



CALL NO. 305

CONTRACT ID. 171241

LETCHER COUNTY

FED/STATE PROJECT NUMBER FD04 067 015X 001-002

DESCRIPTION KY 15X & KY 15C INTERSECTION

WORK TYPE ASPHALT RESURFACING

PRIMARY COMPLETION DATE 5/31/2018

LETTING DATE: December 08,2017

Sealed Bids will be received electronically through the Bid Express bidding service until 10:00 AM EASTERN STANDARD TIME December 08,2017. Bids will be publicly announced at 10:00 AM EASTERN STANDARD TIME.

NO PLANS ASSOCIATED WITH THIS PROJECT.

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

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PART I
SCOPE OF WORK

ADMINISTRATIVE DISTRICT - 12

CONTRACT ID - 171241

FD04 067 015X 001-002

COUNTY - LETCHER

PCN - DE067015X17R1

FD04 067 015X 001-002

KY 15X & KY 15C INTERSECTION (MP 1.800) CONGESTION/SAFETY IMPROVEMENT AT THE JUNCTION OF MAIN STREET AND EAST MAIN STREET IN DOWNTOWN WHITESBURG (MP 1.805), A DISTANCE OF 0.01 MILES. ASPHALT RESURFACING SYP NO. 12-08804.00.

GEOGRAPHIC COORDINATES LATITUDE 37:07:02.00 LONGITUDE 82:49:28.00

COMPLETION DATE(S):

COMPLETED BY 05/31/2018

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/construction-procurement)

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

JOINT VENTURE BIDDING

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

UNDERGROUND FACILITY DAMAGE PROTECTION

The contractor shall make every effort to protect underground facilities from damage as prescribed in the Underground Facility Damage Protection Act of 1994, Kentucky Revised Statute KRS 367.4901 to 367.4917. It is the contractor's responsibility to determine and take steps necessary to be in compliance with federal and state damage prevention directives. When prescribed in said directives, the contractor shall submit Excavation Locate Requests to the Kentucky Contact Center (KY811) via web ticket entry. The submission of this request does not relieve the contractor from the responsibility of contacting non-member facility owners, whom shall be contacted through their individual Protection Notification Center. Non-compliance with these directives can result in the enforcement of penalties.

SPECIAL NOTE FOR COMPOSITE OFFSET BLOCKS

Contrary to the Standard Drawings (2016 edition) the Cabinet will allow 6" composite offset blocks in lieu of wooden offset blocks, except as specified on proprietary end treatments and crash cushions. The composite blocks shall be selected from the Cabinet's List of Approved Materials.

REGISTRATION WITH THE SECRETARY OF STATE BY A FOREIGN ENTITY

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

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

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

SPECIAL NOTE FOR PROJECT QUESTIONS DURING ADVERTISEMENT

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

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

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

HARDWOOD REMOVAL RESTRICTIONS

The US Department of Agriculture has imposed a quarantine in Kentucky and several surrounding states, to prevent the spread of an invasive insect, the emerald ash borer. Hardwood cut in conjunction with the project may not be removed from the state. Chipping or burning on site is the preferred method of disposal.

INSTRUCTIONS FOR EXCESS MATERIAL SITES AND BORROW SITES

Identification of excess material sites and borrow sites shall be the responsibility of the Contractor. The Contractor shall be responsible for compliance with all applicable state and federal laws and may wish to consult with the US Fish and Wildlife Service to seek protection under Section 10 of the Endangered Species Act for these activities.

ACCESS TO RECORDS

The contractor, as defined in KRS 45A.030 (9) agrees that the contracting agency, the Finance and Administration Cabinet, the Auditor of Public Accounts, and the Legislative Research Commission, or their duly authorized representatives, shall have access to any books, documents, papers, records, or other evidence, which are directly pertinent to this contract for the purpose of financial audit or program review. Records and other prequalification information confidentially disclosed as part of the bid process shall not be deemed as directly pertinent to the contract and shall be exempt from disclosure as provided in KRS 61.878(1)(c). The contractor also recognizes that any books, documents, papers, records, or other evidence, received during a financial audit or program review shall be subject to the Kentucky Open Records Act, KRS 61.870 to 61.884.

In the event of a dispute between the contractor and the contracting agency, Attorney General, or the Auditor of Public Accounts over documents that are eligible for production and review, the Finance and Administration Cabinet shall review the dispute and issue a determination, in accordance with Secretary's Order 11-004.

