



CALL NO. 407

CONTRACT ID. 123248

BREATHITT COUNTY

FED/STATE PROJECT NUMBER 013GR12R107-FD39

DESCRIPTION VARIOUS COUNTY ROADS IN BREATHITT COUNTY

WORK TYPE ASPHALT RESURFACING

PRIMARY COMPLETION DATE 6/30/2013

LETTING DATE: October 19, 2012

Sealed Bids will be received electronically through the Bid Express bidding service until 10:00 AM EASTERN DAYLIGHT TIME October 19, 2012. Bids will be publicly announced at 10:00 AM EASTERN DAYLIGHT TIME.

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

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PART I
SCOPE OF WORK

CONTRACT ID - 123248

ADMINISTRATIVE DISTRICT - 10

PROJECT(S) IDENTIFICATION AND DESCRIPTION:

COUNTY - BREATHITT
013GR12R107-FD39

VARIOUS COUNTY ROADS IN BREATHITT COUNTY

COUNTY - BREATHITT PES - 1001312551202
FD39 013 5255 001-003
BELCHER FORK ROAD (CR 1255) FROM 1.434 MILE WEST OF KY 30 (MP 1.434) EXTENDING WEST
CONNECTING TO PUNCHEON CREEK ROAD (MP 2.335), A DISTANCE OF 0.90 MILES. ASPHALT
RESURFACING.
GEOGRAPHIC COORDINATES LATITUDE 37^31'41" LONGITUDE 83^26'18"
AVERAGE DAILY TRAFFIC - 50 AVERAGE MAINLINE WIDTH - 13.0 FEET

COUNTY - BREATHITT PES - 1001312561201
FD39 013 5256 002-004
PUNCHEON CREEK ROAD (CR 1256) FROM 2.892 MILES EAST OF KY 2469 (MP 2.892) EXTENDING EAST
CONNECTING TO BELCHER FORK ROAD (MP 3.357), A DISTANCE OF 0.47 MILES. ASPHALT
RESURFACING.
GEOGRAPHIC COORDINATES LATITUDE 37^31'28" LONGITUDE 83^27'38"
AVERAGE DAILY TRAFFIC - 25 AVERAGE MAINLINE WIDTH - 13.0 FEET

COUNTY - BREATHITT PES - 1001313401201
FD39 013 5340 000-001
MILL CREEK-LAWSON ROAD (CR 1340) FROM KY 541 (MP 0.000) EXTENDING SOUTH TO PAULO MEMORIAL
DRIVE (PV 1381) (MP 0.110), A DISTANCE OF 0.11 MILES. ASPHALT RESURFACING.
GEOGRAPHIC COORDINATES LATITUDE 37^36'04" LONGITUDE 83^27'28"
AVERAGE DAILY TRAFFIC - 100 AVERAGE MAINLINE WIDTH - 16.0 FEET

COUNTY - BREATHITT PES - 1001313511201
FD39 013 5351 000-001
ROCK LICK ROAD (CR 1351) FROM KY 541 (MP 0.000) EXTENDING SOUTHWEST TO 0.160 MILE
SOUTHWEST OF KY 541 (MP 0.160), A DISTANCE OF 0.16 MILES. ASPHALT RESURFACING.
GEOGRAPHIC COORDINATES LATITUDE 37^35'42" LONGITUDE 83^29'11"
AVERAGE DAILY TRAFFIC - 100 AVERAGE MAINLINE WIDTH - 16.0 FEET

COUNTY - BREATHITT PES - 1001313661201
FD39 013 5366 000-001
SHOAL BRANCH ROAD (CR 1366) FROM KY 541 (MP 0.000) EXTENDING NORTH TO 0.150 MILE NORTH OF
KY 541 (MP 0.150), A DISTANCE OF 0.15 MILES. ASPHALT RESURFACING.
GEOGRAPHIC COORDINATES LATITUDE 37^36'16" LONGITUDE 83^25'34"
AVERAGE DAILY TRAFFIC - 15 AVERAGE MAINLINE WIDTH - 10.0 FEET

COUNTY - BREATHITT PES - 1001313721201
FD39 013 5372 000-002
MILLER BRANCH-ELKATAWA ROAD (CR 1372) FROM KY 52 (MP 0.000) EXTENDING SOUTHWEST TO 1.012
MILES SOUTHWEST OF KY 52 (MP 1.012), A DISTANCE OF 1.01 MILES. ASPHALT RESURFACING.
GEOGRAPHIC COORDINATES LATITUDE 37^32'56" LONGITUDE 83^25'41"
AVERAGE DAILY TRAFFIC - 200 AVERAGE MAINLINE WIDTH - 14.0 FEET

COUNTY - BREATHITT PES - 1001313991201
FD39 013 5399 000-001
LITTLE EARL ROAD (CR 1399) FROM 0.097 MILE NORTH OF KY 1812 (MP 0.097) EXTENDING NORTH TO
END OF CO. MAINTENANCE (MP 0.154), A DISTANCE OF 0.06 MILES. ASPHALT RESURFACING.
GEOGRAPHIC COORDINATES LATITUDE 37^34'56" LONGITUDE 83^20'54"
AVERAGE DAILY TRAFFIC - 15 AVERAGE MAINLINE WIDTH - 12.0 FEET

COMPLETION DATE(S):

COMPLETION DATE - June 30, 2013
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 Expedite Bidding Program available on the Internet web site of the Department of Highways, Division of Construction Procurement. (www.transportation.ky.gov/contract)

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

JOINT VENTURE BIDDING

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

UNDERGROUND FACILITY DAMAGE PROTECTION

The contractor is advised that the Underground Facility Damage Protection Act of 1994, became law January 1, 1995. It is the contractor's responsibility to determine the impact of the act regarding this project, and take all steps necessary to be in compliance with the provision of the act.

SPECIAL NOTE FOR PIPE INSPECTION

Contrary to Section 701.03.08 of the 2012 Standard Specifications for Road and Bridge Construction and Kentucky Method 64-114, certification by the Kentucky Transportation Center for prequalified Contractors to perform laser/video inspection is not required on this contract. It will continue to be a requirement for the Contractor performing any laser/video pipe inspection to be prequalified for this specialized item with the Kentucky Transportation Cabinet-Division of Construction Procurement.

REGISTRATION WITH THE SECRETARY OF STATE BY A FOREIGN ENTITY

Pursuant to KRS 176.085(1)(b), an agency, department, office, or political subdivision of the Commonwealth of Kentucky shall not award a state contract to a person that is a foreign entity required by [KRS 14A.9-010](#) to obtain a certificate of authority to transact business in the Commonwealth (“certificate”) from the Secretary of State under [KRS 14A.9-030](#) unless the person produces the certificate within fourteen (14) days of the bid or proposal opening. If the foreign entity is not required to obtain a certificate as provided in [KRS 14A.9-010](#), the foreign entity should identify the applicable exception. Foreign entity is defined within [KRS 14A.1-070](#).

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

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

SPECIAL NOTE FOR PROJECT QUESTIONS DURING ADVERTISEMENT

Questions about projects during the advertisement should be submitted in writing to the Division of Construction Procurement. This may be done by fax (502) 564-7299 or email to kytc.projectquestions@ky.gov. The Department will attempt to answer all submitted questions. The Department reserves the right not to answer if the question is not pertinent or does not aid in clarifying the project intent.

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

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

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. (See attachment)

09/26/2012



Steven L. Beshear
Governor

Commonwealth of Kentucky
Finance and Administration Cabinet
OFFICE OF THE SECRETARY
Room 383, Capitol Annex
702 Capital Avenue
Frankfort, KY 40601-3462
(502) 564-4240
Fax (502) 564-6785

Lori H. Flanery
Secretary

SECRETARY'S ORDER 11-004

FINANCE AND ADMINISTRATION CABINET

Vendor Document Disclosure

WHEREAS, in order to promote accountability and transparency in governmental operations, the Finance and Administration Cabinet believes that a mechanism should be created which would provide for review and assistance to an Executive Branch agency if said agency cannot obtain access to documents that it deems necessary to conduct a review of the records of a private vendor that holds a contract to provide goods and/or services to the Commonwealth; and

WHEREAS, in order to promote accountability and transparency in governmental operations, the Finance and Administration Cabinet believes that a mechanism should be created which would provide for review and assistance to an Executive Branch agency if said agency cannot obtain access to documents that it deems necessary during the course of an audit, investigation or any other inquiry by an Executive Branch agency that involves the review of documents; and

WHEREAS, KRS 42.014 and KRS 12.270 authorizes the Secretary of the Finance and Administration Cabinet to establish the internal organization and assignment of functions which are not established by statute relating to the Finance and Administration Cabinet; further, KRS Chapter 45A.050 and 45A.230 authorizes the Secretary of the Finance and Administration Cabinet to procure, manage and control all supplies and services that are procured by the Commonwealth and to intervene in controversies among vendors and state agencies; and

NOW, THEREFORE, pursuant to the authority vested in me by KRS 42.014, KRS 12.270, KRS 45A.050, and 45A.230, I, Lori H. Flanery, Secretary of the Finance and Administration Cabinet, do hereby order and direct the following:

- I. Upon the request of an Executive Branch agency, the Finance and Administration Cabinet ("FAC") shall formally review any dispute arising where the agency has requested documents from a private vendor that holds a state contract and the vendor has refused access to said documents under a claim that said documents are not directly pertinent or relevant to the agency's inquiry upon which the document request was predicated.
- II. Upon the request of an Executive Branch agency, the FAC shall formally review any situation where the agency has requested documents that the agency deems necessary to

conduct audits, investigations or any other formal inquiry where a dispute has arisen as to what documents are necessary to conclude the inquiry.

