



Department of Transportation
Board of Directors
Notice of Public Meeting
1263 South Stewart Street
Third Floor Conference Room
Carson City, Nevada
August 10, 2015 – 9:00 a.m.

AGENDA

1. Receive Director's Report – *Informational item only.*
2. Public Comment – limited to no more than three (3) minutes. The public may comment on Agenda items prior to action by submitting a request to speak to the Chairman before the Meeting begins. *Informational item only.*
3. July 6, 2015 Nevada Department of Transportation Board of Directors Meeting Minutes – *For possible action.*
4. Approval of Agreements over \$300,000 – *For possible action.*
5. Contracts, Agreements, and Settlements – *Informational item only.*
6. Condemnation Resolution #450 – *For possible action.*

I-15 Freeway, from Desert Inn Road to the US-95/I-515 Interchange; Project NEON; in the City of Las Vegas, Clark County; 1 owner – 2 parcels
7. Resolution of Relinquishment – *For possible action.*

Disposal of NDOT right-of-way, a portion of land off of Herz Boulevard lying within the City of Reno, County of Washoe, State of Nevada; SUR 05-15
8. Resolution of Relinquishment – *For possible action.*

Disposal of a portion of NDOT right-of-way located at the West Wendover Welcome Center, former US-93A (Wendover Boulevard), City of West Wendover, Elko County, State of Nevada; SUR 15-05
9. Approval of Equipment in Excess of \$50,000 – Fleet Replacement – *For possible action.*
10. Approval of Equipment in Excess of 50,000 – Additions to Fleet – *For possible action.*
11. Approval of Environmental Program Equipment Purchase – *For possible action.*
12. Update on Pedestrian Safety Improvement Projects – *Informational item only.*
13. Demonstration of the new eSTIP system and discussion of the Fiscal Year 2016 NDOT Work Program and the 2016-2019 Statewide Transportation Improvement Program – *Informational item only.*

14. Old Business
 - a. Report of Outside Counsel Costs on Open Matters – *Informational item only.*
 - b. Monthly Litigation Report – *Informational item only.*
 - c. Fatality Report dated July 27, 2015 – *Informational item only.*
15. Public Comment – limited to no more than three (3) minutes. The public may comment on Agenda items prior to action by submitting a request to speak to the Chairman before the Meeting begins. *Informational item only.*
16. Adjournment – *For possible action.*

Notes:

- Items on the agenda may be taken out of order.
- The Board may combine two or more agenda items for consideration
- The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.
- Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Requests for auxiliary aids or services to assist individuals with disabilities or limited English proficiency should be made with as much advance notice as possible to the Department of Transportation at (775) 888-7440.
- This meeting is also expected to be available via video-conferencing, but is at least available via teleconferencing, at the Nevada Department of Transportation District One Office located at 123 East Washington, Las Vegas, Nevada in the Conference Room and at the District III Office located at 1951 Idaho Street, Elko, Nevada.
- Copies of non-confidential supporting materials provided to the Board are available upon request.
- Request for such supporting materials should be made to Holli Stocks at (775) 888-7440 or hstocks@dot.state.nv.us. Such supporting material is available at 1263 South Stewart Street, Carson City, Nevada 89712 and if available on-line, at www.nevadadot.com.

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Nevada Dept. of Transportation
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Carson City, Nevada

Nevada Dept. of Transportation
123 East Washington
Las Vegas, Nevada

Nevada Dept. of Transportation
310 Galletti Way
Sparks, Nevada

Nevada Dept. of Transportation
1951 Idaho Street
Elko, Nevada

Governor's Office
Capitol Building
Carson City, Nevada

Clark County
200 Lewis Avenue
Las Vegas, Nevada

Washoe County
75 Court Street
Reno, Nevada

Elko County
571 Idaho Street
Elko, Nevada

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Governor Brian Sandoval
Lieutenant Governor Mark Hutchison
Controller Ron Knecht
Frank Martin
Len Savage
Rudy Malfabon
Bill Hoffman
Dennis Gallagher

GOVERNOR SANDOVAL: Good morning everybody. I will call the Nevada Department of Transportation, Board Meeting to order. I trust everyone had a wonderful 4th of July and everyone is so excited about going to work again today, right? All right, we will commence with Agenda Item #1, presentation of retirement plaques to 25+ year employees. Mr. Director.

DIRECTOR MALFABON: Good morning Governor and Board Members. We'd like to acknowledge nine retirees this quarter. First, Pete Baker, a Supervisor I in our Materials Lab here in headquarters, 32 years of service. Danny Murphy, a Custodial Worker, here in headquarters, 30 years of service. Good friend of mine, Dave Sangster, Highway Maintenance Manager in Las Vegas District I, 36 years of service. Terry Norcutt, Highway Equipment Supervisor I in Winnemucca, 25 years of service. And, Timothy Cameron, also from Winnemucca, Highway Equipment Mechanic II, 29 years of service. So, if there's a delay in Winnemucca getting your truck fixed, that's why. James Danen, Highway Equipment Mechanic II, in Reno, 25 years of service. Another friend of mine, Mark Elicegui. He was the Chief Structures Engineer for the Department, Admin II, here in headquarters, 29 years of service. Dana Adolph, a Program Officer III in External Civil Rights, Contract Compliance, 26 years of service. And a Resident Engineer in Reno, Jerry Connors, at 25 years of service. Total of 257 years of service from those nine retirees and we want to thank them for their service, not only to NDOT, but also to the State of Nevada.

GOVERNOR SANDOVAL: So, Rudy, none of them are present?

DIRECTOR MALFABON: I don't think that are present, I don't see one.

GOVERNOR SANDOVAL: I mean, you can't blame them.

DIRECTOR MALFABON: It's been a long time.

GOVERNOR SANDOVAL: No, that is a long time, but I personally want to thank them, if you can convey to them, I mean, it is extraordinary, that amount of service and obviously that's going to be hard to replace.

DIRECTOR MALFABON: Yes.

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GOVERNOR SANDOVAL: When you have the least amount of service is 25 years to the State. But, to be in a position and commit—or, commit yourself to a career in public service for that, like the time in the Department really is something special. I wish they were here so I could personally thank them, again, I really want to make sure they know that.

DIRECTOR MALFABON: Thank you Governor.

GOVERNOR SANDOVAL: All right. Please continue.

DIRECTOR MALFABON: The next item is Presentation of Awards and we have two awards. One if the 2015 International Parking Institute, or IPI, Partner Project of the Year Award, for the category of \$25-\$200M transportation projects. You may recall that NDOT gave its own Internal Partnering Program Award to this project recently, but we wanted to acknowledge of our NDOT Team and Q&D Construction on the Carlin Tunnels Project. The Acting Resident Engineer—Engineers on the Project, Nick Senrud and Tim Mouritsen, our Project Manager, Dale Keller, Contract—for Q&D, the Contractor, Kurt Matzoll. Steve Bird was our—one of our Chief Designers on the Project. Chris Deal also. And, I want to acknowledge also the efforts of Jin Zhen, from FHWA, who is also in the audience.

I don't know if any of those individuals are present today? Yes. Okay. Let's take a quick photo op with the Board Members to acknowledge your efforts.

We also wanted to acknowledge the Department receiving the Secretary of Defense Freedom Award. This is an award giving recognition to exemplary support of the National Guard and Reserve Member Employees. We had 17 men and women serve in the last 18 months and it's appropriate that right after the 4th of July holiday that we acknowledge their service to our great nation and it acknowledges that NDOT is one of the employers and the State of Nevada in general, Governor, you've shown a lot of support for Veterans. And, the member agencies of the State of Nevada always support the efforts of our employees that serve—have to take military leave for that service and then return back to their jobs with probably stacks of work to do after serving their—their country. So, we wanted to acknowledge the Freedom Award given to the Department as well.

That concludes the awards and I can move on to the Director's Report.

GOVERNOR SANDOVAL: Please proceed.

DIRECTOR MALFABON: Good news. Recently the trip report focused on major urban roads in each State and identified which ones are in poor condition and Nevada was second for having the least amount of—that would be interstates, freeways and major arterials, in the urban areas that are in the least amount, in the poor condition. Florida led the nation—

GOVERNOR SANDOVAL: So, we're second in the country?

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DIRECTOR MALFABON: We're second.

GOVERNOR SANDOVAL: What was that again?

DIRECTOR MALFABON: Only 1% behind Florida, so we're moving up on Florida. But, it's a good testament to the folks involved in maintaining the roads and doing the project that keep our system preserved in good condition.

I wanted to acknowledge Tracy Larkin-Thomas's efforts for coordinating on this Autonomous Vehicle Summit. It will be held in Las Vegas, November 3rd and 4th, possibly having a workshop on regulations, working closely with the Department of Motor Vehicles. And, Tracy has been doing a great job getting the speakers lined up and getting a venue. Governor, we heard that you will be able to greet everybody on the first day, so we'll start midday on the 3rd and continue on in the 4th and possibly the 5th.

GOVERNOR SANDOVAL: There's some—and we can visit later, but there's a lot of interest in this, so we can connect you up, Tracy, with some of the groups that would like to participate.

DIRECTOR MALFABON: Great. And, Tracy is going to attend an event in Ann Arbor, Michigan, coming up shortly on the same subjects. I'm sure she'll make some connections there too.

Good news on the—we updated the NDOT logo for the Safe and Connected—the presentation from the students from UNR on our—kind of a campaign to really focus on those elements of transportation and make it simple to remember. So, it is going to be an element in our logo. I notice that we don't have that in our template for our PowerPoint slideshow, but we will next time. But, thank—again, the students from UNR and from the communication students that helped our staff in making that presentation.

A lot of action occurring on the federal funding situation. As you all know the Surface Transportation Bill was extended through the end of this month. Recently the Senate, Environmental and Public Works Committee introduce their version of the Transportation Bill called The Drive Act, developing a reliable and innovative vision for the economy. Senator Heller was successful in getting the I-11 language to designate that as a corridor from the Arizona/Mexico border all the way to I-80 in Northern Nevada.

This is a six-year bill with an increase about nearly 7% in funding, so that they are allowing some—a little over 2-2.5% for inflation. The rest of the increase is primarily to a couple of new programs. The National Freight Program and Major Projects Program. So, this would—the Major Projects Program or the AMP Program would replace Tiger Grants. So, Congress would be in control of that money instead of the President through the USDOT Secretary of Transportation.

So, the House Committees will be doing their efforts as well to come up with their version of the Bill and have hearings. They've been having a lot of issues on various transportation issues. We

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expect that cash management strategies by the USDOT will start taking place in August—meaning that they'll pay a little bit slower. Right now it's just a matter of a few days to get reimbursement from the Federal Highway Administration or Federal Transit Administration. So, they might take a little bit longer or pay just a portion of what's eligible depending on action by Congress. And, while it's not likely that we could still face a federal fiscal cliff if no supplemental revenue is identified for the extension to the end of the current federal fiscal year, September 30th. Most likely we'll see a short-term extension to the end of that federal fiscal year or the end of the calendar year. But, I wanted to make the point that this issue doesn't affect USA Parkway Design Build Project, that is a State funded project. And, Project Beyond is going to be a bonded project. So, those two major projects are not affected and we also are putting out all of our federal funded projects this federal fiscal year. And, we'll watch that and keep the Board apprised of any actions on this issue of federal transportation funding.

Wanted to—Governor, you had brought up the point about the GST last month and I wanted to make it clear to the Board Members about the fact that NDOT and the State Highway Fund were treated very generously this last session. For one thing, the DMV cap was set at 27%. Previously since I think 2009, it was from 31-33% cap, which means that they could draw more for administrative costs from the State Highway Fund. With that reduction to 27% that's an additional \$13M that stays in the State Highway Fund each year, instead of going to administrative costs for DMV. Also, the significant one, was what you mentioned Governor, the GST. So, an increment of the—what you pay at your car registration was going to the General Fund. In State fiscal year 2017 half of that will go to the State Highway Fund which is roughly about \$31M and significantly \$63M thereafter. So, that's quite a chunk of money. I think we would like to go back to the Inner finance Committee to ask for their blessing on that Rest Area Program that was cut from our budget. And—then on Uber and Lift, other ride hailing companies, the first \$5M goes to the State Highway Fund, so that's \$5M. So, significant amount of money to the State Highway Fund, through legislative and your actions—

GOVERNOR SANDOVAL: Thank you Rudy, and it's everybody, but there's an important point here because this is part of what happened during the recession to help balance the budget was taking money away from the State Highway Fund and this is part of this budget reform that is occurring and shifting back to where we were before. You know, you look at those numbers and you start to do the math and then if you—you have a multiplier with regard to bonding and such, it's a significant amount of money.

DIRECTOR MALFABON: Yes.

GOVERNOR SANDOVAL: And, you know, I guess one question I have Rudy is that, clearly we have been able to do, you know, construct the projects that we need to build and we have been doing the maintenance that we need to do but with this extra money, do you have anything in mind that you would come back to the Board with to propose other than the rest areas in terms of—you know, it's hard—we're already #2 in the country, so let's...

DIRECTOR MALFABON: Definitely—we definitely will come back with a list for Board approval for additional projects that we could deliver with that additional revenue, Governor.

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GOVERNOR SANDOVAL: You know, I don't know what that looks like. Are there more safety projects we can accomplish? Is there something to do with that EPA action? I know we—we put a lot—invested a lot of money in terms of that, but let's do a—kind of a global look in terms of what we can do and set a list of priorities. But you know, the safety one is always a big one for me and if there are some other crosswalks or lights or what have you, statewide, that we could do, that would probably be where I would start.

DIRECTOR MALFABON: We'll do that Governor and Board Members, bring that back to you, that list for additional projects.

As you know, the four teams short listed are AMES, Granite, Kiwet and Q&D for the Design Build Project. Our draft request for proposals did go out at the end of May and we're doing confidential one-on-one meetings with those four teams. We help a successful Disadvantaged Business Enterprise, or Minority Contractor Workshop so that they could meet and get with the four team members that were gracious with their time to be present at that workshop. So, it's a lot about making those connections and marketing for those smaller minority contractor firms with our Prime Contractors. The final RFP will be issued in early August. So, we're on schedule with USA Parkway. And, I wanted to also mention that later in the informational list of agreements to the Board, you'll see that we did receive the property right associated with the land in Lyon County. So, that was good news also for USA Parkway to keep it on schedule.

GOVERNOR SANDOVAL: Rudy, just a quick question, where is—would you remind me where the USA Parkway enters and exits off of the 50?

DIRECTOR MALFABON: So, it will be on what's currently called Opal Street in that area. If you think about where Ramsey Weeks Cutoff is, it's—Ramsey Weeks is a little bit to the west of that street.

GOVERNOR SANDOVAL: Okay.

DIRECTOR MALFABON: Update on Project Beyond. We held a public meeting successfully on June 10th. A lot of public were present there to receive information on the status of the project. We issued an amendment to the request for proposals, which we felt we would give three more weeks to the Design Build Team so they could assess the impacts of their—their project schedule, their construction schedule because we did update the Right of Way Acquisition Schedule in that. So then we're significant. And you'll see this month and in the coming months, a lot of condemnation actions by the Board to keep the project on schedule, as best as possible with that Right of Way Acquisition schedule. The negotiations will continue with the property owners and I will cover that in more detail when we get to the condemnation action specifically. But, Project NEON was—the procurement schedule was—we added three more weeks so that could consider those impacts of those Right of Way Parcel Acquisitions.

We had the groundbreaking for Carson Freeway. I-11, the Boulder City bypass is underway. We have, on August 6th, a groundbreaking scheduled for US-95 Interchange, it was recently

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awarded by the Board. Phase IIIA we call that, and we're also going to have a public meeting on September 2nd. This is just one of the many phases on US-95, widening it up all the way up to Mount Charleston. So, it will give an opportunity for NDOT to give an update on the current projects as well as the forthcoming projects.

GOVERNOR SANDOVAL: Controller has a question.

CONTROLLER KNECHT: Thank you Governor. Rudy, on the I-11 Boulder City Bypass, do we know yet which side of the State that bypass is going to hug?

DIRECTOR MALFABON: Yes. In response to the Controller. The previous Board action was to adopt the alignment on the west side. So, most likely US-95 up to the area of Interstate-80. So, Senator Heller's language in the Surface Transportation Bill mirrors what the Board's decision was for the west side and we'll still consider whatever improvements are needed on US-93, on the east side for commerce and for freight movement.

CONTROLLER KNECHT: Thank you.

DIRECTOR MALFABON: Next slide, good news at the Nevada Supreme Court at the Add America Case, as it was called was—we were—we won that case. I wanted to thank Dennis Gallagher and the legal counsel that he hired to help us win that case. It was significant in that, if we had lost it would've had—it would have cost the State a lot more money for projects like Project NEON where actions taken during the planning stages of a project could be alleged to be taking of property. So, it was important to get that decision by the lower court reversed at the Supreme Court level. What it does is, it saves us from having to pay out compounded interest on some of these properties where a property owner alleges that we took the property years before the actual date that we made an offer to buy the property.

GOVERNOR SANDOVAL: Thank you Rude, it is a significant case. I was going to ask this question later, but do we get our fees and costs?

DENNIS GALLAGHER: Good morning, for the record, Dennis Gallagher, Counsel for the Board. We will be moving for freezing costs, Governor, regarding the Inverse Condemnation Claim, which was what the Supreme Court reversed. There's still is the other claim for pre-condemnation damages that the trial court has not yet ruled on, so we'll proceed with that.

If I might, the significance of this case cannot be overstated. It is perhaps the most significant juris prudence in this State in over a decade for eminent domain cases. Just try to put a quick value to it, well over \$40M on this one case alone, plus the precedent for other cases because the District Court had found, erroneously, but that the Department had inversely condemned this parcel back in October of 2007. So, with the value of the property, interest compounded from that, cost and fees, we probably get up close to just north of \$40M. So, I want to thank all the lawyers that were involved in this. I don't want to call this 'bet the company litigation', but had it gone the other way, it would've had not only a negative impact on Project NEON, but all major projects on a go forward basis. I'm very pleased to report that.

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GOVERNOR SANDOVAL: And, we always get good news like this.

DENNIS GALLAGHER: Exactly. So, we can talk about it a little bit more if you'd like.

GOVERNOR SANDOVAL: Well, maybe we'll save it for later in the Agenda because I think it's important to provide the opportunity to you—for you to really lay that out. I haven't had an opportunity to view the opinion so I can get it, but I do want to read it myself. Give you some time to gather some thoughts in terms of some topline consequences because of the decision and the meaning of the precedent that it's going to set and maybe a ballpark figure—I mean, if it's \$40M for just this one parcel, I mean, just think what the proportional math is for all the other partials that could've been involved. All right, thank you.

DIRECTOR MALFABON: Anticipated settlements at tomorrow's Board of Examiner's meeting. We have the Wyckoff Settlement was associated with the I-15 South Design Build Project. This particular parcel, we relocated a NV Energy power line and we felt this was a fair and equitable settlement. Our exposure was nearly twice that amount that we settled for. Jenson is a minor settlement associated with the pyramid and McCarren intersection, there's a lot of temporary easements that we have to obtain for construction. Then, wanted to report also that our Systems Director of Operations, REID Kaiser and I are meeting with Meadow Valley contractors tomorrow to discuss the claim.

The negotiation meeting the USEPA has been postponed until August but we are proceeding with the hiring many of those important positions in our Storm Water Program, so the new Deputy Director that was approved at the legislative session, the new Division Chief and several other storm water positions have been announced for filling those new positions.

Last month we had one of the contracts for environmental clean-up that was—we had some discussion about. I wanted to just offer that the—the Districts are willing to prepare more detailed presentations to the Board about these—these types of efforts and the maintenance costs associated with those. Some of it is outsourced, just as the contract that you saw last month. Some of it—a substantial amount is by in-house forces. But, I wanted to show a few slides of the clean-up that's necessary for public safety and Clean Water Act compliance, as well as, proper flood control maintenance.

You can see the debris that—as folks, these pictures are from Las Vegas, but we have the issue of trash and litter pick-up up here in the north, not so much the homeless problem that we have and that challenges us in Las Vegas. But, a lot of debris gets piled up in these box coverts and pipes so we have to clean that out.

You can see that we hire these services to come out and clean or sometimes we clean ourselves, power washing where basically there's waste products left within our right of way.

You can see that there's folks living in the box covers which is very challenging. We give notice to the homeless folks, that we are going to be cleaning up and then we go there to—to

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remind them and then, when we do show up, we have to clean up all those materials that are piled up in our box coverts. So, it can be a significant challenge and it can impede the flow of water. It's also a safety issue. So, we want to make sure that we stay on top of that and that's why we have those types of contracts to periodically clean out coverts. We found one area that we lifted up a manhole and there were people living in the pipes. So, it's really challenge. But I wanted to—if the Board would like more information about the costs and more details about this type of program, the Districts are available to give a future presentation on this subject.

GOVERNOR SANDOVAL: Well, given the flash flooding that is possible in Southern Nevada, this really is a human safety problem. But when you look at that propane tank, I mean, there's really a life safety issue there.

DIRECTOR MALFABON: That concludes the Director's report and I'm willing to answer any questions. After the public comment period, also, we'd like to move up Item 12 on the agenda before the approval of the minutes.

GOVERNOR SANDOVAL: I have just a question on an update on the I-80 Project, Rudy, how is that going?

DIRECTOR MALFABON: Okay. The—well, we've got the—should have a recommended.

GOVERNOR SANDOVAL: I should say 395, excuse me.

DIRECTOR MALFABON: Yes, 395, I-80, kind of the intersection, spaghetti bowl. We have a consultant that should be selected by now, so recommendation will be coming to negotiate the contract and we've added some scope of work or anticipated adding that, doing some conceptual sketches of the flyovers and treatment that we'll be looking at as solution. So, this consultant will be doing the traffic numbers for all of those freeways coming together at the spaghetti bowl, which will be the first step in finding what the solutions are and then, move on into—we'll move on into the environmental clearance of the project. We wanted to start out with some concepts about the constraints. You know, we have the river and the railroad tracks, some other constraints there. We want to know what were—what are some of the solutions with some of the flyover bridges and work up some of those concepts.

GOVERNOR SANDOVAL: No, I appreciate that and then the pavement replacement, how is that going?

DIRECTOR MALFABON: that project is going very well. We've had—the traffic control is working well with the crossover of one lane southbound. I think that they're getting ready to switch or they have switched—I just drove through there yesterday too, but it's going very well for the amount of traffic. And, we noticed that a lot of people have found other alternative routes too. There's about a—a significant decrease of about 25% less volume of traffic than usual because people are finding other routes.

GOVERNOR SANDOVAL: Thank you. Any questions from southern Nevada, good morning?

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LAS VEGAS BOARD: None here sir.

GOVERNOR SANDOVAL: Questions from Carson City, Member Savage?

MEMBER SAVAGE: Thank you Governor, not a question, just a compliment, Rudy, administrative staff, it's a good day, when you're #2 in the country. I know everyone is a little sleepy after a three day weekend, we're #2, we saved plus \$40M. I really commend everyone in the Department. It's a huge win today, from headquarters to the Districts, down to the maintenance, I'm every thankful and thank you very much.

DIRECTOR MALFABON: Thank you Member Savage.

GOVERNOR SANDOVAL: Well said, any other questions? All right then, we will move to Agenda Item #4, Public Comment. Is there any member of the public here in Carson City that would like to provide a comment to the Board? Is there any member of the public in Las Vegas that would like to provide public comment to the Board?

LAS VEGAS BOARD: No sir.

GOVERNOR SANDOVAL: Then we will fast forward to which Agenda Item is that?

DIRECTOR MALFABON: Item 12.

GOVERNOR SANDOVAL: Item 12?

DIRECTOR MALFABON: Briefing by the Regional Transportation Commission of Southern Nevada on the Transportation Investment Business Plan is Tina Quigley [ph 01:03:23].

TINA QUIGLEY: Thank you for allowing us to present to you today. We've been working for a while on an effort called the Transportation Investment Business Plan. In fact, we've been working on it for almost—about a year now. Pretty hard and in a very intense coordinated manner. About two years ago, Rossi Ralenkotter, President and CEO of the LVCVA pulled a group of us together and it was interesting because it was the first time that I ever sat down with all these different groups. These are all different people who had a responsibility or a nexus for how people move within our resort corridor, like taxis, limos, convention organizers, the airport, the Chamber, the City, the County. And yet, it was the first time ever that we were sitting down as a group to talk about, how are we going to make sure that as we continue to grow that we are not inhibiting or creating a bad experience for our visitors as they travel between where they are and where they need to go. He made it very clear to us that it wasn't about us. It's not about your business, it's about Southern Nevada. So, you need to take your blinders off and if you're here at the table, it means that you're willing to participate and talk about how we're going to make sure that Las Vegas stays globally competitive in terms of our travel and tourism destination. He recognizes that his peers, at other convention facilities, are starting to market themselves as being a destination where it's easy to get from your airport

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to your convention center to your resort, to your hotels.

So, we know we've got 41 million passengers right now. We're an economic generator. The industry generates about \$45B for the State. We have 370K employees. Every weekend we're moving up the equivalent of a Super Bowl. There are cities who prepare for years in getting ready to move people for a super bowl and we do it every single weekend. It is our life blood.

So, we pulled this together. After a while we realized that this was a very big task and we needed a consultant to come in. We did a competitive nationwide recruit—RFP. We pulled in a consultant, CH2M Hill is the lead on it. They've been working with us for about a year. We have had several meetings and including the resorts. I also need to mention to the fact that the resorts, the Nevada Resort Association as well as members from each one of the resorts is part of this conversation.

And, we have come up with a draft list of recommendations. This draft is broken into near term, midterm and long term improvements. In the near term, we're talking about 1-5 years and in particular we're focusing on Transit Com Activity. So, moving people via mass transit. Additional pedestrian facilities and safety facilities for pedestrians. Street connectivity and mobility in particular, working with NDOT and with the County and the City in creating a network of roadway investment, roadway infrastructure investments that help take people—give some relief to some of our very congested corridors.

Also, a monorail extension. Connecting the Mandalay Bay and the Sands is what we're talking about. Rossi and the Monorail believe that if we had each one of our major convention facilities connected, via the monorail, we could market ourselves as being a destination that has X number of square footage that is connected and people can move very easily between those facilities.

Then, most interesting was our program and policy actions. These are actions that really don't require a lot of money or infrastructure investment and yet, could go a long way in terms of improving the efficiency as to how people move around.

For us, at the RTC, things like providing real time transit information and amenities at transit stops, creating an Event Transportation Management Group. I found this to be very interesting too, that we are the world's destination in terms of travel and tourism and yet, we don't really get together, all the different entities, to talk regularly about each one of our major events and how we're going to move those people. We know where they're going and where they're staying and we know at what times. And, we also know when we've got construction activity going on, or landscape maintenance going on. And we want to make sure that we have got an Association where when we're having these conversations about making sure that we don't impede or the movement of that—that traffic.

We also at the RTC are the coordinators of the traffic signalization. So, we need to be taking more opportunities---taking advantage of that opportunity to make sure we're moving people. We can do that through the management group and some policies.

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Pedestrian connections. Making sure that pedestrian walkways between resort properties break up our super blocks along Las Vegas Boulevard. Talking about addressing employee and visitor parking. Creating policies that increase capacity through consolidated employee parking facilities. Visitor information, deploying a transportation information campaign to inform visitors of their transportation options in Las Vegas. Pedestrian overpasses we talked about and also a way finder system. Implementing a more intuitive way of communicating with our visitors which exits and onramps they need to take to get to which resorts.

So, those are the near term improvements. Midterm improvements are those that should be accomplished or undertaken within the next 5-10 years. These are a little more intense. In particular interest, in requiring a lot of coordination with the airport is a multi-mobile transportation center at McCarran Airport. A center that you would have access to your rental car shuttles, to taxis, limos, mass transit. We'll talk more about that.

Let's see. Under core area high capacity transit, taking a look at bus rapid transit investments as our interim approach to increasing mass transit along the resort corridor.

Freeway, working with NDOT, suggesting new interchanges at I-15 and Maryland Parkway—I'm sorry, 515 and Maryland Parkway at 13th Street to provide enhanced access to downtown Las Vegas, creating an I-15 express exit ramps for high occupancy vehicles, including buses, taxis, limos and shuttles. And also creating direct HOV lane connections from 215 to McCarran Airport.

Also, we are in—there is a—still conversation and we hope that there continues to be conversation about a high speed rail effort between Las Vegas and Southern California. We want to make sure that their plans are integrated with our plans in this blueprint. So, we do talk about a high speed rail station as well, and either a monorail extension to it, or some type of rail extension to it, so we can move people quickly.

Long term improvements and these are the ones that are still a few years away and are going to require a lot more engineering and conversation about financing. The first one is Core Area Light Rail Service, along Las Vegas Boulevard in particular. We want to make sure that we have got connectivity and are moving people quickly along Las Vegas Boulevard and then also, between McCarran Airport and Las Vegas Boulevard. There will be some street level—there are recommendations for street level light rail, as well as, exploring underground portions. It's always scary to say but it is something that we have to continue to have in the conversation as we're moving forward in the long term.

So, these are our major recommendations. We have a lot of work still to do in terms of the conversation and now we are also in the financial phase of it. We call it the Transportation Investment Business Plan because it did have to have a financial component to it. This was not going to be—we weren't going to pull all these people and have this conversation and come up with a master plan, a blueprint, without also having a very responsible conversation about what sources of revenues are available for this type of investment. We are outreach and working in DC, we're also working with some major financing houses in the public sector and we will

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explore—I'm sorry, private sector and we'll explore public sector options as well. We're talking to major other metropolitan areas who have done this work.

None of this is new. We are not the first metropolitan area to talk about major transportation investment. We're at that point, that tipping point where population of 2 million and we're anticipated to grow another 25% in the next 10 years. So, we're at the right time. Where all those other metropolitan areas have gotten past us—Denver is a great example, Phoenix is a great example, we're where they were 20 years ago and so we're having the same conversations that they were at that time in order to keep going.

So, that's just a brief overview and I'll take any questions if you have them.

GOVERNOR SANDOVAL: Thank you Ms. Quigley. Great presentation and very visionary. I was just in Denver and their public transportation was wonderful.

TINA QUIGLEY: I know, isn't it—oh, did you go to Denver Union Station?

GOVERNOR SANDOVAL: I did not, no.

TINA QUIGLEY: Oh my gosh, amazing, yeah.

GOVERNOR SANDOVAL: But that light rail is fantastic up there. One question on your near term improvements on the monorail extension, is there still any discussion of extending that to the airport?

TINA QUIGLEY: There is discussion—they don't see that as the top priority for them right now. They've done, of course, extensive amounts of return on investment, analysis and ridership studies. What they're showing for their business, as being the right decision right now is to connect the convention centers and focus on that market. That doesn't mean that in the future they might not take a look at ridership to the airport.

We're recommending light rail as the mode that accesses the airport. What we like about light rail is that you can expand it into the community. So, as we grow, as we become a Denver, we want to take it into, you know, along Tropicana or along Charleston to access employees or residences, moving them into the core area, that—it's got that flexibility.

GOVERNOR SANDOVAL: And, I don't want to pull you into this debate, but on the monorail, I mean, ridership is not paying for the cost of it and—

TINA QUIGLEY: Well, since post-bankruptcy, their operating in the black.

GOVERNOR SANDOVAL: Oh, they are, okay.

TINA QUIGLEY: Well, they went from \$640M of debt to \$13M worth of debt, so.

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GOVERNOR SANDOVAL: So they—you know, again, I want to make sure that with limited resources, we're putting the money where it will get the best bang for our buck. So, is—you know, is that going to improve things by extending it from Sands to Mandalay?

TINA QUIGLEY: Their ridership numbers show that it will. That extension of course is not nearly as expensive as the extension to the airport would be. So, they—they are working with our team and exploring—going over all the finances. And, we think they've got a good argument for it being a convention connector at this point.

GOVERNOR SANDOVAL: And finally, then I'll move on. You said you've talked about the financing but you didn't mention any ballpark figures.

TINA QUIGLEY: No, I mean, if you were to take a look at our long range stuff, you're certainly in the B's. This isn't the—and, it's important to note that there's different funding sources for the—I mean, this is a stack of—you're talking about a myriad of different types of investments, whether it's policy or actual infrastructure. So, likewise there will be a myriad of different types of financial structures or stacks, as they call them, associated with each project. But yeah, that—that long range stuff, that's—that's going to be in the B's.

GOVERNOR SANDOVAL: All right, any questions from Southern Nevada?

LT. GOV. HUTCHISON: Mark Hutchison here. And, Tina, thank you—thank you very much for your presentation. A couple of questions for you.

TINA QUIGLEY: Sure.

LT. GOV. HUTCHISON: So, you're here presenting to the Board and out—outlining, you know, near term and midterm and long term improvements, what's the ask of this Board and what's—

TINA QUIGLEY: There's no ask at this point. At this point, it really is conversation and education and coming up with a coordinated consensus blueprint as to where we want to go next. Inevitably some of these recommendations will require very close partnership with NDOT and actually NDOT is at the table with us. Some of these suggestions that are made, these recommendations originate from NDOT. So, yeah, there will be a lot of partnership with the State.

