAIL - RAIL SYSTEM	111.00	LF
0310	25078ED	THRIE BEAM GUARDRAIL TRANSITION TL-3	2.00	EACH
0315	02569	DEMOBILIZATION	1.00	LS

MATERIAL SUMMARY

CONTRACT ID: 215186

121GR21D086-FD55

BR09816142000

JOHN MOORE BRANCH ROAD ADDRESS DEFICIENCIES OF JOHN MOORE BRANCH ROAD OVER ELKHORN CREEK (098C00044N) BRIDGE REPLACEMENT, A DISTANCE OF .01 MILES.

Project Line No	Bid Code	DESCRIPTION	Quantity	Unit
0005	00001	DGA BASE	94.00	TON
0010	00212	CL2 ASPH BASE 1.00D PG64-22	90.00	TON
0015	00301	CL2 ASPH SURF 0.38D PG64-22	14.00	TON
0020	01987	DELINEATOR FOR GUARDRAIL BI DIRECTIONAL WHITE	8.00	EACH
0025	02091	REMOVE PAVEMENT	56.00	SQYD
0030	02223	GRANULAR EMBANKMENT	28.00	CUYD
0035	02230	EMBANKMENT IN PLACE	307.00	CUYD
0040	02351	GUARDRAIL-STEEL W BEAM-S FACE	100.00	LF
0045	02360	GUARDRAIL TERMINAL SECTION NO 1	2.00	EACH
0050	02371	GUARDRAIL END TREATMENT TYPE 7	2.00	EACH
0055	02399	EXTRA LENGTH GUARDRAIL POST	28.00	EACH
0060	02545	CLEARING AND GRUBBING - Less than 1 acre	1.00	LS
0065	02585	EDGE KEY	31.00	LF
0070	02650	MAINTAIN & CONTROL TRAFFIC	1.00	LS
0075	02671	PORTABLE CHANGEABLE MESSAGE SIGN	2.00	EACH
0080	02726	STAKING	1.00	LS
0085	02731	REMOVE STRUCTURE	1.00	LS
0090	03299	ARMORED EDGE FOR CONCRETE	32.00	LF
0095	08002	STRUCTURE EXCAV-SOLID ROCK	42.00	CUYD
0100	08003	FOUNDATION PREPARATION	1.00	LS
0105	08019	CYCLOPEAN STONE RIP RAP	189.00	TON
0110	08033	TEST PILES	20.00	LF
0115	08039	PRE-DRILLING FOR PILES	150.00	LF
0120	08051	PILES-STEEL HP14X89	206.50	LF
0125	08095	PILE POINTS-14 IN	13.00	EACH
0130	08100	CONCRETE-CLASS A	77.70	CUYD
0135	08104	CONCRETE-CLASS AA	25.00	CUYD
0140	08151	STEEL REINFORCEMENT-EPOXY COATED	9,419.00	LB
0145	08666	PRECAST PC BOX BEAM CB42-48	376.00	LF
0150	21415ND	EROSION CONTROL	1.00	LS
0155	21476ED	SNOW FENCE	985.00	LF
0160	23378EC	CONCRETE SEALING	3,205.00	SQFT
0165	25017ED	RAIL SYSTEM SIDE MOUNTED MGS	176.00	LF
0170	02569	DEMOBILIZATION	1.00	LS

**PART II**

**SPECIFICATIONS AND STANDARD DRAWINGS**

### **SPECIFICATIONS REFERENCE**

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



## **SUPPLEMENTAL SPECIFICATIONS**

The contractor shall use the Supplemental Specifications that are effective at the time of letting.  
The Supplemental Specifications can be found at the following link:

<http://transportation.ky.gov/Construction/Pages/Kentucky-Standard-Specifications.aspx>

## **SPECIAL NOTE FOR PORTABLE CHANGEABLE MESSAGE SIGNS**

This Special Note will apply when indicated on the plans or in the proposal.

**1.0 DESCRIPTION.** Furnish, install, operate, and maintain variable message signs at the locations shown on the plans or designated by the Engineer. Remove and retain possession of variable message signs when they are no longer needed on the project.

## **2.0 MATERIALS.**

**2.1 General.** Use LED Variable Message Signs Class I, II, or III, as appropriate, from the Department's List of Approved Materials.

Unclassified signs may be submitted for approval by the Engineer. The Engineer may require a daytime and nighttime demonstration. The Engineer will make a final decision within 30 days after all required information is received.