- III. Upon receipt of a request by a state agency pursuant to Sections I & II, the FAC shall consider the request from the Executive Branch agency and the position of the vendor or party opposing the disclosure of the documents, applying any and all relevant law to the facts and circumstances of the matter in controversy. After FAC's review is complete, FAC shall issue a Determination which sets out FAC's position as to what documents and/or records, if any, should be disclosed to the requesting agency. The Determination shall be issued within 30 days of receipt of the request from the agency. This time period may be extended for good cause.
- IV. If the Determination concludes that documents are being wrongfully withheld by the private vendor or other party opposing the disclosure from the state agency, the private vendor shall immediately comply with the FAC's Determination. Should the private vendor or other party refuse to comply with FAC's Determination, then the FAC, in concert with the requesting agency, shall effectuate any and all options that it possesses to obtain the documents in question, including, but not limited to, jointly initiating an action in the appropriate court for relief.
- V. Any provisions of any prior Order that conflicts with the provisions of this Order shall be deemed null and void.

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 Expedite Bidding Program. Submittal of the Affidavit should be done along with the bid in Bid Express.

03/01/2011

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 SHOULDERING BY COUNTY FORCES

The County will complete the shoulders, including regrading, reshaping, adding, and compacting of suitable materials on the existing shoulders to provide proper template or foundation.

Notify the Engineer in writing, a minimum of two (2) weeks to beginning any work on the project. The Engineer will coordinate the County's shoulder operations with the Contractor's work.

1-3260 Shouldering by County
01/02/2012

SPECIAL NOTE FOR TYPICAL SECTION DIMENSIONS

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

1-3725 Typical Section Dimensions
01/02/2012

TRAFFIC CONTROL PLAN

TRAFFIC CONTROL GENERAL

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

Contrary to Section 106.01, traffic control devices used on this project may be new, or used in like new condition, at the beginning of the work and maintained in like new condition until completion of the work.

PROJECT PHASING & CONSTRUCTION PROCEDURES

At the discretion of the Engineer, days and hours may be specified when lane closures will not be allowed.

The Contractor may maintain alternating one way traffic during construction if the surface width is 16 feet or greater. The clear lane width shall be a minimum of 8 feet. If traffic should be stopped due to construction operations, and a school bus on an official run arrives on the scene, the Contractor shall make provisions for the passage of the bus as quickly as possible.

LANE CLOSURES

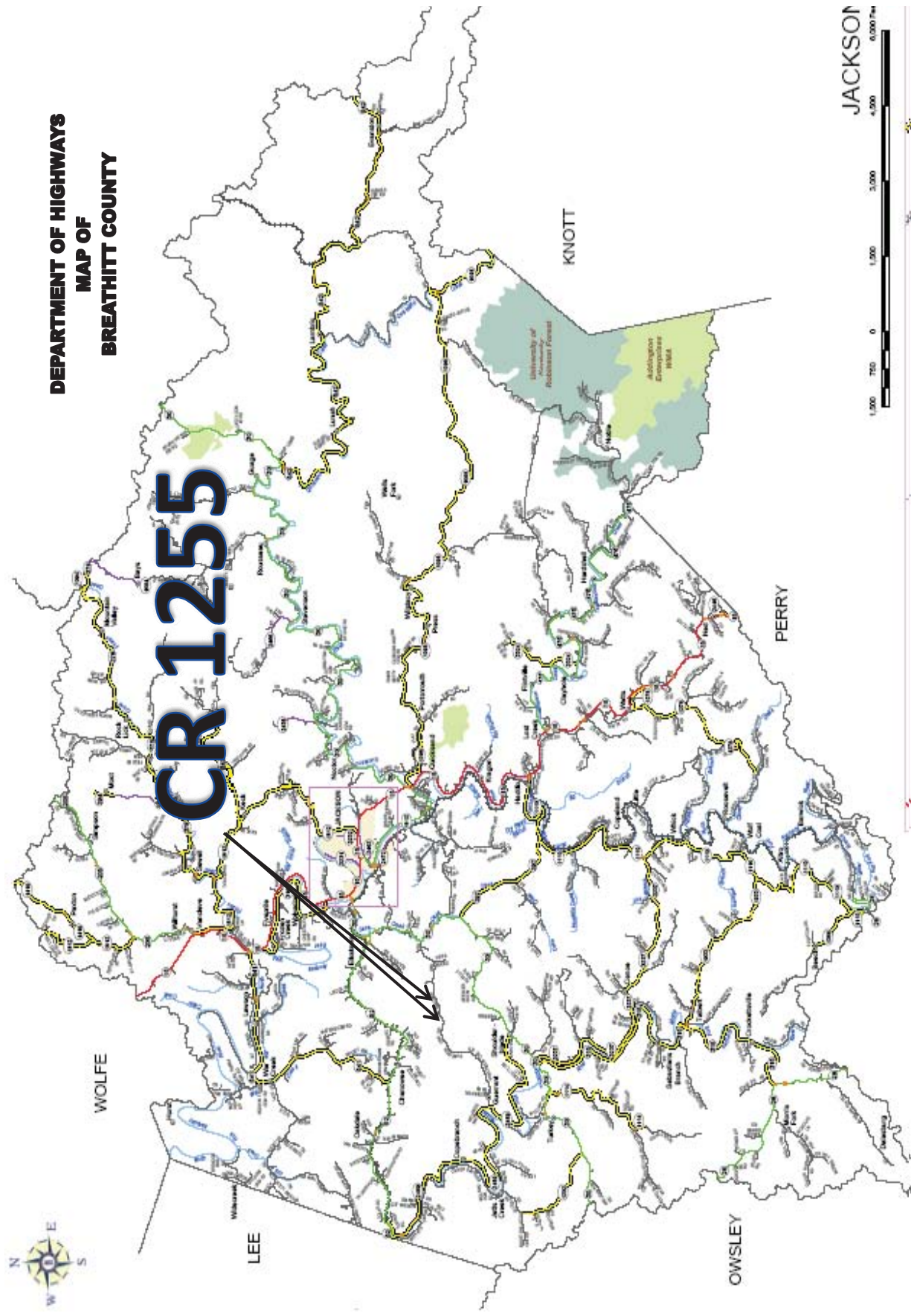
Lane closures shall not be left in place during non-working hours.