LT. GOV. HUTCHISON: Thank you. And then my—

TINA QUIGLEY: But at this point, there is no specific ask.

LT. GOV. HUTCHISON: My—thank you, my second area of inquiry is about the private sector. You know, we just had a huge debate in Carson City about Uber and taxi services and you know, some people, you know, made different representations about how Uber would impact the movement of people to and from the airport and how this is all going to integrate.

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Has that been considered, you know, or is this just sort of the public side of transportation, moving people—the equivalent of a Super Bowl every single weekend.

TINA QUIGLEY: So, the Liberty Operator's Association Chairperson, Brent Bell, is on our committee and then also, Iliana Dropkin from the Taxicab Authority are on our committee and they have brought that to our attention, several times. There is going to be some concern and we do need to address this that as part of this—this coordinated conversation we're having.

When we first started this, Uber wasn't even in our vernacular. It wasn't part of our lexicon, we really didn't know much about it. But, now that it is coming, it is definitely going to be part of the conversation we have. We have another meeting in late August and inevitably, that will be one of the items on the agenda list.

LT. GOV. HUTCHISON: So, that's going to be something you'll keep us updated on and we'll learn about—

TINA QUIGLEY: Yeah, as we—we're going to have to take a look at the traffic patterns and how is this affecting congestion, if it was affecting congestion and what type of amenities need to be coordinated as part of this.

LT. GOV. HUTCHISON: And, not only affecting congestion but also affecting the solution to moving people, right? That's the whole purpose of Uber, is to move people around and we were told that, you know, by a lot of people, this is going to be a big part of the solution to servicing tourists in Las Vegas who want instant access to transportation. So, that's all going to be, I'm sure, figured into the mix and it seems to me that's going to have to be sort of a recalculation for you.

TINA QUIGLEY: I think you're right.

LT. GOV. HUTCHISON: Okay. Thank you very much. Appreciate your presentation.

TINA QUIGLEY: Sure.

GOVERNOR SANDOVAL: Before I go to the Controller, just a follow-up question, I'm the Lieutenant Governor, so is part of the study—the more you—

TINA QUIGLEY: Plan, business plan.

GOVERNOR SANDOVAL: Plan, excuse me.

TINA QUIGLEY: I get reprimanded all the time for that.

GOVERNOR SANDOVAL: So, the addition of public transportation is going to subtract from rental cars, Uber and taxis, so do you—is there a formula for that?

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TINA QUIGLEY: There's not—we haven't addressed that formula but what we have to remember and actually, I appreciate Iliana Dropkin from the Taxicab Authority, reiterating this regularly to her members that this isn't just—this isn't so much about taking away, this is about adding visitors as well. And certainly for taxicabs, they—they earn their fare by a quick turn. And so, the more—the less congested the roads are, they're actually able to increase the number of turns that they've got. So, yeah, there's going to be changes in how people move but we do believe there's enough for everybody.

GOVERNOR SANDOVAL: Mr. Controller?

CONTROLLER KNECHT: Thank you Governor, Tina. For the benefit of my education, elaborate a little bit on the Russell Road tunnel project, I'm not familiar with that.

TINA QUIGLEY: So, Russell Road is currently an east/west corridor that ends at the airport and yet, it has the potential to be a major east/west connector, giving some relief to some of our other east/west connectors. Going under McCarren Airport is an option that we're going to explore. It's not the first time that this discussion has been held. This is actually something that's been—it's been in the archives that we pulled up. If there is a tunnel there, that accommodates cars, it also could accommodate light rail, giving us access from the airport to the south end of the strip and then turning up towards the north end of the strip. So, that is something that's going to be explored.

CONTROLLER KNECHT: So, it would run from Las Vegas Boulevard more or less, going east, how far?

TINA QUIGLEY: Oh, it's probably one point—I don't know the distance, it's probably about a mile.

CONTROLLER KNECHT: Okay. Thank you, I appreciate that.

TINA QUIGLEY: Sure.

GOVERNOR SANDOVAL: Any closing comments Ms. Quigley?

TINA QUIGLEY: No, I just want to thank your team because they've been at the—Rudy and Tracy Lark have been at the table for all of these conversations. And, it's not easy. Tom Skancke was in the paper this morning and he's quoted as saying, getting to yes is hard. Getting a no is easy, anybody can say no, but getting a yes, what you're talking about is many different business groups as we're talking about in this conversation has not been easy, so I appreciate very much so—

GOVERNOR SANDOVAL: Tell me about it. Anyway, I want to thank you for all this work because I know there has been a lot of collaboration and a lot of effort that's come into that. And, for me, it's exciting. It really is, it's a part of this evolution of Southern Nevada and Las Vegas and continuing to keep us as the premier destination in the world. We can—you know,

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we're building more—these beautiful resorts, but if people come here and they hit a wall in terms of transportation or what have you, they expect the best from us. And this will deliver that. And, as you say, it's going to be quite the investment, but on the other hand it really, I guess, distinguishes us from everybody else and you know, that makes me proud to have the premier destination in the world with premier transportation to compliment it.

TINA QUIGLEY: Thank you. I appreciate that, because yes, it is overwhelming and you do get exhausted sometimes, so thank you.

GOVERNOR SANDOVAL: Well, keep up the good work, thank you.

TINA QUIGLEY: Right, thank you.

GOVERNOR SANDOVAL: Okay. We'll move back to Agenda Item #5 which is approval of the June 8, 2015 Board Meeting Minutes. Have the members have an opportunity to review the minutes and are there any changes? If there are none, the Chair will accept a motion for approval.

CONTROLLER KNECHT: So moved.

GOVERNOR SANDOVAL: Controller has moved for approval, is there a second.

MEMBER SAVAGE: Second.

GOVERNOR SANDOVAL: Second by Member Savage. Any questions or discussion on the motion? All in favor, please say Aye. Motion passes 5-0. We will move on to Agenda Item #6, approval of agreements over \$300K. Good morning sir.

ROBERT NELLIS: Good morning sir, members of the Board. For the record, Robert Nellis, System Director for Administration.

Today we have four agreements under Attachment A that can be found on Pages 3 of 19 for the Board's consideration. The first two, line item #1 is Parson's Transportation Group in the amount of \$2,974,924.83. This is for construction engineering services for US-395, Carson City Freeway from South Carson Street to Fairview Drive. And also we have line item #2, CA Group, in the amount of \$2,748,252.58 for construction engineering services for US-95 in Clark County.

And, Governor, I'll pause there in case the Board has any questions for Assistant Director, REID Kaiser on these two items.

GOVERNOR SANDOVAL: Questions from Board Members? Mr. Controller.

CONTROLLER KNECHT: Thank you Governor, and Mr. Nellis, looking at Page 5 of 19, there's a few comments at the bottom of the page, why NDOT keeps paying for consultant

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vehicles, cell phones, gauges, question mark and then there's some discussion there but what's the issue there, that was being raised there and what's the answer to that question?

REID KAISER: Again, for the record, Reid Kaiser, Assistant Director of Operations. Member Knecht, those are just estimates and the question was, why are we paying for those? Again, those are just budget items. Those are costs that the consultant will be bearing and so we need to cover those costs somehow. Again, those are just estimates and when we do meet or negotiate with a consultant after they've been given a contract, we negotiate those process. For cell phones and gauges, those are good estimates but for this certain agreement, we actually budgeted it or negotiated it down to \$1,300 per vehicle. We've ran those costs through our equipment division and those are real costs that you and I would also have to pay had we go—had we had to go rent a piece of equipment like that.

CONTROLLER KNECHT: So, it's a standard practice to compensate them directly for those cost elements?

REID KAISER: Yes Member Knecht.

CONTROLLER KNECHT: Thank you. Thank you Governor.

GOVERNOR SANDOVAL: No other questions?

MEMBER MARTIN: Governor?

GOVERNOR SANDOVAL: Oh, we do have a question, Mr. Martin?

MEMBER MARTIN: I see a difference, REID, in what the—for the Parsons, for \$2,974,000 but then when I go to the same page that Member Knecht was talking about, it says the total estimate cost for the services are \$3,939,000—what's the million dollar difference?

REID KAISER: Again, those are just for budgeting purposes. On the first sheet, we have to get a—we have to have approval to go negotiate or get an agreement. So, those are just budget amounts on that first sheet and the actual agreement costs are what's in the line item that we're talking about.

MEMBER MARTIN: So, is that the \$2.9M?

REID KAISER: Yes.

MEMBER MARTIN: Not the \$3.9M.

REID KAISER: No, the \$2.9M is for the agreement with Parson's.

MEMBER MARTIN: Okay, but—okay, and that takes you through 2017, correct?

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REID KAISER: Yes sir.

MEMBER MARTIN: Okay. And, the next question is, at that \$2.9M for a 400 day contract, that's \$7,500 a day. That seems like a lot of help.

REID KAISER: Yeah, what's going on with that construction crew, Member Martin is, we just promoted that resident engineer to the construction office and there's rumors on the street the assistant it going to be retired in the next couple of months, so that agreement hires Parson's as an assistant resident agent or a number two person on the project for us. And, that person who was filling that position has 25+ years with the Department. Worked as an assistant district engineer for Thor-Dyson. Worked as a resident engineer for many years for the Department and we felt that that Parson's would supply some of the experience that we need to run a project like this. The people we do have coming up don't quite have the experience that this person has.

MEMBER MARTIN: Okay, thank you.

GOVERNOR SANDOVAL: Anything else Frank?

MEMBER MARTIN: Line Item #3, REID, it has a requirement, if I can find it here of a percentage DBE. Yeah, it has a requirement of 2%. The DBE goal for this agreement has been established at 2%. I was recently involved in a discussion with Tracy and a number of other folks on the Boulder City Bypass Project that was awarded to Fisher. And, it was explained to me in great detail how staff had went and got copies of bids from the DBE subcontractors, they had checked them out and done all of that kind of stuff. I'm wondering if y'all have seen the proposed list on the DBE firms and if you checked out and made sure that they had in fact provided proposals to the—to the service provider.

REID KAISER: Member Martin, I'll ask to give this over to John Terry.

JOHN TERRY: John Terry, Assistant Director for Engineering. It's a little bit different situation here in that, you were talking about a bid situation where we had specific items that were in a construction bid and in that case, they must be held exactly to what they bid and in fact, the DBE goal becomes what they bid. In this case, this is a competitive procurement for engineering services, which is negotiated after you have the successful engineering firm in this case. And so, then as a part of the negotiations with that, they submit, show that they're over 2% but then we negotiate that and they're still over 2%. So, it's a similar but slightly different process when you're talking about a negotiated agreement. But yes, they are held to the DBE percentages as we go through this and it will be tracked through the course of the agreement. Did I answer your question?

MEMBER MARTIN: No. I'm not seeing the difference between the two processes. You've got competitive proposals and—for this. Part of the RFP was 2% DBE, correct?

JOHN TERRY: Yes.

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MEMBER MARTIN: Which is exactly the same process that Fisher and Las Vegas Paving went through on the Boulder City Bypass, correct?

JOHN TERRY: Yes, except that we negotiate after we choose a selected consultant and—and during those negotiations, we assure they stick to that 2% or above, as they were submitted in their proposal. There is no cost in an engineering proposal when it's submitted.

MEMBER MARTIN: Okay. I—so, what you're saying is, there's two different standards. One for engineers and one for contractors.

JOHN TERRY: Because engineering procurements cannot include cost as a part of the selection process by law, that cost element has to be part of the negotiations.

MEMBER MARTIN: It can—it can include naming who the proposed DBE firms are, correct?

JOHN TERRY: Which is exactly what they do. It's just the exact percentage isn't established until the negotiations.

MEMBER MARTIN: So, you have seen the proposals or the proposed listing of the DBE firms on this.

JOHN TERRY: Yes.

MEMBER MARTIN: Okay. All right, thank you, no further questions.

GOVERNOR SANDOVAL: Member Savage.

MEMBER SAVAGE: Thank you Governor. At this time, I would like to disclose, I will need to recuse myself from voting on Line Item #1, due to a potential conflict between the Parson's Transportation Group proposed personnel and the other engineering company, CME, of whom originally proposed as well. I remain cautiously concerned about NDOT's evaluation and selection process for engineering consultants. As I have said many times in the past, NDOT's process for selection of contractors and consultants must be consistent and transparent, ensuring trust to all proposers.

I know recently at last month's Construction Working Group meeting, we initiated a review of the Department's current process to evaluate and select engineering consultants and we will continue to do so at the next CWG meeting. Thank you Governor.

GOVERNOR SANDOVAL: Thank you Member Savage.

ROBERT NELLIS: Governor, for the record, Robert Nellis. Just to finish up on Agenda Item #6—Item #3 is with Jacob's Engineering Group for preliminary design services in

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the amount of \$2,645,000. This is for the I-15 corridor, from US-95 and Rancho Drive to I-15 and a Wyoming Avenue grade separation in Clark County. And, finally Item #4 is for legal services in the amount of \$400,000, to represent and advise the Department in eminent domain, condemnation matter for Project NEON. Does the Board have any remaining questions on these last two items?

GOVERNOR SANDOVAL: Questions from Board Members?

MEMBER MARTIN: One last question sir, who is—on Item 1, 2, 3 and 4, who is the proposer? In other words, who is the competitive—who is the person—who are the other people that have responded to the RFP for 10215, 13515, 55614?

ROBERT NELLIS: This is Robert Nellis, for the record, I can get that to you, Member Martin, after that Board Meeting. I don't have that information with us here.

MEMBER MARTIN: Okay. And, if you could, I'd appreciate seeing the basis on which the selections were made. In other words, the scoring sheets and all of that, following line with what Member Savage said. I too have a concern about the procurement process for these types of contracts.

ROBERT NELLIS: Okay, Member Martin, we can get that to you as well.

GOVERNOR SANDOVAL: Mr. Terry, do you have any top line response to Member Martin's question?

DIRECTOR MALFABON: Governor, I do know that at least on #1, the three firms that were interviewed, it was CME, as Member Savage mentioned, Parson's Transportation Group who was successful in winning the award and HDR was the other firm that led a team for construction management services.

MEMBER MARTIN: Governor, just a follow-up question down here.

GOVERNOR SANDOVAL: Yeah, let me ask a question first and then we'll go to Lieutenant Governor, but can you just give a brief synopsis of what are some of the considerations that are made when those selections are made?

DIRECTOR MALFABON: Typically the first step was submittal of a proposal, as Mr. Terry indicated and it includes all the team members. So, the names of the individuals on the team as well as the companies that they're associated with. And you get some background information. That ranking took place. We went to an interview of the top three firms, which were mentioned, HDR, Parsons, and CME. Those teams had an interview process and then Parsons won based on the scores, the ranking of the people represented on the team that reviewed or conducted the interviews.

We did have a meeting with CME afterwards and they had some suggestions that we were—are

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talking about modifying our process to address some of those concerns. Because some of these selections are very close in scoring, so you might get a team member that ranks, team number one, and second team number two, and they might be reverse, so kind of a tie almost was broken by the—one of the other reviewers on the case of #1, Parsons Transportation Group just barely beat out the second HDR, but after the—I think what the concern was from CME was, after proposals, they were ranked #1 and we felt that it was because NDOT had not contracted out construction crew augmentation services in a while that it would be fair to go to an interview process for more information to the interviewers and they—that was how the scores came out. They take the rankings from those scores, so it's—it takes into account a ranking and then whoever wins out on the lowest ranking, closest to #1, in other words, gets awarded the project.

And then the—one of the things that CME asked for was more upfront notice and better debrief, more information on the debrief that would help them be more successful and competitive in the future procurements.

GOVERNOR SANDOVAL: Do the scorers know what each other are doing?

DIRECTOR MALFABON: Yes, there's—the process is, they submit their scores—there's two processes available, but you have to identify—the project manager for procurement staff have to know in advance what process you're going to use. So, the first process is, you submit your scores, they get compiled and then you have the clear winner based on the scoring, the ranking.

The other process is more of a collaboration, a discussion, an agreement. We use that process with construction manager at-risk procurements or see more procurements. Where there's more open discussion. The process used for this one, for #1 and probably #2 was more of a, here's the scores, they're compiled and then the results are what you get. There's no discussion after the scores are submitted. But, what we looked into was more of a collaborative process where there's more open discussion. It's an option available. As long as it's identified upfront, going into the procurement.

GOVERNOR SANDOVAL: But, if I were sitting with you and I was on this team, would I know what the math is on—

DIRECTOR MALFABON: You would only see it after all the scores are compiled, so.

GOVERNOR SANDOVAL: All right. Mr. Lieutenant Governor.

LT. GOV. HUTCHISON: Thank you Governor. My question is on, as you may suspect, Item #4, with the legal services. Just like to get a feel—I think I've been—we've had the discussion before that I don't believe that legal services are subject to the RFP, and if that's the case, maybe Dennis you could just help us on the same kind of spirit of what we're talking about here in terms of how Carbajal was selected. I went back and I looked at the open outside counsel contracts, it seems that they've done one—or at least currently are doing one project for NDOT. I'm just curious, what's the process on this new selection and this new contract for legal services?

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DENNIS GALLAGHER: Good morning, Dennis Gallagher, for the record. Counsel for the Board. As you noted, Lieutenant Governor, they're doing some work for NDOT now. That was based upon a selection some time ago. Periodically we reach out to the legal communities and solicit for expressions of interest. Asking firms who might be interested in doing eminent domain work to provide us information regarding the qualifications of the lawyers who would handle the cases, a little bit about the firm, the types of cases, eminent domain cases that they've handled in the past—we've taken those responses and those with good qualifications, those with a good hourly rate, are put into a pool and I think the last time we reached out, Lieutenant Governor, for expressions of interest was perhaps a year and a half ago and we're getting ready to do it again because of the change in the legal landscape. Some of the firms that were there a year ago aren't there anymore or they're in a different firm. So, we want to get the best that we can for the State.

In this particular matter, you might have noticed that it's a little bit more than some of the other requests for legal services that we've done in the past. The reason—there's two reasons for that increase. One, I don't like coming back for increases and I'm sure the Board doesn't like to see those. Two, this particular parcel is a critical parcel in the commencement of Project NEON and it is currently occupied by a national fast food franchisee. So, it's a little more complicated.

For example, on relocation, we don't know yet until we see the agreement with the franchise, or whether or not there's any geographical restrictions on moving this business. So, this firm involvement was with Jericho Heights. That was another action that we got a very good result from. They were one of a number of firms that worked on that case.

I hope I answered your question Lieutenant Governor?

LT. GOV. HUTCHISON: Yes, Dennis, thank you. What I think I'm hearing you say is that you really have a pool of law firms that you—I assume that you personally have reached out to as the lead lawyer at the AG's office, knowing firms who have expertise in eminent domain and condemnation actions. Then you just sort of rotate, I guess, you just kind of look and just sort of rotate it and make the selections yourself. There isn't a—there isn't a formal rotation process, there's not a formal RFP process, it sounds like it's kind of a subjective determination by you based on the needs of the case.

DENNIS GALLAGHER: Lieutenant Governor, yes, to a degree there is subjectivity to it. Some of the factors I consider is, how many cases are they currently handling for NDOT, what other cases might they have, who some of their other clients might be, are they representing the County? A utility—so, we want—we want to be their number one client for these cases, especially the project man cases. We want their attention and to that degree, yes, there is some subjectivity in it, but it's also based upon their respective records, both representing the Department or other governmental agencies in eminent domain actions.

LT. GOV. HUTCHISON: In your outreach efforts, Dennis, do you—I assume you reach out to the entire State Bar of Nevada, both north and south, rural areas—they get some sort of notice

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or some kind of indication that if you're interested in this kind of work, we're interested in talking to what you want to do here and what your qualifications are.

DENNIS GALLAGHER: That's correct Lieutenant Governor, in fact, the new announcement is sitting on my desk for review and we would publish that in both the Clark and Washoe County Fire Association Journals.

LT. GOV. HUTCHISON: Okay, great. Thank you very much Dennis, thank you Governor.

GOVERNOR SANDOVAL: Thank you Mr. Lieutenant Governor. Mr. Controller.

CONTROLLER KNECHT: Thank you Governor and Dennis, I have a question on the same item. It's a little different question. It goes to the staffing levels and support that the Attorney General's Office provides for these kinds of contracts and these eminent domain actions, can you tell us what level of support and staffing related to this you'll be providing and why it's necessary to go out for outside assistance on this instead of planning to do it in-house?

DENNIS GALLAGHER: For the record, Dennis Gallagher, Counsel for the Board. Mr. Controller, currently I have four deputies located in Clark County who are dedicated almost exclusively to eminent domain actions. The reason we supplement that group with outside counsel are simply the project needs. There is frankly no way that we could get the eminent domain, condemnation actions that are necessary for Project NEON with—with that level of staffing.

The Legislature was kind enough to grant five new positions to the Attorney General's Office, two lawyer, two legal researchers and a legal secretary. Those five new positions are also earmarked to be dedicated to eminent domain in Clark County. Both—well, I-11 right now is almost wrapped up, we've only got one more case. But, Project NEON and then future projects, the widening of 95, that group will be dedicated but there will be times we'll need additional resources given the project timing.

CONTROLLER KNECHT: A little follow-up on that. Do you anticipate in the next 10 years that the volume of eminent domain work will contract somewhat and that's part of the reason why you don't want to staff up to do this in-house, but rather to contract basically for case load management reasons?

DENNIS GALLAGHER: Well, Lieutenant Governor—excuse me, Controller. As I look back historically, for purposes of addressing that issue, it's been feast or famine. There have been times where there has been little or no eminent domain activity. Or, little or no significant eminent domain activity. Other times, like right now, finishing up the Boulder City Bypass, looking forward to all the properties that are necessary for Project NEON and other future projects that the Department will pursue. I think the Attorney General's Office will be fully engaged in eminent domain activities and will need, on a case-by-case basis, outside resources in the form of outside counsel.

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CONTROLLER KNECHT: Okay, the reason, Governor and Mr. Gallagher and other members, my question is, I received a letter from a citizen asking these questions and asking, quite frankly, whether perhaps the in-house staff wasn't too timid about litigation. You may have seen this Mr. Gallagher because a copy went to the Attorney General. But, your explanation for the record here is, that this is one of those things where, as you said, looking historically, looking forward, you can't really count on the sustained volume of work that you would need to justify in-house staffing. Since it comes in waves and slugs, you basically put this under outside contract and meet the pinks and shoulders with that?

DENNIS GALLAGHER: For the record, Dennis Gallagher. Mr. Controller, I don't want to convey the impression that the Attorney General's Office is not engaged in eminent domain. As a matter of fact, I have two deputies in court, today, Clark County, arguing certain motions for a matter in which will commence next Monday which is scheduled to be a two-week jury trial, on a Project NEON.

So, our office is very engaged. We're developing the expertise and you know, simply it's a matter of volume right now. As you know may now too, it's still the constitutional amendment that was enacted a few years ago, there's a provision in that that if property is not used for the purposes for which it was acquired within five years, the property owner can buy it back at the same price he was paid for it. And, you can just imagine the chaos that that could create for something like Project NEON where property would be acquired, sold back and then we'd have new values, five years from now—it would make the Department's planning process extremely difficult and it would make the process of acquiring property, I think, far more costly to the citizens of the State of Nevada.

CONTROLLER KNECHT: Thank you Mr. Gallagher, and thank you Governor for that.

GOVERNOR SANDOVAL: I think it highlights this case that was just won in the Supreme Court. If we did litigation first, we would've settled that case a while ago and the law would remain the way it is now with that uncertainty because we took it on and frankly, we're unsuccessful at the District Court level which would've encouraged perhaps resolving it at that point, but we went on to the Supreme Court and got the decision that we got. And, that took some courage to get that done and a lot of risk, but frankly something that not only did we have to—we needed to clarify that moving forward, one way or the other. Like I said, it could've cost us \$40M plus, that we know, but on the other hand, you know, like you said before when, Mr. Gallagher, when you make your presentation later on in the agenda, that was just one case, one parcel, that \$40M and the multiplier on that I'm sure is substantial.

All right, anything else Mr. Nellis?

ROBERT NELLIS: That concludes Agenda Item #6 Governor.

GOVERNOR SANDOVAL: Board Members, any questions with regard to Agenda Item #6? If there are none, the Chair will accept a motion to approve all of the agreements described in Agenda Item #6.

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CONTROLLER KNECHT: Governor, question on that. Would it be appropriate to break that down to Item 1 motion and an Items 2-4 motion to accommodate Member Savage's need to recuse himself?

GOVERNOR SANDOVAL: Did you say you were going to recuse yourself?

MEMBER SAVAGE: Yes.

GOVERNOR SANDOVAL: Oh, I'm sorry. I missed that. All right. Then, I'll take a motion on Contracts 2-4, described in Agenda Item #6.

MEMBER MARTIN: So moved Governor.

CONTROLLER KNECHT: Approved.

GOVERNOR SANDOVAL: Member Martin has moved for approval of Contracts 2, 3 and 4 in Agenda Item #6. The Controller has seconded the motion, any questions or discussion? All in favor say, aye. [all say aye] Oppose, no. That motion passes 5-0. I'll now take a motion with regard to Contract #1, in Agenda Item #6 with Parsons Transportation Group.

LT. GOV. HUTCHISON: So moved Governor.

GOVERNOR SANDOVAL: Lieutenant Governor has moved for approval. Is there a second?

CONTROLLER KNECHT: The Controller has seconded the motion. Member Savage—

MEMBER SAVAGE: For the record, I will recuse myself on Item #1, abstain, thank you Governor.

GOVERNOR SANDOVAL: We have a motion and a second, any further discussion? All in favor say, aye. [all say aye] Oppose, no. That motion passes 4-0 and if the record would reflect that Member Savage has recused himself from that vote, he did not participate.

We'll move to Agenda Item #7. Mr. Nellis.

ROBERT NELLIS: Thank you Governor, Board Members. There are two attachments under Agenda Item #7 for the Board's information. Beginning with Attachment A, there was one contract that be found on Page 4 of 11 in your packet. The project is for five schools in Washoe County, under the Safe Routes to Schools Program for construction of sidewalks, gates, steps and pedestrian signals. There were five bids and the Director awarded the contract to Granite Construction Company in the amount of \$491,691.60. Does the Board have any questions for Assistant Director, John Terry, regarding this contract?

GOVERNOR SANDOVAL: Any questions from Board Members? Does that complete Agenda

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Item #7?

ROBERT NELLIS: Actually, we have Attachment B, Governor.

GOVERNOR SANDOVAL: All right, please proceed, I'm sorry.

ROBERT NELLIS: That's all right. Under Attachment B, there are four executed agreements. These can be found on Pages 7-11, for the Board's information. Items 1-5 are cooperative and inner local agreements. 6-19 are acquisitions and facility agreements. 20-23 are property sales and right of way access. And, lastly, Items 24-43 are service provider agreements.

And, Governor, that concludes Agenda Item #7. Does the Board have any questions on any of these agreements?

GOVERNOR SANDOVAL: Yeah, I did have a question on 25. So, Mr. Gallagher on that Chapman Law Firm, do we pay them, do we wait on the outcome of the potential motion for fees and costs?

DENNIS GALLAGHER: For the record, Dennis Gallagher, Counsel for the Board. Governor, I believe this item is merely to extend the existing termination date of the contract. There's no additional fees that are payable at this time.

GOVERNOR SANDOVAL: Any other questions from Board Members? Member Savage.

MEMBER SAVAGE: Thank you Governor, Mr. Nellis, Item #24, the Seymour Project that we have with the escalators, I know it's been discussed at several board meetings, would just like to know current status. I know we paid close to \$290,000 to this point and we're moving forward with another approval of \$537,000. So, if you could update us, Mr. Terry, I would appreciate it.

JOHN TERRY: Again, Assistant Director, John Terry. We had hoped to come to this Board Meeting with a GMP for the first portion, which would've been the purchase of the escalators at this Board Meeting and we weren't able to get that done. It will be at the next board meeting. And, continue the struggle with the project. The reason for this amendment really is, breaking the project into phases to try to get some of it open early and to deal with some of the other challenges of it. Frankly, this is more money under the Seymour, or the design portion where we get the contractor's assistance has become more complicated than we thought it would be. While I can't guarantee it, we're hoping some of this money will be savings in the later parts when we actually have to bid the projects, you know, through the Seymour process, because we've had additional contractor input into the process, but essentially it has become a more complicated design. We have, in the past, amended our designer to do the more complicated—and this is really to do our contractor, to help us through these design phases. We're a little bit behind our schedule, but we continue to work on the project and anticipate it going to construction in the winter to spring of next year.

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MEMBER SAVAGE: Thank you Mr. Terry and the funding of the additional funds is not by the Department, it's by the Las Vegas Convention Authority, is that correct?

JOHN TERRY: Yes, that is correct in that, until we get to about \$19.6M, we're using the LVCVA funding. We presented to their Board, they're aware of it, we know that, but as I've told this Board before, we are going to go over, I believe, the \$19.6M to get the escalators and the bridges to the level we need to. So, there will be some State funds spent on the project, but this portion is under the bonding of the LVCVA against the Room Tax for AV595, that's correct.

MEMBER SAVAGE: Thank you Mr. Terry, thank you Governor.

GOVERNOR SANDOVAL: Mr. Terry, just a follow-up. Is the end goal still to try to finish the same time the new arena is finished?

JOHN TERRY: We're not going to be able to finish at the same time as the arena is finished. The attempt is, and the reason for breaking it into different phases is to try to get the far west bridge, that would be the bridge from the Excalibur to the New York-New York corner, near the opening of the arena, because that's where we see the vast majority of the increase in pedestrian traffic. I will note that we are even—with that, we're not closing the pedestrian bridges at any time, but you may have to make the more circuitous route while certain portions are under construction. That arena is going up awfully fast.

GOVERNOR SANDOVAL: I mean, I hate to say it, but they're building an arena faster than we can build pedestrian—

JOHN TERRY: I know. I know. I'm amazed at how fast they are building that. And, we are rehabbing old facilities and trying to do it under traffic and upgrade it, so we've had a lot of challenges in doing this but I—I am impressed with how fast they are building that arena.

GOVERNOR SANDOVAL: All right. Any other questions from Board Members on any contract? Mr. Nellis, anything else?

ROBERT NELLIS: Governor, that concludes Agenda Item #7.

GOVERNOR SANDOVAL: Okay, last chance. All right then, thank you.

ROBERT NELLIS: Thank you.

GOVERNOR SANDOVAL: We'll move to Agenda Item #8, Resolution of Relinquishment.

DIRECTOR MALFABON: Thank you Governor, this is for relinquishment to the City of Reno for the southwest corner at West Sixth Street and North Virginia Street. So, a small corner parcel there that we're relinquishing to the City, pretty much a housekeeping issue that we had neglected to transfer to the City before.

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GOVERNOR SANDOVAL: Board Members, any questions with regards to Agenda Item #8? If there are none, the Chair will make a motion to approve the resolution of relinquishment as described in Agenda Item #8.

CONTROLLER KNECHT: So moved.

GOVERNOR SANDOVAL: Controller has moved for approval, is there a second?

MEMBER SAVAGE: Second.

GOVERNOR SANDOVAL: Second by Member Savage. Any questions or discussion? All in favor say, aye. [all ayes] Oppose, no. Motion passes 5-0. We'll move to Agenda Item #9.

DIRECTOR MALFABON: Thank you Governor, this is for relinquishment by the resolution of relinquishment to Carson City. This parcel land is near I-580, south of North Lompa Lane in Carson City. It will continue to be used for public purposes and the transfer will be of benefit to the Department by eliminating all liability and future maintenance responsibilities for this parcel, for NDOT.

GOVERNOR SANDOVAL: Thank you Mr. Director, questions from Board Members with regard to Agenda Item #9? If there are none, the Chair will accept a motion to approve the resolution of relinquishment as described in Agenda Item #9.

DIRECTOR MALFABON: So moved.

GOVERNOR SANDOVAL: Member Martin has moved for approval, is there a second?

CONTROLLER KNECHT: Second.

GOVERNOR SANDOVAL: Second by the Controller. Any questions or discussion on the motion? All in favor say, aye. [all ayes] Oppose, no. The motion passes 5-10. We'll move to Agenda Item #10.

DIRECTOR MALFABON: Thank you Governor, this is for condemnation actions associated with seven parcels, five owners involved in these parcels. First one, John J. Charleston Trust of 1998, this parcel is what Dennis Gallagher was speaking to earlier, the fast food restaurant on Charleston that the McNutt is being hired for. The State made an initial offer of \$3,239,500, which consists of the property and the improvements. We have not heard back from the owner, so just to maintain the property acquisition schedule for Project NEON, we're requesting this condemnation resolution approval. And, I'll move on through all of these Governor and take any questions from—Paul Saucedo, Chief of Right-of-Way is here.