**2.2 Sign and Controls.** All signs must:

- 1) Provide 3-line messages with each line being 8 characters long and at least 18 inches tall. Each character comprises 35 pixels.
- 2) Provide at least 40 preprogrammed messages available for use at any time. Provide for quick and easy change of the displayed message; editing of the message; and additions of new messages.
- 3) Provide a controller consisting of:
  - a) Keyboard or keypad.
  - b) Readout that mimics the actual sign display. (When LCD or LCD type readout is used, include backlighting and heating or otherwise arrange for viewing in cold temperatures.)
  - c) Non-volatile memory or suitable memory with battery backup for storing pre-programmed messages.
  - d) Logic circuitry to control the sequence of messages and flash rate.
- 4) Provide a serial interface that is capable of supporting complete remote control ability through land line and cellular telephone operation. Include communication software capable of immediately updating the message, providing complete sign status, and allowing message library queries and updates.
- 5) Allow a single person easily to raise the sign to a satisfactory height above the pavement during use, and lower the sign during travel.
- 6) Be Highway Orange on all exterior surfaces of the trailer, supports, and controller cabinet.
- 7) Provide operation in ambient temperatures from -30 to + 120 degrees Fahrenheit during snow, rain and other inclement weather.
- 8) Provide the driver board as part of a module. All modules are interchangeable, and have plug and socket arrangements for disconnection and reconnection. Printed circuit boards associated with driver boards have a conformable coating to protect against moisture.
- 9) Provide a sign case sealed against rain, snow, dust, insects, etc. The lens is UV stabilized clear plastic (polycarbonate, acrylic, or other approved material) angled to prevent glare.
- 10) Provide a flat black UV protected coating on the sign hardware, character PCB, and appropriate lens areas.
- 11) Provide a photocell control to provide automatic dimming.

11

- 12) Allow an on-off flashing sequence at an adjustable rate.
- 13) Provide a sight to aim the message.
- 14) Provide a LED display color of approximately 590 nm amber.
- 15) Provide a controller that is password protected.
- 16) Provide a security device that prevents unauthorized individuals from accessing the controller.
- 17) Provide the following 3-line messages preprogrammed and available for use when the sign unit begins operation:

/KEEP/RIGHT/⇒⇒⇒/	/MIN/SPEED/**MPH/
/KEEP/LEFT/⇐⇐⇐/	/ICY/BRIDGE/AHEAD/ /ONE
/LOOSE/GRAVEL/AHEAD/	LANE/BRIDGE/AHEAD/
/RD WORK/NEXT/**MILES/	/ROUGH/ROAD/AHEAD/
/TWO WAY/TRAFFIC/AHEAD/	/MERGING/TRAFFIC/AHEAD/
/PAINT/CREW/AHEAD/	/NEXT/**/MILES/
/REDUCE/SPEED/**MPH/	/HEAVY/TRAFFIC/AHEAD/
/BRIDGE/WORK/**0 FT/	/SPEED/LIMIT/**MPH/
/MAX/SPEED/**MPH/	/BUMP/AHEAD/
/SURVEY/PARTY/AHEAD/	/TWO/WAY/TRAFFIC/

\*Insert numerals as directed by the Engineer.

Add other messages during the project when required by the Engineer.

### 2.3 Power.

- 1) Design solar panels to yield 10 percent or greater additional charge than sign consumption. Provide direct wiring for operation of the sign or arrow board from an external power source to provide energy backup for 21 days without sunlight and an on-board system charger with the ability to recharge completely discharged batteries in 24 hours.

**3.0 CONSTRUCTION.** Furnish and operate the variable message signs as designated on the plans or by the Engineer. Ensure the bottom of the message panel is a minimum of 7 feet above the roadway in urban areas and 5 feet above in rural areas when operating. Use Class I, II, or III signs on roads with a speed limit less than 55 mph. Use Class I or II signs on roads with speed limits 55 mph or greater.

Maintain the sign in proper working order, including repair of any damage done by others, until completion of the project. When the sign becomes inoperative, immediately repair or replace the sign. Repetitive problems with the same unit will be cause for rejection and replacement.

Use only project related messages and messages directed by the Engineer, unnecessary messages lessen the impact of the sign. Ensure the message is displayed in either one or 2 phases with each phase having no more than 3 lines of text. When no message is needed, but it is necessary to know if the sign is operable, flash only a pixel.