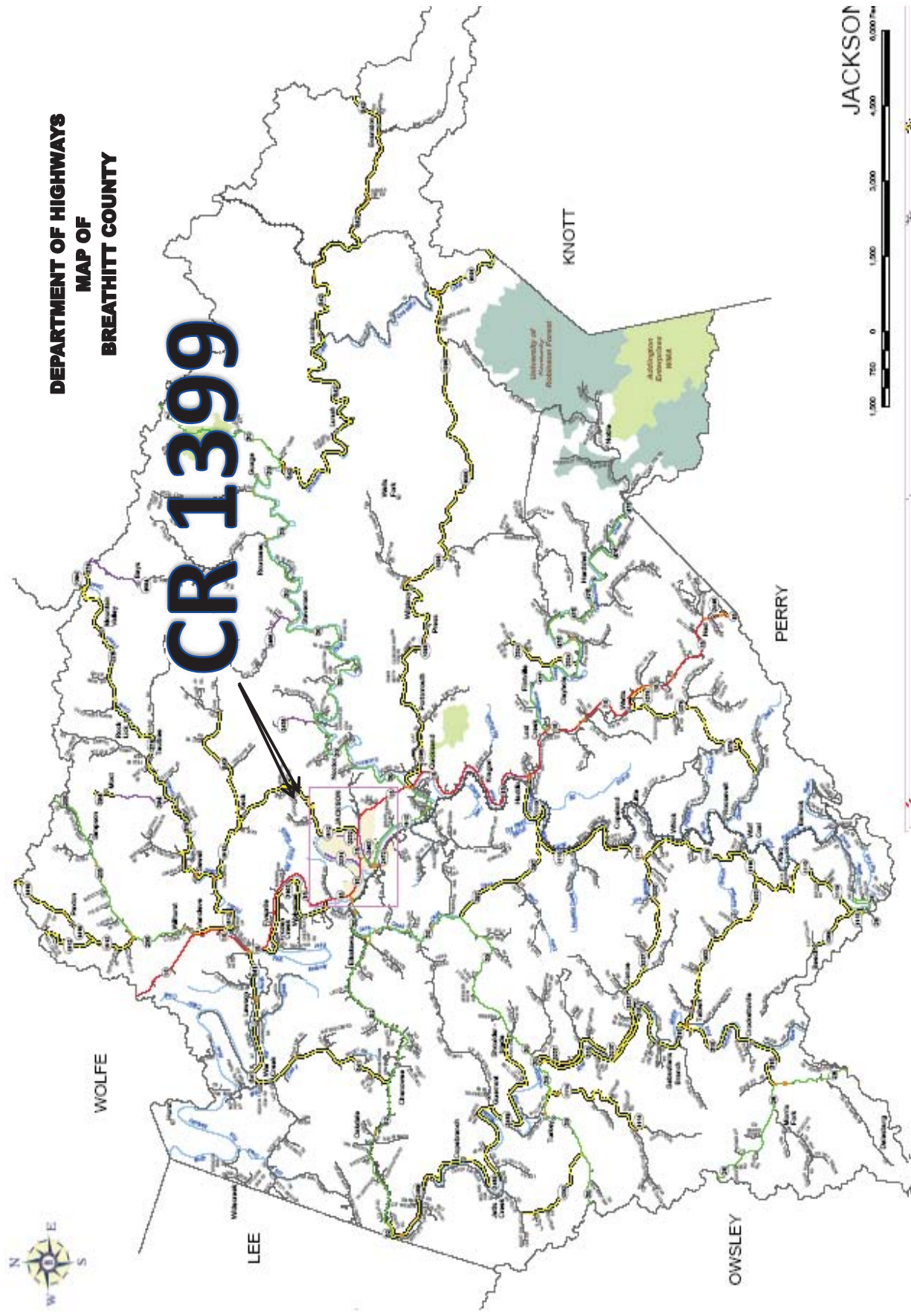
PAVEMENT EDGE DROP-OFFS

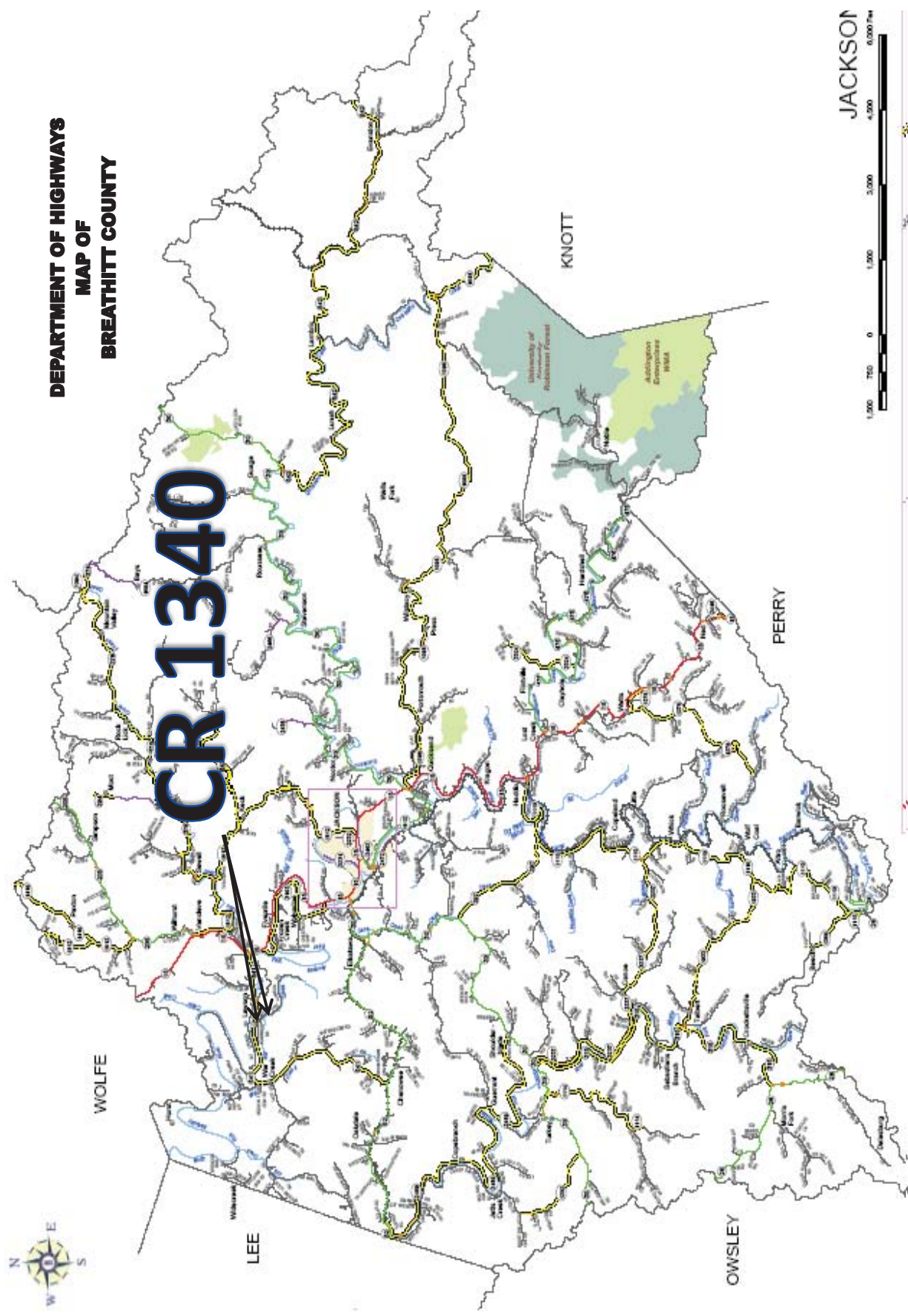
A pavement edge between opposing directions of traffic or lanes that traffic is expected to cross in a lane change situation shall not have an elevation difference greater than 1½". Warning signs (MUTCD W8-11 or W8-9A) shall be placed in advance of and at 1500 foot intervals throughout the drop-off area. Dual posting on both sides of the traveled way shall be required. All transverse transitions between resurfaced and unresurfaced areas which traffic may cross shall be wedged with asphalt mixture for leveling and wedging. The wedges shall be removed prior to placement of the final surface course.

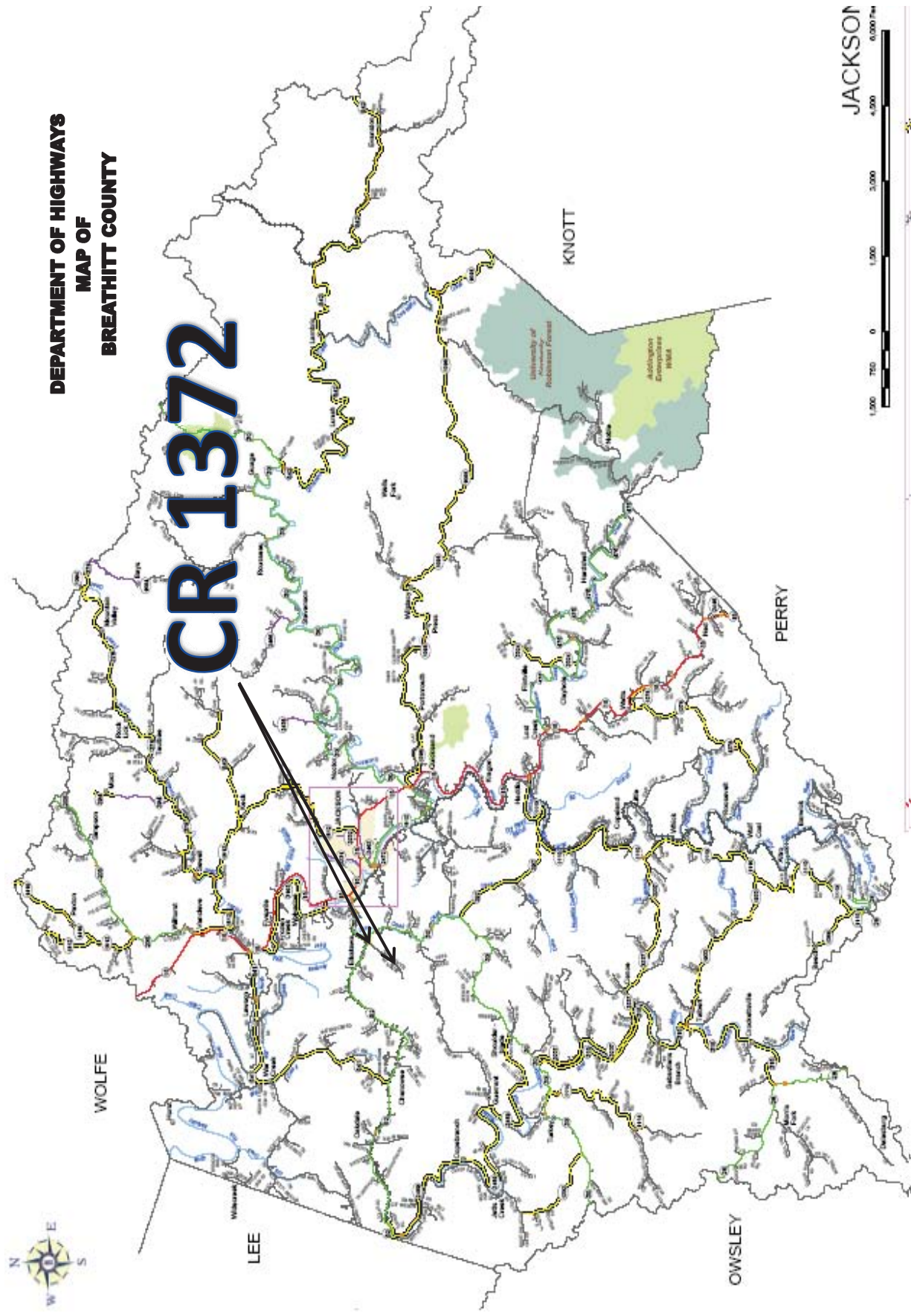
Pavement edges that traffic is not expected to cross, except accidentally, shall be treated as follows:

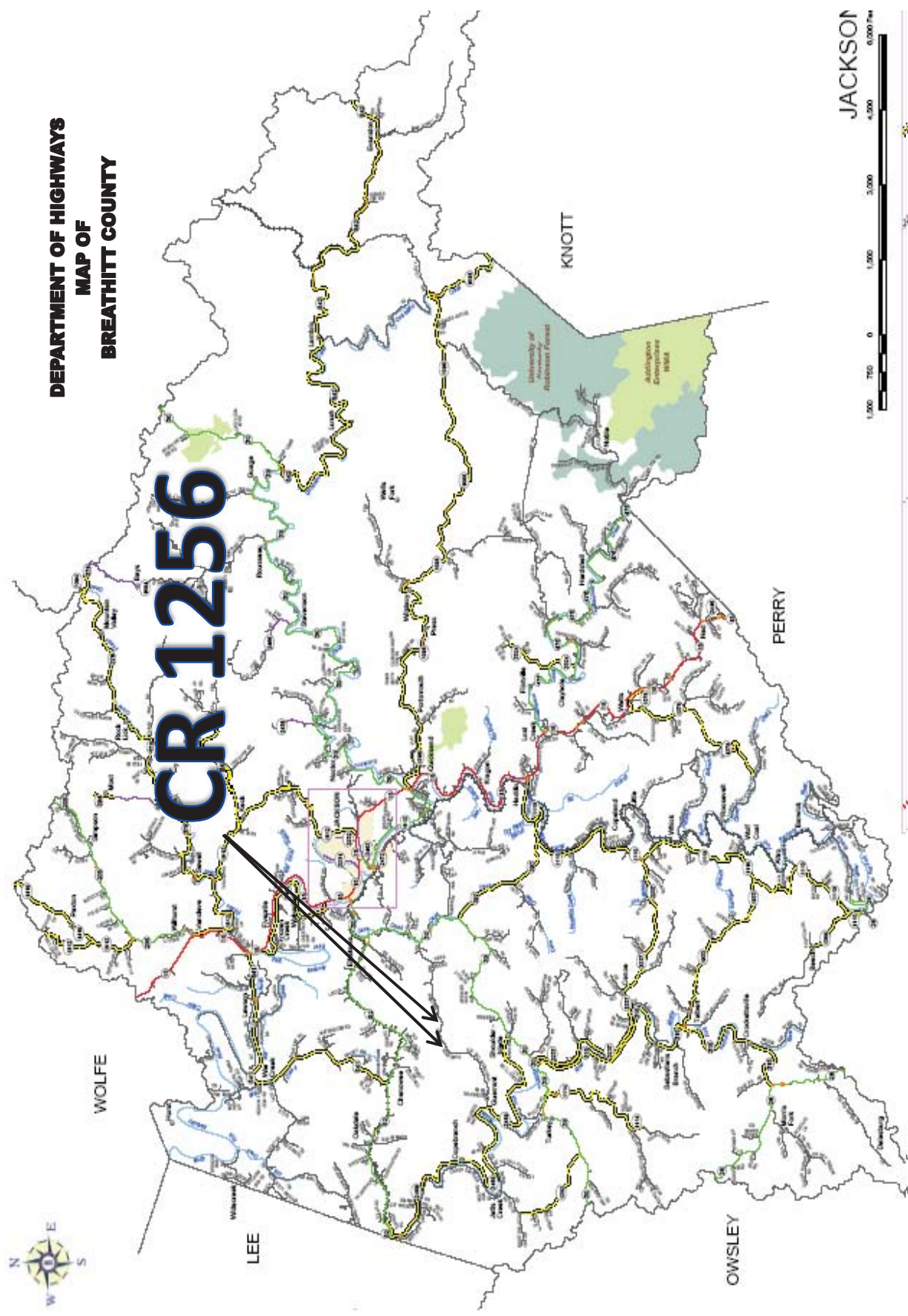
- Less than 2" - No protection required.
- 2" to 4" - Place plastic drums, vertical panels, or barricades every 50 feet. Cones may be used in place of plastic drums, panels, and barricades during daylight working hours. Wedge with asphalt mixture for leveling and wedging with a 1:1 or flatter slope in daylight hours, or 3:1 or flatter slope during nighttime hours, when work is not active in the drop-off area.





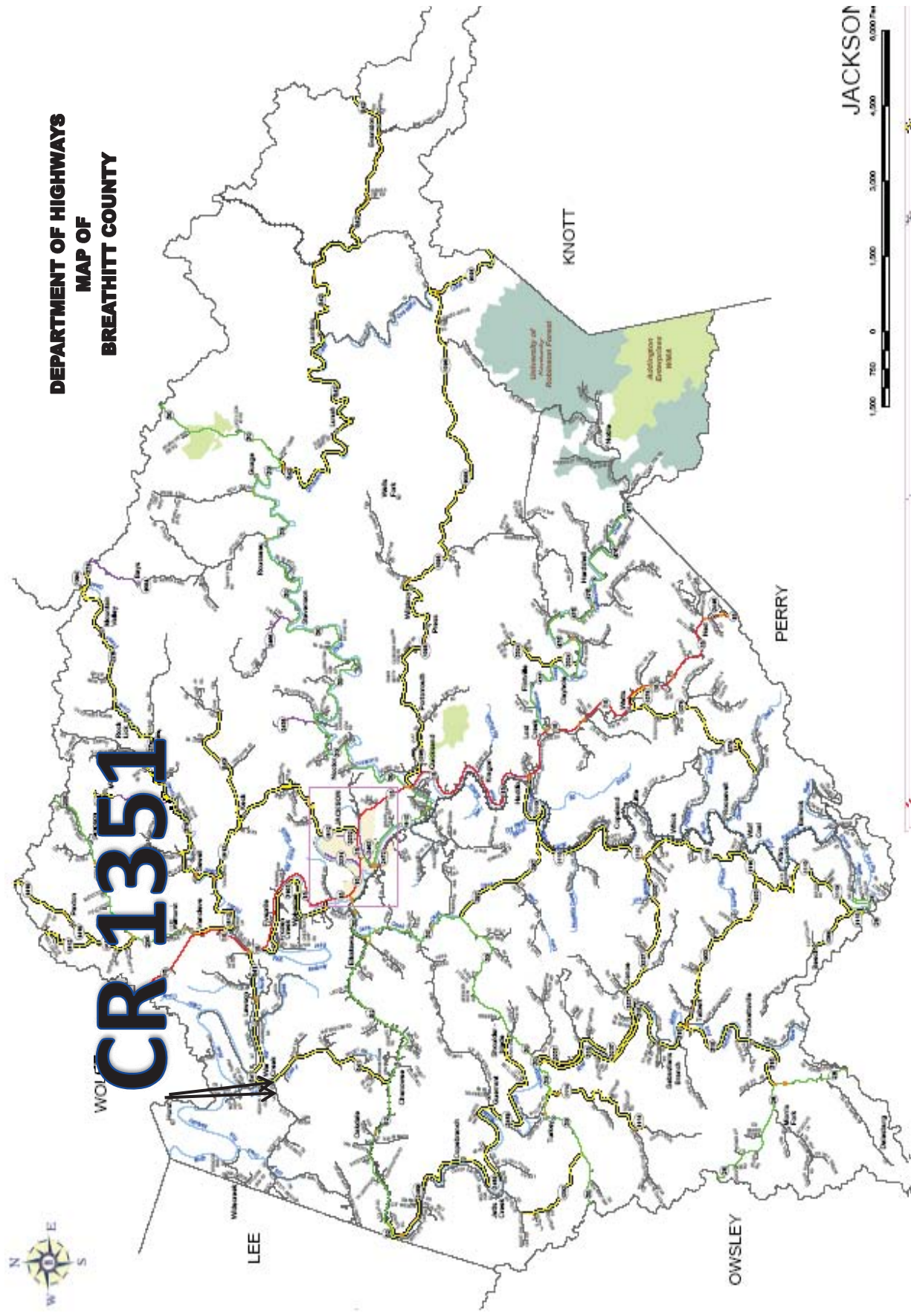


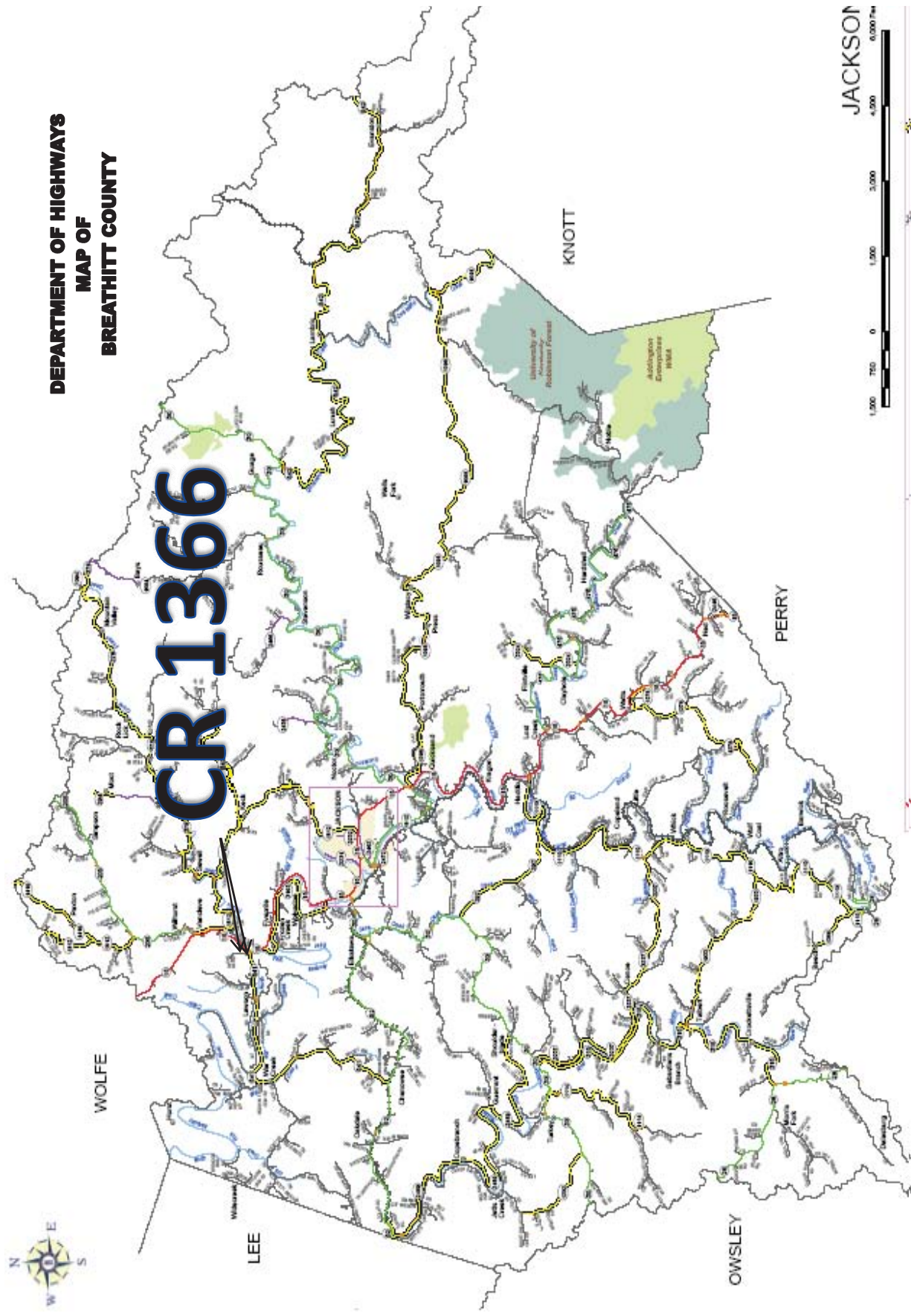




**DEPARTMENT OF HIGHWAYS
MAP OF
BREATHITT COUNTY**

CR 1256





MATERIAL SUMMARY

CONTRACT ID: 123248

FD39 013 5255 001-003 PES NO: 1001312551202
 BELCHER FORK ROAD (CR 1255) FROM 1.434 MILE WEST OF KY 30 (MP 1.434) EXTENDING WEST
 CONNECTING TO PUNCHEON CREEK ROAD (MP 2.335), A DISTANCE OF 0.900000 MILES.