06/01/16

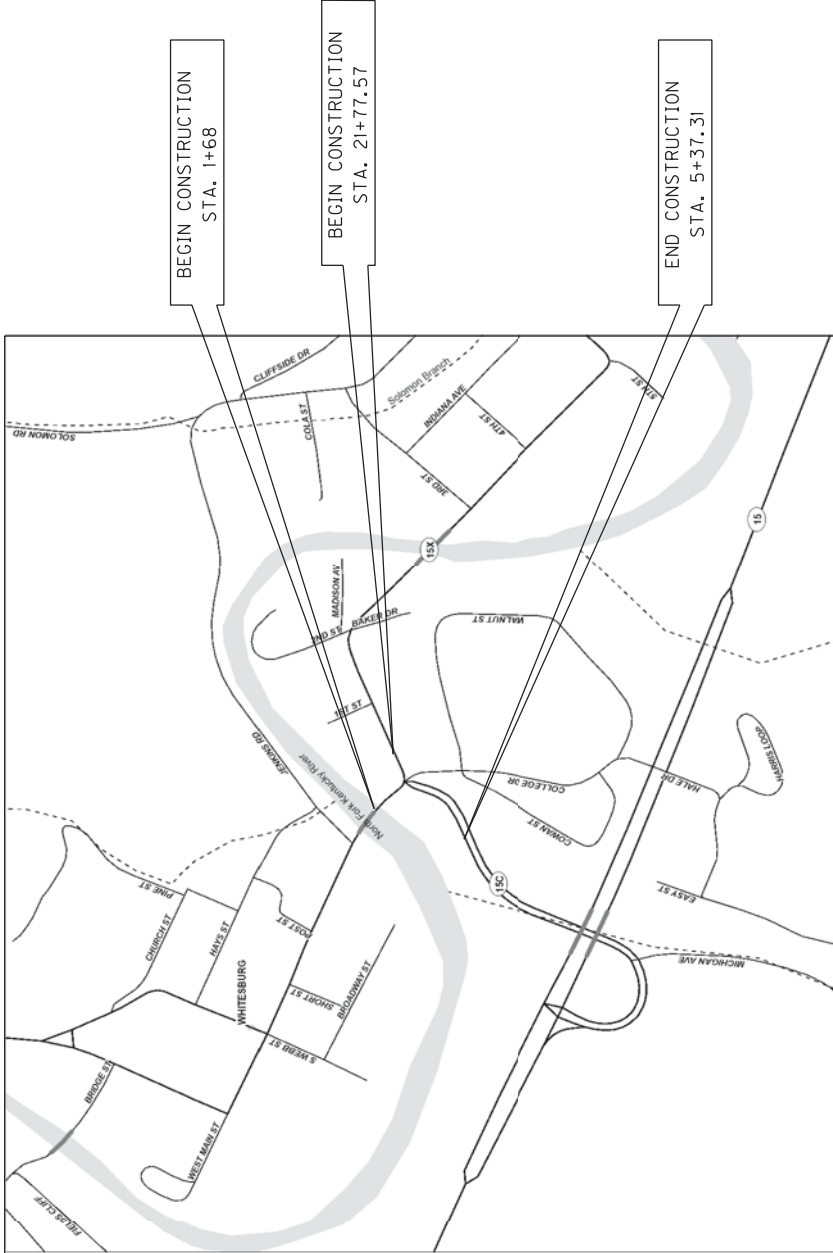
SPECIAL NOTE FOR RECIPROCAL PREFERENCE

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

COUNTY OF	ITEM NO.	SHEET NO.
LETCHER	12-8804	RI



LAYOUT MAP

NOT TO SCALE

Commonwealth of Kentucky

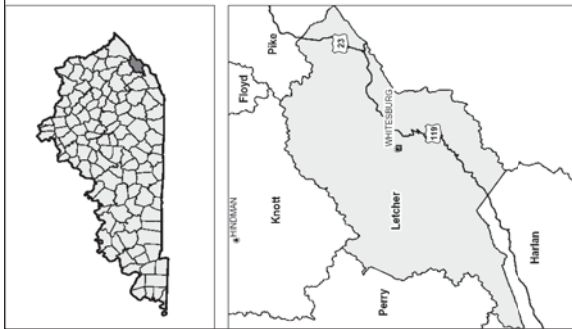
DEPARTMENT OF HIGHWAYS

PLANS OF

PROPOSED PROJECT

LETCHER COUNTY

Reconstruction of KY15X/KY15C
 Intersection in Whitesburg, Ky



STANDARD DRAWINGS

- RDB-280-06
- RDB-281-03
- RDB-282-04
- RDB-283-04
- RDD-040-05
- RDP-300-06
- RDX-210-03
- RDX-210-01
- RDX-040-03
- RPM-100-10
- RPM-110-07
- RPM-150-08
- RPM-160-05
- RPM-170-09