Ranch Properties, LLC, the State made an initial offer of \$1.5M, which is for the land and improvements. Property owner in this case has not responded to the State's offer, and again

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we're just trying to maintain the acquisition schedule for this project.

Robarts 1981 Trust, we made an initial offer of \$3.0M. This one involves an inverse condemnation action, so an inverse condemnation the—typically in condemnation the State is the plaintiff. In the inverse case, the owner because the plaintiff and they allege that we had an earlier taking or affected their property values or damaged them in some manner. So, this is involved in inverse condemnation case and they have not responded to the State's initial offer of \$3.0M for the land and improvements.

Capri Village Corporation is the next one. We made an initial offer of \$2,091,000 for the land and improvements and the property owner has not responded to the State's offer.

And last is, Desert Alta, LLC. The State made an initial offer of \$1,517,000 for the land and improvements. Again, this is an inverse condemnation action case. The property owner filed against the State and he has not responded to the State's offer.

So, all of these actions are requested so that we can maintain the schedule for Project NEON and then certify the right of way to the Federal Highway Administration for the project.

Any questions?

GOVERNOR SANDOVAL: Thank you Mr. Director. Does this Supreme Court case affect the values of these properties?

DIRECTOR MALFABON: Mr. Gallagher?

DENNIS GALLAGHER: For the record, Dennis Gallagher. No, the case shouldn't affect the values of the property. The case may impact their inverse condemnation claims which they filed prior to the State's filing a condemnation action. Once we file a condemnation action, they'll merge but the court will look back, they'll—the lawyers involved, I think in at least one, if not the both of these are the same that were representing the property owner in the Supreme Court case. They'll make their argument that again, that the State took this property back in 2007 when the market was near its peak, we will argue it did not.

And, the result of the Supreme Court, in my opinion, makes these cases far more favorable to the Department proceeding on a condemnation action. We really don't have to worry. I don't believe that the court will go back to 2007 and find that the Department actually took the property back then. I think we'll be looking at closer dates to 2010, '11, '12 or perhaps even 2015.

GOVERNOR SANDOVAL: Thank you Mr. Gallagher. Questions from Board Members? If there are none, the Chair will accept a motion for approval of Condemnation Resolution #449 as described in Agenda Item #10.

LT. GOV. HUTCHISON: So moved, Governor.

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GOVERNOR SANDOVAL: Lieutenant Governor has moved for approval. Is there a second?

DIRECTOR MALFABON: Second.

GOVERNOR SANDOVAL: Second by Member Martin. Any questions or discussions on the motion? Hearing none, all in favor of the motion, please say, aye. [all ayes] Oppose, no. That motion passes 5-0. Let's move to Agenda Item #11.

DIRECTOR MALFABON: Thank you Governor, on the—Item 11, it's old business. We have the report of outside counsel cost on open matters and the monthly litigation report. Our Chief Counsel, Dennis Gallagher is able to answer any questions.

GOVERNOR SANDOVAL: Questions from Board Members on Agenda Item #11.

LT. GOV. HUTCHISON: Governor—

GOVERNOR SANDOVAL: Will you go through—oh, I'm sorry, Mr. Lieutenant Governor.

LT. GOV. HUTCHISON: Thank you. Dennis, just a real quick question here. I'm looking at the second page—let's see, yeah, 2 of 2, on the outside counsel. This was the very bottom, Lambrose Brown, Paralegal Services. We've got a \$250K contract and then, you know, we've spent about \$100K. I can't remember and if I have asked, I apologize, if I've asked why is it that we are contracting out \$250K on these paralegal services?

DENNIS GALLAGHER: For the record, Dennis Gallagher. Lieutenant Governor, we—the Department and the Attorney General's Office needed supplemental paralegal services to help organize all the various documents related to Project NEON into a central database that—where all these things will be retrievable and we can use them in all the different litigations involving Project NEON.

This firm was willing to hire a paralegal for that purpose and the contract was presented and this is—you know, this is the current status of it, but yes.

LT. GOV. HUTCHISON: So—thank you Dennis. So, this is for—what is this like a document management database that's being used for all the NEON litigation and we needed a paralegal to be able to manage that process and it really is NEON litigation centric and once we're done with that, the reason we have this paralegal, again, kind of getting back to your prior comments—we've got this huge case load, huge data management issue and so this is really a big document data management litigation paralegal service that's being contracted out for Project NEON?

DENNIS GALLAGHER: That's a fair characterization.

LT. GOV. HUTCHISON: Okay.

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DENNIS GALLAGHER: And, as I indicated earlier, the legislature had approved some additional legal researcher positions that ultimately may be able to take care of those duties. There was just an initial need to get this organized and have somebody dedicated to gathering and inputting all the various documents as we work with, really a new software document management system that the Department had acquired.

LT. GOV. HUTCHISON: And, Governor, if I may, just a quick follow-up. Dennis, is this being supervised by outside counsel or by the AG's Office?

DENNIS GALLAGHER: She's engaged by the outside counsel but works hand-in-hand on a daily basis with the AG's office. So, I guess I would characterize it as joint oversight, if you will.

LT. GOV. HUTCHISON: Okay. And then, thank you. Just one quick follow-up. I noticed on the first page of the outside counsel report, the Lemons Grundy Firm that had a great result for us in the Supreme Court that we've been talking about. The Chapman Firm, handled that at the trial level, is that right?

DENNIS GALLAGHER: That is correct.

LT. GOV. HUTCHISON: So, is it typically your practice, Dennis, to then hire different Appellate Counsel, I mean, because I know—I know that the Lemons firm is, you know, an appellate litigation specialist? Is that typically what you do?

DENNIS GALLAGHER: This is the first time I've done it since I've been here. The view was—you know, we put together a strategic legal team because we realize that it's very important that we take consistent positions in the different cases and that an outcome in one case can have a ripple effect in many other cases. When we got the lower court order in Ad America, we realized this was very, very significant litigation. And, with the support of the Director recognized that it would be in the Department's and the State's best interest to get the best Appellate Attorney that we could. And, Mr. Eisenberg fit that bill.

There's another very prominent appellant attorney in the State, whose name I won't mention. The reason we didn't consider that person was he was a plaintiff in an action against the Department at the time.

LT. GOV. HUTCHISON: Okay. Well, yeah, that's a good reason not to hire those kind of workers. Hey, Dennis, just one quick follow-up and Governor, I hope you don't mind if I just spend a little bit of time on this. But, you know, this whole discussion underscores the absolute vital role that you play in being a good steward of the public funds and providing us information and really the exercise of judgement you have. You know, I think—I think—I'll speak for myself, I won't speak of course for the Board, but we really rely on your judgement. When you can do something in-house, inexpensively because we've got staff attorneys that can handle it, then you know, we expect that to be done because that's less expensive probably than going to

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outside counsel. There are needs though, and this appeal is a perfect example of that. We want to get the best appellate lawyer we can to handle that appeal, that takes a—an exercise of judgment to move that outside, as opposed to maybe have [inaudible] General or the Office in the AG's Office handle that, but it is such critical judgment calls in terms of your involvement on the ground. I know that we—and I in particular—questioned all of these decisions but we are relying on you to really be an advocate for not only the Attorney General's Office but for the Nevada Department of Transportation and being a great steward of tax payers dollars here. We saved a lot of money with this appeal as the Governor has already mentioned. That could've gone the other way with a different decision. And, so my point on the record of saying this is, is that to the extent that we can do things in-house, we should do them in-house, to the extent that's going to lead to an efficient, quality outcome on the legal result we're looking for. We've got to shift that outside counsel—I think—I for one, certainly understand that. We've just got to make sure that those outside lawyers understand that they're working for the State of Nevada. We not only require the best result from them but their best rates as well. If they're working with the State of Nevada and they're getting a fair amount of work, they've got to be giving us the very best rates they can. And, that's a—that's a delicate balance and a tough job. I appreciate your efforts in that regard Dennis, it's not an easy job and I just want to thank you for your work in that regard.

DENNIS GALLAGHER: Thank you Lieutenant Governor. I couldn't do it without the AG support that we have. The deputies that I have, as I indicated, two will be starting trial next week. You may notice in this report under—were we list outstanding litigation, a number of personal injury and wrongful death actions—you'll note there's no outside counsel there. That's all in-house. And, I also would be remiss if I didn't again, recognize the Department and Rudy's support. If we have an issue, if we have a need, Rudy has always got an open door and has provided my office support time and time again. So, it's a very collaborative effort and I'm lucky to have such a good client, including a great Transportation Board.

GOVERNOR SANDOVAL: Any other questions Mr. Lieutenant Governor? Member Martin, do you have a question? Mr. Controller?

CONTROLLER KNECHT: Dennis, back on Attachment A, Page 1, we have our friends at Snell and Wilmer listed again for the Meadow Valley Public Records Case 3389 Docket. Is that action complete and at rest? Is there any—

GOVERNOR SANDOVAL: Your sound is muted on your end gentlemen, and ladies.

DIRECTOR MALFABON: Can you hear us?

GOVERNOR SANDOVAL: So, I had asked if you had any questions Member Martin.

DIRECTOR MALFABON: No sir, I don't.

GOVERNOR SANDOVAL: Okay. Did you hear the Controller's question?

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DENNIS GALLAGHER: No sir.

GOVERNOR SANDOVAL: Okay, if you'd ask the question again, Mr. Controller.

CONTROLLER KNECHT: Be happy to Governor. On the Snell and Wilmer item on Page 1 of Attachment A, my question is, is that matter completed? Is it at rest? Is there anything left to do and what are we doing concerning that matter and the status of Snell and Wilmer since we didn't approve a contract extension previously, for good cause?

DENNIS GALLAGHER: For the record, Dennis Gallagher, Counsel for the Board. Mr. Controller, there is a draft informal opinion that is being reviewed by the Attorney General's Office before it's issued. When it's issued—it was requested by the Governor's Office, it will go to the Governor's Office and I'm sure the Governor will share it with others and then it will be an item for the Board to consider. That's the current status.

They are not performing any additional work under this contract and in fact, we just received an invoice for their services, prior to the Board Meeting in May where we told them to cease and desist. So, it's moving but very, very slowly.

CONTROLLER KNECHT: And, we don't need other help to replace them on this matter?

DENNIS GALLAGHER: Not at this time.

CONTROLLER KNECHT: Okay Other general question is one I've asked before, on Attachment A and just again, to put it on the record, we have a number of law firms here with a number of contracts and—I guess I'm looking for your assurance on the record that your monitoring closely their capabilities to handle the total volume of business that we're extending to them in the time frame here going forward.

DENNIS GALLAGHER: For the record, Dennis Gallagher, Counsel for the Board. Yes. And, I think I pointed out in the past that for every one of these contracts there is a Deputy assigned to work with that outside counsel and oversee the billings, review the billings and approve the billings.

So, when we assign contracts out to different firms, we take into consideration their capacity, specifically the capacity for the lawyers at that firm who do eminent domain work. It does me no good for a 100 person firm if they've got two eminent domain lawyers that are buried. They may have a bunch of other lawyers that are available but those aren't the services that we need.

CONTROLLER KNECHT: And that latter part was my concern and I thank you Dennis and thank you Governor.

GOVERNOR SANDOVAL: Other questions from Board Members? One for you Rudy—how are our projects going? That \$10M that we set aside for the safety—

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DIRECTOR MALFABON: The—as we reported previously the temporary signal opened up on North Virginia, the next one I think is the Incline Village Pedestrian Signal and we'll have to get with our designers on some of the other updates and I'll bring that forward to the Board next month. I know that we're having some challenges with utilities, some things that are in the way that maybe there's whole foundations or things like that that we need to relocate utilities which will take a little bit longer to deliver the projects. But, we'll get a full report.

GOVERNOR SANDOVAL: And then, is there any progress or discussion with regard to that Lyon County issue that was brought up by the Commissioner?

DIRECTOR MALFABON: I think that the—they had asked about a couple of issues. One was the signal and I believe that our District Engineer reported that the permit was expected to come into District II, for processing shortly after we had our County Tour Presentation to the Lyon County Commission. There was also some question about the USA Parkway intersection with US-50 and when that will require an interchange. That will, obviously be in the long range when traffic volumes would require an interchange there but for now it was going to be an intersection.

GOVERNOR SANDOVAL: Board Members, any other questions with regards to Agenda Item #11. We've done Agenda Item #12. Agenda Item #13, Public Comment. Is there any member of the public here in Carson City that would like to provide comment to the Board? Hearing none we'll move to Las Vegas. Any public comment from Las Vegas.

MEMBER MARTIN: None here sir.

GOVERNOR SANDOVAL: Move to Agenda Item #14. Is there a motion for adjournment?

MEMBER SAVAGE: So moved.

GOVERNOR SANDOVAL: Member Savage has moved, is there a second?

CONTROLLER KNECHT: Second by the Controller. All in favor say, aye. [all ayes] Motion passes 5-0, this meeting is adjourned, thank you ladies and gentlemen.

Secretary to Board

Preparer of Minutes



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Carson City, Nevada 89712
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MEMORANDUM

August 3, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: August 10, 2015, Transportation Board of Directors Meeting
Item #4: Approval of Agreements Over \$300,000 - For Possible Action

Summary:

The purpose of this item is to provide the Board a list of agreements over \$300,000 for discussion and approval following the process approved at the July 11, 2011 Transportation Board meeting. This list consists of any design build contracts and all agreements (and amendments) for non-construction matters, such as consultants, service providers, etc. that obligate total funds of over \$300,000, during the period from June 11, 2015, through July 16, 2015.

Background:

The Department contracts for services relating to the development, construction, operation and maintenance of the State's multi-modal transportation system. The attached agreements constitute all new agreements, new task orders on existing agreements, and all amendments which take the total agreement above \$300,000 during the period from June 11, 2015, through July 16, 2015.

Analysis:

These agreements have been prepared following the Code of Federal Regulations, Nevada Revised Statutes, Nevada Administrative Code, State Administrative Manual, and/or Department policies and procedures. They represent the necessary support services needed to deliver the State of Nevada's multi-modal transportation system.

List of Attachments:

- A) State of Nevada Department of Transportation Agreements for Approval, June 11, 2015, through July 16, 2015

Recommendation for Board Action:

Approval of all agreements listed on Attachment A

Prepared by: Administrative Services Division

Attachment

A

**State of Nevada Department of Transportation
Agreements for Approval
June 11, 2015, through July 16, 2015**

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Notes
1	35115	00	TBD	ENGINEERING SERVICES	Y	**2,200,000.00	-	**2,200,000.00	-	8/10/2015	TBD	-	Service Provider	RYAN WHEELER	08-10-15: PROJECT MANAGEMENT SUPPORT, TRAFFIC ANALYSIS AND REPORTING, PUBLIC INVOLVEMENT, RIGHT-OF-WAY UTILITY AND ACQUISITION ACTIVITY SERVICES FOR I-15, STARR AVENUE INTERCHANGE. CLARK COUNTY. **ESTIMATED AMOUNT
2	29013	02	KEMP, JONES, & COULTHARD LLP	LEGAL SERVICES	N	280,000.00	375,000.00	1,130,000.00	-	7/17/2013	2/28/2017	8/10/2015	Service Provider	DENNIS GALLAGHER	AMD 2 08-10-15: INCREASE AUTHORITY \$375,000.00 FROM \$755,000.00 TO \$1,130,000.00 FOR CONTINUED LEGAL SUPPORT THROUGH TRIAL. AMD 1 02-09-15: INCREASE AUTHORITY \$475,000.00 FROM \$280,000.00 TO \$755,000.00 FOR CONTINUED LEGAL SUPPORT THROUGH TRIAL. 07-17-13: LEGAL SUPPORT FOR INVERSE CONDEMNATION REGARDING FRED NASSIRI VS NDOT IN THE 8TH JUDICIAL DISTRICT COURT REGARDING THE BLUE DIAMOND OVERPASS DISPUTE. CLARK COUNTY. NV B/L#: NVD20021000155-S
3	00815	00	TRANSCORE ITS, INC.	MAINTENANCE SERVICES	N	1,000,000.00	-	1,000,000.00	-	8/10/2015	12/31/2017	-	Service Provider	JENNIFER MANUBAY	08-10-15: MAINTENANCE AND REPAIR OF ITS DEVICES, CLARK, ESERALDA, LINCOLN, MINERAL, AND NYE COUNTIES. NV B/L#: NVF20051893548-R PROPOSERS: DIGITAL TRAFFIC SYSTEMS, EAGLE COMMUNICATIONS, PAR ELECTRICAL CONTRACTORS, AND TITAN ELECTRICAL CONTRACTING.
4	44415	00	DIGITAL TRAFFIC SYSTEMS, INC. (DTS)	MAINTENANCE SERVICES	N	1,000,000.00	-	1,000,000.00	-	8/10/2015	12/31/2017	-	Service Provider	ALEXANDER WOLFSON	08-10-15: MAINTENANCE AND REPAIR OF ITS DEVICES, CARSON CITY, CHURCHILL, DOUGLAS, HUMBOLDT, LYON, MINERAL, PERSHING, AND WASHOE COUNTIES. NV B/L#: NVF20131597242-R PROPOSERS: EAGLE COMMUNICATIONS, PAR ELECTRICAL CONTRACTORS, TITAN ELECTRICAL CONTRACTING, AND TRANSCORE ITS.
5	44515	00	TITAN ELECTRIC	MAINTENANCE SERVICES	N	1,000,000.00	-	1,000,000.00	-	8/10/2015	12/31/2017	-	Service Provider	KEVIN LEE	08-10-15: MAINTENANCE AND REPAIR OF ITS DEVICES, CHURCHILL, ELKO, EUREKA, HUMBOLDT, LANDER, NYE, PERSHING, AND WHITE PINE COUNTIES NV B/L#: NVD20071408571-R PROPOSERS: DIGITAL TRAFFIC SYSTEMS, EAGLE COMMUNICATIONS, PAR ELECTRICAL CONTRACTORS, AND TRANSCORE ITS.

Line Item 1

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

Request to Solicit Services and Budget Approval (2A)

X Initial Budget Request or Request for Amendment # or Task Order #

If Amendment or Task Order, name of Company:

Agreement #: Project ID #(s): 73687

Type of Services: Consultant Services

Originated by: Jeff Lerud Division: Project Mgmt Date Originated: 6/9/2015

AS

Division Head/District Engineer: Amir Soltani

Budget Category #: 06 Object #: 814D Organization #: C110

Estimated Cost: \$2,200,000 Type of Funding: Federal/State % of Fund: 95/5

Funding Notes: State Fiscal Year(s): FY16/FY17

\$1,300,000 in FY16; \$700,000 FY17; \$200,000 Contingencies

"Budget by Organization" Report (Report No. NBDM30) attached here:

Purpose of, and Justification for, Budget Request:

See attached 2a.



Scope of Services:

See attached 2a.

Additional Information Attached X

*Amendments for time extensions (time only) do not require a form 2a



STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

Signed: DocuSigned by:
Donna Spelts 6/11/2015 Approve
Financial Management Date

Approval of this form by the Financial Management Division, Budget Section, provides funding authority for the services described. Actual availability of funds and the monitoring of actual expenditures must be determined by the Division Head.

Financial Management Comments:

Signed: DocuSigned by:
Norfa Lanza 6/11/2015 Approve
Project Accounting Date

Project Accounting Comments:

Signed: DocuSigned by:
Ledy Mayson 6/11/2015 Approve
Director Date

Director Comments:

- Requires Transportation Board presentation
- Does not require Transportation Board presentation

Transportation Board approval required after negotiation of agreement with selected consultant - RM.

**STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION**

M E M O R A N D U M

June 9, 2015

TO: 1. Felicia Denney, Budget Section
2. Norfa Lanuza, Project Accounting
3. Rudy Malfabon, P.E., Director

FROM: Amir Soltani, Project Management Chief

SUBJECT: REQUEST TO SOLICIT CONSULTANT SERVICES AND OBTAIN BUDGET APPROVAL FOR A REQUEST FOR PROPOSAL (RFP)

Due to the need to supplement internal design resources for the I15/Starr Interchange Project, the Project Management Division is requesting to procure consultant services.

The I-15 at Starr Avenue Interchange was studied as part of the I-15 South Environmental Assessment, approved in October 2008. This project will construct a new interchange on I-15 at Starr Avenue. Starr Avenue will be extended to connect to Las Vegas Blvd to the east and Dean Martin Drive to the west. Two additional lanes will be added in the median of I-15 to accommodate the future widening of I-15 from Sloan Road to Tropicana Avenue during the Phase 2A project. The City of Henderson is funding the majority of the construction.

The project is expected to be completed by Dec, 31 2018

The scope of services are to provide support for the Starr Interchange design team regarding project management activities, traffic forecasting, traffic modeling, performing right-of-way utility work, performing right-of-way acquisition activities, completing a Change in Control of Access Report (CCAR), performing public involvement activities, and performing design support during construction.

The estimated cost (See attachment) for consultant services is \$2,200,000 95% Federal Funding, 5% State Funding. Estimated \$1,300,000 for Fiscal Year 2016, and \$700,000 for Fiscal Year 2017 and \$200,000 set aside in a risk reserve.

Approval of this memo by the Budget Section of Financial Management Division, indicates funding authority is available for services for Budget Category 06, Object 814D, Organization C110. The A04 Financial Data Warehouse, Budget by Organization Report No. NBDM30 is attached. Please return this memo to me for inclusion in the project.

Approval of this memo by the Directors Office authorizes the request to solicit services.

Approved:

Approved:

Director

Budget Section

COMMENTS: _____

Attachment A Scope of Services

1.0 GENERAL

1.1 PROJECT LOCATION

The proposed interchange is the intersection of Interstate 15 and Starr Avenue located in Clark County, Nevada. Improvements include the widening of Interstate 15 to three lanes in each direction, Starr Avenue design from Dean Martin Drive to Las Vegas Boulevard.

1.2 GENERAL DESCRIPTION OF SERVICES

The work consists of augmenting the DEPARTMENT's in-house design team to complete the design of the project. The specific disciplines for augmentation include the following:

- Project Management Support
- Traffic Analysis and Reporting
- Public Involvement
- Right of Way: Utilities
- Right of Way: Acquisition Activities

The SERVICE PROVIDER will provide a licensed professional engineer in the State of Nevada as a Project Manager to deliver the services described above.

The DEPARTMENT's project manager will manage the project team (including Service PROVIDER augmentation) and deliver the project.

1.3 CORRESPONDENCE

The SERVICE PROVIDER's project manager shall correspond directly with the DEPARTMENT's project manager. All correspondence between the SERVICE PROVIDER and the DEPARTMENT shall include notification to the DEPARTMENT's project manager unless directed otherwise by the DEPARTMENT's project manager.

Copies of all formal correspondence will be forwarded to the DEPARTMENT's Project Manager for review prior to sending them out.

Deliverables

- All formal correspondence for review and comment
- All general correspondence to include the NDOT project manager

1.4 MEETINGS

1.4.1 TEAM MEETINGS

The DEPARTMENT's team meetings are held monthly. The team meeting is attended by video conference between the DEPARTMENT's District I (Las Vegas) and the DEPARTMENT's headquarters (Carson City). SERVICE PROVIDER to attend these meetings in person at the District I location. The SERVICE PROVIDER will correspond with all DEPARTMENT divisions during the team meeting for the success of the project.

1.4.2 KICK OFF MEETING

The DEPARTMENT will arrange and conduct a kickoff meeting with the SERVICE PROVIDER. The meeting will be scheduled within ten (10) business days of the issuance of the Notice to Proceed (NTP). This meeting will review the scope of work, PROJECT schedule, and establish lines of

communication. It will inform the SERVICE PROVIDER of project status and scoping to complete critical path items.

2.0 PROJECT MANAGEMENT SUPPORT

The SERVICE PROVIDER will assist the NDOT Project Manager with PM activities following NDOT standards for NDOT Project Management and Risk Management activities including, but not limited to: Preparing PMP, Risk Management Plan, Scheduling, QA/QC, Constructability Reviews, Value Engineering, Maintenance Review, document management, and presentations

Deliverables:

- Project Management Plan
- Risk Management plan
- Value Engineering Report
- Constructability Report
- Project Schedule for both preconstruction and construction
- QA/QC Report (design, structures, etc look good and reasonable)

3.0 TRAFFIC ANALYSIS AND REPORTING

The SERVICE PROVIDER shall provide services to deliver a traffic analysis and a Change in Control of Access (CCAR) Report that complete traffic forecasting and traffic operational analysis tasks for the new Starr Interchange. The limits of the traffic analysis are as follows:

On I-15:

- Southern limit: St. Rose Parkway Interchange (including ramp terminals)
- Northern limit: Cactus Avenue Interchange (including ramp terminals)

On Starr Avenue:

- Eastern limit: Las Vegas Boulevard intersection
- Western limit: Dean Martin Drive intersection
- Starr ramp terminal intersections

Traffic forecasting will be completed following methodologies in the NDOT Traffic Forecasting Guidelines (August 2012). Traffic operational analysis will be completed using HCS 2010 Facilities mode and Synchro version 8 or better. The purpose of the traffic analysis is to:

1. Confirm that the current design option, a Tight Urban Diamond Interchange (TUDI), geometric layout does not have any adverse operational impacts to the approved Single Point Urban Interchange (SPUI). The results are to be included in the deliverable "Traffic Analysis Findings and Recommendations".
2. Provide an operational analysis for a ramp metering the northbound on ramp and the southbound on ramp. The results are to be included in the "Ramp Meter Memorandum".
3. Provide the operational analysis to be used in the CCAR for the configuration of the interchange.

Task 1 – Traffic Forecasting Methodology: The SERVICE PROVIDER shall prepare a Traffic Forecasting Methodology Memorandum for review and approval by NDOT.

Task 2 – Traffic Forecasting: The SERVICE PROVIDER shall complete the traffic forecasting based on the approved Traffic Forecasting Methodology Memorandum in Task 1. The traffic forecasts Opening year (assumed to be 2020) for Build and No Build scenarios, and Design year (assumed to be 2040) for Build and No Build scenarios shall be based on the Southern Nevada RTC's travel demand model (TransCAD) and as approved by NDOT. A Traffic Forecasting Memorandum with the traffic forecasts and associated documentation will be submitted to NDOT Traffic Information for approval prior to use in the operational analysis.

Task 3 – Traffic Modeling and Analysis Methodology: The SERVICE PROVIDER shall prepare a Traffic Modeling and Analysis Methodology Memorandum for review and approval by NDOT Traffic Operations staff. The limits of analysis (geographic and temporal), data sources, peak period intervals, and other key items that need to be reviewed and approved will be identified in this memorandum.

Task 4 – Traffic Modeling and Analysis – Opening year for the TUDI, Design year for the TUDI and SPUI, and comparison for the TUDI and SPUI (Design year): TUDI design at the new Starr Interchange will be modeled and analyzed in Synchro and HCS 2010 Facilities mode. Four models with AM and PM peaks shall be modeled and analyzed: 2020 Build, 2020 No Build, 2040 Build, and 2040 No Build. SPUI design for 2040 Build (AM and PM peaks) will be analyzed in Synchro and HCS Facilities mode and compared to show that the TUDI design operates as well or better than the SPUI design. Multiples time intervals based on the approved Traffic Modeling and Analysis Methodology Memorandum in Task 3 shall be used in the HCS 2010 Facilities mode to anticipate the buildup of the peak period and dissipation of the peak period.

Task 5 – Traffic Study Recommendations: The SERVICE PROVIDER shall prepare a Traffic Study Memorandum with a geometric recommendation for the new Starr Interchange based on the operational analysis in Task 4.

Task 6 – Ramp Metering: The SERVICE PROVIDER shall prepare a Ramp Meter Memorandum that includes, but not limited to the warrants analysis, storage and acceleration lengths, and design layout and recommendation. The traffic forecasts for year 2040, approved by NDOT Traffic Information, will be the volumes used in the analysis.

Task 7 – Documentation/CCAR Report: The SERVICE PROVIDER shall prepare a CCAR report that documents both traffic forecasting and traffic operational analysis.

Deliverables:

- Traffic Forecasting Methodology Memorandum submitted for NDOT approval (electronic “pdf” file).
- Traffic Forecasting Memorandum that documents the traffic forecast for the Opening and Design years submitted for NDOT approval (electronic “pdf” file).
- Traffic Modeling and Analysis Methodology Memorandum submitted for NDOT approval (electronic “pdf” file).
- Completed Synchro (version 8 or higher) and HCS 2010 Facilities mode models (years 2020 and 2040) for the Build and No Build (electronic files: four models for AM peak period and four models for PM peak period).
- Draft of the Traffic Analysis Findings and Recommendations Report (electronic “pdf” file). (Task 4 and 5)
- Draft Ramp Meter Memorandum (electronic “pdf” file).
- Draft CCAR Reports (electronic “pdf” file).
- Final draft of the Traffic Analysis Findings and Recommendations Report (electronic “pdf” file).
- Final Ramp Meter Memorandum (electronic “pdf” file).
- Final CCAR Reports (electronic “pdf” file).

4.0 PUBLIC INVOLVEMENT

Stakeholder and Agency Meetings: Additional meetings with county commissioners, resource agencies, business owners or property owners and the general public may be necessary as the project progresses. The SERVICE PROVIDER will prepare for, attend, and document these meetings throughout the project. NDOT will attend all meetings with resource agencies and stakeholders.

Develop Public/Stakeholder Outreach Materials: The SERVICE PROVIDER, in conjunction with NDOT, will develop collateral materials for public/stakeholder meetings and for distribution as the project progresses. These materials include handouts describing the project, purpose and need, alternatives, and resources of concern; comment forms; and project flyer / newsletter. This will be a brief one-page summary of project information, meeting announcements, and status and will be updated no less than 2 times and distributed via email and on the agencies’ websites. The SERVICE

PROVIDER, working closely with the NDOT Project Manager, will also prepare PowerPoint presentations for public/stakeholder meetings and NDOT updates.

Public Information Meetings: The SERVICE PROVIDER will conduct and assist with public involvement activities for the project making sure the citizen engagement opportunities are designed to promote public interest and encourage public input for the project and NDOT's decision making process. Activities to include but not limited to:

- Promoting a comprehensive public involvement campaign for the project; and
- All activities to follow Federal, State and DEPARTMENT policies and procedures; and
- Develop and maintain mailing and email contact lists for businesses, residents, stakeholders, interested parties and elected officials within and adjacent to the project corridor, no less than one quarter mile within the project area; and
- Secure appropriate venue, handle logistics for the hearing/meeting, including venue, audio/visual needs, venue to be ADA accessible; and
- Design and print for distribution informational brochures related to the NDOT project; and
- Prepare/design and distribute public hearing/meeting notification mailers/flyers to those businesses and residents within and adjacent to the project corridor, no less than ¼ mile within the project location; and
- Place public notice in the main news section as display advertising in major news publications and minority news publications and outlets where deemed appropriate; and
- Design, develop, and print public hearing/meeting materials such as display boards and handout materials with DEPARTMENT staff oversight; and
- Develop the hearing/meeting presentation(s) with DEPARTMENT staff overseeing the content; and
- Deliver all public hearing/meeting materials to the meeting site; and
- Develop project website, to be hosted on NDOT's project website, with DEPARTMENT oversight, update website as required; and
- Prepare media kits of the hearing/meetings for news outlets; and
- Take photos of hearings/meetings and events for the project records; and
- Provide staff to greet and sign in guests to the hearing/meeting or event; and
- Provide Spanish translation services of hearing/meeting materials and attend hearing/meeting or events to act as an on-site Spanish translator to the public; and
- Assist with set up and break down of the public hearing/meeting or event; and
- Attending and assisting with required stakeholder working group meetings which may include some of the above mentioned items

Public Involvement summary report:

Prepare a close out summary within 30 days of the hearing/meeting or event to include a synopsis of the activity, mailing notification(s), mailer distribution area map, newspaper advertising tear sheets, public attendance records including minority identification (Title VI, Federal requirement for public involvement activities), copies of all handout materials, displays and presentation.

5.0 RIGHT OF WAY: UTILITIES

Utility Evaluation

The SERVICE PROVIDER will obtain and utilize existing utility information as provided by utility companies. The SERVICE PROVIDER will prepare a utility impact analysis and matrix that identifies existing utilities and their prior rights, if any within the project area by means of request for information, field survey and/or visual inspection and indicate anticipated impacts to those utilities and estimated relocation costs. The level of detail will be sufficient to determine anticipated Right of Way impact associated with any utility impact(s). Should potholing be required to accomplish this task, the SERVICE PROVIDER shall be required to contract with a

DEPARTMENT approved Subsurface Utility Engineering (SUE) consultant. Intelligent Traffic System and new power sourcing infrastructure will also be considered.

Task Management

The SERVICE PROVIDER will coordinate with other disciplines to establish right of way requirements including but not limited to:

- Utility relocation alignment and maintenance access needs, bypass facilities, Department utility service points and other related appurtenances will be used to develop suggested fee right of way and permanent easement delineations.
- Coordinate with local government agencies regarding any public owned utilities for all project related activities.

