



## **Transportation Cabinet Awards \$4.1 Million in Federal Funding to Louisville-Jefferson County Metro Government, TARC for Air Quality and Infrastructure Improvement Projects**



Governor Matt Bevin and the Kentucky Transportation Cabinet (KYTC) announce \$4.1 million in Congestion Mitigation and Air Quality (CMAQ) funds have been awarded to the Louisville-Jefferson County Metro

Government and Transit Authority of River City (TARC) to improve safety and air quality in Louisville.

CMAQ is a federally funded reimbursement program administered through the KYTC's Office of Local Programs. TARC received \$2.7 million to purchase two electric vehicles and expand service areas, and the Louisville-Jefferson County Metro Government received \$1.5 million for signal system upgrades and research.

"We are grateful for this significant federal CMAQ investment to benefit TARC and the Louisville-Jefferson County Metro Government," said Gov. Bevin. "Funds from this program enable local communities to implement important transportation projects that improve safety and traffic flow while promoting a healthier environment for citizens. CMAQ is a transportation improvement program focused on funding innovative transportation projects or programs that

will reduce congestion and improve air quality. Kentucky receives CMAQ funds each year for areas designated as non-attainment or maintenance for National Ambient Air Quality Standards (NAAQS). Nine projects statewide were selected for the award.

CMAQ funds are available to state and local government agencies as well as private entities through public-private partnerships. Nonprofit organizations may also apply in partnership with a state or local government agency. Recipients provide a 20% local match and are responsible for executing the project.

"These funds support the Cabinet's priority to provide a safe, efficient and environmentally sound transportation network," said Secretary Greg Thomas. "CMAQ helps reduce transportation-related emissions and traffic congestion while providing needed infrastructure improvements that fund signal upgrades and extend transit access to serve more commuters."

The award will fund the following local projects:

- **Connection 21 - Signal System Upgrade and Research:** \$1,450,000. Funding for Intelligent Transportation System (ITS) infrastructure improvements, including the purchase and installation of signal controllers, project management/networking engineer support, training, traffic signal synchronization, data management, and research.
- **TARC Outer Loop Circulator:** \$1,111,200. Expansion of public transportation service to the outer loop corridor and provide a connection between homes and jobs in the South Central Metro area.

To Read More, See Excerpt: [https://transportation.ky.gov/NewsRoom/KYTC%20awards%20\\$4.1%20million%20in%20CMAQ%20funds%20to%20Louisville%20Metro%20Government%20and%20TARC.pdf](https://transportation.ky.gov/NewsRoom/KYTC%20awards%20$4.1%20million%20in%20CMAQ%20funds%20to%20Louisville%20Metro%20Government%20and%20TARC.pdf)



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### **About The DBE Program**

The Construction Estimating Institute (CEI) works with Kentucky Transportation Cabinet (KYTC) as the statewide provider of the federally funded Disadvantaged Business Enterprises (DBE) Supportive Services Program.

We want to increase the number of certified DBEs participating in highway and bridge construction, as well as assist DBEs in growing and eventually becoming self-sufficient. Additionally, CEI provides supportive services by assisting prime contractors and consultants with identifying DBEs for subcontracting opportunities on priority projects.

## What Have You Agreed To?

*Taking ownership of the performance obligations set forth in your contracts*



Construction is a simple business model. Someone wants something built; someone else knows how to build it; and the two agree on a value of the built project. The end. Right? It should be that simple, but there are mitigating circumstances that

cause the need for clarity for both parties on a contract—budget, schedule, scope and quality, just to name a few. It doesn't matter whether you're working for a developer, property owner, management company, general contractor or subcontractor, contractual clarity is how you stay out of trouble. Unfortunately, too many contractors don't know about (or maybe don't even read) the contracts they sign or are being signed on their behalf by "responsible parties" in their organization. At the end of the day, the only person responsible is the shareholder whose name is on the document.

### *The Danger & Necessity*

Contractors assume inordinate amounts of risk for what amounts to a relatively low financial payoff every time they enter an agreement with a client. "The what, when and how much of the deal are often the easiest parts to determine and assess.

Many other areas of a contract can cause issues, and the phrases and clauses that need to be reviewed most closely usually include: payment terms; indemnification; subrogation; primary and noncontributory; pay if paid; pay when paid; warranty; as per the plan specifications; the general contract; including all documents incorporated therein; is hereby incorporated into the contract, etc.

It's your ass on the line for every aspect of the contract—from the simple to the complex. Too often, contractors pursue more work than they can feasibly handle. To win enough work, they

bid a multiple of the actual amount of work desired, and oftentimes, those victories can come at a price.

Sometimes the profit margin is too low, or the performance obligations are such that, to complete the job according to the schedule, the contractor must commit to increased costs, such as expediting materials and equipment or using substitutes that can be delivered on time. These are the risks that contractors live with every day.

Yet, the biggest challenges arise when something goes awry on a project. It could start with the owner or developer. There could be cash-flow problems, bank funding/budget issues or many other problems downstream. You might be familiar with the saying, "stuff flows downhill." Well, the farther away you are from the top of the hill, the more of a burden it becomes once the "stuff" reaches you.

It could be that the general contractor slipped up and won the work. Every victory has a habit of becoming a loss for someone, and it's somehow usually downstream. The handshake agreement that we'd all like to live by is a thing of the past. Contracts are necessary should both parties get hit by the same bus. Someone else is going to have to perform on this project, and the only thing that survives is the contract. So, the contract must be clear.

### *Clearing IT UP*

All of the contractual terms previously discussed are in all agreements. Those words, phrases and clauses are in documents written by the American Institute of Architects (AIA). They are in ConsensusDocs and probably every other construction contract that you have ever seen or signed. The real question is: How fair are they to you and your firm? Do you or your responsible parties push back and attempt to edit, inserting words like "reasonable," "to the extent that," "due solely to negligence," etc.?

To Read More, See Excerpt: <https://www.constructionbusinessowner.com/law/what-have-you-agreed>

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***ATTENTION DBEs!***  
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CEI is an educational organization providing the highest quality construction training in the industry. Over 100,000 owners, estimators, project managers, field supervisors, office support staff, foremen, laborers, and key management personnel have attended courses that are offered nationwide. The courses provide students with construction skills training and the critical information needed to be effective within their companies and organizations.

### CEI DBE Supportive Services

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