INDEX OF SHEETS

- LAYOUT SHEET
- TYPICAL SECTIONS AND GENERAL SUMMARY
- PLAN AND LEGEND
- CONSTRUCTION
- MAINTENANCE OF TRAFFIC

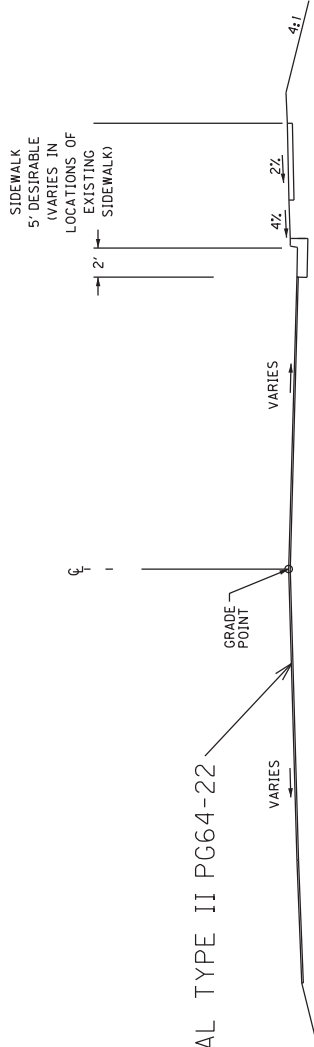
- SHEET NO.
 R1 - R2A
 R3
 R4
 R5 - R6

COUNTY OF LETCHER	ITEM NO. 12-8804	SHEET NO. R2
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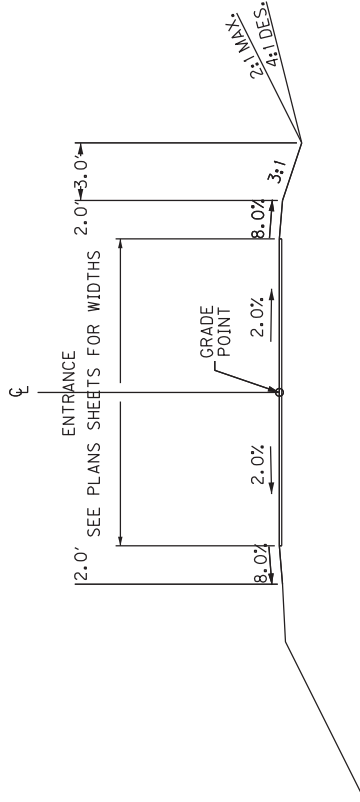
TYPICAL SECTIONS

KY 15C AND KY 15X

LANE AND SHOULDER WIDTHS VARY (MATCH EXISTING)



ENTRANCES



COUNTY OF	ITEM NO.	SHEET NO.
LETCHER	12-8804	R3

GENERAL & SPECIAL NOTES

BEFORE YOU DIG

THE CONTRACTOR IS INSTRUCTED TO CALL 1-800-752-6007 TO REACH KY 811. THE ONE-CALL SYSTEM FOR INFORMATION ON THE LOCATION OF EXISTING UNDERGROUND UTILITIES. THE CALL IS TO BE PLACED A MINIMUM OF TWO (2) DAYS AND NO MORE THAN TEN (10) BUSINESS DAYS PRIOR TO EXCAVATION. THE CONTRACTOR SHOULD BE AWARE THAT OWNERS OF UNDERGROUND UTILITIES ARE NOT REQUIRED TO BE MEMBERS OF THE KY 811 ONE-CALL BEFORE-U-DIG (BUD) SERVICE. THE CONTRACTOR MUST COORDINATE EXCAVATION WITH THE UTILITY OWNERS, INCLUDING THOSE WHOM DO NOT SUBSCRIBE TO KY 811. IT MAY BE NECESSARY FOR THE CONTRACTOR TO CONTACT THE COUNTY COURT CLERK TO DETERMINE WHAT UTILITY COMPANIES HAVE FACILITIES IN THE AREA.