LINE NO	BID CODE	DESCRIPTION	QUANTITY	UNIT
0040	00190	LEVELING & WEDGING PG64-22	86.00	TON
0030	00301	CL2 ASPH SURF 0.38D PG64-22	416.00	TON
0010	02562	SIGNS	150.00	SQFT
0020	02650	MAINTAIN & CONTROL TRAFFIC CR 1255	1.00	LS
0070	02569	DEMOBILIZATION	1.00	LS

FD39 013 5256 002-004 PES NO: 1001312561201
 PUNCHEON CREEK ROAD (CR 1256) FROM 2.892 MILES EAST OF KY 2469 (MP 2.892) EXTENDING
 EAST CONNECTING TO BELCHER FORK ROAD (MP 3.357), A DISTANCE OF 0.470000 MILES.

LINE NO	BID CODE	DESCRIPTION	QUANTITY	UNIT
0040	00190	LEVELING & WEDGING PG64-22	44.00	TON
0030	00301	CL2 ASPH SURF 0.38D PG64-22	215.00	TON
0010	02562	SIGNS	150.00	SQFT
0020	02650	MAINTAIN & CONTROL TRAFFIC CR 1256	1.00	LS
0070	02569	DEMOBILIZATION	1.00	LS

FD39 013 5340 000-001 PES NO: 1001313401201
 MILL CREEK-LAWSON ROAD (CR 1340) FROM KY 541 (MP 0.000) EXTENDING SOUTH TO PAULO
 MEMORIAL DRIVE (PV 1381) (MP 0.110), A DISTANCE OF 0.110000 MILES.

LINE NO	BID CODE	DESCRIPTION	QUANTITY	UNIT
0040	00190	LEVELING & WEDGING PG64-22	13.00	TON
0030	00301	CL2 ASPH SURF 0.38D PG64-22	70.00	TON
0010	02562	SIGNS	150.00	SQFT
0020	02650	MAINTAIN & CONTROL TRAFFIC CR 1340	1.00	LS
0070	02569	DEMOBILIZATION	1.00	LS

FD39 013 5351 000-001 PES NO: 1001313511201
 ROCK LICK ROAD (CR 1351) FROM KY 541 (MP 0.000) EXTENDING SOUTHWEST TO 0.160 MILE
 SOUTHWEST OF KY 541 (MP 0.160), A DISTANCE OF 0.160000 MILES.

LINE NO	BID CODE	DESCRIPTION	QUANTITY	UNIT
0040	00190	LEVELING & WEDGING PG64-22	19.00	TON
0030	00301	CL2 ASPH SURF 0.38D PG64-22	92.00	TON
0010	02562	SIGNS	150.00	SQFT
0020	02650	MAINTAIN & CONTROL TRAFFIC CR 1351	1.00	LS
0070	02569	DEMOBILIZATION	1.00	LS

MATERIAL SUMMARY

CONTRACT ID: 123248

FD39 013 5366 000-001 PES NO: 1001313661201
 SHOAL BRANCH ROAD (CR 1366) FROM KY 541 (MP 0.000) EXTENDING NORTH TO 0.150 MILE
 NORTH OF KY 541 (MP 0.150), A DISTANCE OF 0.150000 MILES.

LINE NO	BID CODE	DESCRIPTION	QUANTITY	UNIT
0040	00190	LEVELING & WEDGING PG64-22	19.00	TON
0030	00301	CL2 ASPH SURF 0.38D PG64-22	54.00	TON
0010	02562	SIGNS	150.00	SQFT
0020	02650	MAINTAIN & CONTROL TRAFFIC CR 1366	1.00	LS
0070	02569	DEMOBILIZATION	1.00	LS

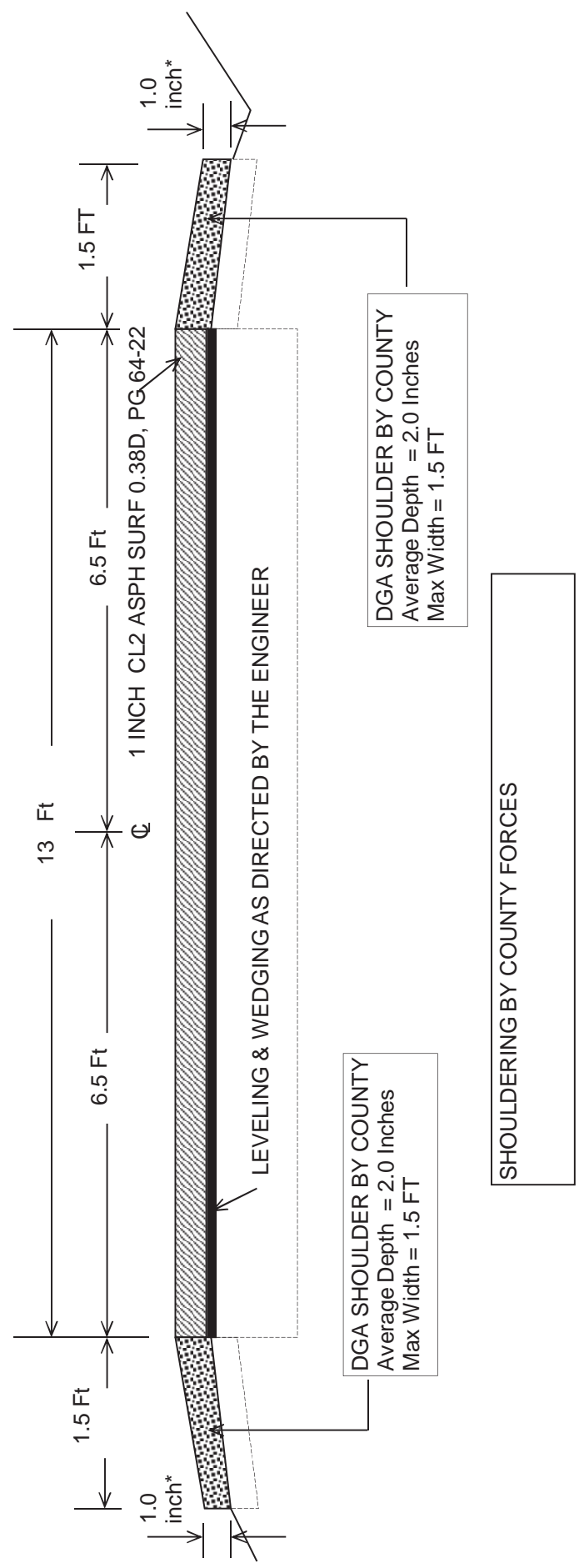
FD39 013 5372 000-002 PES NO: 1001313721201
 MILLER BRANCH-ELKATAWA ROAD (CR 1372) FROM KY 52 (MP 0.000) EXTENDING SOUTHWEST TO 1.
 012 MILES SOUTHWEST OF KY 52 (MP 1.012), A DISTANCE OF 1.010000 MILES.

LINE NO	BID CODE	DESCRIPTION	QUANTITY	UNIT
0040	00190	LEVELING & WEDGING PG64-22	104.00	TON
0030	00301	CL2 ASPH SURF 0.38D PG64-22	526.00	TON
0010	02562	SIGNS	150.00	SQFT
0020	02650	MAINTAIN & CONTROL TRAFFIC CR 1372	1.00	LS
0070	02569	DEMOBILIZATION	1.00	LS

FD39 013 5399 000-001 PES NO: 1001313991201
 LITTLE EARL ROAD (CR 1399) FROM 0.097 MILE NORTH OF KY 1812 (MP 0.097) EXTENDING
 NORTH TO END OF CO. MAINTENANCE (MP 0.154), A DISTANCE OF 0.060000 MILES.