Utility Coordination

The SERVICE PROVIDER will provide the following:

- Coordinate utility company relocation design plans including, but not limited to: NV Energy, Southwest Gas, Cox Communications, CenturyLink, and Las Vegas Valley Water District.
- Coordinate with local government agencies and/or municipalities on sewer and drainage relocation designs.
- Coordinate with any necessary new service agreement(s).
- Attend required DEPARTMENT utility coordination meetings and proposed developer meetings with utility companies.
- Attend and participate in the preliminary plan review meeting. Review comments will be recorded and documented in a table format including the action to be taken.
- Provide all necessary conflict mitigation strategies.

This will include providing exhibits and CAD files to affected utilities within the project limits. The SERVICE PROVIDER will coordinate with management, the DEPARTMENT, other agencies and task leads to ensure consistency, completeness and accuracy of the final plans. This includes regular meeting attendance, daily correspondence and issue resolution meetings as necessary. The SERVICE PROVIDER will review progress against schedule, monitor the task budget and report monthly progress.

6.0 RIGHT OF WAY: ACQUISITION ACTIVITIES

The SERVICE PROVIDER will provide the following acquisition activities for approximately ten properties and the relocation of approximately six billboards in accordance with the Department's Right of Way Manual, Nevada Revised Statutes, the Code of Federal Regulations and the Uniform Act:

- Appraisal
- Appraisal Review
- Acquisition
- Relocation

In all correspondence relating to right-of-way activities, the SERVICE PROVIDER shall include the following information:

- Project Number;
- E.A.;
- Project Name;
- NDOT Parcel Number(s);
- Assessor's Parcel Number(s); and
- Name-of-record owner(s)

The Right of Way setting is tentatively scheduled to be completed September 18, 2015. All acquisition activities shall be completed within eighteen (18) months after the right-of-way setting is complete, estimated to be March 15, 2017.

The SERVICE PROVIDER will submit the following deliverables to the Department:

- Complete 534 Spreadsheet
- Appraisal Report
- Appraisal Review Report
- Acquisition and Relocation Files

6.1 Quality Assurance and Quality Control of the Project Documents

The SERVICE PROVIDER shall perform Quality Assurance and Quality Control (QA/QC) on the DEPARTMENT's produced project documents including the design, plans, and specifications. The QA/QC check will determine the accuracy and completeness of the project documents. QA/QC checks shall occur during the 60% and 90% submittals.

The QC process will ensure that all documents produced by the DEPARTMENT are thoroughly checked by a SERVICE PROVIDER's individual of at least equal competency to the originator of the document to verify accuracy. Checking shall not only confirm the accuracy of calculations, but shall include a thorough review of the proper use of design manuals and standard drawings.

As part of the QA process, the SERVICE PROVIDER will provide written documentation of the internal checking and review to the DEPARTMENT in conjunction with each submitted deliverable and QC document reviewed. The checking documentation will be signed by the SERVICE PROVIDER's Project Manager and QA Manager.

The SERVICE PROVIDER shall submit its Quality Assurance/Quality Control (QA/QC) Plan to the DEPARTMENT for review and approval within fifteen (15) business days following the Kickoff Meeting. At a minimum, the plan will address:

- Checking procedures, reviewed by the SERVICE PROVIDER's QC team members, none of whom will otherwise be directly involved with the project
- Methods of monitoring
- Documenting quality control activities

6.2 Constructability Review / Phasing;

The SERVICE PROVIDER will provide the following acquisition activities for approximately ten

6.3 Value Engineering

The SERVICE PROVIDER will be required to provide a Certified Value Specialist to conduct the Value Analysis. The purpose of the Value Engineering (VE) at this stage is to help minimize project impacts and ensure design approach is preferable. The SERVICE PROVIDER will provide VE services in accordance with the SAVE Value Standard and the SAVE 6-step process. The 6-step phases of the SAVE process include:

- Step 1 - Information Phase
- Step 2 - Function Analysis Phase
- Step 3 - Creative Phase
- Step 4 - Evaluation Phase
- Step 5 - Development Phase
- Step 6 - Presentation Phase

Deliverables:

- Cost model to be used during the study and included in report
- Facility setup; VE Job Plan, agenda, and team letter distributed to VE team members
- FAST diagram to be used during the study and included in report
- Opening presentation to be presented during VE study kick-off session
- Closing Study presentation of findings
- Draft VE Report
- Final VE Report

The report will be provided in both Microsoft Word and Adobe Acrobat. This effort will be coordinated with the DEPARTMENT's Performance Analysis Division and the DEPARTMENT's Project Manager.

Line Item 2

**STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION**

MEMORANDUM

DATE: July 20, 2015

TO: 1. Donna Spelts, Budget Section
2. Norfa Lanuza, Project Accounting *N. Lanuza 7/21/15*
3. Rudy Malfabon, P.E., Director

FROM: Dennis Gallagher, Chief Deputy Attorney General, Legal Division 

SUBJECT: REQUEST APPROVAL TO OBTAIN BUDGET APPROVAL
AMENDMENT NO. 2 FOR AGREEMENT NO. P290-13-004
FOR KEMP, JONES & COULTHARD, LLP (William L. Coulthard, Esq.)
IN THE MATTER OF *FRED NASSIRI* vs. *NDOT*
(BLUE DIAMOND OVERPASS DISPUTE)
APN# 177-08-803-013

This Amendment is to continue to contract with outside legal counsel to represent and advise the Nevada Department of Transportation in the inverse condemnation matter of *Fred Nassiri vs. State of Nevada, ex rel., Department of Transportation* in the Eighth Judicial District Court of the State of Nevada, Case No. A672841 (the "Lawsuit").

The Agreement in the amount of \$280,000 was entered into on July 17, 2013. Amendment No. 1 providing for \$475,000 in additional funds was approved by the Board and executed on February 12, 2015. Amendment No. 2 provides for \$375,000 in additional funds. This Amendment is necessary continue litigation in this complex breach of contract matter. A limited bench trial on Plaintiff's prayer for rescission of purchase agreement was held in May, 2015 and a ruling has not been issued as of the date of this memorandum. If the court rules in NDOT's favor on the rescission claim, and NDOT is able to apply the ruling to successfully dispose of Plaintiff's remaining breach of contract claims, then NDOT will seek attorney's fees and costs. If the court rules in the Plaintiff's favor, a new trial on the remaining breach of contract claims will be set for some time in the future. This amendment is for an extension of work described in the original contract.

The estimated cost for the services is \$1,130,000.00 for the fiscal years 2013 through 2017. We anticipate Amendment No. 2 in the amount of \$375,000 will be allocated at an estimate for \$300,000 will be for fiscal year 2016, and \$75,000 for fiscal year 2017.

These amounts are not eligible for federally reimbursement.

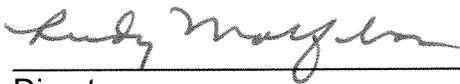
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Approval of this memo by the Project Accounting Section and the Budget Section indicates funding authority is available for consulting services for Budget Category 06, Object 814R, Organization A004. The A04 Financial Data Warehouse, Budget by Organization Report No. NBDM30 must be attached. Actual availability of funds and the monitoring of actual expenditures must be determined by the Division Head/District Engineer. Return this memo to the originator for inclusion in the project.

Approval of this memo by the Director's Office authorizes this request.

Approved:



Director

Approved



Budget Section

Requires Transportation Board Presentation

Requires IT Review

COMMENTS:

Line Item 3

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

Request to Solicit Services and Budget Approval (2A)

X Initial Budget Request or Request for Amendment # or Task Order #

If Amendment or Task Order, name of Company:

Agreement #: Project ID #(s): N/A

Type of Services: CONSULTANT SERVICES

Originated by: Jon Dickinson Division: Traffic Ops Date Originated: 6/16/2015

Division Head/District Engineer: Denise Inda

Budget Category #: 06 Object #: 813U Organization #: C016

Estimated Cost: 3000000 Type of Funding: State % of Fund: 100

Funding Notes: State Fiscal Year(s): FY-16,17

“Budget by Organization” Report (Report No. NBDM30) attached here:

Purpose of, and Justification for, Budget Request:

We are requesting to revise the original 2A to reflect FY-16 and 17 (Original specified FY15 and 16). Traffic operations will request adequate funds in the budget for this project. The RFP has already been issued and services providers have been selected for each District. Agreements with each will be finalized pending approval of this modification.



Due to the need for ongoing maintenance of ITS and associated electrical systems installed statewide, the Traffic Operations division is requesting approval to solicit consultant services using the RFP process.

These services will be used to maintain the department's growing ITS and associated electrical systems statewide. These services will include locating, evaluating, certifying proper functions, troubleshooting, preventative maintenance, as well as repairing, removing and replacing ITS and associated electrical systems. ITS and electrical systems include our expanding inventory of equipment such as flashing beacons, CCTV came

Scope of Services:

The scope of services will be for up to three contracts, one in each district and shall consist of consultant staff and equipment on an on-call basis for the preventative maintenance and emergency maintenance of ITS and associated electrical systems statewide. The Scope of the work needed will be specified and coordinated through each district with coordination from Traffic Operations Division. Each of the contracts will be managed by the respective districts.

Additional Information Attached

*Amendments for time extensions (time only) do not require a form 2a

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

June 10, 2015

TO: Reid Kaiser, Assistant Director
FROM: Jon Dickinson, Project Manager
SUBJECT: Negotiation Summary for RFP 008-15-016 Maintenance and Repair of ITS Devices

A negotiation meeting was held at via multiple phone conferences on May 18, 2015 thru June 4, 2015, with Tim Souder from TransCore ITS, LLC, and Jon Dickinson and Rod Schilling of Traffic Operations, Mohamed Rouas from District 1 representing the Nevada Department of Transportation (DEPARTMENT) in attendance.

A DBE goal is not required for this maintenance agreement.

The scope of services to be provided by the SERVICE PROVIDER was reviewed, small changes were made to accommodate everyone's needs. The final scope of services was agreed to by all parties (See attachment A, Scope of Services)

This is an on call service contract for FY 16 and FY 17, work tasks and schedules will be assigned to the service provider throughout the year using a task order.

Key personnel dedicated to this project are as follows:

Tim SouderTransCore ITS
Jennifer Manubay, Manager I..... District 1 NDOT

The Department has appropriated \$500,000 for FY 16 and \$500,000 for FY 17 (\$1,000,000 total) for this agreement. The tasks will be assigned per the district's needs as outlined in the scope of Services.

The SERVICE PROVIDER's original cost proposal was revised during negotiations to accommodate staffing, equipment and parts procurement and specialty subcontractors that may be needed during this agreement. See attachment B Price Proposal.

The Negotiation yielded the following:

- 1) Hourly rates were negotiated down for each category of work, overtime rates were adjusted to cover employee overtime rates but not vehicles.
- 2) An equipment markup rate was negotiated down to cost +9% for this contract.
- 3) This will be a (2) two year contract with the option to extend an additional (2) two years.
- 4) Liquidated Damages (LD's) were discussed and it was agreed that \$1,500.00 per occurrence will be assessed for failure to show up or be prepared to perform the task as agreed to under the Scope of Service's

Reviewed and Approved:



Assistant Director

Line Item 4

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

Request to Solicit Services and Budget Approval (2A)

X Initial Budget Request or Request for Amendment # or Task Order #

If Amendment or Task Order, name of Company:

Agreement #: Project ID #(s): N/A

Type of Services: CONSULTANT SERVICES

Originated by: Jon Dickinson Division: Traffic Ops Date Originated: 6/16/2015

Division Head/District Engineer: Denise Inda

Budget Category #: 06 Object #: 813U Organization #: C016

Estimated Cost: 3000000 Type of Funding: State % of Fund: 100

Funding Notes: State Fiscal Year(s): FY-16,17

“Budget by Organization” Report (Report No. NBDM30) attached here:

Purpose of, and Justification for, Budget Request:

We are requesting to revise the original 2A to reflect FY-16 and 17 (Original specified FY15 and 16). Traffic operations will request adequate funds in the budget for this project. The RFP has already been issued and services providers have been selected for each District. Agreements with each will be finalized pending approval of this modification.



Due to the need for ongoing maintenance of ITS and associated electrical systems installed statewide, the Traffic Operations division is requesting approval to solicit consultant services using the RFP process.

These services will be used to maintain the department's growing ITS and associated electrical systems statewide. These services will include locating, evaluating, certifying proper functions, troubleshooting, preventative maintenance, as well as repairing, removing and replacing ITS and associated electrical systems. ITS and electrical systems include our expanding inventory of equipment such as flashing beacons, CCTV came

Scope of Services:

The scope of services will be for up to three contracts, one in each district and shall consist of consultant staff and equipment on an on-call basis for the preventative maintenance and emergency maintenance of ITS and associated electrical systems statewide. The Scope of the work needed will be specified and coordinated through each district with coordination from Traffic Operations Division. Each of the contracts will be managed by the respective districts.

Additional Information Attached

*Amendments for time extensions (time only) do not require a form 2a

**STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION**

Signed: DocuSigned by:
Donna Spelts 7/8/2015 Approve
0E5A12007A72831 Financial Management 2BAB68AE02084DA Date

Approval of this form by the Financial Management Division, Budget Section, provides funding authority for the services described. Actual availability of funds and the monitoring of actual expenditures must be determined by the Division Head.

Financial Management Comments:

Signed: DocuSigned by:
Norfa Lanuza 7/9/2015 Approve
2BAB68AE02084DA Project Accounting 2BAB68AE02084DA Date

Project Accounting Comments:

Signed: DocuSigned by:
Lady Mayson 7/10/2015 Approve
C4C7CE3CD384493... Director 2BAB68AE02084DA Date

Director Comments:

- Requires Transportation Board presentation
- Does not require Transportation Board presentation

This will require Board approval once the service provider(s) are selected. Anticipate providing information to the Board on why it is necessary to have this type of support when the agreement(s) are presented for approval. - RM

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

June 10, 2015

TO: Reid Kaiser, Assistant Director
FROM: Jon Dickinson, Project Manager
SUBJECT: Negotiation Summary for RFP 008-15-016 Maintenance and Repair of ITS Devices

A negotiation meeting was held at via multiple phone conferences on May 18, 2015 thru June 4, 2015, with David Newman, David Ludwig and Peter King from Digital Traffic Systems, Inc. (DTS), and Jon Dickinson and Rod Schilling of Traffic Operations, Janelle Thomas, Jae Pullen, Steve Williams, Alex Wolfson and Michael Fuess from District 2 representing the Nevada Department of Transportation (DEPARTMENT) in attendance.

A DBE goal is not required for this maintenance agreement.

The scope of services to be provided by the SERVICE PROVIDER was reviewed, small changes were made to accommodate everyone's needs. The final scope of services was agreed to by all parties (See attachment A, Scope of Services)

This is an on call service contract for FY 16 and FY 17, work tasks and schedules will be assigned to the service provider throughout the year using a task order.

Key personnel dedicated to this project are as follows:

David Newman, Vice President of Program Development and Technology.....DTS
Alexander Wolfson, Supervisor I..... District 2 NDOT

The Department has appropriated \$500,000 for FY 16 and \$500,000 for FY 17 (\$1,000,000 total) for this agreement. The tasks will be assigned per the district's needs as outlined in the Scope of Services.

The SERVICE PROVIDER's original cost proposal was revised during negotiations to accommodate staffing, equipment and parts procurement and specialty subcontractors that may be needed during this agreement (See attachment B, Price Proposal).

The Negotiation yielded the following:

- 1) Hourly rates were considered reasonable and accepted, additional rates were negotiated to cover overtime rated if needed as well as additional equipment that may be needed.
- 2) An equipment markup rate was negotiated at cost + 9% for this contract.
- 3) This will be a (2) two year contract with the option to extend an additional (2) two years.
- 4) Liquidated Damages (LD's) were discussed and it was agreed that \$1,500.00 per occurrence will be assessed for failure to show up or be prepared to perform the task as agreed to under the Scope of Service

Reviewed and Approved:



Assistant Director

Line Item 5

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

Request to Solicit Services and Budget Approval (2A)

X Initial Budget Request or Request for Amendment # or Task Order #

If Amendment or Task Order, name of Company:

Agreement #: Project ID #(s): N/A

Type of Services: CONSULTANT SERVICES

Originated by: Jon Dickinson Division: Traffic Ops Date Originated: 6/16/2015

Division Head/District Engineer: Denise Inda

Budget Category #: 06 Object #: 813U Organization #: C016

Estimated Cost: 3000000 Type of Funding: State % of Fund: 100

Funding Notes: State Fiscal Year(s): FY-16,17

“Budget by Organization” Report (Report No. NBDM30) attached here:

Purpose of, and Justification for, Budget Request:

We are requesting to revise the original 2A to reflect FY-16 and 17 (Original specified FY15 and 16). Traffic operations will request adequate funds in the budget for this project. The RFP has already been issued and services providers have been selected for each District. Agreements with each will be finalized pending approval of this modification.



Due to the need for ongoing maintenance of ITS and associated electrical systems installed statewide, the Traffic Operations division is requesting approval to solicit consultant services using the RFP process.

These services will be used to maintain the department's growing ITS and associated electrical systems statewide. These services will include locating, evaluating, certifying proper functions, troubleshooting, preventative maintenance, as well as repairing, removing and replacing ITS and associated electrical systems. ITS and electrical systems include our expanding inventory of equipment such as flashing beacons, CCTV came

Scope of Services:

The scope of services will be for up to three contracts, one in each district and shall consist of consultant staff and equipment on an on-call basis for the preventative maintenance and emergency maintenance of ITS and associated electrical systems statewide. The Scope of the work needed will be specified and coordinated through each district with coordination from Traffic Operations Division. Each of the contracts will be managed by the respective districts.

Additional Information Attached

*Amendments for time extensions (time only) do not require a form 2a

**STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION**

Signed: DocuSigned by:
Donna Spelts 7/8/2015 Approve
0E5A12007A722831 Financial Management 2BAB68AE02084DA Date

Approval of this form by the Financial Management Division, Budget Section, provides funding authority for the services described. Actual availability of funds and the monitoring of actual expenditures must be determined by the Division Head.

Financial Management Comments:

Signed: DocuSigned by:
Norfa Lanuza 7/9/2015 Approve
2BAB68AE02084DA Project Accounting 2BAB68AE02084DA Date

Project Accounting Comments:

Signed: DocuSigned by:
Lady Mayson 7/10/2015 Approve
C4C7CE3CD384493... Director 2BAB68AE02084DA Date

Director Comments:

- Requires Transportation Board presentation
- Does not require Transportation Board presentation

This will require Board approval once the service provider(s) are selected. Anticipate providing information to the Board on why it is necessary to have this type of support when the agreement(s) are presented for approval. - RM

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

June 10, 2015

TO: Reid Kaiser, Assistant Director
FROM: Jon Dickinson, Project Manager
SUBJECT: Negotiation Summary for RFP 008-15-016 Maintenance and Repair of ITS Devices

A negotiation meeting was held via multiple phone conferences on May 18, 2015 thru June 4, 2015, with Ryan Greenhalgh of Titan Electric, John Grant and Jonny Turner from the Narwhal Group, and Jon Dickinson and Rod Schilling of Traffic Operations, Kevin Lee, Boyd Ratliff and Bill Hance from District 3 representing the Nevada Department of Transportation (DEPARTMENT) in attendance.

A DBE goal is not required for this maintenance agreement.

The scope of services to be provided by the SERVICE PROVIDER was reviewed, small changes were made to accommodate everyone's needs. The final scope of services was agreed to by all parties (See attachment A, Scope of Services)

This is an on call service contract for FY 16 and FY 17, work tasks and schedules will be assigned to the service provider throughout the year using a task order.

Key personnel dedicated to this project are as follows:

Ryan GreenhalghTitan Electric
Kevin Lee, District Engineer..... District 3 NDOT

The Department has appropriated \$500,000 for FY 16 and \$500,000 for FY 17 (\$1,000,000 total) for this agreement. The tasks will be assigned per the district's needs as outlined in the Scope of Services.

The SERVICE PROVIDER's original cost proposal was revised during negotiations to accommodate staffing, equipment and parts procurement and specialty subcontractors that may be needed during this agreement (See attachment B, Price Proposal).

The Negotiation yielded the following:

- 1) Hourly rates were negotiated down for each category of work, overtime rates were adjusted to cover employee overtime rates but not vehicles.
- 2) An equipment markup rate was negotiated down to cost +8% for this contract.
- 3) This will be a (2) two year contract with the option to extend an additional (2) two years.
- 4) Liquidated Damages (LD's) were discussed and it was agreed that \$1,500.00 per occurrence will be assessed for failure to show up or be prepared to perform the task as agreed to under the Scope of Service

Reviewed and Approved:



Assistant Director



MEMORANDUM

August 3, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: August 10, 2015, Transportation Board of Directors Meeting
Item #5: Contracts, Agreements, and Settlements – Informational Item Only

Summary:

The purpose of this item is to inform the Board of the following:

- Construction contracts under \$5,000,000 awarded June 11, 2015, through July 16, 2015
- Agreements under \$300,000 executed June 11, 2015, through July 16, 2015
- Settlements entered into by the Department which were presented for approval to the Board of Examiners June 11, 2015, through July 16, 2015

Any emergency agreements authorized by statute will be presented here as an informational item.

Background:

Pursuant to NRS 408.131(5), the Transportation Board has authority to “[e]xecute or approve all instruments and documents in the name of the State or Department necessary to carry out the provisions of the chapter”. Additionally, the Director may execute all contracts necessary to carry out the provisions of Chapter 408 of NRS with the approval of the board, except those construction contracts that must be executed by the chairman of the board. Other contracts or agreements not related to the construction, reconstruction, improvement and maintenance of highways must be presented to and approved by the Board of Examiners. This item is intended to inform the Board of various matters relating to the Department of Transportation but which do not require any formal action by the Board.

The Department contracts for services relating to the construction, operation and maintenance of the State’s multi-modal transportation system. Contracts listed in this item are all low-bid per statute and executed by the Governor in his capacity as Board Chairman. The projects are part of the STIP document approved by the Board. In addition, the Department negotiates settlements with contractors, property owners, and other parties to resolve disputes. These proposed settlements are presented to the Board of Examiners, with the support and advisement of the Attorney General’s Office, for approval. Other matters included in this item would be any emergency agreements entered into by the Department during the reporting period.

The attached construction contracts, settlements and agreements constitute all that were awarded for construction from June 11, 2015, through July 16, 2015, and agreements executed by the Department from June 11, 2015, through July 16, 2015. There were two (2) settlements during the reporting period.

Analysis:

These contracts have been executed following the Code of Federal Regulations, Nevada Revised Statutes, Nevada Administrative Code, State Administrative Manual, and/or Department policies and procedures.

List of Attachments:

- A) State of Nevada Department of Transportation Contracts Awarded - Under \$5,000,000, June 11, 2015, through July 16, 2015
- B) State of Nevada Department of Transportation Executed Agreements – Under \$300,000, June 11, 2015, through July 16, 2015
- C) State of Nevada Department of Transportation Settlements - Informational, June 11, 2015, through July 16, 2015

Recommendation for Board Action: Informational item only

Prepared by: Administrative Services Division

Attachment

A

**STATE OF NEVADA DEPARTMENT OF TRANSPORTATION
 CONTRACTS AWARDED - INFORMATIONAL
 June 11, 2015 to July 16, 2015**

1. May 21, 2015, at 1:30 PM the following bids were opened for Contract 3591, Project No. SPI-580-1(022), I-580 at South Virginia (Summit Mall), in Washoe County, to construct landscape and aesthetics.

Q & D Construction, Inc.	\$1,915,906.50
Rapid Construction, Inc.	\$2,277,772.20
Road and Highway Builders LLC.	\$2,444,444.00
A & K Earth Movers, Inc.	\$2,597,000.00
MKD Construction, Inc.	\$2,781,000.00
 Engineer's Estimate	 \$2,261,874.98

The Director awarded the contract June 11, 2015, to Q & D Construction Inc., for \$1,915,906.50.

2. May 28, 2015, at 1:30 PM the following bids were opened for Contract 3592, Project No. SPSR-0823(001), on SR 823, Lower Colony and Artesia Roads, Lyon County, for placing plantmix and bituminous surface overlay.

Sierra Nevada Construction, Inc.	\$1,449,007.00
A & K Earth Movers, Inc.	\$1,484,000.00
Q & D Construction, Inc.	\$1,527,000.00
Granite Construction Company.	\$1,669,669.00
Spanish Springs Construction, Inc.	\$1,944,444.00
Road and Highway Builders LLC	\$2,000,000.00
 Engineer's Estimate	 \$1,573,972.56

The Director awarded the contract June 15, 2015, to Sierra Nevada Construction, Inc., for \$1,449,007.00.

3. May 28, 2015, at 2:00 PM the following bids were opened for Contract 3593, Project No. SPSR-0722(001), on SR 722, Lander County, for placing plantmix overlay.

A & K Earth Movers, Inc.	\$2,542,000.00
Sierra Nevada Construction, Inc.	\$2,939,007.00
Road and Highway Builders, LLC.	\$3,030,030.00
Granite Construction Company	\$3,169,169.00
Spanish Springs Construction, Inc.	\$3,222,444.00
 Engineer's Estimate	 \$2,519,127.39

The Director awarded the contract June 15, 2015, to A & K Earth Movers, Inc., for \$2,542,000.00.

4. June 4, 2015, at 2:00 PM the following bids were opened for Contract 3594, Project No. SP-MS-2325(2), Maintenance Yard 925, Independence Valley, Elko County, for drainage improvements, and to repave the Maintenance Yard.

Remington Construction Company LLC	\$499,999.00
Sierra Nevada Construction, Inc.	\$697,007.00
Road and Highway Builders LLC	\$1,070,070.00

Engineer's Estimate \$437,741.40

The Director awarded the contract July 1, 2015, to Remington Construction Company LLC, for \$499,999.00.

5. June 18, 2015, at 1:30 PM the following bids were opened for Contract 3595, Project No. NHP-395-1(026), on US 395, Douglas County, for seismic retrofit, scour countermeasures and rehabilitation of structures.

Granite Construction Company	\$1,625,625.00
Q & D Construction, Inc.	\$1,711,411.00
MKD Construction, Inc.	\$1,884,000.00

The Director awarded the contract July 7, 2015, to Granite Construction Company, for \$1,625,625.00.

6. June 25, 2015, at 10:00 AM the following bids were opened for Emergency Contract 808-15, Project No. SPF-395-2(036), on US 395 from I-80 to Oddie Blvd, Washoe County, to remove and replace median barrier rail.

Granite Construction Company	\$776,776.00
Q & D Construction, Inc.	\$897,402.30

Engineer's Estimate \$1,083,034.00

The Director awarded the contract June 25, 2015, to Granite Construction Company, for \$776,776.00.

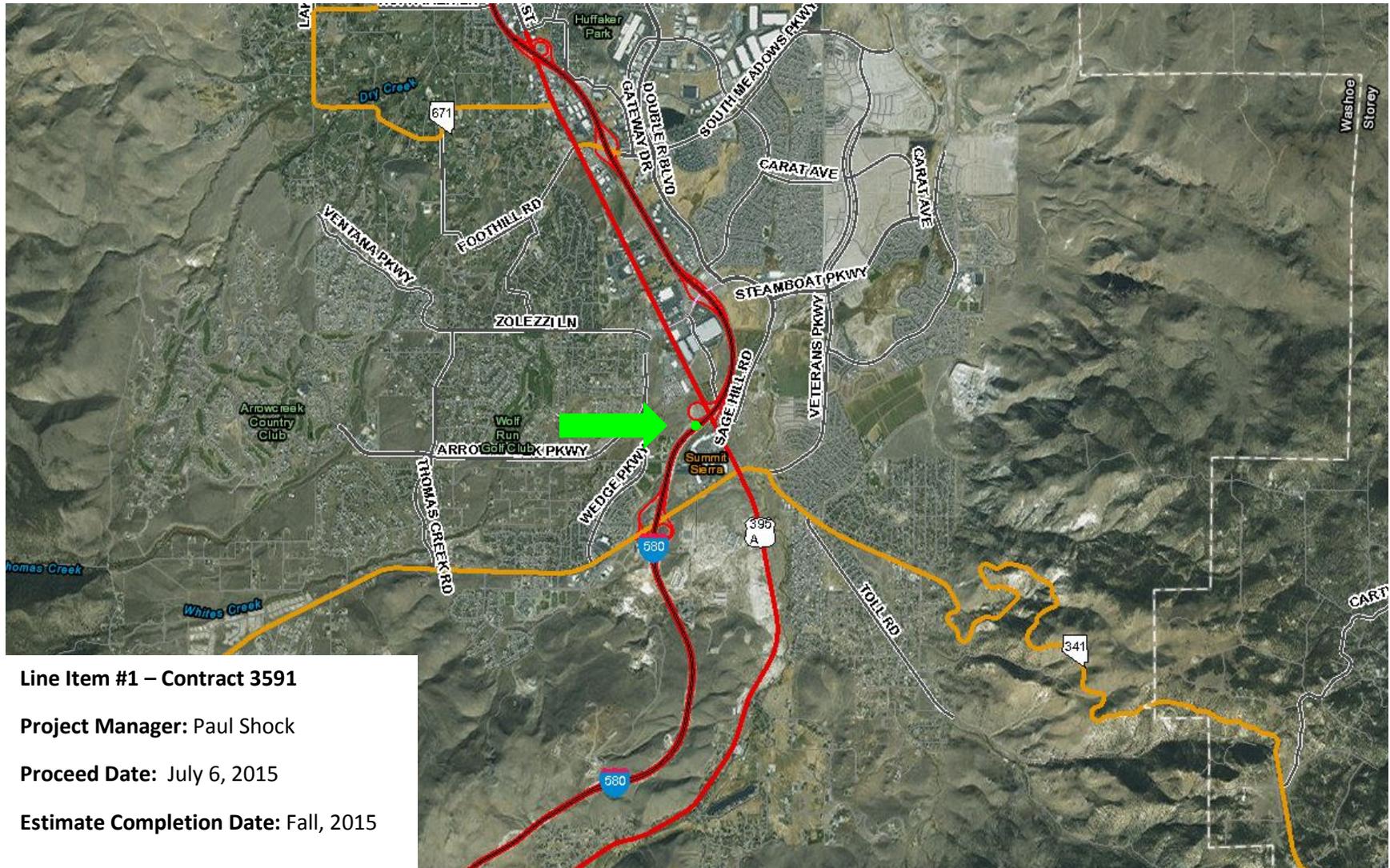
7. June 25, 2015, at 1:30 PM the following bids were opened for Contract 3596, Project No. SPF-093-5(023), US 93, Elko County, for wildlife safety crossing.

Remington Construction Company LLC	\$2,177,777.00
Gerber Construction, Inc.	\$2,092,117.54.... 5% Adjusted... \$2,196,723.42

Engineer's Estimate \$1,974,814.87

The Director awarded the contract July 2, 2015, to Remington Construction Company LLC, for \$2,177,777.00.

** Bidder's Preference was applied, affecting the ranking of the bids. Gerber Construction Inc. was the apparent low bidder at \$2,092,117.54. However, with the non-resident penalty applied, their adjusted bid amount is \$2,196,723.42.