STANDARD DRAWINGS

STANDARD DRAWINGS ARE NOT ATTACHED TO THESE PLANS. A STANDARD DRAWING BOOK AND THE HEADWALL SUPPLEMENTAL BOOK MAY BE OBTAINED FROM THE POLICY SUPPORT BRANCH OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES IN FRANKFORT, KY AT (502)564-3670.

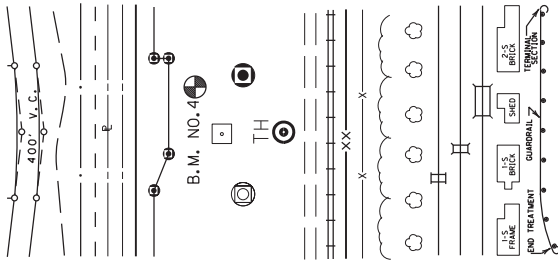
SPECIAL NOTE FOR TRAFFIC

ALL ROAD CLOSURES MUST BE PREAPPROVED BY THE SECTION ENGINEER PRIOR TO WORK. ONE WEEK PRIOR NOTICE TO THE SECTION ENGINEER IS REQUIRED. NO WORK SHALL COMMENCE PRIOR TO THE MOUNTAIN HERITAGE FESTIVAL, SCHEDULED FOR SEPTEMBER 19-23, 2017.

BEFORE YOU DIG

The contractor is instructed to call 1-800-752-6007 to reach KY 811, the one-call system for information on the location of existing underground utilities. The call is to be placed a minimum of two (2) and no more than ten (10) business days prior to excavation. The contractor should be aware that owners of underground facilities are not required to be members of the KY 811 one-call before-u-dig (bud) service. The contractor must coordinate excavation with the utility owners, including those who do not subscribe to KY 811. It may be necessary for the contractor to contact the County Court Clerk to determine what utility companies have facilities in the area.

CONVENTIONAL SIGNS



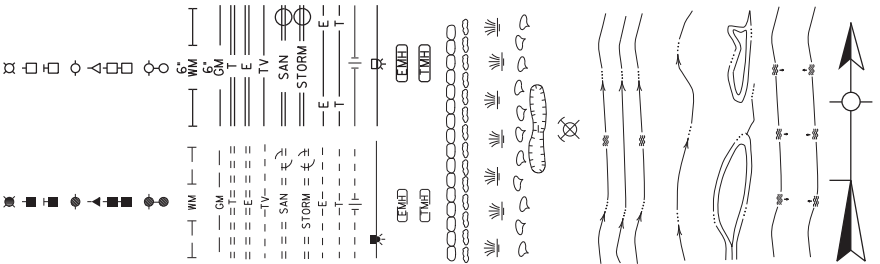
- SURVEY LINE
- GRADE LINE
- GROUND LINE
- COUNTY LINE
- CORPORATE LIMITS
- EXIST. PROPERTY LINE
- EXIST. RIGHT OF WAY & PROPERTY LINE
- PROPOSED RIGHT OF WAY
- RIGHT OF WAY MONUMENT
- BENCH MARK
- EXISTING R/W MARKER
- RIGHT OF WAY MONUMENT
- EXISTING/PROPOSED
- UTILITY TEST HOLE
- EXISTING ROAD
- RAILROAD
- FENCE (CONTROLLED ACCESS)
- FENCE (EXCEPT STONE AND HEDGE)
- TREE LINE
- TREES
- PIPE CULVERT
- CULVERT
- BRIDGE
- BUILDINGS
- GUARDRAIL