When the sign is not needed, move it outside the clear zone or where the Engineer directs. Variable Message Signs are the property of the Contractor and shall be removed from the project when no longer needed. The Department will not assume ownership of these signs.

**4.0 MEASUREMENT.** The final quantity of Variable Message Sign will be

11  
the actual number of individual signs acceptably furnished and operated during the project. The Department will not measure signs replaced due to damage or rejection.

**5.0 PAYMENT.** The Department will pay for the Variable Message Signs at the unit price each. The Department will not pay for signs replaced due to damage or rejection. Payment is full compensation for furnishing all materials, labor, equipment, and service necessary to, operate, move, repair, and maintain or replace the variable message signs. The Department will make payment for the completed and accepted quantities under the following:

<u>Code</u>	<u>Pay Item</u>	<u>Pay Unit</u>
02671	Portable Changeable Message Sign	Each

Effective June 15, 2012

### **SPECIAL PROVISION FOR EMBANKMENT AT BRIDGE END BENT STRUCTURES**

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

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

#### **2.0 MATERIALS.**

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

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

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

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

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

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

excavation stability, at no expense to the Department.

**2.4 Structure Granular Backfill.** Conform to Subsection 805.11

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

### **3.0 CONSTRUCTION.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **4.0 MEASUREMENT.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

September 16, 2016



## **PART III**

### **EMPLOYMENT, WAGE AND RECORD REQUIREMENTS**

**TRANSPORTATION CABINET  
DEPARTMENT OF HIGHWAYS**

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

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

**I. APPLICATION**

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

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

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

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

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

Revised: January 25, 2017

**II. NONDISCRIMINATION OF EMPLOYEES**

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

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

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

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

## EXECUTIVE BRANCH CODE OF ETHICS

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

KRS 11A.040 (7) provides:

No present or former public servant shall, within six (6) months following termination of his office or employment, accept employment, compensation, or other economic benefit from any person or business that contracts or does business with, or is regulated by, the state in matters in which he was directly involved during the last thirty-six (36) months of his tenure. This provision shall not prohibit an individual from returning to the same business, firm, occupation, or profession in which he was involved prior to taking office or beginning his term of employment, or for which he received, prior to his state employment, a professional degree or license, provided that, for a period of six (6) months, he personally refrains from working on any matter in which he was directly involved during the last thirty-six (36) months of his tenure in state government. This subsection shall not prohibit the performance of ministerial functions, including but not limited to filing tax returns, filing applications for permits or licenses, or filing incorporation papers, nor shall it prohibit the former officer or public servant from receiving public funds disbursed through entitlement programs.

KRS 11A.040 (9) states:

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

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

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

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

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

In case of doubt, the law permits you to request an advisory opinion from the Executive Branch Ethics Commission, 3 Fountain Place, Frankfort, Kentucky 40601; telephone (502) 564-7954.

Revised: January 27, 2017

### **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  $1\frac{1}{2}$  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 11/9/21

Section: 0001 - BRIDGE - 098C00021N

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0010	01987		DELINEATOR FOR GUARDRAIL BI DIRECTIONAL WHITE	4.00	EACH		\$	
0020	02223		GRANULAR EMBANKMENT	28.00	CUYD		\$	
0030	02351		GUARDRAIL-STEEL W BEAM-S FACE	62.50	LF		\$	
0040	02360		GUARDRAIL TERMINAL SECTION NO 1	2.00	EACH		\$	
0050	02545		CLEARING AND GRUBBING APPROX. AREA	1.00	LS		\$	
0060	02650		MAINTAIN & CONTROL TRAFFIC	1.00	LS		\$	
0070	02651		DIVERSIONS (BY-PASS DETOURS)	1.00	LS		\$	
0080	02671		PORTABLE CHANGEABLE MESSAGE SIGN	2.00	EACH		\$	
0090	02726		STAKING	1.00	LS		\$	
0100	02731		REMOVE STRUCTURE	1.00	LS		\$	
0110	03299		ARMORED EDGE FOR CONCRETE PRECAST CONCRETE SPAN	48.00	LF		\$	
0120	03304		BRIDGE OVERLAY APPROACH PAVEMENT	304.00	SQYD		\$	
0130	08003		FOUNDATION PREPARATION	1.00	LS		\$	
0140	08019		CYCLOPEAN STONE RIP RAP	35.00	TON		\$	
0150	08033		TEST PILES	34.00	LF		\$	
0160	08039		PRE-DRILLING FOR PILES	100.00	LF		\$	
0170	08046		PILES-STEEL HP12X53	138.00	LF		\$	
0180	08094		PILE POINTS-12 IN	10.00	EACH		\$	
0190	08100		CONCRETE-CLASS A	66.00	CUYD		\$	
0200	08104		CONCRETE-CLASS AA	27.00	CUYD		\$	
0210	08150		STEEL REINFORCEMENT	4,100.00	LB		\$	
0220	08151		STEEL REINFORCEMENT-EPOXY COATED	3,150.00	LB		\$	
0230	08662		PRECAST PC BOX BEAM CB17-48	333.00	LF		\$	
0240	21415ND		EROSION CONTROL	1.00	LS		\$	
0250	21476ED		SNOW FENCE	2,264.00	LF		\$	
0260	23378EC		CONCRETE SEALING	3,250.00	SQFT		\$	
0270	25024ED		CLASSIC BRIDGE RAIL RAIL SYSTEM	111.00	LF		\$	
0280	25078ED		THRIE BEAM GUARDRAIL TRANSITION TL-3	2.00	EACH		\$	

