



**COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET**

Frankfort, Kentucky 40622
www.transportation.ky.gov/

Matthew G. Bevin
Governor

Greg Thomas
Secretary

March 20, 2019

CALL NO. 105
CONTRACT ID NO. 191011
ADDENDUM # 2

Subject: LESLIE COUNTY, STP BRO 4211 (046)
Letting March 22, 2019

- (1) Added - Special Note - Page 16(a) of 259
- (2) Revised - Right of Way Certification and Utilities and Rail Notes -
Pages 21-24 of 259

Proposal revisions are available at <http://transportation.ky.gov/Construction-Procurement/>.

If you have any questions, please contact us at 502-564-3500.

Sincerely,

A handwritten signature in black ink that reads "Rachel Mills".

Rachel Mills, P.E.
Director
Division of Construction Procurement

RM:mr
Enclosures




An Equal Opportunity Employer M/F/D

Leslie
US-421 over Stinnet Creek
11-1078

SPECIAL NOTE FOR AWARD OF CONTRACT

Due to pending Right of Way Certification in accordance to section 103.02 of the Standard Specifications for Road and Bridge Construction, the Department may hold and not award the contract for a period not to exceed sixty (60) calendar days from the date of letting.

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

<input type="checkbox"/>	Original	<input checked="" type="checkbox"/>	Re-Certification	RIGHT OF WAY CERTIFICATION	
ITEM #		COUNTY		PROJECT # (STATE)	PROJECT # (FEDERAL)
11-1078.00		Leslie		12FO FD52 066 8442101R	STPBRO 4211 (037)

PROJECT DESCRIPTION

Replace Bridge on US 421 over Stinnett Creek in Leslie County

No Additional Right of Way Required

Construction will be within the limits of the existing right of way. The right of way was acquired in accordance to FHWA regulations under the Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970, as amended. No additional right of way or relocation assistance were required for this project.

Condition # 1 (Additional Right of Way Required and Cleared)

All necessary right of way, including control of access rights when applicable, have been acquired including legal and physical possession. Trial or appeal of cases may be pending in court but legal possession has been obtained. There may be some improvements remaining on the right-of-way, but all occupants have vacated the lands and improvements, and KYTC has physical possession and the rights to remove, salvage, or demolish all improvements and enter on all land. Just Compensation has been paid or deposited with the court. All relocations have been relocated to decent, safe, and sanitary housing or that KYTC has made available to displaced persons adequate replacement housing in accordance with the provisions of the current FHWA directive.

Condition # 2 (Additional Right of Way Required with Exception)

The right of way has not been fully acquired, the right to occupy and to use all rights-of-way required for the proper execution of the project has been acquired. Some parcels may be pending in court and on other parcels full legal possession has not been obtained, but right of entry has been obtained, the occupants of all lands and improvements have vacated, and KYTC has physical possession and right to remove, salvage, or demolish all improvements. Just Compensation has been paid or deposited with the court for most parcels. Just Compensation for all pending parcels will be paid or deposited with the court prior to AWARD of construction contract

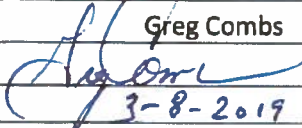

Condition # 3 (Additional Right of Way Required with Exception)

The acquisition or right of occupancy and use of a few remaining parcels are not complete and/or some parcels still have occupants. All remaining occupants have had replacement housing made available to them in accordance with 49 CFR 24.204. KYTC is hereby requesting authorization to advertise this project for bids and to proceed with bid letting even though the necessary right of way will not be fully acquired, and/or some occupants will not be relocated, and/or the just compensation will not be paid or deposited with the court for some parcels until after bid letting. KYTC will fully meet all the requirements outlined in 23 CFR 635.309(c)(3) and 49 CFR 24.102(j) and will expedite completion of all acquisitions, relocations, and full payments after bid letting and prior to AWARD of the construction contract or force account construction.