165

650

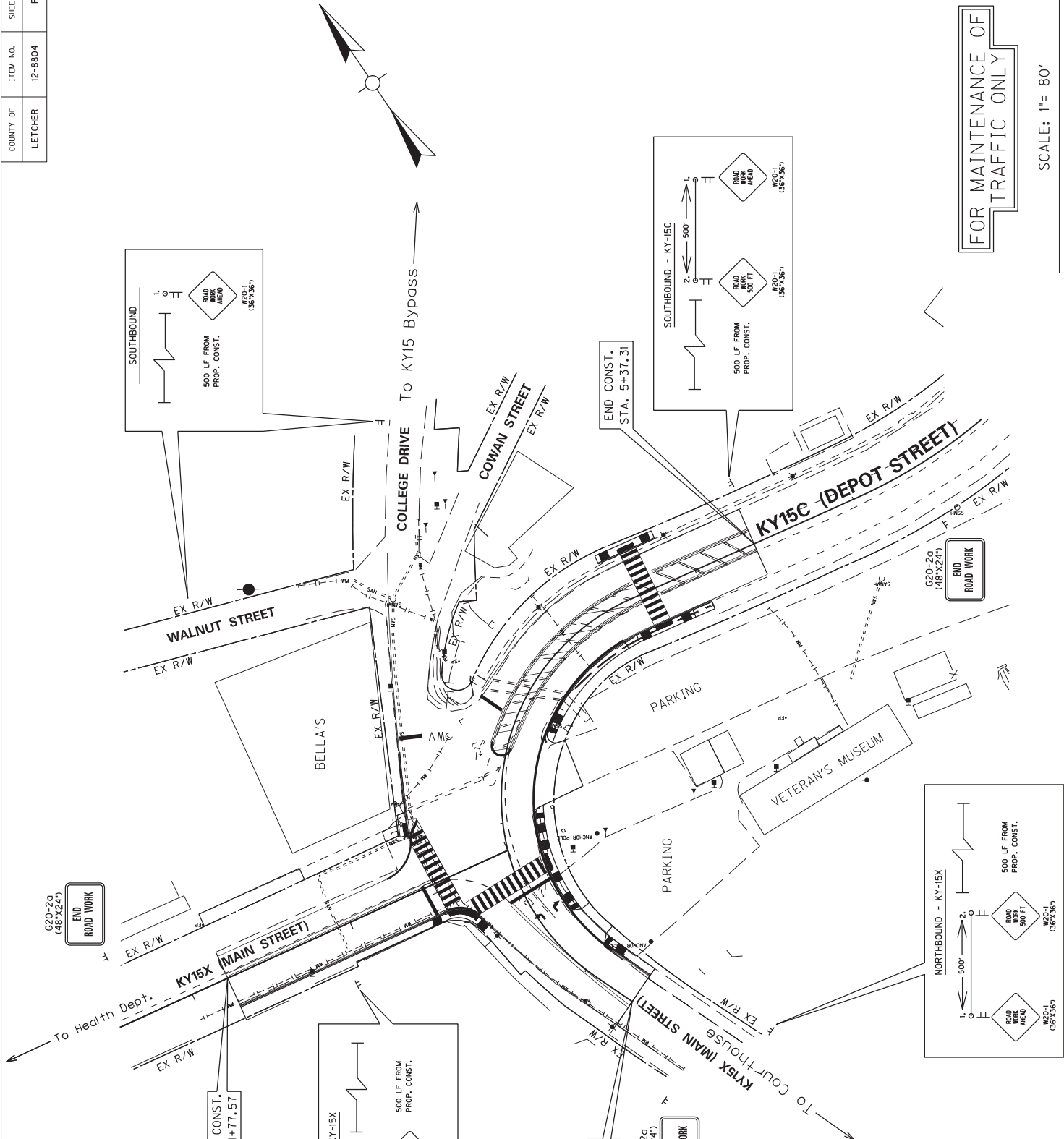
PROPOSED

EXISTING



- LIGHTING POLE
- POWER POLE
- JOINT POWER & TELEPHONE POLE
- TELEPHONE & TELEGRAPH POLE
- ANCHOR, POWER OR TELEPHONE
- STUB POWER
- STUB TELEPHONE
- WATER MAIN
- GAS MAIN
- TELEPHONE DUCT
- ELECTRIC DUCT
- DIRECT BURIAL TV CABLE
- SANITARY SEWER (WITH MANHOLE)
- STORM SEWER (WITH MANHOLE)
- DIRECT BURIAL ELECTRIC CABLE
- DIRECT BURIAL TELEPHONE CABLE
- OVERHEAD WIRE
- TRAFFIC LIGHTS
- ELECTRIC MANHOLE
- TELEPHONE MANHOLE
- STONE FENCE
- HEDGE FENCE
- SWAMP OR MARSH
- SPRINGS
- SINKHOLE
- QUARRY SITE
- BLUE LINE STREAM
- INTERMITTENT STREAM OR DITCH
- LAKES OR PONDS
- REGULATED FLOODWAY
- NORTH POINT