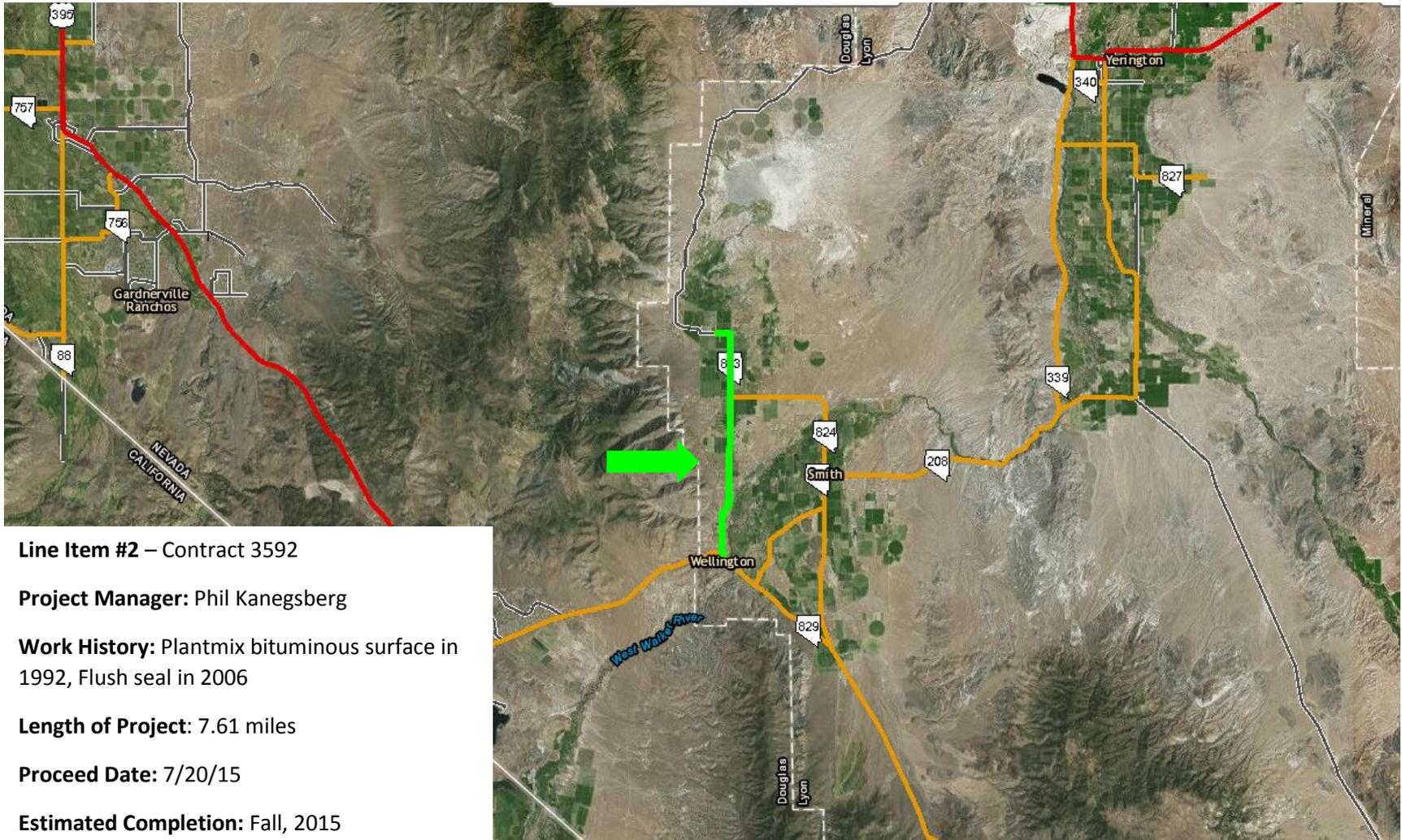


Line Item #1 – Contract 3591

Project Manager: Paul Shock

Proceed Date: July 6, 2015

Estimate Completion Date: Fall, 2015



Line Item #2 – Contract 3592

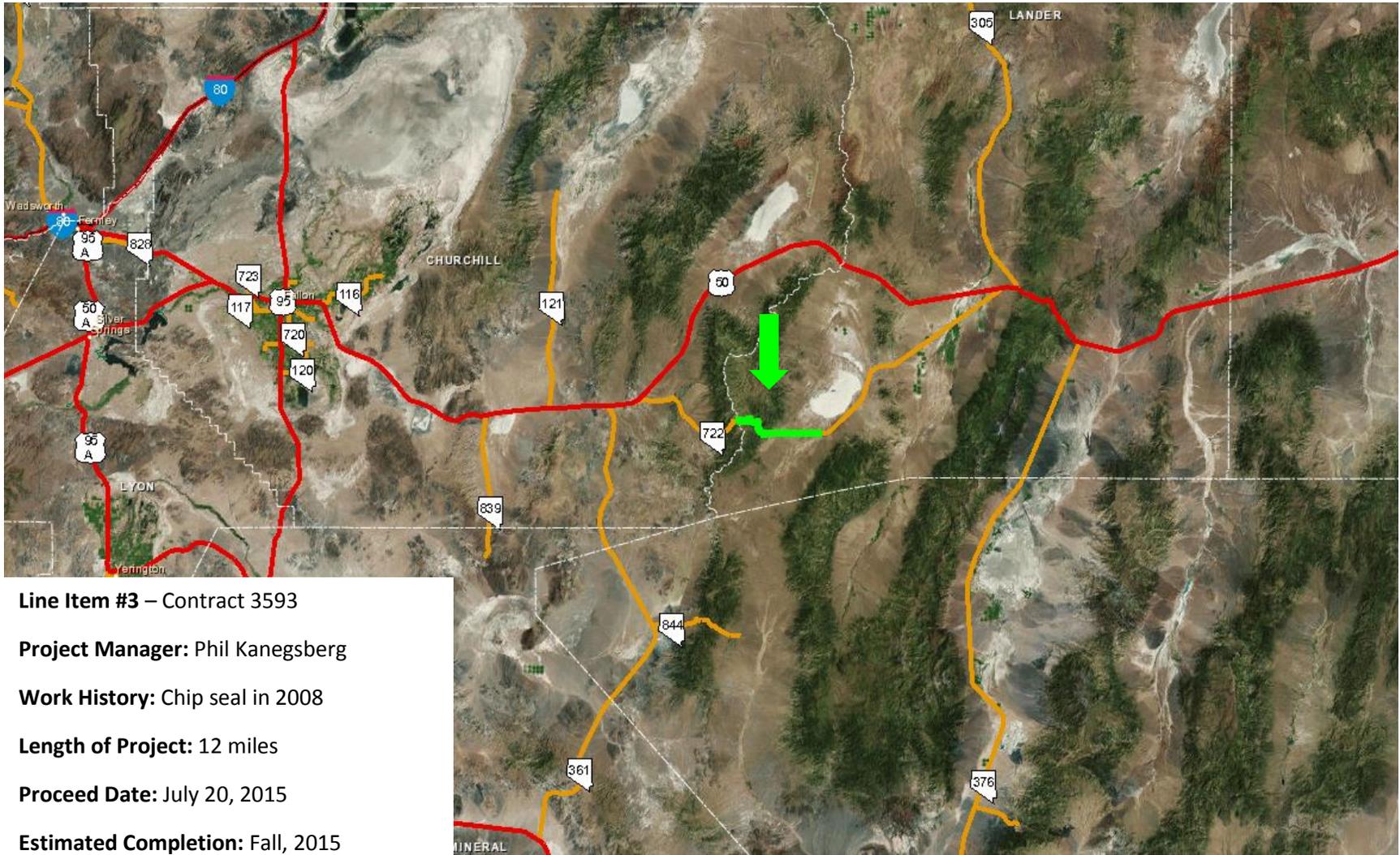
Project Manager: Phil Kanegsberg

Work History: Plantmix bituminous surface in 1992, Flush seal in 2006

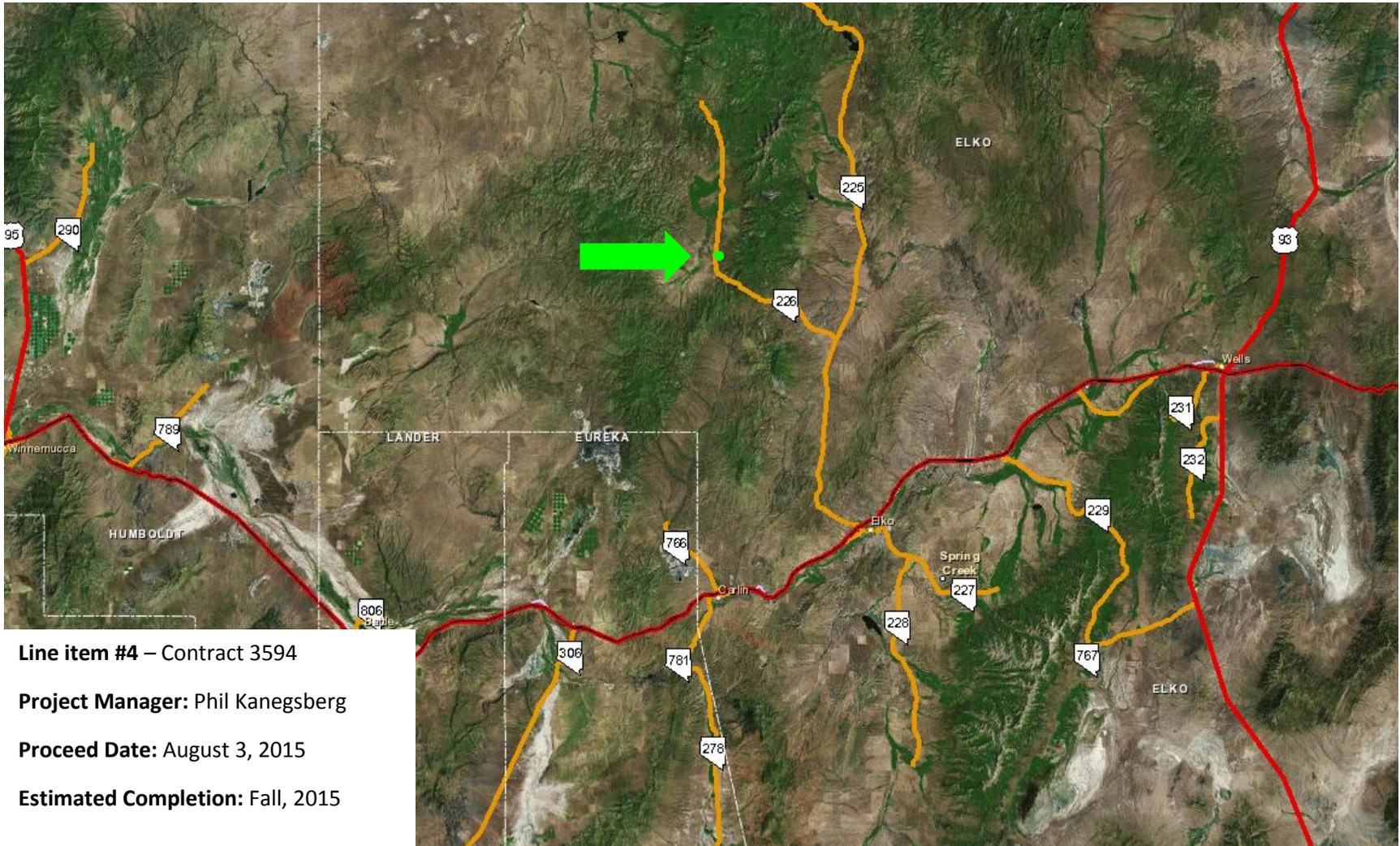
Length of Project: 7.61 miles

Proceed Date: 7/20/15

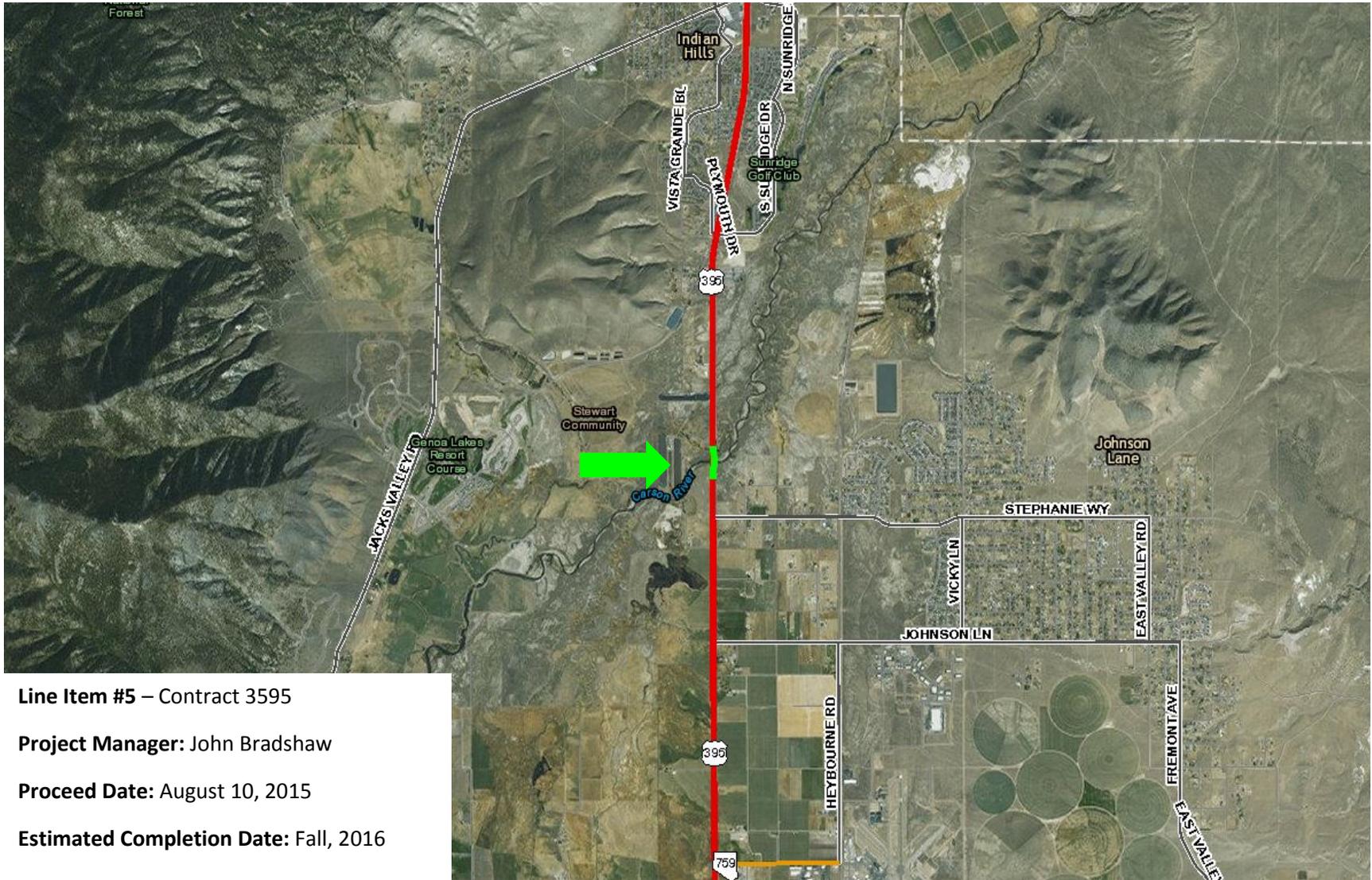
Estimated Completion: Fall, 2015



Line Item #3 – Contract 3593
Project Manager: Phil Kanegsberg
Work History: Chip seal in 2008
Length of Project: 12 miles
Proceed Date: July 20, 2015
Estimated Completion: Fall, 2015



Line item #4 – Contract 3594
Project Manager: Phil Kanegsberg
Proceed Date: August 3, 2015
Estimated Completion: Fall, 2015

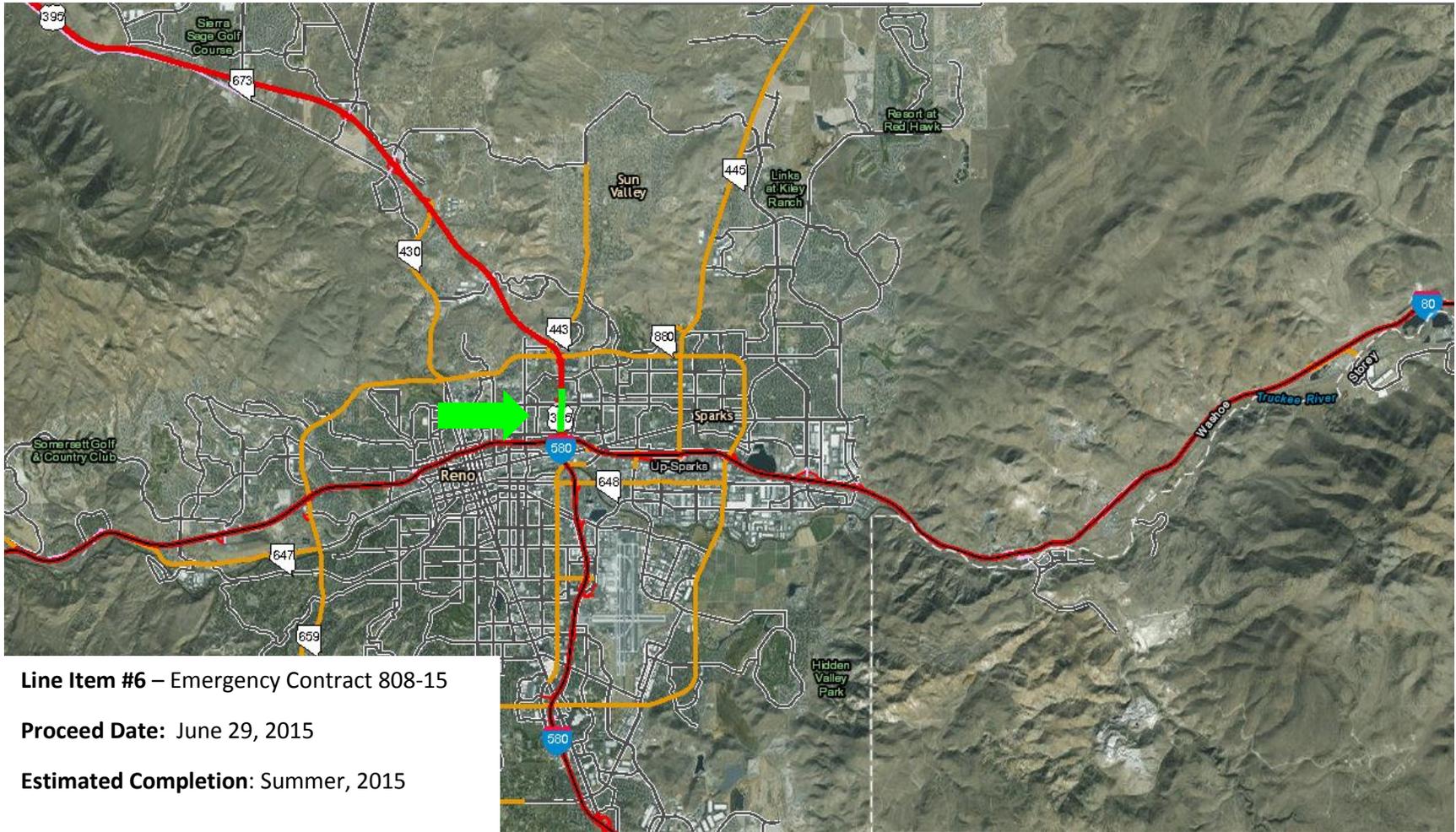


Line Item #5 – Contract 3595

Project Manager: John Bradshaw

Proceed Date: August 10, 2015

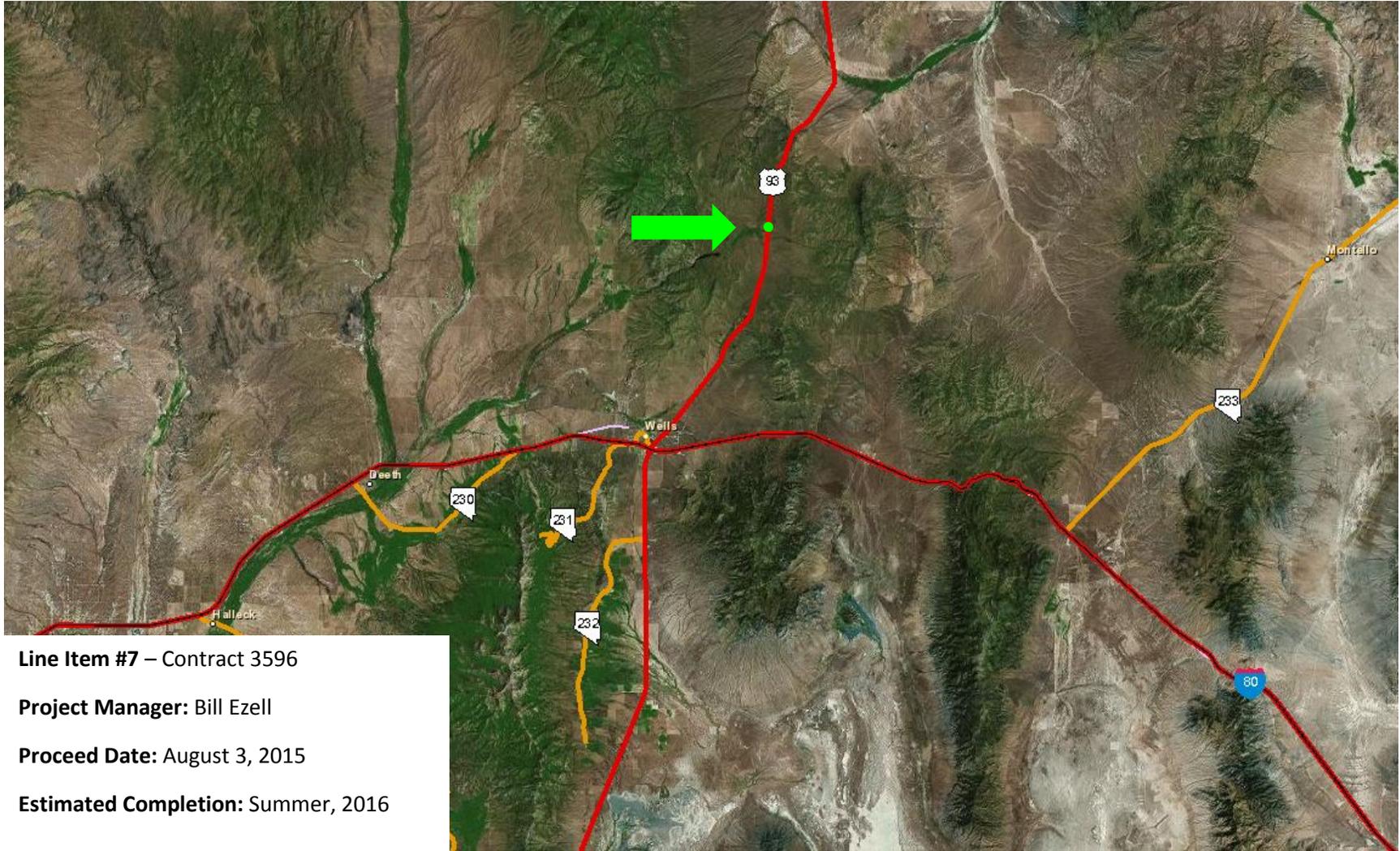
Estimated Completion Date: Fall, 2016



Line Item #6 – Emergency Contract 808-15

Proceed Date: June 29, 2015

Estimated Completion: Summer, 2015



Line Item #7 – Contract 3596

Project Manager: Bill Ezell

Proceed Date: August 3, 2015

Estimated Completion: Summer, 2016

Attachment B

State of Nevada Department of Transportation
Executed Agreements - Informational
June 11, 2015, through July 16, 2015

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Notes
1	19915	00	CITY OF CARSON CITY	DEFINE AGENCY ROLES FOR FREEWAY	N	-	-	-	-	6/16/2015	6/30/2019	-	Interlocal	JOHN TERRY	06-16-15: NO COST INTERLOCAL AGREEMENT FOR PHASE 2B-3 OF THE CARSON CITY FREEWAY TO DEFINE NDOT AND CARSON CITY ROLES, RESPONSIBILITIES, OWNERSHIP, OPERATION, AND MAINTENANCE OF THE FACILITIES, CARSON CITY. NV B/L#: EXEMPT
2	20613	01	UNIVERSITY OF NEVADA, LAS VEGAS	UTILITY GIS DATABASE	N	610,000.00	-	610,000.00	-	6/17/2013	10/30/2015	6/30/2015	Interlocal	HOLLY SMITH	AMD 1 06-23-15: EXTEND TERMINATION DATE FROM 06-30-15 TO 10-30-15 DUE TO DEPLOYMENT OF THE SOFTWARE TO THE DEPARTMENTS NETWORK TAKING LONGER THAN ANTICIPATED AND ADDITIONAL TIME IS REQUIRED FOR DEPLOYMENT AND SYSTEM TESTING. 06-17-13: UNIVERSITY TO ASSIST THE DEPARTMENT IN THE UTILITIES DATA COLLECTION EFFORTS AND DESIGN AND DEVELOPMENT OF A GEOGRAPHIC INFORMATION SYSTEMS (GIS) DATABASE SOLUTION TO PROVIDE THE DEPARTMENT WITH A MAPPING SYSTEM CONTAINING LOCATION AND SELECTED ATTRIBUTES DATA SETS, STATEWIDE. NV B/L #: EXEMPT
3	36615	00	1901 LOCH LOMOND WY TRUST	PARCEL I-015-CL-041.236	N	36,535.48	-	36,535.48	-	6/23/2015	6/30/2017	-	Acquisition	TINA KRAMER	06-23-15: PROTECTIVE RENT AGREEMENT FOR PARCEL I-015-CL-041.236, FOR PROJECT NEON DESIGN BUILD, CLARK COUNTY. NV B/L#: NV19961005406
4	40815	00	ALMA DE LEON	PARCEL I-015-CL-041.997	N	200,000.00	-	200,000.00	-	7/8/2015	7/31/2016	-	Acquisition	TINA KRAMER	07-13-15: ACQUISITION OF PARCEL I-015-CL-041.997, FOR PROJECT NEON DESIGN BUILD, CLARK COUNTY. NV B/L#: NV19951135191
5	35715	00	ARLT PROPERTIES	PARCEL I-015-CL-041.822	Y	345,000.00	-	345,000.00	-	6/23/2015	6/30/2018	-	Acquisition	TINA KRAMER	06-23-15: ACQUISITION OF PARCEL I-015-CL-041.822, FOR PROJECT NEON DESIGN BUILD, CLARK COUNTY. NV B/L#: NV19951135191
6	35815	00	ARLT PROPERTIES	PARCEL I-015-CL-041.833	Y	180,000.00	-	180,000.00	-	6/23/2015	6/30/2018	-	Acquisition	TINA KRAMER	06-23-15: ACQUISITION OF PARCEL I-015-CL-041.833, FOR PROJECT NEON DESIGN BUILD, CLARK COUNTY. NV B/L#: NV19951135191
7	36015	00	ARLT PROPERTIES	PARCEL I-015-CL-041.881	Y	180,000.00	-	180,000.00	-	6/23/2015	6/30/2018	-	Acquisition	TINA KRAMER	06-23-15: ACQUISITION OF PARCEL I-015-CL-041.881, FOR PROJECT NEON DESIGN BUILD, CLARK COUNTY. NV B/L#: NV19951135191
8	37015	00	CONNIE WHEELER	PARCEL U-094-ES-019.134 PE	Y	1,500.00	-	1,500.00	-	6/22/2015	6/30/2017	-	Acquisition	TINA KRAMER	06-22-15: ACQUISITION OF PARCEL U-095-ES-019.134PE, FOR THE US 95 GOLDFIELD VISITORS CENTER PROJECT, ESMEALDA COUNTY. NV B/L#: EXEMPT
9	35315	00	FLUSH INVESTMENTS LLC	PARCEL I-015-CL-042.049	Y	25,800.00	-	25,800.00	-	6/12/2015	4/25/2018	-	Acquisition	TINA KRAMER	06-12-15: PROTECTIVE RENT AGREEMENT FOR PARCEL I-015-CL-042.049 UNITS 2 AND 3, FOR PROJECT NEON DESIGN BUILD, CLARK COUNTY. NV B/L#: NV20101783670

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Notes
10	35415	00	FLUSH INVESTMENTS LLC	PARCEL I-015-CL-042.049	Y	15,000.00	-	15,000.00	-	6/10/2015	3/31/2018	-	Acquisition	TINA KRAMER	06-12-15: PROTECTIVE RENT AGREEMENT FOR PARCEL I-015-CL-042.049 UNIT 4, FOR PROJECT NEON DESIGN BUILD, CLARK COUNTY. NV B/L#: NV20101783670
11	34215	00	FLUSH INVESTMENTS, LLC	PARCEL I-015-CL-042.049	Y	316,000.00	-	316,000.00	-	6/11/2015	5/30/2019	-	Acquisition	TINA KRAMER	06-11-15: ACQUISITION OF PARCEL I-015-CL-042.049 FOR PROJECT NEON DESIGN BUILD, CLARK COUNTY. NV B/L#: NV19951135191
12	39215	00	HIGHER GROUND LLC SERIES 911	PARCEL I-015-CL-0141.912	Y	285,000.00	-	285,000.00	-	7/1/2015	6/30/2017	-	Acquisition	TINA KRAMER	07-07-15: ACQUISITION OF PARCEL I-015-CL-0141.912, FOR PROJECT NEON DESIGN BUILD, CLARK COUNTY. NV B/L#: NV19951135191
13	36915	00	HIGHER GROUND LLC SERIES 921	PARCEL I-015-CL-041.901	Y	285,000.00	-	285,000.00	-	6/22/2015	2/1/2016	-	Acquisition	TINA KRAMER	06-22-15: ACQUISITION OF PARCEL I-015-CL-041.901, FOR PROJECT NEON DESIGN BUILD, CLARK COUNTY. NV B/L#: NV19951135191
14	39315	00	JAYSON TILROE	PARCEL I-015-CL-040.910	Y	350,000.00	-	350,000.00	-	7/1/2015	6/30/2017	-	Acquisition	TINA KRAMER	07-07-15: ACQUISITION OF PARCEL I-015-CL-040.910, FOR PROJECT NEON DESIGN BUILD, CLARK COUNTY. NV B/L#: NV19951135191
15	41115	00	MARTIN RENTALS	PARCEL I-015-CL-042.139	Y	21,000.00	-	21,000.00	-	7/10/2015	7/31/2018	-	Acquisition	TINA KRAMER	07-10-15: PROTECTIVE RENT AGREEMENT FOR PARCEL I-015-CL-042.139 FOR PROJECT NEON DESIGN BUILD, 522 MARTIN LUTHER KING BOULEVARD, CLARK COUNTY. NV B/L#: NVD20091529298
16	36515	00	MVR CORPORATION	PARCEL I-015-CL-041.236	N	39,048.37	-	39,048.37	-	6/23/2015	6/30/2017	-	Acquisition	TINA KRAMER	06-23-15: PROTECTIVE RENT AGREEMENT FOR PARCEL I-015-CL-041.236, FOR PROJECT NEON DESIGN BUILD, CLARK COUNTY. NV B/L#: NV19891031914
17	34415	00	ROBIN N HAWK	PARCEL I-015-CL-044.8564	Y	176,000.00	-	176,000.00	-	6/11/2015	5/30/2019	-	Acquisition	TINA KRAMER	06-11-15: ACQUISITION OF PARCEL I-015-CL-044.8564 FOR PROJECT NEON DESIGN BUILD, CLARK COUNTY. NV B/L#: NV19951135191
18	35915	00	MATHEWS APPRAISAL	APPRAISAL REVIEW	Y	1,200.00	-	1,200.00	-	6/17/2015	9/30/2015	-	Appraisal	TINA KRAMER	06-23-15: APPRAISAL AND REVIEW OF PARCELS I-015-CL-041.573TE1, I-015-CL-041.573TE2, AND I-015-CL-041.573PE, FOR PROJECT NEON DESIGN BUILD PROJECT, CLARK COUNTY. NV B/L#: NV20091178060
19	35615	00	VALBRIDGE PROPERTY ADVISORS	APPRAISAL REVIEW	Y	2,500.00	-	2,500.00	-	6/17/2015	9/30/2015	-	Appraisal	TINA KRAMER	06-23-15: APPRAISAL AND REVIEW OF PARCELS I-015-CL-041.573TE1, I-015-CL-041.573TE2, AND I-015-CL-041.573PE, FOR PROJECT NEON DESIGN BUILD PROJECT, CLARK COUNTY. NV B/L#: NV19971194996
20	36115	00	CITY OF SPARKS	MANHOLE ADJUSTMENT	N	1,100.00	-	-	1,100.00	6/12/2015	6/30/2016	-	Facility	TINA KRAMER	06-12-15: REIMBURSE NDOT FOR ADJUSTMENT OF MANHOLE OWNED BY WASHOE COUNTY. NV B/L#: EXEMPT