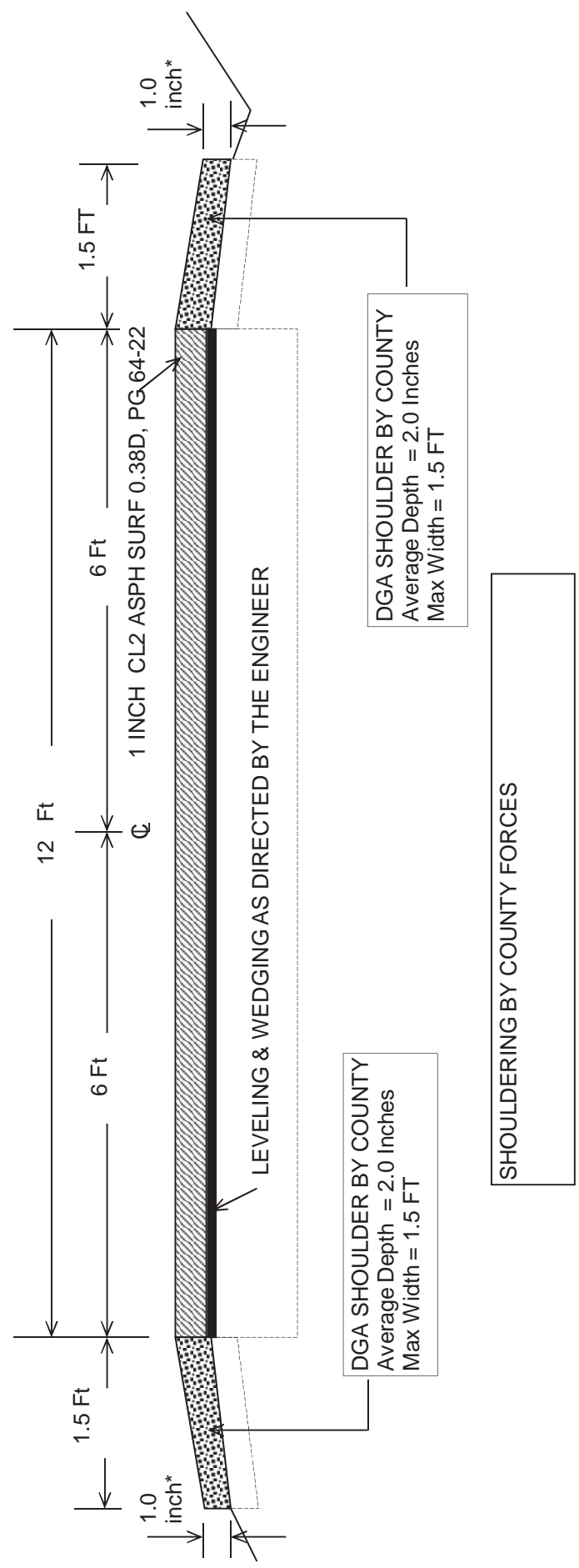
LINE NO	BID CODE	DESCRIPTION	QUANTITY	UNIT
0040	00190	LEVELING & WEDGING PG64-22	5.00	TON
0030	00301	CL2 ASPH SURF 0.38D PG64-22	25.00	TON
0010	02562	SIGNS	150.00	SQFT
0020	02650	MAINTAIN & CONTROL TRAFFIC CR 1399	1.00	LS
0070	02569	DEMOBILIZATION	1.00	LS

TYPICAL SECTION
BREATHITT COUNTY
FD39-013-5255-001-003
BELCHER FORK ROAD (CR 1255)



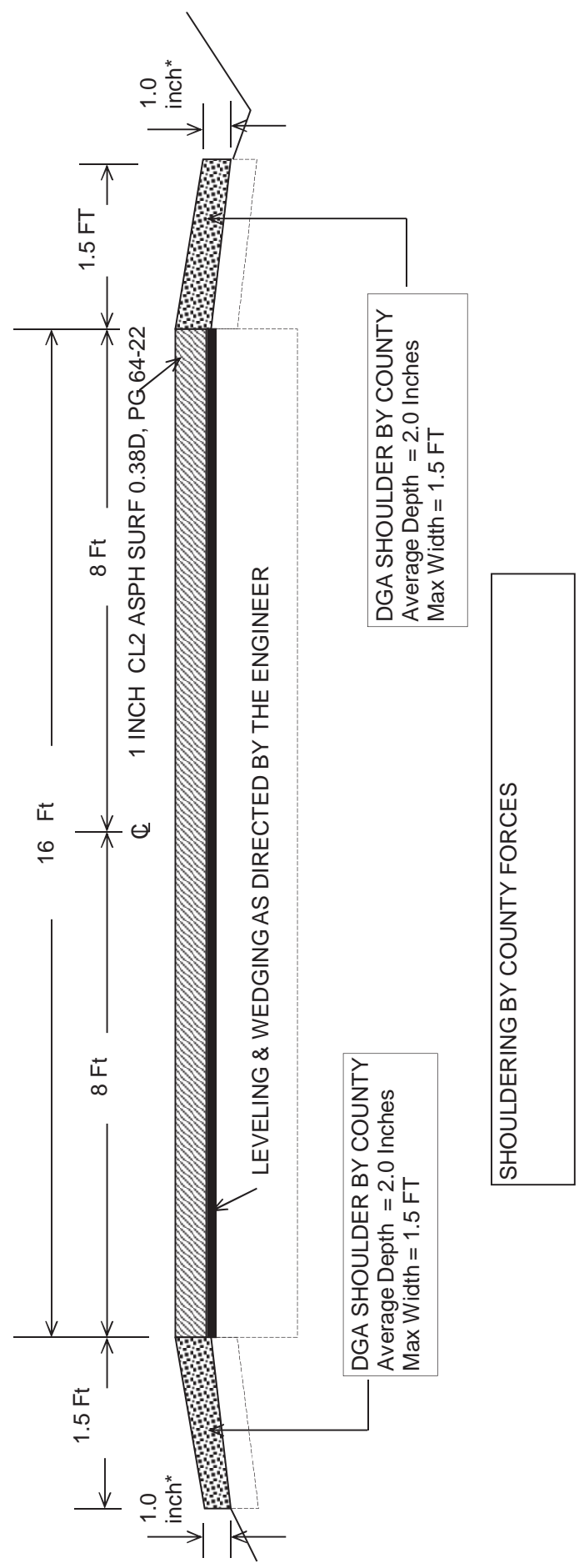
*** Where Existing Site Conditions Permit**

TYPICAL SECTION
BREATHITT COUNTY
FD39-013-5399-000-001
LITTLE EARL ROAD (CR 1399)



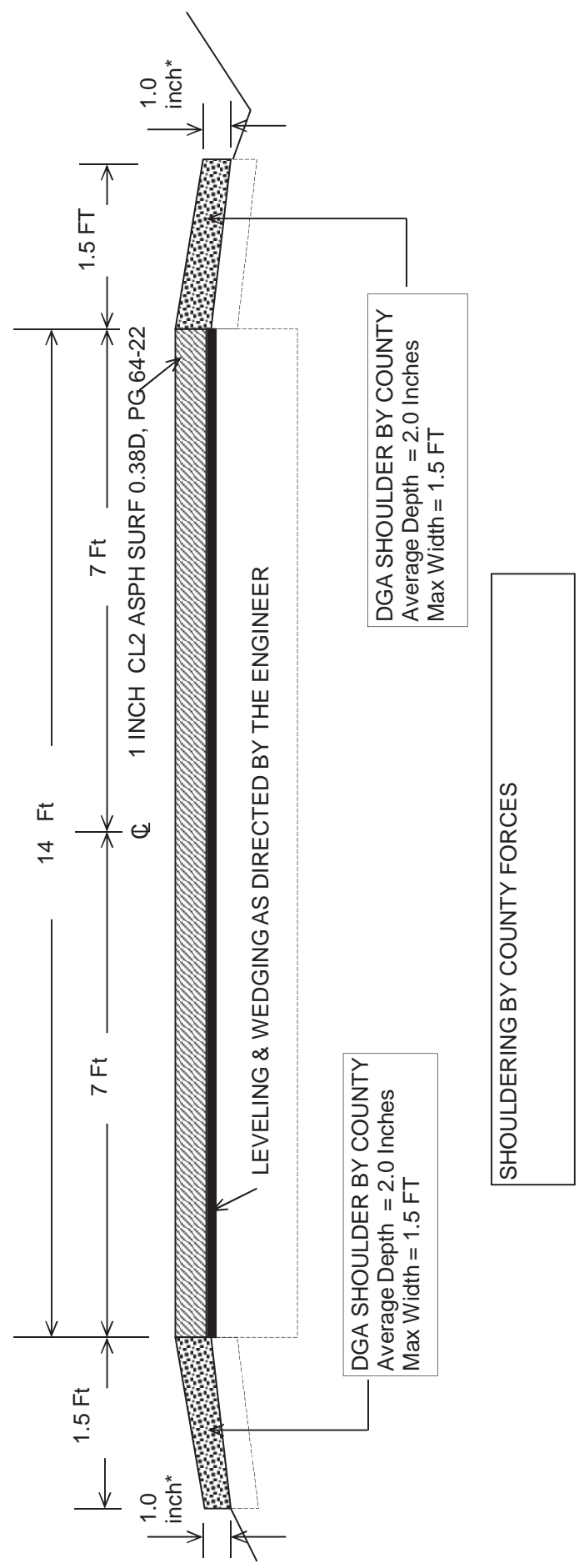
*** Where Existing Site Conditions Permit**

TYPICAL SECTION
BREATHITT COUNTY
FD39-013-5340-000-001
MILL CREEK-LAWSON ROAD (CR 1340)