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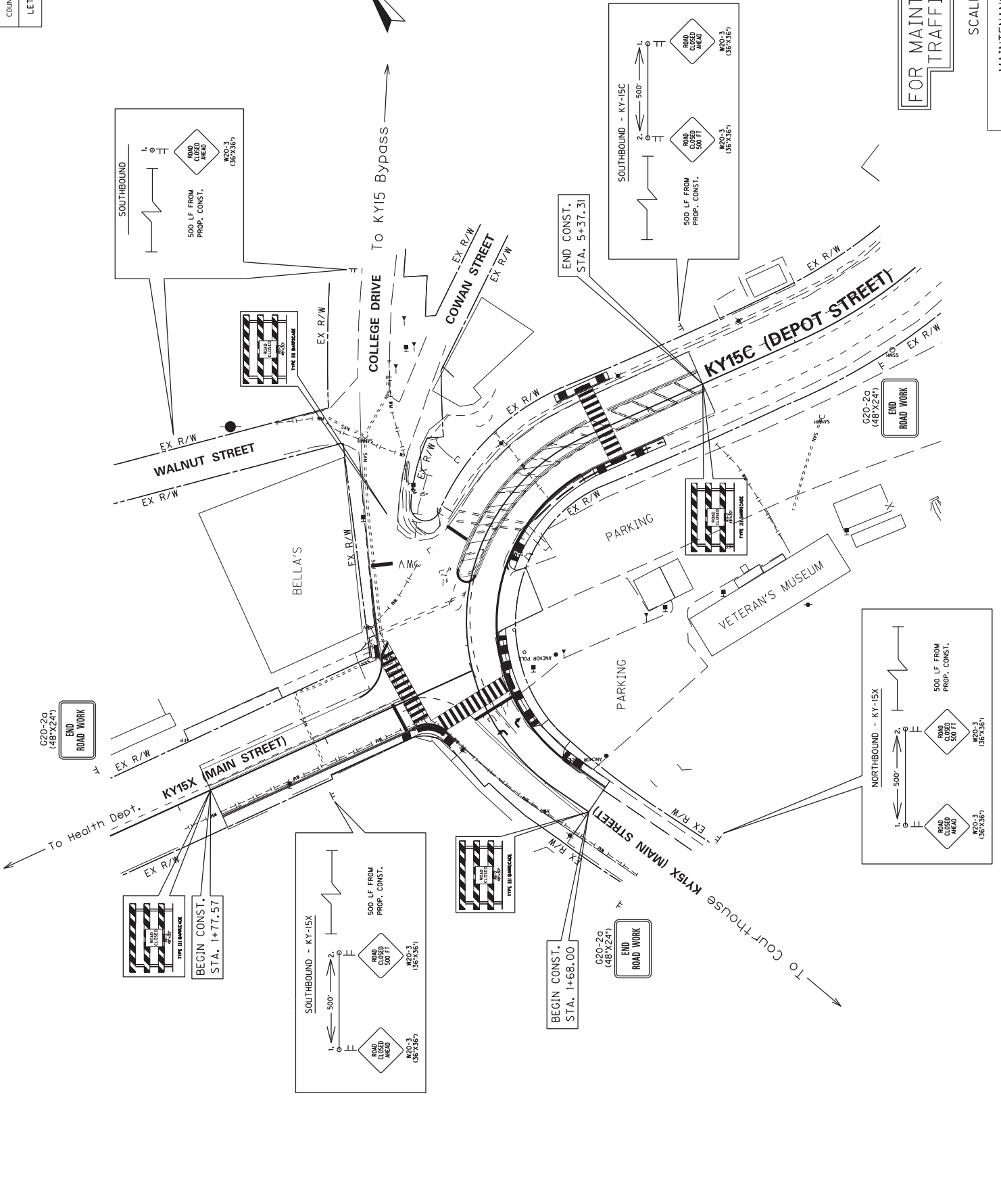
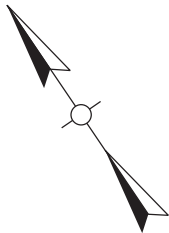
Location	Sign Code	Size	Quantity Each	Total Sq Ft
ROAD WORK AHEAD	W20-1	36"x36"	5	45
ROAD WORK AHEAD	W20-1	36"x36"	3	27
ROAD WORK AHEAD	W20-3	36"x36"	5	45
ROAD WORK AHEAD	W20-3	36"x36"	3	27
ROAD WORK	C20-2a	48"x24"	3	24
ROAD CLOSED	R11-2	48"x30"	4	40
SIGN TOTALS				208