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Notes
21	39115	00	CLARK COUNTY WATER RECLAMATION	MANHOLE ADJUSTMENT	N	75,900.00	-	-	75,900.00	7/13/2015	7/31/2016	-	Facility	TINA KRAMER	07-13-15: REIMBURSE NDOT FOR ADJUSTMENT OF 69 MANHOLES OWNED BY CLARK COUNTY WATER RECLAMATION DISTRICT, CLARK COUNTY. NV B/L: EXEMPT
22	34015	00	NV ENERGY	UTILITY DESIGN	N	-	-	-	-	6/11/2015	12/31/2015	-	Facility	TINA KRAMER	06-11-15: NO COST AGREEMENT TO INSTALL SIGNAL LIGHTS ON BLUE DIAMOND AT THE INTERSECTION OF EL CAPITAN WAY AND FORT APACHE ROAD, CLARK COUNTY. NV B/L#: NV19981212884
23	34615	00	NV ENERGY	UTILITY DESIGN	N	-	-	-	-	6/17/2015	2/28/2018	-	Facility	TINA KRAMER	06-23-15: NO COST AGREEMENT FOR UTILITY DESIGN IN CONJUNCTION WITH NEW I-15 INTERCHANGE, CLARK COUNTY. NV B/L#: NV19831015840
24	34715	00	NV ENERGY	UTILITY DESIGN	N	-	-	-	-	6/23/2015	2/28/2018	-	Facility	TINA KRAMER	06-23-15: NO COST AGREEMENT FOR UTILITY DESIGN IN CONJUNCTION WITH US 95 FROM DURANGO TO KYLE CANYON ROAD PROJECT, CLARK COUNTY. NV B/L#: NV19831015840
25	36815	00	NV ENERGY	DESIGN INITIATION AGREEMENT	N	-	-	-	-	6/22/2015	2/28/2018	-	Facility	TINA KRAMER	06-22-15: NO COST DESIGN INITIATION AGREEMENT FOR KYLE CANYON ROUNDABOUT, CLARK COUNTY. NV B/L#: NV19831015840
26	37515	00	NV ENERGY	DESIGN APPROVAL AGREEMENT	N	-	-	-	-	6/30/2015	12/31/2015	-	Facility	TINA KRAMER	06-30-15: NO COST DESIGN APPROVAL AGREEMENT FOR BOULDER CITY BYPASS, CLARK COUNTY. NV B/L#: NV19831015840
27	37615	00	NV ENERGY	DESIGN INITIATION AGREEMENT	N	-	-	-	-	6/30/2015	12/31/2015	-	Facility	TINA KRAMER	06-30-15: NO COST DESIGN INITIATION AGREEMENT FOR INSTALLING INFORMATION TRAFFIC SYSTEMS (ITS) INFRASTRUCTURE ON I-15, SPEEDWAY TO ARIZONA STATE LINE, CLARK COUNTY. NV B/L#: NV19831015840
28	02815	01	WASHOE COUNTY RTC	TRANSIT CAPITAL MATCH	N	225,000.00	-	225,000.00	-	2/19/2015	6/30/2016	6/26/2015	Grantee	MICHELLE GARDNER	AMD 1 06-26-15: EXTEND TERMINATION DATE FROM 06-30-15 TO 06-30-16 TO ALLOW TIME TO EXPEND ALL FUNDS. 02-24-15: STATE FUNDS MATCH OF FEDERAL FUNDS FOR CAPITAL ACQUISITION FOR USE IN PUBLIC TRANSPORTATION SERVICES, WASHOE COUNTY. NV B/L#: EXEMPT
29	37915	00	NAROM DEVELOPMENT COMPANY	CONSTRUCTION OUTSIDE ROW	N	-	-	-	-	6/26/2015	1/31/2018	-	ROW Access	TINA KRAMER	06-30-15: NO COST AGREEMENT FOR CONSTRUCTION OUTSIDE RIGHT-OF-WAY FOR PROJECT ON GLENDALE AVENUE, WASHOE COUNTY. NV B/L#: EXEMPT
30	33415	00	BERTENTHAL FAMILY TRUST	CONSTRUCTION OUTSIDE ROW	N	-	-	-	-	6/11/2015	1/31/2018	-	ROW Access	TINA KRAMER	06-11-15: NO COST AGREEMENT FOR CONSTRUCTION OUTSIDE RIGHT-OF-WAY FOR A PROJECT ON GLENDALE AVENUE, WASHOE COUNTY. NV B/L#: EXEMPT

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Notes
31	35515	00	DIKRAN JAFERIAN	CONSTRUCTION OUTSIDE ROW	N	-	-	-	-	6/23/2015	1/31/2018	-	ROW Access	TINA KRAMER	06-23-15: NO COST AGREEMENT FOR CONSTRUCTION OUTSIDE RIGHT-OF-WAY TO CONSTRUCT A CURB RAMP, WASHOE COUNTY. NV B/L#: EXEMPT
32	38015	00	NADER & SHIDA INVESTMENTS LLC	CONSTRUCTION OUTSIDE ROW	N	-	-	-	-	6/30/2015	1/31/2018	-	ROW Access	TINA KRAMER	06-30-15: NO COST AGREEMENT FOR CONSTRUCTION OUTSIDE RIGHT-OF-WAY TO RECONSTRUCT A DRIVEWAY, CURB, GUTTER, AND SIDEWALK ALONG SR 604, CLARK COUNTY. NV B/L#: EXEMPT
33	38215	00	RAMO NICKOLAS HANNA & SULLIMAN	CONSTRUCTION OUTSIDE ROW	N	-	-	-	-	6/26/2015	1/31/2018	-	ROW Access	TINA KRAMER	06-30-15: NO COST AGREEMENT FOR CONSTRUCTION OUTSIDE RIGHT-OF-WAY TO RECONSTRUCT A DRIVEWAY, CURB, GUTTER, AND SIDEWALK ALONG SR 604, CLARK COUNTY. NV B/L#: EXEMPT
34	34515	00	SSF INVESTMENT LLC	CONSTRUCTION OUTSIDE ROW	N	-	-	-	-	6/10/2015	1/31/2018	-	ROW Access	TINA KRAMER	06-10-15: NO COST AGREEMENT FOR CONSTRUCTION OUTSIDE OF RIGHT-OF-WAY, GLENDALE AVENUE FROM KIETZKE TO MCCARRAN, WASHOE COUNTY. NV B/L#: NV20151321392
35	37215	00	TEIG FAMILY INVESTMENTS LLC	TEMPORARY EASEMENT	Y	2,000.00	-	2,000.00	-	6/30/2015	6/30/2018	-	ROW Access	TINA KRAMER	06-30-15: TEMPORARY EASEMENT FOR BRIDGE CONSTRUCTION FOR SEVERAL PARCELS AT MULLER LANE AND CARSON RIVER, DOUGLAS COUNTY. NV B/L#: NV20011137341
36	09015	00	AGC LAS VEGAS CHAPTER	DBE/SBE FUNDING FOR TRAINING	N	75,000.00	-	75,000.00	-	6/15/2015	12/30/2015	-	Service Provider	TRACY LARKIN-THOMASON	06-15-15: FUNDING TO PROVIDE TRAINING FOR DBE AND SBE BUSINESSES, CLARK COUNTY. NV B/L#: NVD19811013520
37	38115	00	ANDERSON VALUATION GROUP	REAL ESTATE APPRAISAL & EXPERT WITNESS	Y	50,000.00	-	50,000.00	-	6/30/2015	6/30/2017	-	Service Provider	TINA KRAMER	06-30-15: REAL ESTATE APPRAISAL AND EXPERT WITNESS SERVICES, BOULDER CITY BYPASS, CLARK COUNTY. NV B/L#: NVD20041285225-S
38	36715	00	CLEAN HARBORS ENVIRONMENTAL SERVICES	CLEAN SIDEWALK CURB BRIDGE I-80	N	26,842.75	-	26,842.75	-	6/18/2015	12/31/2016	-	Service Provider	MARLENE REVERA	6-18-15: Q2-024-15: TO CLEAN AND REMOVE BIO-HAZARDOUS MATERIALS FROM UNDER BRIDGE, SIDEWALKS, CURBS ON I-80 MP WA16, WASHOE COUNTY. NV B/L#: NVF20021375471-Q
39	28315	00	DAVID EVANS AND ASSOCIATES INC.	REPORT ON DRILL SHAFTS 3389	N	20,000.00	-	20,000.00	-	7/2/2015	9/30/2015	-	Service Provider	REID KAISER	07-02-15: ANALYZE THE DRILL SHAFTS CONSTRUCTED UNDER CONTRACT 3389 AND PRODUCE A REPORT ON THE FINDINGS, WASHOE COUNTY. NV B/L#: NVF19991157494-S
40	29415	00	GC WALLACE INC.	DESIGN GOLDFIELD VISITOR CENTRE	Y	40,000.00	-	40,000.00	-	7/15/2015	7/31/2016	-	Service Provider	KEVIN MAXWELL	07-15-15: DESIGN ENGINEERING, BIDDING DOCUMENTATION AND CONTRACT SUPPORT FOR GOLDFIELD VISITOR CENTER, CLARK AND ESMERALDA COUNTIES. NV B/L#: NVD19721004148-S

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Notes
41	30712	02	KIMLEY-HORN AND ASSOCIATES	DEVELOP BICYCLE PLANS	N	214,957.00	-	239,497.00	-	4/30/2013	12/31/2015	6/24/2015	Service Provider	BILL STORY	AMD 2 06-24-15: EXTEND TERMINATION DATE FROM 6-30-15 TO 12-31-15 TO ALLOW TIME FOR EFFORTS REQUIRED TO COMPLETE PROJECT. AMD 1 12-18-14: INCREASE AUTHORITY \$24,540.00 FROM \$214,957.00 TO \$239,497.00 AND EXTEND TERMINATION DATE FROM 12-31-14 TO 06-30-15 TO COMPENSATE FOR ADDITIONAL EFFORTS. 04-30-13: DEVELOPMENT OF 14 REGIONAL BICYCLE PLANS FOR COUNTIES OUTSIDE OF METROPOLITAN PLANNING ORGANIZATION AREAS, STATEWIDE. NV B/L#: NVF19911015458-R
42	37715	00	LAS VEGAS PAVING	COLD MILL I-15	N	32,799.00	-	32,799.00	-	7/14/2015	4/29/2016	-	Service Provider	JENNIFER MANUBAY	07-14-15: Q1-023-15: TO COLD MILL AND REPAVE I-15 NORTH BOUND MP 43.87, CLARK COUNTY. NV B/L#: NVD19581000650-Q
43	38415	00	LEGACY REALTY INC.	REAL ESTATE APPRAISAL & EXPERT WITNESS	Y	200,000.00	-	200,000.00	-	6/30/2015	6/30/2017	-	Service Provider	TINA KRAMER	06-30-15: REAL ESTATE APPRAISAL AND EXPERT WITNESS SERVICES FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NVD19951074068-S
44	39615	00	LEGACY REALTY INC.	REAL ESTATE APPRAISAL & EXPERT WITNESS	Y	75,000.00	-	75,000.00	-	7/6/2015	6/30/2017	-	Service Provider	RON DIETRICH	07-06-15: REAL ESTATE APPRAISAL AND EXPERT WITNESS SERVICES FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NVD19951074068-S
45	39715	00	LEGACY REALTY INC.	REAL ESTATE APPRAISAL & EXPERT WITNESS	Y	50,000.00	-	50,000.00	-	07/0/15	6/30/2017	-	Service Provider	RON DIETRICH	07-07-15: REAL ESTATE APPRAISAL AND EXPERT WITNESS SERVICES FOR I-15 AT CACTUS INTERCHANGE PROJECT, CLARK COUNTY. NV B/L#: NVD19951074068-S
46	40515	00	LEGACY REALTY INC.	REAL ESTATE APPRAISAL & EXPERT WITNESS	Y	145,000.00	-	145,000.00	-	07/0715	12/31/2015	-	Service Provider	RON DIETRICH	07-07-15: REAL ESTATE APPRAISAL AND EXPERT WITNESS SERVICES FOR BOULDER CITY BYPASS, CLARK COUNTY. NV B/L#: NVD19951074068-S
47	39915	00	LEGACY REALTY, INC.	REAL ESTATE APPRAISAL & EXPERT WITNESS	Y	130,000.00	-	130,000.00	-	7/2/2015	6/30/2017	-	Service Provider	RON DIETRICH	07-02-15: REAL ESTATE APPRAISAL AND EXPERT WITNESS SERVICES FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NVD19951074068-S
48	40415	00	Q&D CONSTRUCTION	OVERLAY BRIDGE DECK US395	N	197,500.00	-	197,500.00	-	7/9/2015	12/31/2016	-	Service Provider	MARLENE REVERA	07-09-15: Q2-012-15: TO REPAIR SPALLS, CLEAN JOINTS, OVERLAY BRIDGE DECK, ETC. ON US-395 AT MP 5.25, CARSON CITY. NV B/L#: NVD19671000639-Q
49	34915	00	REMINGTON CONSTRUCTION CO	REPLACE SEPTIC TANK	N	79,999.00	-	79,999.00	-	6/19/2015	9/30/2015	-	Service Provider	TRENT AVERETT	06-19-15: Q3-020-15: TO REPLACE A SEPTIC TANK AT THE INDEPENDENCE VALLEY MAINTENANCE STATION, ELKO COUNTY. NV B/L#: NVD20071516052-Q

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Notes
50	36415	00	SENSKE PEST CONTROL	PIGEON CONTROL AND CLEAN UP	N	240,000.00	-	240,000.00	-	6/25/2015	12/31/2017	-	Service Provider	DEAN MOSHER	6-25-15: Q0-017-15: PIGEON FLOCK CONTROL. PROVIDE PREVENTATIVE MONTHLY MAINTENANCE, CONDUCT WEEKLY OPERATIONS TO PREVENT FURTHER INFESTATION AND CLEAN UP AT 4 LOCATIONS., CLARK COUNTY. NVF20121173474-Q
51	39415	00	SIERRA NEVADA CONSTRUCTION	ADA IMPROVEMENTS SR28	N	309,007.00	-	309,007.00	-	7/14/2015	12/31/2015	-	Service Provider	MARLENE REVERA	07-14-15: Q0-019-15: FOR PEDESTRIAN AND AMERICANS WITH DISABILITIES ACT (ADA) IMPROVEMENTS ON SR28 FROM COUNTRY CLUB DRIVE TO NORTHWOOD BLVD., WASHOE COUNTY. NV B/L#: NVD19881009372-Q
52	40115	00	SIERRA NEVADA CONSTRUCTION	MICRO-SURFACE OLD HOT SPRINGS	N	57,230.00	-	57,230.00	-	7/10/2015	12/31/2015	-	Service Provider	GREG MINDRUM	7-10-15: Q0-021-15: TO MICRO-SURFACE OLD HOT SPRINGS ROAD, FROM GONI TO I-580, CARSON CITY. NV B/L#: NVD19881009372-Q
53	03414	04	TETRA TECH	NOA - BOULDER CITY BYPASS	N	449,582.00	75,796.36	1,082,757.23	-	4/11/2014	4/1/2018	6/16/2015	Service Provider	STEVE COOKE	AMD 4 06-16-15: INCREASE AUTHORITY BY \$75,796.36 FROM \$1,006,960.87 TO \$1,082,757.23 TO COLLECT AND ANALYZE MATERIAL SAMPLES FOR NATURALLY OCCURRING ASBESTOS (NOA) FROM SELECT PIT LOCATIONS USED TO GENERATE DECORATIVE LANDSCAPING ROCK. AMD 3 08-20-14: INCREASE AUTHORITY BY \$159,359.42 FROM \$847,601.45 TO \$1,006,960.87 TO COLLECT AND ANALYZE AMBIENT AIR SAMPLES UNTIL THE START OF CONSTRUCTION. AMD 2 07-10-14: INCREASE AUTHORITY BY \$176,521.45 FROM \$671,080.00 TO \$847,601.45 IN ORDER TO ASSIST WITH THE SURFACE SOIL SAMPLING, AND HELP WITH THE SAMPLE DOCUMENTATION AND MANAGEMENT. AMD 1 05-28-14: INCREASE AUTHORITY BY \$171,498.00 FROM \$499,582.00 TO \$671,080.00 DUE TO THE NEED TO CONDUCT UP TO SEVEN MONTHS OF ADDITIONAL AMBIENT AIR MONITORING. 04-11-14: PROVIDE TECHNICAL SERVICES FOR ADDRESSING NATURALLY OCCURRING ASBESTOS (NOA) WITHIN THE BOULDER CITY BYPASS PROJECT, CLARK COUNTY. NV B/L#: NVF11921063769-R
54	49314	00	THOLL FENCE INC.	INSTALL ADOPT-A-HWY SIGNS	N	50,000.00	-	50,000.00	-	7/9/2015	12/31/2016	-	Service Provider	THOR DYSON	07-09-15: INSTALLATION OF ADOPT-A-HIGHWAY SIGNS. REIMBURSED \$998.00 PER SIGN ALONG I-580, US 395, AND US 50, DOUGLAS, LYON, WASHOE COUNTIES, AND CARSON CITY. NV B/L#: NVD19591000420-Q

Attachment C

**State of Nevada Department of Transportation
Settlements - Informational
June 11, 2015, to July 16, 2015**

Line No	Type	Second Party	Settlement Amount	Notes
1	SETTLEMENT OF EMINENT DOMAIN LAWSUIT	JENSEN	8,000.00	THE SETTLEMENT PROVIDES FOR \$8,000.00 TO BE PAID TO ALLAN AND C. BRIDGET JENSEN, FOR A TWO (2) YEAR, WITH A THIRD YEAR OPTION, TEMPORARY EASEMENT OF A 315 SQUARE FEET PORTION OF THE JENSEN'S PERSONAL RESIDENCE ADJACENT TO SOUTH MCCARRAN BOULEVARD IN THE CITY OF RENO FOR THE SOUTH MCCARRAN WIDENING PROJECT.
2	SETTLEMENT OF EMINENT DOMAIN LAWSUIT	WYKOFF NEWBERG CORPORATION	2,990,000.00	THE SETTLEMENT PROVIDES FOR \$2,990,000.00 TO BE PAID TO THE WYKOFF NEWBERG CORPORATION, FOR AQUISITION OF VACANT LAND GENERALLY LOCATED NEAR THE INTERSECTION OF LAS VEGAS BOULEVARD SOUTH AND FRONTING WARM SPRINGS ROAD, IN THE SOUTHERN LAS VEGAS VALLEY FOR THE WIDENING I-15 AND WARM SPRINGS ROAD PROJECT.

Line Item 1

OFFICE OF THE ATTORNEY GENERAL

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ADAM PAUL LAXALT
Attorney General

WESLEY K. DUNCAN
Assistant Attorney General



DENNIS V. GALLAGHER
Chief Deputy Attorney General

MEMORANDUM

DATE: July 16, 2015

TO: Board of Directors
Nevada Department of Transportation

FROM: Dennis Gallagher, Chief Deputy Attorney General 

SUBJECT: Informational Item – Approval of Settlement in the matter of
NDOT, State of Nevada ex rel. its Department of Transportation
v. Allen Jensen and C. Bridget Jensen
Second Judicial District Court Case No. CV14-01212

At their July 7, 2015 meeting, the Board of Examiners approved the settlement in the amount of \$8,000 to be paid from NDOT funds to resolve the contested condemnation case referenced above which is part of acquiring temporary construction easements for the purposes of widening South McCarran in Reno.

Attached is the June 9, 2015 memorandum to the Board of Examiners from Director Rudy Malfabon and myself to the Board of Examiners setting forth a summary of the settlement.



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

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ADAM PAUL LAXALT
Attorney General

WESLEY K. DUNCAN
Assistant Attorney General

NICHOLAS A. TRUTANICH
Chief of Staff

MEMORANDUM

DATE: June 9, 2015

TO: Board of Examiners
Governor Brian Sandoval
Attorney General Adam Paul Laxalt
Secretary of State Barbara K. Cegavske

FROM: Rudy Malfabon, Director, Nevada Department of Transportation
Dennis Gallagher, Chief Deputy Attorney General

SUBJECT: Proposed Settlement of an Eminent Domain Action,
State of Nevada v. Jensen
Second Judicial District Court Case No. CV14-01212

A handwritten signature in black ink, appearing to read "Rudy Malfabon".

SUMMARY

NDOT filed the above-referenced eminent domain action in 2014 to acquire a portion of real property and improvements owned by Allan and C. Bridget Jensen. The property consists of the Jensens' personal residence adjacent to South McCarran Boulevard in the City of Reno. NDOT is acquiring a temporary construction easement over the property for purposes of widening South McCarran.

NDOT requests settlement approval in the total amount of \$8,000 (EIGHT THOUSAND DOLLARS) to resolve the action and acquire the property. NDOT has previously deposited \$6,900 with the Court, and **therefore requests an additional \$1,100 to resolve the matter.**

THE SUBJECT PROPERTY

NDOT is acquiring a temporary easement over the Jensens' residence located at 4340 Spring Drive, Reno, Washoe County, Nevada 89502. The property is a single family home on an improved approximately 7,500 sq. ft. lot. The acquisition is approximately 315 square feet over a portion of the back yard for a duration of two years, with a third year option.

THE ACTION

NDOT filed a direct condemnation action, CV14-01212, in the Second Judicial District Court on June 4, 2014. NDOT moved for immediate occupancy of the subject property, which the Jensens did not oppose. Occupancy was granted. NDOT's action and motion for occupancy were supported by a pre-litigation appraisal report obtained from Mr. Anthony Wren, MAI. Mr. Wren valued the acquisition at \$6,874.00.

A four-day jury trial of this matter was set for February 8, 2016, in Department 8 of the Second Judicial District Court. All other parties have now filed Disclaimers of Interest in the Action. The Jensens and counsel of NDOT convened a settlement conference and agreed to a proposed settlement of \$8,000.00 for the temporary easement.

POINTS THAT FAVOR SETTLEMENT

The proposed settlement amount is \$1,100 more than NDOT's appraisal. If settlement is not achieved, and this matter proceeded to trial for resolution, even if NDOT obtained a verdict for the exact dollar amount of its appraisal, the recoverable landowner litigation costs, NDOT's own litigation costs, expert witness fees, and attorney fees would vastly exceed the cost of settlement.

RECOMMENDATION

NDOT has considered the benefits of settlement and has made the decision that settlement is reasonable, prudent, and in the public interest. **NDOT requests the authority to settle the Action for an additionally \$1,100 for the total amount of \$8,000.** If the Board approves the settlement, NDOT intends to enter into a settlement agreement and/or stipulated order to resolve the Action in full for the said amount, inclusive of all attorneys' fees, costs and interest.

FISCAL NOTE STATEMENT

NDOT will not seek reimbursement from the Federal Highway Administration for the proposed settlement amount. This is a State only funded project.

Line Item 2

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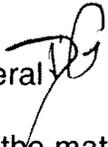


DENNIS V. GALLAGHER
Chief Deputy Attorney General

MEMORANDUM

DATE: July 16, 2015

TO: Board of Directors
Nevada Department of Transportation

FROM: Dennis Gallagher, Chief Deputy Attorney General 

SUBJECT: Informational Item – Approval of Settlement in the matter of
NDOT, State of Nevada ex rel. its Department of Transportation
v. Wykoff Newberg Corporation, et al.
Eighth Judicial District Court Case No. A-12-656578-C

At their July 7, 2015 meeting, the Board of Examiners approved the settlement in the amount of \$2,990,000 to be paid from NDOT funds to resolve the contested condemnation case referenced above which is part of widening I-15 and Warm Springs Road in Las Vegas.

Attached is the June 9, 2015 memorandum to the Board of Examiners from Director Rudy Malfabon, Senior Deputy Attorney General Ruth Miller, and myself to the Board of Examiners setting forth a summary of the settlement.



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

Transportation Division
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ADAM PAUL LAXALT
Attorney General

WESLEY K. DUNCAN
Assistant Attorney General

NICHOLAS A. TRUTANICH
Chief of Staff

MEMORANDUM

DATE: June 9, 2015

TO: Board of Examiners
Governor Brian Sandoval
Attorney General Adam Paul Laxalt
Secretary of State Barbara K. Cegavske

FROM: Rudy Malfabon, Director, Nevada Department of Transportation
Dennis Gallagher, Chief Deputy Attorney General
Ruth Miller, Senior Deputy Attorney General

SUBJECT: Proposed settlement of a claim for just compensation,
State of Nevada v. Wykoff Newberg Corporation, et al.
Eighth Judicial District Court Case No. A-12-656578-C

SUMMARY

NDOT widened I-15 and Warm Springs Road in Las Vegas, as part of the I-15 South Design-Build Project (the "Project"). In furtherance of the Project, NDOT is taking two "parcels" approximating 2.15 acres of a larger 66-acre parcel: one parcel in fee-simple for additional right-of-way (.7 ac), and one parcel as a permanent easement to relocate pre-existing public utilities on the property and to install transmission lines that were in conflict with the Project on the opposite side of Warm Springs Road (1.45 ac). Both the roadway improvement and utility relocation are complete; the utility relocation was complete by June 22, 2012, road construction was complete by September 21, 2012.

While the expert opinions of value for the taking do vary, the parties' primary disagreement is whether the remaining 64 acres was damaged by the transmission line relocation, giving rise to severance damages, and if so by how much. The landowner's expert estimates severance damages in the amount of \$4,197,530, and one of NDOT's experts estimates severance damages in the amount of \$340,971.

NDOT now requests settlement approval in the total amount of \$2,990,000 (\$1,700,000 new money), to be paid in exchange for entry of judgment and a final order of condemnation, resolving this eminent domain action in its entirety.

THE ACTION

NDOT filed its Verified Complaint in Eminent Domain on February 15, 2012. On February 28, 2012, NDOT obtained a right of occupancy by depositing \$1,290,000 as estimated compensation in this case. The jury trial set for May 26, 2015 was vacated, and a status check regarding settlement is set for July 28, 2015.

For a time, this matter was stayed while Defendants Wykoff Newberg Corporation (84% owner) and International Smelting Company (16% owner), who jointly own the larger 66.15 acres that comprise the entire Subject Property, sought a writ from the Nevada Supreme Court to effectively dismiss the action and thereby prevent condemnation of the aforementioned easement for NV Energy's transmission lines. The Supreme Court denied writ relief.

The Subject Property is vacant land generally located near the intersection of Las Vegas Boulevard South and Warm Springs Road, near the Las Vegas Premium Outlets-South, and south of the Town Square development, in the southern Las Vegas Valley. The acquisition area is along the northern boundary of the Subject Property, fronting Warm Springs Road.

During discovery, the parties disclosed expert reports, concluding as follows:

Expert	Before	Take	Severance	Just Compensation
Tim Morse	\$49,619,327	\$1,290,000	\$0	\$1,290,000
Tami Campa	\$17,290,000	\$523,489	\$340,971	\$865,000
Glenn Anderson	\$28,815,000	\$872,000	\$0	\$872,000
Shelli Lowe	\$43,225,000	\$1,249,700	\$4,197,530	\$5,447,230

POINTS THAT FAVOR SETTLEMENT

1. **A settlement at \$2,990,000.00 is supported by “the numbers.”**
 - A. Range of Opinions: The range of expert opinion sets just compensation between \$865,000 and \$5,500,350¹, without adding fees, costs or interest.
 - B. Middle Value: If the jury chooses a *middle value* for both fair market value of the subject property (\$30,000,000) and severance damages (6.5%), just compensation would be *approximately \$3,000,000*.
 - C. Pre-judgment Interest: If Wykoff recovers on its severance damages claim, interest could be *over \$600,000*, assuming a minimum 5.25% on \$4,000,000 (Wykoff's approximate severance damages total), compounded annually for 3 years.
 - D. Wykoff's Recoverable Costs: estimated at \$50,000.
 - E. Total Exposure: If Wykoff prevails in all areas at trial, Wykoff could possibly receive at least \$5,500,350 + over \$600,000 in interest + an estimated \$50,000 in costs, bringing NDOT's total exposure to *around \$6,100,000*.
2. **A settlement at \$2,990,000.00 is supported by the risk and cost of an appeal.**
 - A. Public Use: After trial the landowner could appeal on the issue of “public use,” leaving open the question of whether NDOT can continue its practice of condemning private property for public utilities, e.g., NV Energy, if the public utility owns a prior interest in other land being acquired by NDOT.
 - B. Additional Construction: After trial the landowner could also appeal on the issue of alternatives NDOT had at its disposal when deciding to relocate NV Energy's transmission lines onto the Wykoff property. An adverse ruling on this issue *could* result in further construction costs, to bury or remove the lines.

¹The landowners' principal, Don Nelson, will testify that his damages are \$300,000,000.

- C. Fees for Appeal: Following an adverse determination at trial, NDOT or Wykoff could appeal. Because of the anticipated length and complexity of the trial, the appeal would also be a significant undertaking and expense for NDOT (estimate \$100,000.)
 - D. Length of Appeal: Based on current patterns, we estimate an appeal could take up to three (3) years to be resolved by the Supreme Court.
3. **A settlement of \$2,990,000.00 is supported by the risk of a jury trial.**
- A. Attorney Fees: Wykoff served an “offer of judgment” for \$3,000,000, leaving open the possibility that NDOT *could* (however unlikely) be liable for Wykoff’s attorney’s fees incurred at and after trial and on appeal.
 - B. Tim Morse: Prior to this action, NDOT hired Tim Morse for an appraisal on this property. His appraised value of the subject property was higher than any trial expert - \$49,619,327 before condition. Morse’s opinions have been previously excluded, but this *could* be an issue on appeal.
 - C. State Funds: No federal funds are allocated for this case, and *potential* liability exceeds \$6 million.

RECOMMENDATION

NDOT has considered the benefits of settlement and has made the decision that settlement is reasonable, prudent, and in the public interest. NDOT requests the authority to settle the Action for a total of \$2,990,000 (\$1,700,000 new money) resolving this action in its entirety as among all parties, inclusive of all attorney’s fees, costs and interest.

FISCAL NOTE STATEMENT

NDOT will *not* seek reimbursement from the Federal Highway Administration for the proposed settlement amount. This is a State only funded project.



Fax: (775) 888-7201
Fax: (775) 888-7201

1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7313

MEMORANDUM

August 3, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: August 10, 2015 Transportation Board of Directors Meeting
Item #: Action Item: Condemnation Resolution No. 450
I-15 Freeway, from Desert Inn Road to the US-95/I-515
Interchange; Project NEON; in the City of Las Vegas; Clark County.
1 Owner, 2 Parcels – For possible action

Summary:

The department is acquiring property and property rights for the widening and reconstruction of the I-15 Freeway, from Desert Inn Road to the US-95/I-515 Interchange, in the City of Las Vegas, Clark County. These properties are for the design/build phase of project NEON. The department is seeking the Board's approval of condemnation actions for the unresolved acquisitions as described below.

Background:

Lisa Su 2005 Revocable Trust - The negotiation is unresolved for the acquisition from the Lisa Su 2005 Revocable Trust. It is necessary to acquire a fee parcel containing 27,721 square feet (0.64 acre) and a temporary construction easement parcel containing 518 square feet (0.01 acre), for a four-year period, both from a 1.18 acre residentially-zoned property. The property is improved with a 1,803 square-foot residence, a three-car garage, landscaping and miscellaneous fencing. **The parcels in question, which are located on the south side of Silver Avenue, approximately 450 feet east of Westwood Drive, in the City of Las Vegas, are highlighted in blue on the right-of-way plans that are part of the Condemnation Resolution (Attachment 2).** The State's initial offer of \$309,206.00 for the two acquisition parcels was mailed to the property owner on May 1, 2015. The offer consisted of \$182,216.00 for the fee simple land (at an average value of \$6.57 per square foot), \$125,990.00 for the site improvements, and \$1,000.00 for the temporary easement (@ 5.3% of the fee value for a period of four years). The property owner did not accept the offer. At this time, a monetary counteroffer has not been made. Negotiations are at an impasse. The department is continuing to work towards settlement, but is requesting this condemnation resolution to meet construction deadlines.

Analysis:

A condemnation resolution is requested so that the Department can certify the right-of-way to the Federal Highway Administration to meet the project schedule. Prior to construction all environmental testing, demolition and utility relocations must be accomplished. Pursuant to Chapter 241 of the Nevada Revised Statutes, the required notices regarding this open meeting have been served.

...

...

Recommendation for Board Action:

Board approval of this resolution of condemnation is respectfully requested.

List of Attachments:

1. Location map
2. Condemnation Resolution No. 450 with Right-of-Way plans
3. Section 408.503 of the Nevada Revised Statutes
4. Section 241.034 of the Nevada Revised Statutes

Prepared by:

Paul Saucedo, Chief R/W Agent



LOCATION MAP



CONDEMNATION RESOLUTION No. 450

DESCRIPTION: I-15 Freeway, from Desert Inn Road to the US-95/I-515 Interchange; Project NEON in the City of Las Vegas, County of Clark, State of Nevada

RESOLUTION OF THE BOARD OF DIRECTORS OF THE DEPARTMENT OF TRANSPORTATION AUTHORIZING ACQUISITION BY CONDEMNATION OF PROPERTY FOR THE WIDENING AND RECONSTRUCTION OF THE I-15 FREEWAY, FROM DESERT INN ROAD NORTH TO THE U.S. 95/I-515 INTERCHANGE, IN THE CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

CONDEMNATION RESOLUTION NO. 450

WHEREAS, the Department of Transportation of the State of Nevada (hereinafter the "Department") is empowered by chapter 408 of the Nevada Revised Statutes to acquire real property, interests therein, and improvements located thereon for the construction and maintenance of highways; and

WHEREAS, the Department has determined that the public interest and necessity require the acquisition, reconstruction, and completion by the State of Nevada, acting by and through the Department, of a public improvement, namely the widening and reconstruction of the I-15 Freeway, from Desert Inn Road north to the U.S. 95/I-515 Interchange, in the City of Las Vegas, Clark County, State of Nevada and that the real property hereinafter described is necessary for said public improvement; and

WHEREAS, the right-of-way plans are attached hereto and incorporated herein depicting the parcels described herein; and

WHEREAS, the Department plans to obligate federal-aid funds for this project, and let a construction contract for said project, and the real property hereinafter described will be needed for said freeway project; and

WHEREAS, pursuant to section 408.503 of the Nevada Revised Statutes, the Department shall not commence any legal action in eminent domain until the Board of Directors of the Department adopts a resolution declaring that the public interest and necessity require the highway improvement and that the property described is necessary for such improvement.