*** Where Existing Site Conditions Permit**

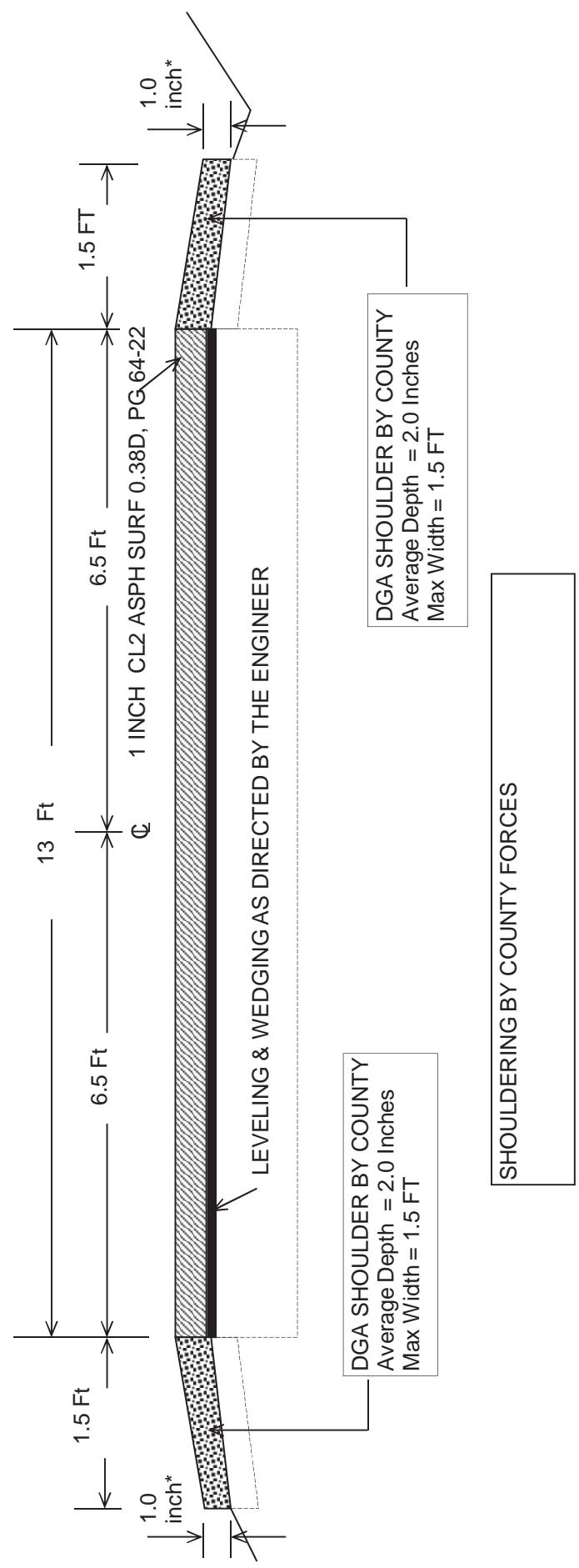
TYPICAL SECTION
BREATHITT COUNTY
FD39-013-5372-000-002
MILLER BRANCH-ELKATAWA ROAD (CR 1372)



*** Where Existing Site Conditions Permit**

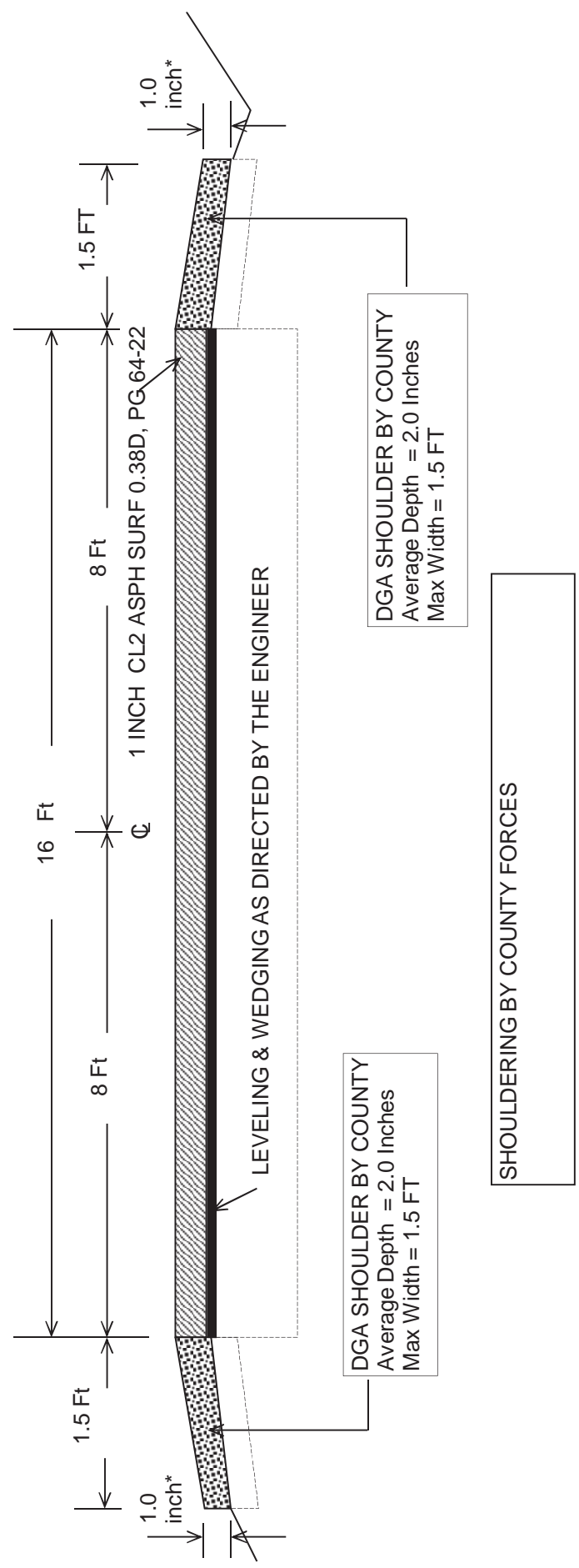
COUNTY BRIDGE WITH CONCRETE DECK NOT TO BE PAVED OVER. DOES NOT REQUIRE MILLING AT BRIDGE ENDS.

TYPICAL SECTION
BREATHITT COUNTY
FD39-013-5256-002-004
PUNCHEON CREEK ROAD (CR 1256)



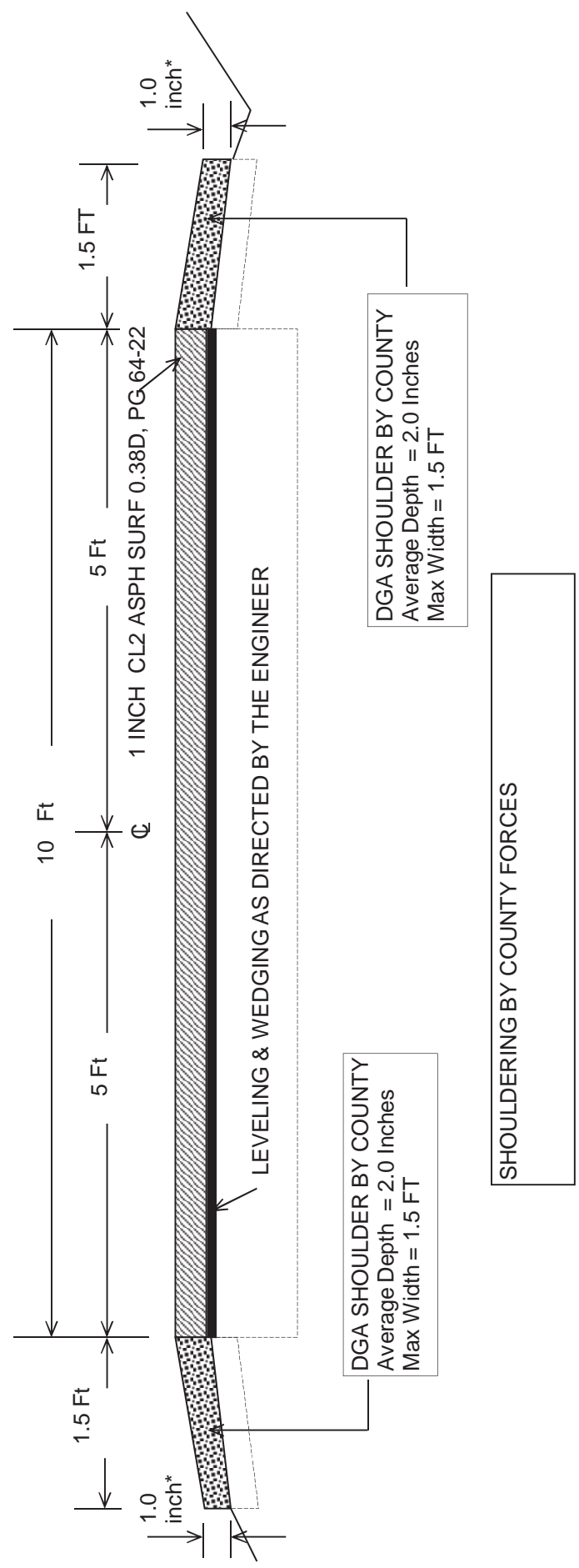
*** Where Existing Site Conditions Permit**

TYPICAL SECTION
BREATHITT COUNTY
FD39-013-5351-000-001
ROCK LICK ROAD (CR 1351)



ROCK LICK TYP

TYPICAL SECTION
BREATHITT COUNTY
FD39-013-5366-000-001
SHOAL BRANCH ROAD (CR 1366)



*** Where Existing Site Conditions Permit**

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 2012* and *Standard Drawings, Edition of 2012 with the 2012 Revision*.

**Supplemental Specifications to the Standard Specifications for Road and
Bridge Construction, 2012 Edition**

(Effective with the August 17, 2012 Letting)

Subsection:	402.03.02 Contractor Quality Control and Department Acceptance.
Part:	D) Testing Responsibilities.
Number:	4) Density.
Revision:	Replace the second sentence of the Option A paragraph with the following: Perform coring by the end of the following work day.
Subsection:	606.03.17 Special Requirements for Latex Concrete Overlays.
Part:	A) Existing Bridges and New Structures.
Number:	1) Prewetting and Grout-Bond Coat.
Revision:	Add the following sentence to the last paragraph: Do not apply a grout-bond coat on bridge decks prepared by hydrodemolition.
Subsection:	609.03 Construction.
Revision:	Replace Subsection 609.03.01 with the following: 609.03.01 A) Swinging the Spans. Before placing concrete slabs on steel spans or precast concrete release the temporary erection supports under the bridge and swing the span free on its supports. 609.03.01 B) Lift Loops. Cut all lift loops flush with the top of the precast beam once the beam is placed in the final location and prior to placing steel reinforcement. At locations where lift loops are cut, paint the top of the beam with galvanized or epoxy paint.

STANDARD DRAWINGS THAT APPLY

ROADWAY ~GENERAL~

MISCELLANEOUS STANDARDS

MISCELLANEOUS STANDARDS PART 1.....RGX-001-05

~PAVEMENT~

MEDIANS, CURBS, APPROACHES, ENTRANCES, ETC.