SCALE: 1" = 80'

FOR MAINTENANCE OF TRAFFIC ONLY

MAINTENANCE OF TRAFFIC
PHASE I

COUNTY OF	ITEM NO.	SHEET NO.
LETCHER	12-8804	R6



FOR MAINTENANCE OF TRAFFIC ONLY

SCALE: 1" = 80'

MAINTENANCE OF TRAFFIC
PHASE 2



KENTUCKY TRANSPORTATION CABINET
Department of Highways
DIVISION OF RIGHT OF WAY & UTILITIES

TC 62-226
Rev. 01/2016
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RIGHT OF WAY CERTIFICATION

<input checked="" type="checkbox"/>	Original	<input type="checkbox"/>	Re-Certification	RIGHT OF WAY CERTIFICATION
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ITEM #	COUNTY	PROJECT # (STATE)	PROJECT # (FEDERAL)
12-8804.00	Letcher	FD04 067 8972101R	

PROJECT DESCRIPTION

Congestion/Safety Improvement at the Junction of Main Street and East Main in Downtown Whitesburg.

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	EXCEPTION (S) Parcel #	ANTICIPATED DATE OF POSSESSION WITH EXPLANATION
Number of Parcels That Have Been Acquired		
Signed Deed		
Condemnation		
Signed ROE		

Notes/ Comments (Use Additional Sheet if necessary)

LPA RW Project Manager		Right of Way Supervisor	
Printed Name		Printed Name	Joe Tackett
Signature		Signature	<i>Joe Tackett</i>
Date		Date	5-21-2017
Right of Way Director		FHWA	
Printed Name	<i>DM Loy</i>	Printed Name	
Signature	<i>DM Loy</i>	Signature	
Date	21 Jun 17	Date	

UTILITIES AND RAIL CERTIFICATION NOTE

**LETCHER COUNTY
FD04 067 89721 01U
MAIN STREET & EAST MAIN STREET IN DOWNTOWN WHITESBURG
12 – 8804.00**

GENERAL PROJECT NOTE ON UTILITY PROTECTION

See notes concerning raising of valves and meters for City of Whitesburg

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

KY Power Company, TV Services and Thacker – Grigsby Telephone companies have facilities in the area not to be disturbed. Any damage to these lines will be the responsibility of the contractor. .

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

N/A

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

The City of Whitesburg has approximate ONE (1) valve and FIVE (5) meters which must be raised to meet final grade. The contractor shall arrange an on-site meeting prior to beginning work on raising the valves and meters to discuss work. Contractor will submit shop drawings to City of Whitesburg (Chris Caudill) to ensure correct materials are used.

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

UTILITIES AND RAIL CERTIFICATION NOTE

**LETCHER COUNTY
FD04 067 89721 01U
MAIN STREET & EAST MAIN STREET IN DOWNTOWN WHITESBURG
12 – 8804.00**

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.

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.

UTILITIES AND RAIL CERTIFICATION NOTE

LETCHER COUNTY
FD04 067 89721 01U
MAIN STREET & EAST MAIN STREET IN DOWNTOWN WHITESBURG
12 – 8804.00

AREA UTILITIES CONTACT LIST

<u>Utility Company/Agency</u>	<u>Contact Name</u>	<u>Contact Information</u>
KY POWER COMPANY	ELLIS MCKNIGHT	606-436-1329
TV SERVICES	JAMIE THOMAS	606-785-2200
THACKER-GRIGSBY – TELEPHONE	FREDDY WILLIAMS	606-785-9500
CITY OF WHITESBURG (Water & Sewer)	CHRIS CAUDILL	606-634-1615

KENTUCKY TRANSPORTATION CABINET
COMMUNICATING ALL PROMISES (CAP)

21 JUN 2017

<u>Item No.</u>	12 - 8804	<u>Project Mgr.</u>	KYTC\JOHNM.JOHNSON	
<u>CAP #</u>	<u>Date of Promise</u>	<u>Promise made to:</u>	<u>County</u>	<u>Route</u>
1	21-JUN-17	KYTC	LETCHER	KY-15 X
			<u>Location of Promise</u>	
			Entire Project	

CAP Description

NO WORK SHALL COMMENCE PRIOR TO THE MOUNTAIN HERITAGE FESTIVAL, SCHEDULED FOR SEPTEMBER 19-23, 2017. THE CONTRACTOR SHALL COORDINATE ANY ROAD CLOSURES AND ALL WORK WITH THE CITY OF WHITESBURG AND MAYOR JAMES WILEY CRAFT (MAYOR'S OFFICE NUMBER 606-633-3705). FOR UTILITY COORDINATION, CONTACT CHRIS CAUDILL (606 634-1615).