ATTACHMENT 2

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Department, pursuant to section 408.503 of the Nevada Revised Statutes:

That the public interest and necessity require the acquisition, construction, reconstruction, improvement, maintenance or completion by the State of Nevada, acting through the Department, of a public improvement, namely a freeway; and that the real property hereinafter described is necessary for said public improvement; and

That the proposed construction of said public highway improvement on and along an alignment heretofore approved is planned and located in a manner which will be the most compatible with the greatest public good and the least private injury.

BE IT FURTHER RESOLVED THAT the Department be and is hereby authorized and directed:

To acquire in the name of and in behalf of the State of Nevada, in fee simple absolute, unless a lesser estate is hereinafter described, the following described real property and interests therein by the exercise of the power of eminent domain in accordance with the provisions of chapters 37 and 408 of the Nevada Revised Statutes;

To commence and prosecute, if necessary, in the name of the State of Nevada, condemnation proceedings in the proper court to condemn said real property and interests therein; and

To make application to said court for an order permitting the Department to take possession and use of said real property as may be necessary for construction of said public highway improvement, and to pledge the public faith and credit of the State of Nevada as security for such entry or, should the Department deem such advisable, to deposit with the Clerk of such court, in lieu of such pledge, a sum equal to the value of

the premises sought to be condemned as appraised by the Department, and to acquire the following real property:

PARCEL NOS. I-015-CL-041.189 and I-015-CL-041.189TE owned by LISA SU, ERIC HSU and DIANE HSU, trustees of the Lisa Su 2005 Revocable Trust

Said real property situate, lying and being in the City of Las Vegas, County of Clark, State of Nevada, and more particularly described as being a portions of the SE 1/4 of the NW 1/4 of Section 4, T. 21 S., R. 61 E., M.D.M., and more fully described by metes and bounds as follows:

PARCEL NO. I-015-CL-041.189 to be acquired fee simple

COMMENCING at the section corner common to Sections 32, 4 and 5, a FOUND 2" BRASS CAP IN MONUMENT WELL STAMPED "32 5|4 PLS5094" shown and delineated as a FOUND WELL MON. #5094 on that certain Record of Survey for John W. Banks & Marjorie N. Banks, filed for record on June 29, 1995, in Book 950629, Instrument No. 01574, File 77, Page 35, in Official Records Clark County, Nevada; thence S. 0°55'21" W., along the west line of said Section 4, a distance of 2,662.39 feet (Record S. 0°11'11" W. – 2,662.33 feet per said Record of Survey), to the 1/4 corner common to Sections 4 and 5, a FOUND 0.10' ALUM CAP FLUSH WITH OIL UNREADABLE, shown and delineated as a FOUND REBAR IN AC on said Record of Survey; thence N. 85°21'40" E. a distance of 2,260.51 feet to the POINT OF BEGINNING; said point of beginning described as a point on the left or northwesterly right-of-way line of IR-15, 267.92 feet left of and at right angles to Highway Engineer's Station "Le" 770+75.22 P.O.T.; thence N. 35°33'22" E., along said right-of-way line, a distance of 32.71 feet;

thence N. 0°39'37" E. a distance of 187.61 feet to the southerly right-of-way line of Silver Avenue; thence S. 89°20'23" E., along said right-of-way line, a distance of 144.70 feet to the easterly right-of-way line of Silver Avenue; thence N. 0°39'37" E., along said right-of-way line, a distance of 30.00 feet; thence S. 89°20'23" E. a distance of 88.00 feet, the first 33.79 feet being along the westerly right-of-way line of IR-15; thence S. 35°17'37" W. a distance of 90.14 feet; thence from a tangent which bears the last described course, curving to the right with a radius of 460.00 feet, through an angle of 22°56'37", an arc distance of 184.20 feet; thence S. 58°14'14" W. a distance of 80.95 feet to the point of beginning; said parcel contains an area of 27,721 square feet (0.64 acres).

It is the intent of this description to describe and it does describe all that real property described in those certain documents as follows:

GRANT, BARGAIN, SALE DEED, filed for record on November 30, 2005, as Instrument No. 200511300003912.

ORDER OF VACATION, filed for record on March 1, 1996, in Book No. 960301 as Instrument No. 00934.

A portion of that real property described in that certain GRANT, BARGAIN, SALE DEED, filed for record on July 25, 2005, as Instrument No. 200507250004420, all in the Office of the County Recorder, Clark County, Nevada.

PARCEL NO. I-015-CL-041.189TE to be acquired as a temporary easement for construction purposes for a four-year period commencing on the date of occupancy

COMMENCING at the section corner common to Sections 32, 4 and 5, a FOUND 2" BRASS CAP IN MONUMENT WELL STAMPED "32 5|4 PLS5094" shown and delineated as a FOUND WELL MON. #5094 on that certain Record of Survey for John W. Banks & Marjorie N. Banks, filed for record on June 29, 1995, in Book 950629, Instrument No. 01574, File 77, Page 35, Official Records Clark County, Nevada; thence S. 0°55'21" W., along the west line of said Section 4, a distance of 2,662.39 feet (Record S. 0°11'11" W. – 2,662.33 feet per said Record of Survey), to the 1/4 corner common to Sections 4 and 5, a FOUND 0.10' ALUM CAP FLUSH WITH OIL UNREADABLE, shown and delineated as a FOUND REBAR IN AC on said Record of Survey; thence N. 85°21'40" E. a distance of 2,260.51 feet to the POINT OF BEGINNING; said point of beginning being a point on the left or northwesterly right-of-way line of IR-15, 267.92 feet left of and at right angles to Highway Engineer's Station "Le" 770+75.22 P.O.T.; thence S. 58°14'14" W., along said right-of-way line, a distance of 25.93 feet; thence N. 35°33'22" E. a distance of 70.97 feet to said right-of-way line; thence S. 0°39'37" W., along said right-of-way line, a distance of 17.48 feet; thence S. 35°33'22" W. a distance of 32.71 feet to the point of beginning; said parcel contains an area of 518 square feet (0.01 acres).

The Basis of Bearing for these descriptions is the NEVADA STATE PLANE COORDINATE SYSTEM, NAD 83/94 DATUM, East Zone as determined by the State of Nevada, Department of Transportation.

BE IT FURTHER RESOLVED that the Director, Deputy Director, and Chief Counsel of the Department have the power to enter into any stipulations or file any necessary pleadings in any condemnation proceeding and to bind the Department of Transportation in the completion of this project.

Adopted this _____ day of August, 2015.

ON BEHALF OF
STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
BOARD OF DIRECTORS

Secretary to the Board
William H. Hoffman

Chairman – Brian Sandoval
Governor

APPROVED AS TO LEGALITY
AND FORM

Dennis Gallagher, Chief Counsel
Department of Transportation

STATE	E.A. NO.	PROJECT NO.	COUNTY	SHEET NO.
NEVADA	73652	NH-STP-015-K147	CLARK	01

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

RIGHT-OF-WAY PROJECT

FOUND MONUMENTS

- | | |
|------------|-------------|
| 1 265051L | 11 447010L |
| 2 265052L | 12 761032L |
| 3 420200L | 13 761046L |
| 4 438011L | 14 1182008L |
| 5 438026L | 15 1182010L |
| 6 438027L | 16 1182023L |
| 7 438028L | 17 1182026L |
| 8 438030L | 18 447011L |
| 9 438045L | 19 1182029L |
| 10 447007L | 20 NCL407 |

SEE SHEET 32 FOR
MONUMENT DESCRIPTIONS

"Le" ϵ
A = 55° 31' 35"
P = 1,800.00'
L = 1,116.09'



SAHARA AVENUE
INTERCHANGE

DISCOVERY
DRIVE GRADE
SEPARATION

ALTA DRIVE
GRADE
SEPARATION

PROJECT LOCATION
NH-STP-015-K(147)

"Le" ϵ
A = 28° 30' 31"
P = 1,500.00'
L = 746.55'

END ACQUISITION
"Le" 854+24.71 P.O.C.

DOWNTOWN
EXPRESSWAY
INTERCHANGE

BEGIN ACQUISITION
"Le" 752+26.76 P.O.T.

"Le" ϵ
A = 56° 25' 55"
P = 6,800.00'
L = 6,697.42'

STATE OF NEVADA
FEDERAL HIGHWAY ADMINISTRATION
NEVADA DIVISION

APPROVED:

ORIGINAL ON FILE
DIVISION ADMINISTRATOR

DATE

CITY OF
LAS VEGAS

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

DATE: APRIL 24, 2014

115 DESERT INN
NEON PACKAGE 1
COVER SHEET

SCALE 1"=100'

SHEET 1 OF 40

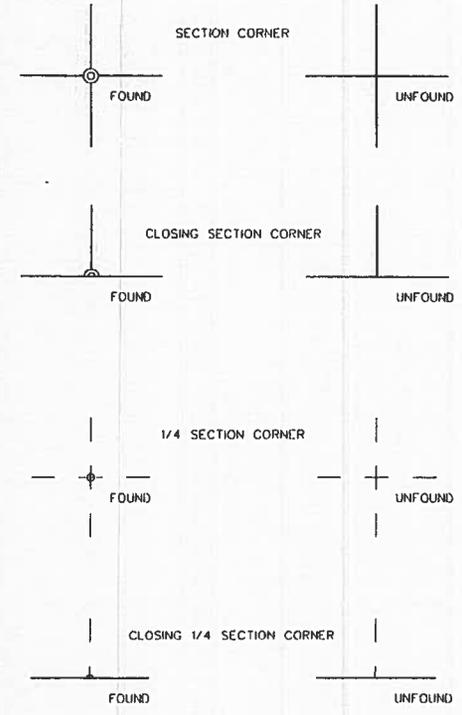


NEVADA DOT	R/W DIVISION	
	TRACED	DBW JMD MRW WTC MFC
	CHECKED	JHM
PHONE: (775) 888-7470		

LEGEND OF RIGHT-OF-WAY SYMBOLS

C/A	CONTROL OF ACCESS
☉	CENTERLINE
C/P	PERMISSION TO CONSTRUCT
Δ	DELTA
L	ARC LENGTH
LT.	LEFT
P.C.	POINT OF CURVE
P.C.C.	POINT OF COMPOUND CURVATURE
PE	PERMANENT EASEMENT
P/L	PROPERTY LINE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT ON CURVE
P.O.E.	POINT OF ENDING
P.O.T.	POINT ON TANGENT
P.R.C.	POINT OF REVERSE CURVATURE
P.T.	POINT OF TANGENCY
R	RADIUS
REM.	REMAINDER
RT.	RIGHT
R/W	RIGHT-OF-WAY
TE	TEMPORARY EASEMENT
△	SUBDIVISION BLOCK

	CONTROL OF ACCESS WITH FENCE OR BARRIER
	CONTROL OF ACCESS WITHOUT A FENCE OR BARRIER
	LOCATION AT WHICH ACCESS TO THE FREEWAY IS PERMITTED BY THE STATE
	SUBDIVISION BOUNDARY
	RESERVATION OR PARK BOUNDARY
	STATE LINE
	COUNTY LINE
	CITY OR TOWN LIMITS
	SECTION LINE
	1/4 SECTION LINE
	1/16 SECTION LINE
	1/64 SECTION LINE
	FENCE LINE



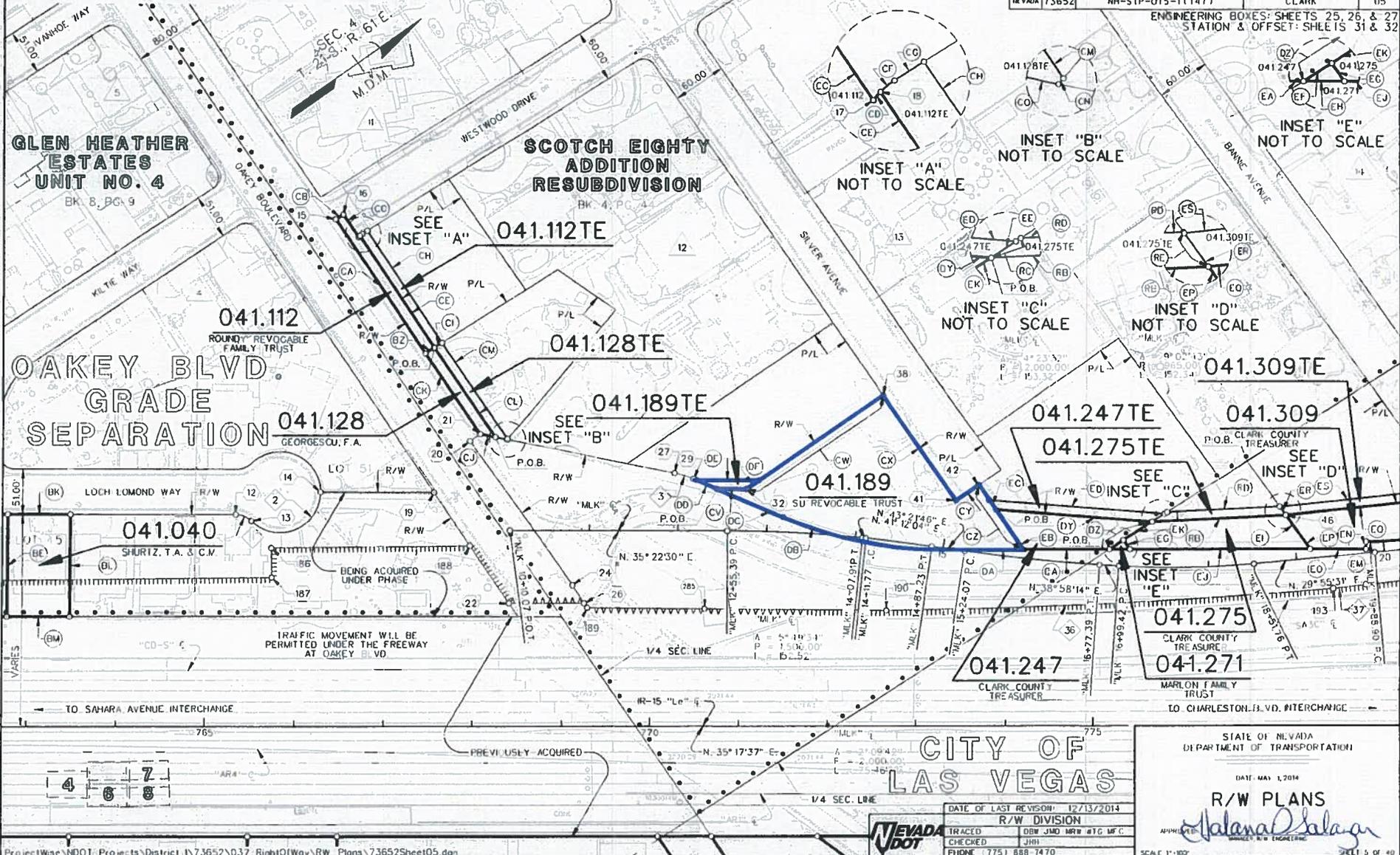
STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
DATE: MAY 1, 2014
R/W PLANS



PARCEL NUMBER PREFIX: I-015-CL-

STATE	C.A. NO	PROJECT NO	COUNTY	SHEET NO
NEVADA	73652	NH-STP-015-1(147)	CLARK	05

ENGINEERING BOXES: SHEETS 25, 26, & 27
STATION & OFFSET: SHEETS 31 & 32



CITY OF LAS VEGAS



DATE OF LAST REVISION:	12/13/2014
R/W DIVISION	
TRACED	DM JMD MTR BTG MFC
CHECKED	JRH
PHONE	775 1 888 7470

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

DATE: MAY 1, 2014

R/W PLANS

APPROVED: *Malena Salazar*
PROJECT R/W ENGINEER

SCALE: 1"=100'

SHEET 5 OF 40

PROPERTY SCHEDULE

ALL AREAS ARE SHOWN IN SQUARE FEET
UNLESS OTHERWISE NOTED

PROJECT NO.

E.A. NO.

COUNTY

SHEET NO.

STATE OF NEVADA DEPT. OF TRANSPORTATION

NH-STP-015-1(147)

73652

CLARK

35

PARCEL NO.	GRANTOR	GROSS AREA OF ACQSN.	PREV. ACQ.	NET AREA	R/W AREA	REMAINDER		ACQUISITION RECORDING DATA			SURPLUS LAND DATA			REMARKS
						LT.	RT.	INST. OR DOC.	BK. PG.	DATE TYPE	AREA	INST. OR DOC.	BK. PG.	
041.017PE	FERRIS INVESTMENTS INC	1,500		1,500										Maintenance Easement
041.017TE	FERRIS INVESTMENTS INC	9,422		9,422										Temporary Construction Easement
041.027	LOCH LOMOND WAY TRUST	7,985		7,985	7,985									Total Acquisition
041.036	1916 HIGHLAND PROPERTIES LTD	2,602		2,602	2,802		10,406							
041.036PE	1916 HIGHLAND PROPERTIES LTD	1,500		1,500										Maintenance Easement
041.036TE	1916 HIGHLAND PROPERTIES LTD	8,906		8,906										Temporary Construction Easement
041.040	SHURTZ, T.A. & C.M.	7,979		7,979	7,979									Total Acquisition
041.054	PUEBLO HIGHLAND LLC	6,751		6,751	6,751		19,265							
041.054PE	PUEBLO HIGHLAND LLC	3,000		3,000										Maintenance Easement
041.054TE	PUEBLO HIGHLAND LLC	16,265		16,265										Temporary Construction Easement
041.091	O'ROURKE, MICHAEL ET AL	4,128		4,128	4,128		8,880							
041.091PE	O'ROURKE, MICHAEL ET AL	1,500		1,500										Maintenance Easement
041.091TE	O'ROURKE, MICHAEL ET AL	7,380		7,380										Temporary Construction Easement
041.110	O'ROURKE FAMILY LP	19,536		19,536	19,536		30,083							
041.110PE	O'ROURKE FAMILY LP	6,096		6,096										Maintenance Easement
041.110TE	O'ROURKE FAMILY LP	23,987		23,987										Temporary Construction Easement
041.112	ROUNDY REVOCABLE FAMILY TRUST	2,113		2,113	2,113	18,164								
041.112TE	ROUNDY REVOCABLE FAMILY TRUST	1,512		1,512										Temporary Construction Easement
041.128	GEORGESCU, F.A.	1,392		1,392	1,392	18,809								
041.128TE	GEORGESCU, F.A.	1,269		1,269										Temporary Construction Easement
041.176	CITY OF LAS VEGAS	5,562		5,562	5,562									
041.189	SU REVOCABLE TRUST	27,721		27,721	27,721	23,662								
041.189TE	SU REVOCABLE TRUST	518		518										Temporary Construction Easement

STATE OF NEVADA

DEPT. OF TRANSPORTATION

R/W DIVISION

DATE: MAY 1, 2014

R/W PLANS

SHEET 35 OF 40 SHEETS

DATE OF LAST REVISION: 5/26/15

NRS 408.503 Eminent domain: Resolution by Board; precedence over other legal actions.

1. The Department shall not commence any legal action in eminent domain until the Board adopts a resolution declaring that the public interest and necessity require the acquisition, construction, reconstruction, improvement or completion by the State, acting through the Department, of the highway improvement for which the real property, interests therein or improvements thereon are required, and that the real property, interests therein or improvements thereon described in the resolution are necessary for such improvement.

2. The resolution of the Board is conclusive evidence:

(a) Of the public necessity of such proposed public improvement.

(b) That such real property, interests therein or improvements thereon are necessary therefor.

(c) That such proposed public improvement is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.

3. All legal actions in all courts brought under the provisions of this chapter to enforce the right of eminent domain take precedence over all other causes and actions not involving the public interest, to the end that all such actions, hearings and trials thereon must be quickly heard and determined.

(Added to NRS by 1957, 691; A 1960, 392; 1987, 1810; 1989, 1306)

ATTACHMENT 3

NRS 241.034 Meeting to consider administrative action against person or acquisition of real property by exercise of power of eminent domain: Written notice required; exception.

1. Except as otherwise provided in subsection 3:
 - (a) A public body shall not consider at a meeting whether to:
 - (1) Take administrative action against a person; or
 - (2) Acquire real property owned by a person by the exercise of the power of eminent domain,
 - ↪ unless the public body has given written notice to that person of the time and place of the meeting.
 - (b) The written notice required pursuant to paragraph (a) must be:
 - (1) Delivered personally to that person at least 5 working days before the meeting; or
 - (2) Sent by certified mail to the last known address of that person at least 21 working days before the meeting.
 - ↪ A public body must receive proof of service of the written notice provided to a person pursuant to this section before the public body may consider a matter set forth in paragraph (a) relating to that person at a meeting.
 2. The written notice provided in this section is in addition to the notice of the meeting provided pursuant to NRS 241.020.
 3. The written notice otherwise required pursuant to this section is not required if:
 - (a) The public body provided written notice to the person pursuant to NRS 241.033 before holding a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of the person; and
 - (b) The written notice provided pursuant to NRS 241.033 included the informational statement described in paragraph (b) of subsection 2 of that section.
 4. For the purposes of this section, real property shall be deemed to be owned only by the natural person or entity listed in the records of the county in which the real property is located to whom or which tax bills concerning the real property are sent.
- (Added to NRS by 2001, 1835; A 2001 Special Session, 155; 2005, 2247)

ATTACHMENT 4



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7201

MEMORANDUM

August 10, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: August 10, 2015 Transportation Board of Directors Meeting
Item #7: Action Item: Disposal of a portion of NDOT right-of-way located off of Herz Boulevard lying within the City of Reno, County of Washoe, State of NV

SUR 05-15 – For Board Approval

Summary:

Approval is requested from the Department of Transportation Board of Directors to dispose of the above-referenced right-of-way by Resolution of Relinquishment. The right-of-way parcel to be relinquished to the City of Reno is located off of Herz Boulevard lying within the City of Reno, County of Washoe, State of NV. The parcel is currently improved with landscape, parking and a portion of an existing roundabout consisting of approximately 19,961 sq. ft. as depicted on the attached sketch map labeled Exhibits "A" and "B".

Background:

On September 10, 1993, the Department acquired the property in fee for highway purposes.

The City of Reno consented by resolution passed and adopted on July 22, 2015, to the Department's requesting relinquishment of a portion of NDOT right-of-way located off of Herz Boulevard lying within the City of Reno, County of Washoe, State of NV. This transfer will benefit to the Department with the elimination of all liability and future maintenance responsibilities.

Analysis:

On August 30, 2005, the Surplus Committee determined the fee interest is no longer required for highway purposes. The release of NDOT's interest in this parcel is being made in accordance with NRS 408.527. The Department currently holds a fee simple interest in this parcel.

Recommendation for Board Action:

Approval of disposal of NDOT right-of-way for a portion of NDOT right-of-way located off of Herz Boulevard lying within the City of Reno, County of Washoe, State of NV.

Department of Transportation Board of Directors
July 20, 2015

List of Attachments:

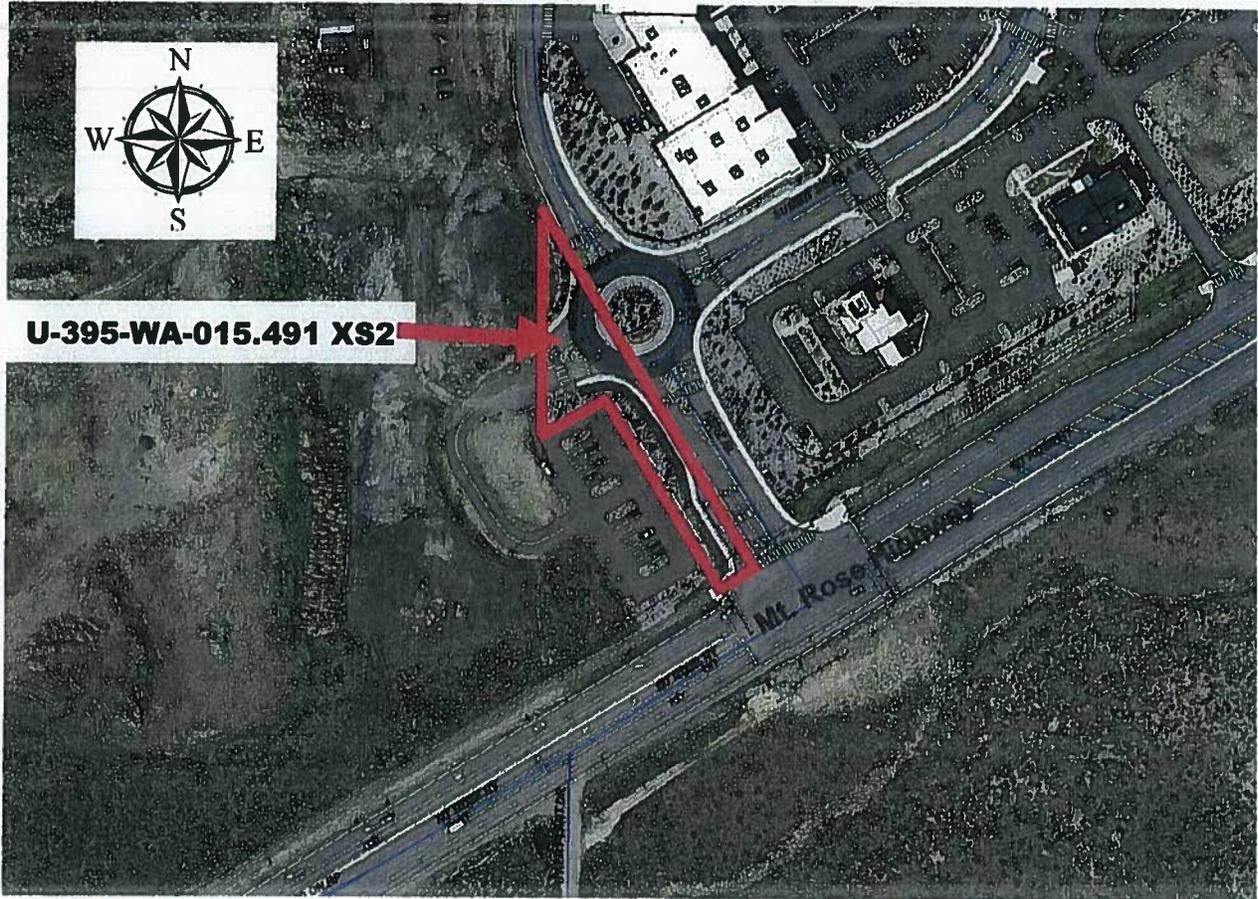
1. Location Map
2. Original Resolution of Relinquishment with attached sketch maps depicted as Exhibits "A" and "B"
3. Executed copy of Resolution Consenting to Relinquishment and Land Transfer Agreement with attached location map depicted as Exhibit "A".
4. FHWA Approval
5. Environmental Approval
6. NRS 408.527

Pas/dtc/jl

Prepared by: Paul A. Saucedo, Chief RW Agent



LOCATION MAP



SUR 05-15

**DESCRIPTION: A parcel of land along Mt. Rose Highway in the
County of Washoe, State of Nevada**

Ptn. of APN: 049-393-06
Control Section: WA-74
Project: F-395-2(21)
E.A.: 71565
Ptn. of Parcel: U-395-WA-015.491
Route: US-395
Surplus No.: SUR 05-15
Surplus Parcel: U-395-WA-015.491 XS2

AFTER RECORDING RETURN TO:
NEVADA DEPT. OF TRANSPORTATION
RIGHT-OF-WAY DIVISION
ATTN: STAFF SPECIALIST, PM
1263 S. STEWART ST.
CARSON CITY, NV 89712

LEGAL DESCRIPTION PREPARED BY:
KEVIN L. GERMAN, PLS 20461
CFA, INC. – 1150 CORPORATE BLVD.
RENO, NV 89502

**RESOLUTION OF RELINQUISHMENT
OF A PORTION OF STATE HIGHWAY RIGHT-OF-WAY**

WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, presently holds a fee simple interest in that certain parcel of land, extending from the northerly right-of-way line of SR-431 (Mt. Rose Hwy.) northerly a distance of 0.08 of a mile; and

WHEREAS, said parcel of land is delineated and identified as Parcel U-395-WA-015.491 XS2 on EXHIBITS "A" and "B", attached hereto and made a part hereof; and

WHEREAS, as set forth in NRS 408.527, the Nevada Department of Transportation may, by resolution of the board, relinquish to cities and counties any parcel of land which the Department determines exceeds its needs; and

WHEREAS, said parcel of land is of no further contemplated use by the Department due to that portion of US-395 being in excess of its needs; and

WHEREAS, the City of Reno has requested the relinquishment of aforesaid parcel of land for the purpose of a transportation facility; and

WHEREAS, the City of Reno has agreed to accept the relinquishment of said parcel of land for the aforesaid portion of US-395 together with any and all revocable leases and licenses entered into between the Department and the adjoining owners for the multiple use of the parcel of land; and

WHEREAS, the City of Reno entered into an agreement with the Department on July 22, 2015, to accept the hereinafter described designated parcel of land as a part of the City of Reno street system; and

WHEREAS, the City Council of the City of Reno, State of Nevada, consented by resolution passed and adopted on July 22, 2015, to the Department relinquishing the aforesaid parcel of land to the City of Reno; and

WHEREAS, NRS 408.527 provides that the Department of Transportation may relinquish any parcel of land which the Department determines exceeds its needs after the Department and the city or county have entered into an agreement and the city or county legislative body has adopted a resolution consenting thereto.

THEREFORE, it is hereby determined by the Board of Directors of the Nevada Department of Transportation, State of Nevada, that the following described parcel of land and incidents thereto, being all that land, delineated and identified as Parcel U-395-WA-015.491 XS2 on EXHIBITS "A" and "B", attached hereto and made a part hereof, is hereby relinquished to the City of Reno of the State of Nevada. Said parcel of land is described on EXHIBITS "A" and "B", attached hereto and made a part hereof.

It is the intent of the Department to relinquish to the City of Reno all of the Department's right, title and interest in and to the aforesaid described parcel of land as shown on EXHIBITS "A" and "B", attached hereto and made a part hereof. If the purpose for which it is relinquished is abandoned or ceases to exist, then all right, title and interest of the city or county reverts back to the Department.

DATED this ___ day of _____, 20__.

APPROVED AS TO LEGALITY AND FORM:

ON BEHALF OF STATE OF NEVADA,
DEPARTMENT OF TRANSPORTATION
BOARD OF DIRECTORS

Dennis Gallagher, Deputy Attorney General

Brian Sandoval, Chairman

ATTEST:

William H. Hoffman, Secretary to the Board

R15-14

EXHIBIT "A"

LEGAL DESCRIPTION
For
RELINQUISHMENT OF PUBLIC RIGHT-OF-WAY
TO THE CITY OF RENO FROM THE
NEVADA DEPARTMENT OF TRANSPORTATION

All that certain real property situate within the Northwest One-quarter (NW 1/4) of Section Twenty-Eight (28), Township Eighteen (18) North, Range Twenty (20) East, M.D.M., lying within the County of Washoe, State of Nevada, more particularly described as follows:

BEGINNING at a point which bears South 00°32'58" West 925.58 feet from the northwest corner of said Section 28, said POINT OF BEGINNING being further described as being the intersection of the westerly right of way of Herz Boulevard with the west section line of said Section 28;

THENCE along said westerly right of way, along the arc of a curve to the left, concave northeasterly, radial to a bearing of North 59°55'06" East, having a radius of 430.00 feet, through a central angle of 01°34'43", a distance of 11.85 feet;

THENCE South 31°39'37" East, 422.32 feet to a point lying on the north right of way line of Mt. Rose Highway (SR 431);

THENCE along said north right of way, South 58°20'23" West, 37.41 feet;

THENCE leaving said north right of way, North 31 °39'37" West, 250.50 feet;

THENCE South 58°27'32" West, 78.03 feet to a point on said west section line of Section 28;

THENCE North 00°32'58" East, along said west section line, 216.88 feet to the POINT OF BEGINNING, containing 19,961 square feet, more or less.

The basis of bearings for this description is Nevada State Plane Coordinates, West Zone NAD 83/94, based upon found monumentation.



Kevin L. German, PLS 20461
CFA, Inc. – 1150 Corporate Blvd. – Reno, NV 89502

Control Section: WA-74
Project: F-395-2(21)
E.A. 71565
Route SR-431 Former Route SR-27
Parcel: U-395-WA-015.491 XS2
Ptn. of Parcel: U-395-WA-015.491

**RESOLUTION CONSENTING TO RELINQUISHMENT
AND LAND TRANSFER AGREEMENT**

WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, desires to relinquish a portion of that certain parcel of land identified as NDOT Parcel U-395-WA-015.491 lying within the County of Washoe, State of Nevada, extending northerly from the northerly right-of-way line of SR-431 (Mt. Rose Hwy.) to the intersection with the west section line of Section 28, T. 18 N., R. 20 E., M.D.M., a distance of approximately 0.08 of a mile, said land is delineated and identified as Parcel U-395-WA-015.491 XS2, on EXHIBIT "A", attached hereto and made a part hereof; and

WHEREAS, the City Council of the City of Reno, State of Nevada, desires that the aforesaid portion of said land be relinquished to the City of Reno; and

WHEREAS, the City of Reno has requested the relinquishment of aforesaid portion of land for the use as a Transportation Facility.