Total Number of Parcels on Project	11	EXCEPTION (S) Parcel #	ANTICIPATED DATE OF POSSESSION WITH EXPLANATION
Number of Parcels That Have Been Acquired			
Signed Deed	8		
Condemnation	3		
Signed ROE	2	Parcel 7	Property owner has signed Temp. easement, USPS to sign required documentaion

Notes/ Comments (Use Additional Sheet if necessary)

Parcel 7 is a Condemnation Parcel, the property owner has signed the required documentation required for the Temporary Easement. The United States Postal Service is required to sign documentation also because they have lease interest in parcel. The attorney for KYTC is trying to facilitate the Postal Service required signature, through the U.S. attorney representing Postal Service.

LPA RW Project Manager		Right of Way Supervisor	
Printed Name		Printed Name	Greg Combs
Signature		Signature	
Date		Date	3-8-2019
Right of Way Director		FHWA	
Printed Name	DM Loy	Printed Name	No Signature Required!
Signature		Signature	as per FHWA-KYTC Current Stewardship Agreement

UTILITIES AND RAIL CERTIFICATION NOTE

**LESLIE COUNTY, STP BRO 421 1046
FD52 066 84421 01U
REPLACE BRIDGE ON US421 OVER STINNET CREEK
11-1078.00**

GENERAL PROJECT NOTE ON UTILITY PROTECTION

Exercise care when operating near overhead lines and/or digging near water lines.

NOTE: DO NOT DISTURB THE FOLLOWING UTILITIES LOCATED WITHIN THE PROJECT DISTURB LIMITS

KY Power will be placing a pole at approx. 36' LT 47+00 between US421 & KY406. This pole will need to be filled around.

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

THE FOLLOWING COMPANIES ARE RELOCATING/ADJUSTING THEIR UTILITIES WITHIN THE PROJECT LIMITS AND WILL BE COMPLETE PRIOR TO CONSTRUCTION

N/A

THE FOLLOWING COMPANIES HAVE FACILITIES TO BE RELOCATED/ADJUSTED BY THE COMPANY OR THE COMPANY'S SUBCONTRACTOR AND IS TO BE COORDINATED WITH THE ROAD CONTRACT

KY Power, Windstream, TDS, & CBN Cable are relocating their overhead lines to be clear of construction. Relocation plans can be provided, however, poles as relocated in the field will take precedence over these plans.

The above activities may be ongoing until July 1st, 2019. The completion date of the roadwork has been set accordingly & the Contractor should plan work with this utility involvement in mind. As such, absolutely no claims for delays due to the above listed work during this time will be accepted.

The Department will consider submission of a bid as the Contractor's agreement to not make any claims for monetary compensation due to delays or other conditions created by the operations of the companies listed above. Working days will not be charged for those days on which work on these facilities is delayed after the above date, as provided in the current edition of the KY Standard Specifications for Road and Bridge Construction. Should a difference of opinion arise as to the rights of the Contractor and others working within the limits of, or adjacent to the project, the KYTC Resident Engineer will decide as to the respective rights of the various parties involved in order to assure the completion of the Department's work in general harmony and in a satisfactory manner, and his decision shall be final and binding upon the Contractor.

UTILITIES AND RAIL CERTIFICATION NOTE

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

Hyden-Leslie Water’s relocation will be included as part of the highway contract. See the associated proposal & coordinate work with the Water District. Work on the project will need to be phased such that the contractor can ensure old lines are protected until the new line is brought into service.

THE FOLLOWING RAIL COMPANIES HAVE FACILITIES IN CONJUNCTION WITH THIS PROJECT AS NOTED

- No Rail Involved** **Minimal Rail Involved (See Below)** **Rail Involved (See Below)**

UNDERGROUND FACILITY DAMAGE PROTECTION – BEFORE YOU DIG

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.

SPECIAL CAUTION NOTE – PROTECTION OF UTILITIES

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.

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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.

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

AREA UTILITIES CONTACT LIST

<u>Utility Company/Agency</u>	<u>Contact Name</u>	<u>Contact Information</u>
Hyden-Leslie Water District	Larry Turner, Jr.	606-672-2791
Sisler-Maggard Engineering	Mike Maggard	859-271-2978
KY Power	Ellis McKnight	606-436-1329
TDS Telecom	Kevin Burnette	270-590-0131
Windstream	Mark Ware	606-329-6195
CBN Cable	Kevin Gibson	kgibson@crystalbn.com