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 2016*.

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>

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 administrating 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.

Kentucky Equal Employment Opportunity Act of 1978

The requirements of the Kentucky Equal Employment Opportunity Act of 1978 (KRS 45.560-45.640) shall apply to this Contract. The apparent low Bidder will be required to submit EEO forms to the Division of Construction Procurement, which will then forward to the Finance and Administration Cabinet for review and approval. No award will become effective until all forms are submitted and EEO/CC has certified compliance. The required EEO forms are as follows:

- EEO-1: Employer Information Report
- Affidavit of Intent to Comply
- Employee Data Sheet
- Subcontractor Report

These forms are available on the Finance and Administration's web page under ***Vendor Information, Standard Attachments and General Terms*** at the following address:
<https://www.eProcurement.ky.gov>.

Bidders currently certified as being in compliance by the Finance and Administration Cabinet may submit a copy of their approval letter in lieu of the referenced EEO forms.

For questions or assistance please contact the Finance and Administration Cabinet by email at **finance.contractcompliance@ky.gov** or by phone at 502-564-2874.

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

FEDERAL MINIMUM WAGE

\$7.25

 PER HOUR

BEGINNING JULY 24, 2009

OVERTIME PAY

At least 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.

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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

U.S. Department of Labor | Wage and Hour Division

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

PROPOSAL BID ITEMS

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Report Date 11/13/17

Section: 0001 - PAVING

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0010	00374		ASPHALT SURF SAND TY II PG 64-22	51.00	TON		\$	
0020	02101		CEM CONC ENT PAVEMENT-8 IN	175.00	SQYD		\$	

Section: 0002 - ROADWAY

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0030	02014		BARRICADE-TYPE III	4.00	EACH		\$	
0040	02562		TEMPORARY SIGNS	208.00	SQFT		\$	
0050	02650		MAINTAIN & CONTROL TRAFFIC	1.00	LS		\$	
0060	02701		TEMP SILT FENCE	369.00	LF		\$	
0070	02705		SILT TRAP TYPE C	2.00	EACH		\$	
0080	02708		CLEAN SILT TRAP TYPE C	2.00	EACH		\$	
0090	02720		SIDEWALK-4 IN CONCRETE	241.00	SQYD		\$	
0100	02726		STAKING	1.00	LS		\$	
0110	05963		INITIAL FERTILIZER	.02	TON		\$	
0120	05964		20-10-10 FERTILIZER	.02	TON		\$	
0130	05985		SEEDING AND PROTECTION	239.00	SQYD		\$	
0140	05992		AGRICULTURAL LIMESTONE	.02	TON		\$	
0150	06514		PAVE STRIPING-PERM PAINT-4 IN	746.00	LF		\$	
0160	06566		PAVE MARKING-THERMO X-WALK-12 IN	153.00	LF		\$	
0170	06568		PAVE MARKING-THERMO STOP BAR-24IN	76.00	LF		\$	
0180	06570		PAVE MARKING-PAINT CROSS-HATCH	2,282.00	SQFT		\$	
0190	06574		PAVE MARKING-THERMO CURV ARROW	2.00	EACH		\$	
0200	14029		W METER ADJUST	7.00	EACH		\$	
0210	14113		W VALVE BOX ADJUST	1.00	EACH		\$	
0220	23158ES505		DETECTABLE WARNINGS	214.00	SQFT		\$	

Section: 0003 - DRAINAGE

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0230	01004		PERFORATED PIPE-12 IN	60.00	LF		\$	
0240	01200		PIPE CULVERT HEADWALL-12 IN	1.00	EACH		\$	
0250	01480		CURB BOX INLET TYPE B	1.00	EACH		\$	
0260	02483		CHANNEL LINING CLASS II	10.00	TON		\$	
0270	21583NN		MODIFY EXISTING DRAINAGE BOX	1.00	EACH		\$	

Section: 0004 - DEMOBILIZATION &/OR MOBILIZATION

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0280	02569		DEMOBILIZATION	1.00	LS		\$	