Section: 0002 - BRIDGE - 098C00044N

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0290	00001		DGA BASE	94.00	TON		\$	
0300	00212		CL2 ASPH BASE 1.00D PG64-22	90.00	TON		\$	
0310	00301		CL2 ASPH SURF 0.38D PG64-22	14.00	TON		\$	
0320	01987		DELINEATOR FOR GUARDRAIL BI DIRECTIONAL WHITE	8.00	EACH		\$	
0330	02091		REMOVE PAVEMENT	56.00	SQYD		\$	
0340	02223		GRANULAR EMBANKMENT	28.00	CUYD		\$	
0350	02230		EMBANKMENT IN PLACE	307.00	CUYD		\$	
0360	02351		GUARDRAIL-STEEL W BEAM-S FACE	100.00	LF		\$	
0370	02360		GUARDRAIL TERMINAL SECTION NO 1	2.00	EACH		\$	
0380	02371		GUARDRAIL END TREATMENT TYPE 7	2.00	EACH		\$	



Report Date 11/9/21

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0390	02399		EXTRA LENGTH GUARDRAIL POST	28.00	EACH		\$	
			CLEARING AND GRUBBING					
0400	02545		Less than 1 acre	1.00	LS		\$	
0410	02585		EDGE KEY	31.00	LF		\$	
0420	02650		MAINTAIN & CONTROL TRAFFIC	1.00	LS		\$	
0430	02671		PORTABLE CHANGEABLE MESSAGE SIGN	2.00	EACH		\$	
0440	02726		STAKING	1.00	LS		\$	
0450	02731		REMOVE STRUCTURE	1.00	LS		\$	
0460	03299		ARMORED EDGE FOR CONCRETE	32.00	LF		\$	
0470	08002		STRUCTURE EXCAV-SOLID ROCK	42.00	CUYD		\$	
0480	08003		FOUNDATION PREPARATION	1.00	LS		\$	
0490	08019		CYCLOPEAN STONE RIP RAP	189.00	TON		\$	
0500	08033		TEST PILES	20.00	LF		\$	
0510	08039		PRE-DRILLING FOR PILES	150.00	LF		\$	
0520	08051		PILES-STEEL HP14X89	206.50	LF		\$	
0530	08095		PILE POINTS-14 IN	13.00	EACH		\$	
0540	08100		CONCRETE-CLASS A	77.70	CUYD		\$	
0550	08104		CONCRETE-CLASS AA	25.00	CUYD		\$	
0560	08151		STEEL REINFORCEMENT-EPOXY COATED	9,419.00	LB		\$	
0570	08666		PRECAST PC BOX BEAM CB42-48	376.00	LF		\$	
0580	21415ND		EROSION CONTROL	1.00	LS		\$	
0590	21476ED		SNOW FENCE	985.00	LF		\$	
0600	23378EC		CONCRETE SEALING	3,205.00	SQFT		\$	
0610	25017ED		RAIL SYSTEM SIDE MOUNTED MGS	176.00	LF		\$	

Section: 0003 - DEMOBILIZATION &/OR MOBILIZATION

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0620	02569		DEMOBILIZATION	1.00	LS		\$	