APPROACHES, ENTRANCES, AND MAIL BOX TURNOUT.....RPM-110-06

TRAFFIC

~TEMPORARY~

TRAFFIC CONTROL

LANE CLOSURE TWO-LANE HIGHWAYTTC-100-02

LANE CLOSURE TWO-LANE HIGHWAY CASE II.....TTC-105-02

DEVICES

POST SPLICING DETAIL.....TTD-110-01

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)
- III. Payment of Predetermined Minimum Wages
- IV. Statements and Payrolls

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.

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 (between forty and seventy); 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 (between forty and seventy). 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, disability or age (between forty and seventy), except that such notice or advertisement may indicate a preference, limitation, or specification based on religion, or national origin when religion, or national origin is a bona fide occupational qualification for employment.

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 (between forty and seventy), 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.

III. PAYMENT OF PREDETERMINED MINIMUM WAGES

1. These special provisions are supplemented elsewhere in the contract by special provisions which set forth certain predetermined minimum wage rates. The contractor shall pay not less than those rates.

2. The minimum wage determination schedule shall be posted by the contractor, in a manner prescribed by the Department of Highways, at the site of the work in prominent places where it can be easily seen by the workers.

IV. STATEMENTS AND PAYROLLS

1. All contractors and subcontractors affected by the terms of KRS 337.505 to 337.550 shall keep full and accurate payroll records covering all disbursements of wages to their employees to whom they are required to pay not less than the prevailing rate of wages. Payrolls and basic records relating thereto will be maintained during the course of the work and preserved for a period of one (1) year from the date of completion of this contract.

2. The payroll records shall contain the name, address and social security number of each employee, his correct classification, rate of pay, daily and weekly number of hours worked, itemized deductions made and actual wages paid.

3. The contractor shall make his daily records available at the project site for inspection by the State Department of Highways contracting office or his authorized representative.

Periodic investigations shall be conducted as required to assure compliance with the labor provisions of the contract. Interrogation of employees and officials of the contractor shall be permitted during working hours.

Aggrieved workers, Highway Managers, Assistant District Engineers, Resident Engineers and Project Engineers shall report all complaints and violations to the Division of Contract Procurement.

The contractor shall be notified in writing of apparent violations. The contractor may correct the reported violations and notify the Department of Highways of the action taken or may request an informal hearing. The request for hearing shall be in writing within ten (10) days after receipt of the notice of the reported violation. The contractor may submit

records and information which will aid in determining the true facts relating to the reported violations.

Any person or organization aggrieved by the action taken or the findings established as a result of an informal hearing by the Division of Contract Procurement may request a formal hearing.

4. The wages of labor shall be paid in legal tender of the United States, except that this condition will be considered satisfied if payment is made by a negotiable check, on a solvent bank, which may be cashed readily by the employee in the local community for the full amount, without discount or collection charges of any kind. Where checks are used for payments, the contractor shall make all necessary arrangements for them to be cashed and shall give information regarding such arrangements.

5. No fee of any kind shall be asked or accepted by the contractor or any of his agents from any person as a condition of employment on the project.

6. No laborers shall be charged for any tools used in performing their respective duties except for reasonably avoidable loss or damage thereto.

7. Every employee on the work covered by this contract shall be permitted to lodge, board, and trade where and with whom he elects and neither the contractor nor his agents, nor his employees shall directly or indirectly require as a condition of employment that an employee shall lodge, board or trade at a particular place or with a particular person.

8. Every employee on the project covered by this contract shall be an employee of either the prime contractor or an approved subcontractor.

9. No charge shall be made for any transportation furnished by the contractor or his agents to any person employed on the work.

10. No individual shall be employed as a laborer or mechanic on this contract except on a wage basis, but this shall not be construed to prohibit the rental of teams, trucks or other equipment from individuals.

No Covered employee may be employed on the work except in accordance with the classification set forth in the schedule mentioned above; provided, however, that in the event additional classifications are required, application shall be made by the contractor to the Department of Highways and (1) the Department shall request appropriate classifications and rates from the proper agency, or (2) if there is urgent need for additional classification to avoid undue delay in the work, the contractor may employ such workmen at rates deemed comparable to rates established for similar classifications provided he has made written application through the Department of Highways, addressed to the proper agency, for the supplemental rates. The contractor shall retroactively adjust, upon receipt of the supplemental rates schedule, the wages of any employee paid less than the established rate and may adjust the wages of any employee overpaid.

11. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any laborer or mechanic in any work-week in which he is employed on such work, to work in excess of eight hours in any calendar day or in excess of forty hours in such work-week unless such laborer or mechanic receives compensation at a rate not less than one and one half times his basic rate of pay for all hours worked in excess of eight hours in any calendar day or in excess of forty hours in such work-week. A laborer, workman or mechanic and an employer may enter into a written agreement or a collective bargaining agreement to work more than eight (8) hours a calendar day but not more than ten (10) hours a calendar day for the straight time hourly rate. This agreement shall be in writing and shall be executed prior to the employee working in excess of eight (8) hours, but not more than ten (10) hours, in any one (1) calendar day.

12. Payments to the contractor may be suspended or withheld due to failure of the contractor to pay any laborer or

mechanic employed or working on the site of the work, all or part of the wages required under the terms of the contract. The Department may suspend or withhold payments only after the contractor has been given written notice of the alleged violation and the contractor has failed to comply with the wage determination of the Department of Highways.

13. Contractors and subcontractors shall comply with the sections of Kentucky Revised Statutes, Chapter 337 relating to contracts for Public Works.

Revised 2-16-95

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 (6) provides:

No present or former public servant shall, within six (6) months of 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 the state in matters in which he was directly involved during 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, provided that, for a period of six (6) months, he personally refrains from working on any matter in which he was directly involved 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.

KRS 11A.040 (8) states:

A former public servant shall not represent a person in a matter before a state agency in which the former public servant was directly involved, 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, Room 136, Capitol Building, 700 Capitol Avenue, Frankfort, Kentucky 40601; telephone (502) 564-7954.

Kentucky Equal Employment Opportunity Act of 1978

The requirements of the Kentucky Equal Employment Opportunity Act of 1978 (KRS 45.560-45.640) shall not apply to this Contract.

**TRANSPORTATION CABINET
DIVISION OF CONSTRUCTION PROCUREMENT
COMPLIANCE SECTION
PROJECT WAGE RATES**

**WORKERS.....MINIMUM HOURLY
RATE.....\$7.25**

Note: Parts III and IV of “**Labor and Wage Requirements Applicable to Other Than Federal-Aid System Projects**” do not apply to this project.

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

FEDERAL MINIMUM WAGE

\$7.25

 PER HOUR

BEGINNING JULY 24, 2009

OVERTIME PAY

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

CHILD LABOR

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

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

No more than

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

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

TIP CREDIT

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

ENFORCEMENT

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

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

ADDITIONAL INFORMATION

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

For additional information:



1-866-4-USWAGE

(1-866-487-9243)

TTY: 1-877-889-5627



WWW.WAGEHOUR.DOL.GOV

PART IV
INSURANCE

INSURANCE

The Contractor shall procure and maintain the following insurance in addition to the insurance required by law:

- 1) Commercial General Liability-Occurrence form – not less than \$2,000,000 General aggregate, \$2,000,000 Products & Completed Aggregate, \$1,000,000 Personal & Advertising, \$1,000,000 each occurrence.
- 2) Automobile Liability- \$1,000,000 per accident
- 3) Employers Liability:
 - a) \$100,000 Each Accident Bodily Injury
 - b) \$500,000 Policy limit Bodily Injury by Disease
 - c) \$100,000 Each Employee Bodily Injury by Disease
- 4) The insurance required above must be evidenced by a Certificate of Insurance and this Certificate of Insurance must contain one of the following statements:
 - a) "policy contains no deductible clauses."
 - b) "policy contains _____ (amount) deductible property damage clause but company will pay claim and collect the deductible from the insured."
- 5) KENTUCKY WORKMEN'S COMPENSATION INSURANCE. The contractor shall furnish evidence of coverage of all his employees or give evidence of self-insurance by submitting a copy of a certificate issued by the Workmen's Compensation Board.

The cost of insurance is incidental to all contract items. All subcontractors must meet the same minimum insurance requirements.

PART V
BID ITEMS

KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
FRANKFORT, KY 40622

CONTRACT ID: 123248
COUNTY: BREATHITT
PROPOSAL: 013GR12R107-FD39

PAGE: 1
LETTING: 10/19/12
CALL NO: 407

LINE NO	ITEM	DESCRIPTION	APPROXIMATE UNIT QUANTITY	UNIT PRICE	AMOUNT

SECTION 0001 ROADWAY					

0010	00190	LEVELING & WEDGING PG64-22	290.000 TON		

0020	00301	CL2 ASPH SURF 0.38D PG64-22	1,398.000 TON		

0030	02562	SIGNS	1,050.000 SQFT		

0040	02650	MAINTAIN & CONTROL TRAFFIC CR 1255	(1.00) LS		

0050	02650	MAINTAIN & CONTROL TRAFFIC CR 1256	(1.00) LS		

0060	02650	MAINTAIN & CONTROL TRAFFIC CR 1340	(1.00) LS		

0070	02650	MAINTAIN & CONTROL TRAFFIC CR 1351	(1.00) LS		

0080	02650	MAINTAIN & CONTROL TRAFFIC CR 1366	(1.00) LS		

0090	02650	MAINTAIN & CONTROL TRAFFIC CR 1372	(1.00) LS		

0100	02650	MAINTAIN & CONTROL TRAFFIC CR 1399	(1.00) LS		

SECTION 0002 DEMOBILIZATION					

0130	02569	DEMOBILIZATION (AT LEAST 1.5%)	LUMP		

		TOTAL BID			