NOW THEREFORE be it resolved that the City Council of the City of Reno, does in consideration of the actions of the Department of Transportation as set forth herein, hereby consent to the State of Nevada, Department of Transportation, Board of Directors, relinquishing to the City of Reno, that portion of NDOT Parcel U-395-WA-015.491 lying within the County of Washoe, State of Nevada, extending northerly from the northerly right-of-way line of SR-431 (Mt. Rose Hwy.) to the intersection with the west section line of Section 28, T. 18 N., R. 20 E., M.D.M. a distance of approximately 0.08 of a mile, being all that land delineated and identified as Parcel U-395-WA-015.491 XS2, on EXHIBIT "A", attached hereto and made a part hereof.

The parties acknowledge that no relinquishment can occur until the Department of Transportation, Board of Directors approves of this relinquishment.

ATTACHMENT 3

IN WITNESS WHEREOF the parties hereto have executed this agreement dated this 22nd

day of July, 2015.

ATTEST:

[Handwritten signature of Ashley D. Turney]

City Clerk
ASHLEY D. TURNERY



City Council

[Handwritten signature of Mayor H. Larry L. Schieve]

Mayor H. LARRY L. SCHIEVE

REVIEWED AND RECOMMENDED BY:

APPROVED AS TO LEGALITY AND FORM:

Chief Right-of-Way Agent

Deputy Attorney General

S
E
A
L

STATE OF NEVADA acting by and through its
Department of Transportation

Director

STATE OF NEVADA
CARSON CITY

On this _____ day of _____, 20____, personally appeared before me,
the undersigned, a Notary Public in and for Carson City, State of Nevada, _____
personally known (or proved) to me to be the _____
Director of the Department of Transportation of the State of Nevada who subscribed to the above instrument for
the Nevada Department of Transportation under authorization of Nevada Revised Statutes, Chapter 408.205;
that he affirms that the seal affixed to said instrument is the seal of said Department; and that said instrument
was executed for the Nevada Department of Transportation freely and voluntarily and for the uses and
purposes therein mentioned.

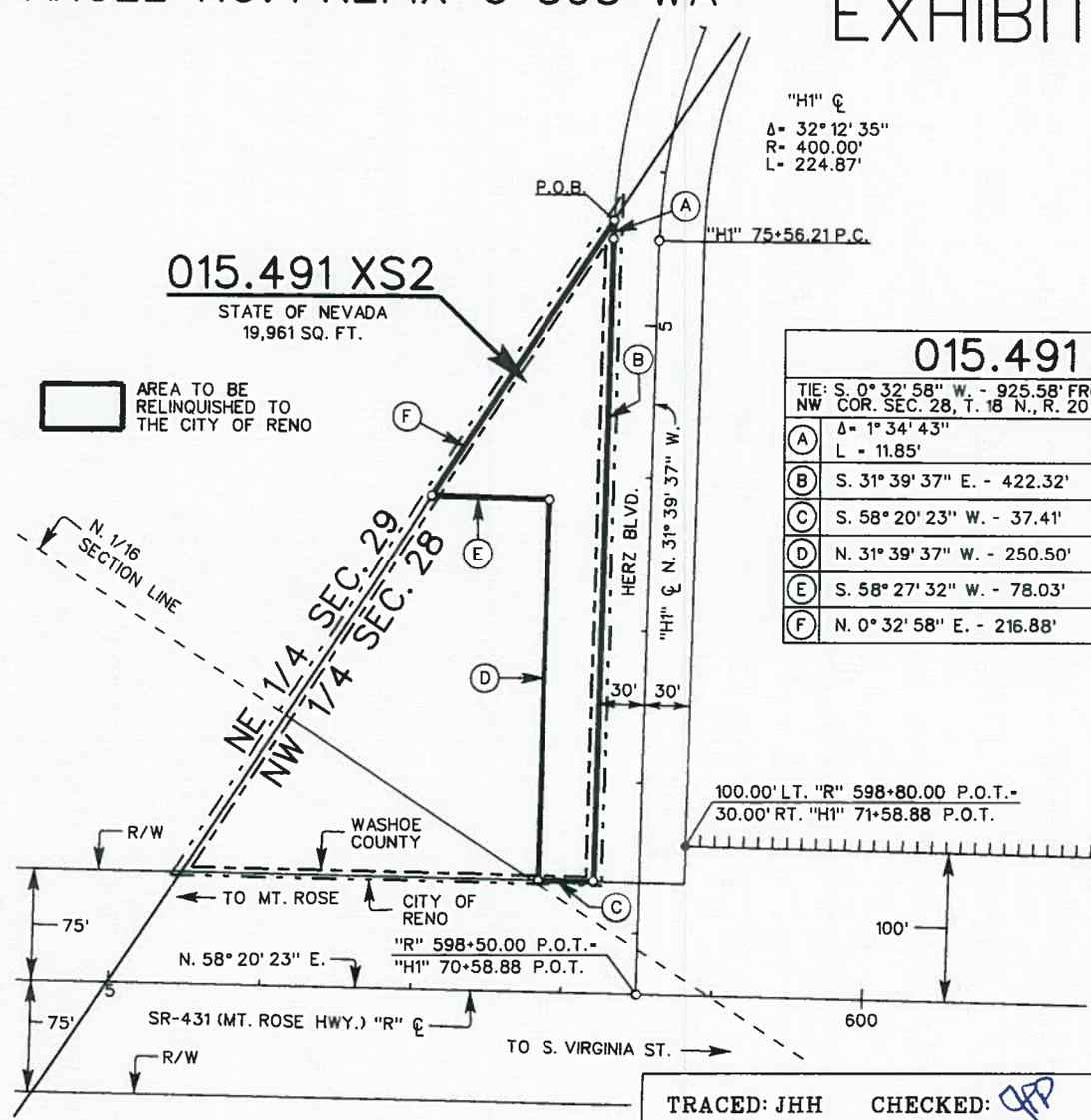
S
E
A
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IN WITNESS WHEREOF I have hereunto
set my hand and affixed my official seal the day
and year in this certificate first above written.

PARCEL NO. PREFIX: U-395-WA-

EXHIBIT "A"

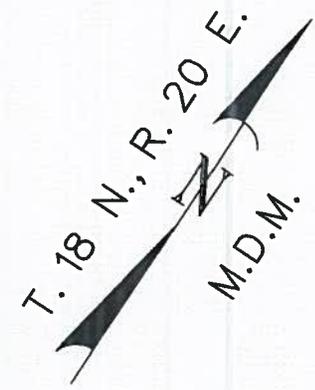
PROJECT: F-395-2(21)
E.A. 71565
PTN. OF PARCEL U-395-WA-015.491



"H1" \dot{C}
 $\Delta = 32^\circ 12' 35''$
 $R = 400.00'$
 $L = 224.87'$

AREA TO BE RELINQUISHED TO THE CITY OF RENO

015.491 XS2	
TIE: S. $0^\circ 32' 58''$ W. - 925.58' FROM THE NW COR. SEC. 28, T. 18 N., R. 20 E., M.D.M.	
(A)	$\Delta = 1^\circ 34' 43''$ R = 430.00' L = 11.85' R.B. = N. $59^\circ 55' 06''$ E.
(B)	S. $31^\circ 39' 37''$ E. - 422.32'
(C)	S. $58^\circ 20' 23''$ W. - 37.41'
(D)	N. $31^\circ 39' 37''$ W. - 250.50'
(E)	S. $58^\circ 27' 32''$ W. - 78.03'
(F)	N. $0^\circ 32' 58''$ E. - 216.88'



CONTROL OF ACCESS WITH FENCE OR BARRIER

WA-74 SUR 05-15

STATE OF NEVADA

Dept. of Transportation R/W Division

Date: June 17, 2015

Sketch Map

Approved: *Halana Selgan*
 Manager, R/W Engineering

NOT TO SCALE Sheet 1 of 1 Sheets

TRACED: JHH CHECKED: *JPH*

Date of last revision: _____



STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

BRIAN SANDOVAL
Governor

August 10, 2015

RUDY MALFABON, P.E., Director

In Reply, Refer to:

FEDERAL HIGHWAY ADMINISTRATION
SUSAN KLEKAR DIVISION ADMINISTRATOR
ATTN HUGH HADSOCK R-W PROGRAM MGR
705 NORTH PLAZA STREET SUITE 220
CARSON CITY NV 89701

**Disposal by Resolution of
Relinquishment**
Surplus No.: SUR 05-15
Ptn. of Route: US-395
E. A.: 71565
Project: F-395-2(21)
Surplus Parcel: U-395-WA-
015.491 XS2

Dear Ms. Klekar:

Enclosed are Exhibits "A" and "B" (sketch maps) and a location map depicting the area of surplus property, proposed to be relinquished, pursuant to N.R.S. 408.527. It has been determined that the surplus property is no longer needed by NDOT. The aforementioned property is located off of Herz Boulevard lying within the City of Reno, County of Washoe, State of NV.

The proposal has been reviewed and it has been determined that:

1. The subject property right will not be needed for Federal-aid Highway purposes in the foreseeable future;
2. The release will not adversely affect the Federal-aid Highway facility or the traffic thereon;
3. The property to be sold is not suitable for retention in order to restore, preserve, or improve the scenic beauty adjacent to the highway consonant with the intent of 23 U.S.C. 319 and PL 89-285, Title III, Section 302-305 (Highway Beautification Act of 1965);
4. The property to be sold does require clearance through the Environmental Division in accordance with CEQ regulations 40 CFR 1508.4 and 23 CFR 771.117(d);
5. The relinquishment of the property is being made in accordance with N.R.S. 408.527.

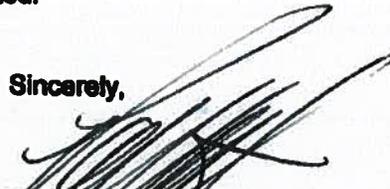
ATTACHMENT 4



SUSAN KLEKAR DIVISION ADMINISTRATOR
ATTN HUGH HADSOCK R-W PROGRAM MGR
August 10, 2015

Your concurrence in the proposal is requested.

Sincerely,



Paul A. Saucedo
Chief Right-of-Way Agent

CONCUR:

Hugh Haddock
Hugh Haddock, Right-of-Way Program Manager

7/27/15
Date

Pas/dtc/jl
Enclosures

cc: A. Whittington, Manager Right-of-Way Engineering

EXHIBIT "A"

LEGAL DESCRIPTION

**For
RELINQUISHMENT OF PUBLIC RIGHT-OF-WAY
TO THE CITY OF RENO FROM THE
NEVADA DEPARTMENT OF TRANSPORTATION**

All that certain real property situate within the Northwest One-quarter (NW 1/4) of Section Twenty-Eight (28), Township Eighteen (18) North, Range Twenty (20) East, M.D.M., lying within the County of Washoe, State of Nevada, more particularly described as follows:

BEGINNING at a point which bears South 00°32'58" West 925.58 feet from the northwest corner of said Section 28, said POINT OF BEGINNING being further described as being the intersection of the westerly right of way of Herz Boulevard with the west section line of said Section 28;

THENCE along said westerly right of way, along the arc of a curve to the left, concave northeasterly, radial to a bearing of North 59°55'06" East, having a radius of 430.00 feet, through a central angle of 01°34'43", a distance of 11.85 feet;

THENCE South 31°39'37" East, 422.32 feet to a point lying on the north right of way line of Mt. Rose Highway (SR 431);

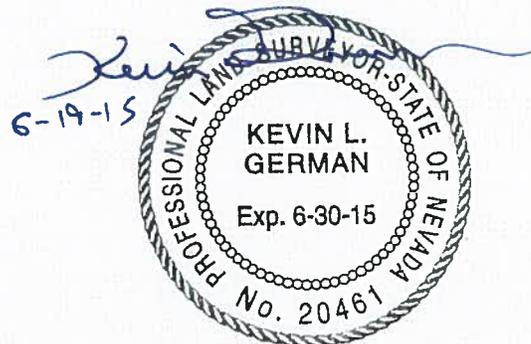
THENCE along said north right of way, South 58°20'23" West, 37.41 feet;

THENCE leaving said north right of way, North 31 °39'37" West, 250.50 feet;

THENCE South 58°27'32" West, 78.03 feet to a point on said west section line of Section 28;

THENCE North 00°32'58" East, along said west section line, 216.88 feet to the POINT OF BEGINNING, containing 19,961 square feet, more or less.

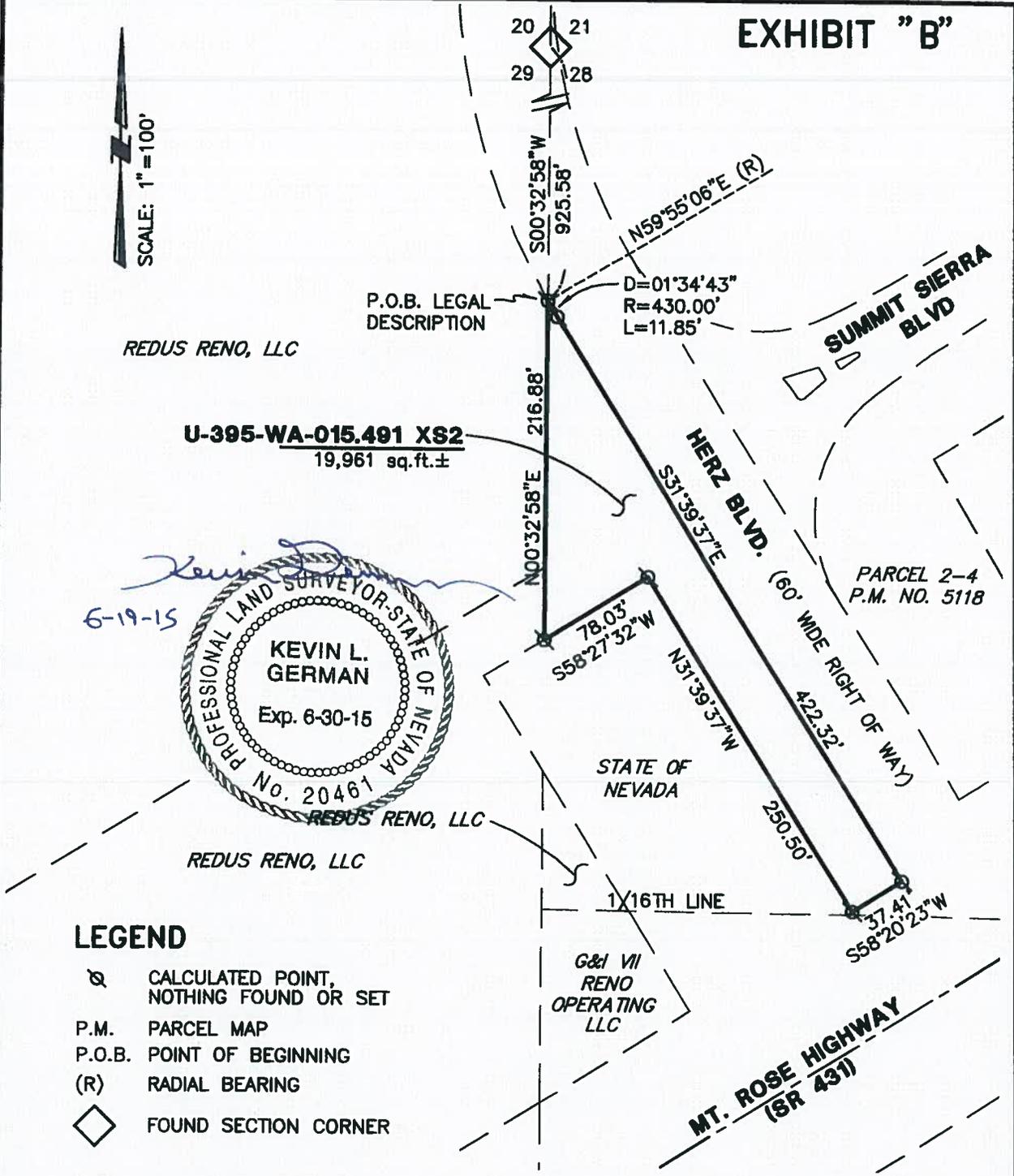
The basis of bearings for this description is Nevada State Plane Coordinates, West Zone NAD 83/94, based upon found monumentation.



Kevin L. German, PLS 20461
CFA, Inc. – 1150 Corporate Blvd. – Reno, NV 89502

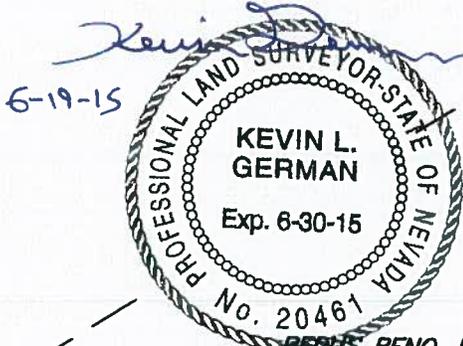
EXHIBIT "B"

SCALE: 1" = 100'



REDUS RENO, LLC

U-395-WA-015.491 XS2
19,961 sq.ft.±



REDUS RENO, LLC

SUMMIT SIERRA BLVD

PARCEL 2-4
P.M. NO. 5118

STATE OF NEVADA

G&I VII
RENO
OPERATING
LLC

MT. ROSE HIGHWAY
(SR 431)

LEGEND

- ⊗ CALCULATED POINT, NOTHING FOUND OR SET
- P.M. PARCEL MAP
- P.O.B. POINT OF BEGINNING
- (R) RADIAL BEARING
- ◇ FOUND SECTION CORNER

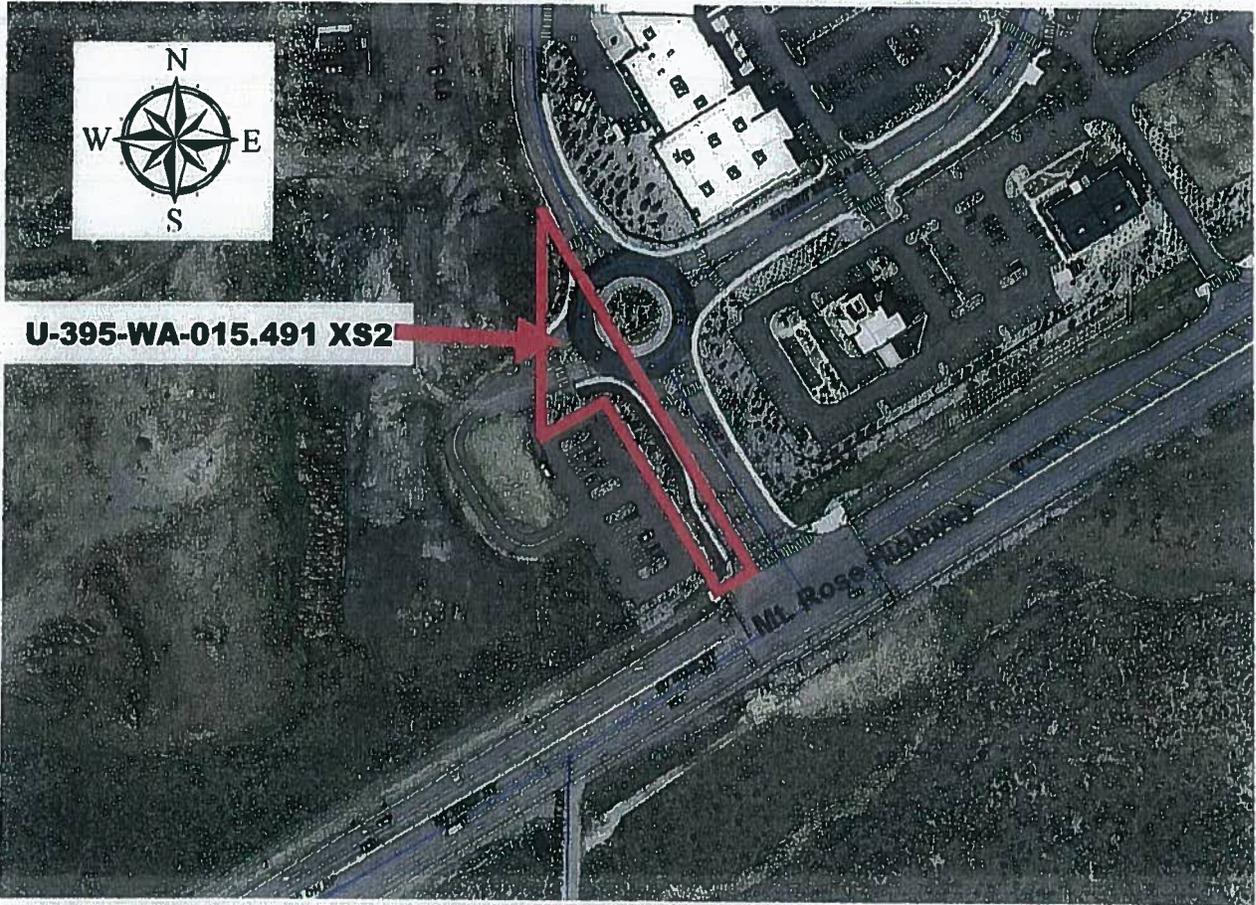
File: R:\X\projects\02115.01\Dwg\Surv\Exhibits\ EXHIBIT-DEDICATION CITY RENO.dwg
<kgerman> Fri, 19 Jun 2015 - 2:40pm

SHEET 1 OF 1

CTA
PLANNERS • ENGINEERS • LANDSCAPE ARCHITECTS
SURVEYORS • CONSTRUCTION INSPECTION
1150 CORPORATE BLVD. RENO, NV 89502
(775) 856-1150 FAX: (775) 856-1160

EXHIBIT MAP TO ACCOMPANY LEGAL DESCRIPTION
FOR
DEDICATION OF PUBLIC RIGHT OF WAY
TO THE CITY OF RENO
PORTION OF THE NW 1/4 SEC. 28,
T. 18N., R. 20E., M.D.M.
RENO WASHOE COUNTY NEVADA

LOCATION MAP



SUR 05-15
**DESCRIPTION: A parcel of land along Mt. Rose Highway in the
County of Washoe, State of Nevada**



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7013
Fax: (775) 888-7104

MEMORANDUM

Environmental Services Division

July 21, 2015

To: Diana Callahan, Staff Specialist, Acquisitions, Right-of-Way

From: Daniel Harms, Environmental Services Division 

Subject: Environmental Clearance for Transportation Board
Surplus No.: SUR 05-15
Project No.: F-395-2(21)
EA: 71565
Parcel: U-395-WA-015-491 XS2, portion of land off Herz Blvd., Reno NV
Requestor: City of Reno
Surplus Property Disposal

The Environmental Services Division reviewed the requested action and found it clear of any documented environmental concern. The Categorical Exclusion for disposal was approved by the Federal Highway Administration on July 16, 2015.

EC: R. Borrelli, Surplus Property Committee, Chair
Project E-File

ATTACHMENT 5

NRS 408.527 Procedure for relinquishment of roadways; regulations.

1. Whenever the Department and the county or city concerned have entered into a written agreement providing therefor, and the legislative body of the county or city has adopted a resolution consenting thereto, the Board may relinquish to the county or city:

(a) Any portion of any state highway which has been deleted from the state highway system by legislative enactment; or

(b) Any portion of any state highway which has been superseded by relocation or which the Department determines exceeds its needs.

2. Whenever the county or city concerned and the Department have entered into a written agreement providing therefor, and the Board has adopted a resolution consenting thereto, the county or city may relinquish to the Department any portion of any county or city road which the Department agrees qualifies to join the state highway system.

3. By resolution of the Board, the Department may upon request relinquish to the Division of State Lands of the State Department of Conservation and Natural Resources for the public use of another state agency any portion of any state highway which has been superseded by relocation or which the Department determines exceeds its needs.

4. Relinquishment must be made by a resolution. A certified copy of the resolution must be filed with the legislative body of the county or city concerned. The resolution must be recorded in the office of the county recorder of the county where the land is located and, upon recordation, all right, title and interest of the State in and to that portion of any state highway vests in the county, city or division, as the case may be.

5. Nothing in NRS 408.523 limits the power of the Board to relinquish abandoned or vacated portions of a state highway to a county, city or the Division.

6. If the Board relinquishes property pursuant to subsection 5, and the purpose for which the property was relinquished is abandoned or ceases to exist, then, absent an agreement or a provision of law to the contrary, and regardless of the interest of the Department in the property before it was relinquished, all right, title and interest in the property shall vest in the county, city or Division without reversion to the Department.

7. The Board may accept from a county or city any portion of any county or city road which has changed in function such that it has risen to the level of functioning as a state highway. Such a road may be traded for any portion of any state highway relinquished by the Department or accepted by the Department after equitable compensation or trade values have been negotiated and agreed to in writing.

8. A county or city may accept from the Department any portion of any state highway which no longer functions to support the state highway system and which exceeds the needs of the Department. Such a highway may be traded for any portion of any county or city road relinquished by the county or city or accepted by the county or city after equitable compensation or trade values have been negotiated and agreed to in writing.

9. Any portion of a state highway or county or city road that is relinquished or traded pursuant to this section must be placed in good repair, or the parties must establish and agree in writing to equitable monetary compensation. If any highways or roads, or portions thereof, to be relinquished or traded are not of comparable value, the parties must negotiate and agree in writing to equitable monetary compensation or equitable trade considerations.

10. The Department, in cooperation with local governments, shall adopt regulations governing procedural documents that address the process by which highways and roads are relinquished.

11. The vesting of all right, title and interest of the Department in and to portions of any state highways relinquished previously by the Department in the city, county or state agency to which it was relinquished is hereby confirmed.

(Added to NRS by 1960, 68; A 1983, 338; 1987, 1102, 1812; 1989, 1308; 1991, 1173; 2013, 1844)

ATTACHMENT 6



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7201

MEMORANDUM

August 10, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: August 10, 2015 Transportation Board of Directors Meeting
Item # 8: Action Item: Disposal of a portion of NDOT right-of-way located at the West Wendover Welcome Center Former US-93A (Wendover Blvd.), City of West Wendover, Elko County, Nevada

SUR 15-05 – For Board Approval

Summary:

Approval is requested from the Department of Transportation Board of Directors to dispose of the above-referenced right-of-way by Resolution of Relinquishment. The right-of-way parcel to be relinquished is a portion of NDOT right-of-way located at the West Wendover Welcome Center Former US-93A (Wendover Blvd.), City of West Wendover, Elko County, Nevada. The parcel is currently improved with landscape and parking consisting of approximately 2.91 acres (126,760 sq. ft.) as depicted on the attached sketch map labeled Exhibit "A".

Background:

On August 10, 1948, the Department acquired the property as an easement deed from the Bureau of Land Management for highway purposes.

The City of West Wendover consented by resolution passed and adopted on May 19, 2015, to the Department's relinquishment of a portion of NDOT right-of-way located at the West Wendover Welcome Center Former US-93A (Wendover Blvd.), City of West Wendover, Elko County, Nevada. This transfer will benefit to the Department with the elimination of all liability and future maintenance responsibilities.

Analysis:

On March 31, 2015, the Surplus Committee determined the easement interest is no longer required for highway purposes. The release of NDOT's interest in this parcel is being made in accordance with NRS 408.527. The Department currently holds an easement interest in this parcel.

Recommendation for Board Action:

Approval of disposal of NDOT right-of-way for a portion of NDOT right-of-way located at the West Wendover Welcome Center Former US-93A (Wendover Blvd.), City of West Wendover, Elko County, Nevada.

**Department of Transportation Board of Directors
August 10, 2015**

Recommendation for Board Action:

Approval of disposal of NDOT right-of-way for a portion of NDOT right-of-way located at the at the West Wendover Welcome Center Former US-93A (Wendover Blvd.), City of West Wendover, Elko County, Nevada.

List of Attachments:

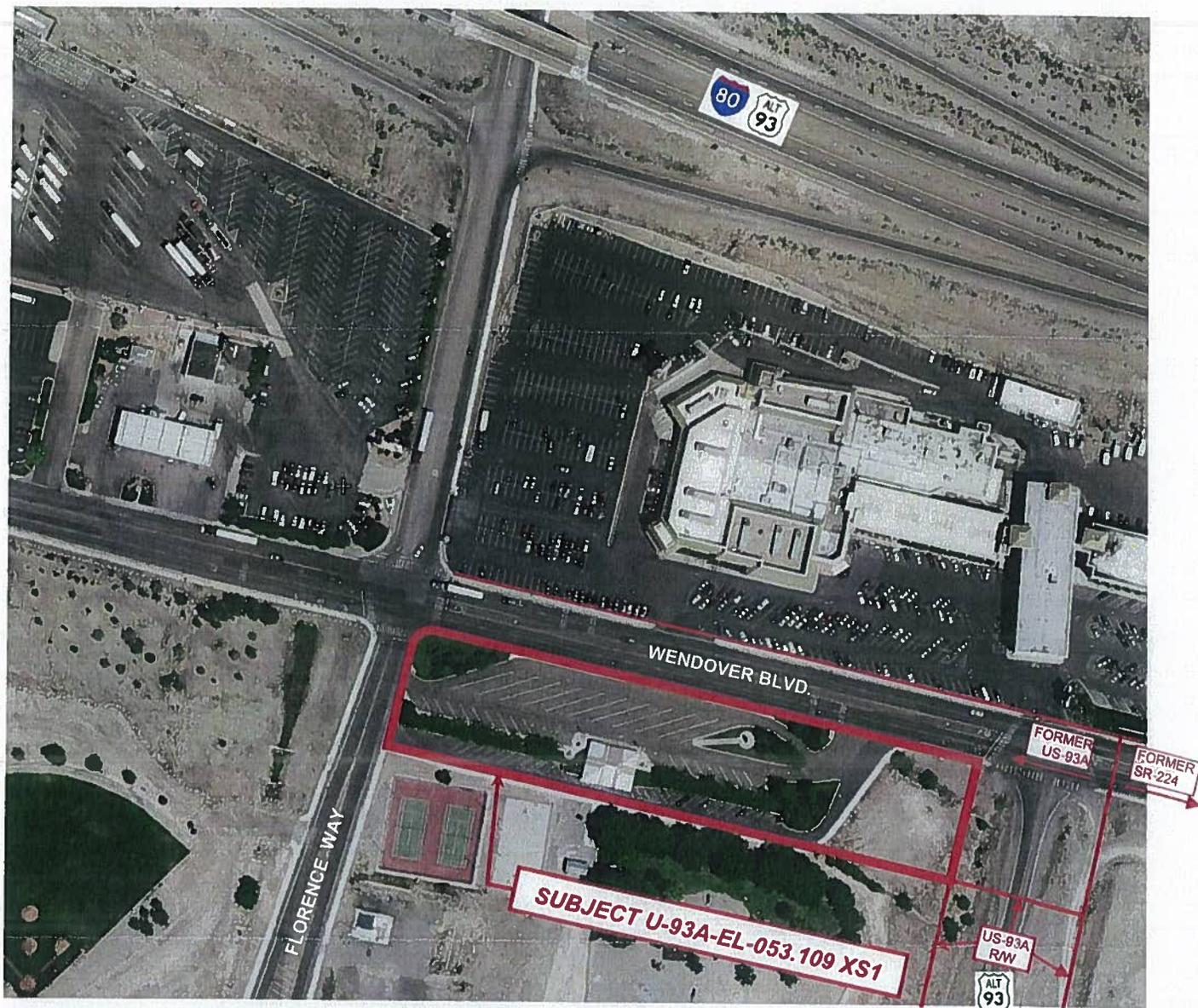
1. Location Map
2. Original Resolution of Relinquishment with attached sketch maps depicted as Exhibit "A"
3. Executed Copy of Resolution Consenting to Relinquishment and Land Transfer Agreement with attached location map depicted as Exhibit "A".
4. Environmental Approval
5. NRS 408.527

Prepared by: Paul A. Saucedo, Chief RW Agent



pas/dtc/jl

LOCATION MAP



SUR 15-05

**DESCRIPTION: West Wendover Welcome Center
Former US-93A (Wendover Blvd.),
City of West Wendover, Elko County, Nevada**



EXHIBIT "A"

301

Ptn. of : BLM Application No. CC 023497
Control Section: EL-11
Project: F.I.-90

Former Route: US-93A
Surplus No.: SUR 15-05
Surplus Parcel: U-93A-EL-053.109 XS1

AFTER RECORDING RETURN TO:
NEVADA DEPT. OF TRANSPORTATION
RIGHT-OF-WAY DIVISION
ATTN: STAFF SPECIALIST, PM
1263 S. STEWART ST.
CARSON CITY, NV 89712

LEGAL DESCRIPTION PREPARED BY:

ANTHONY J. WHITTINGTON
NEVADA DEPT. OF TRANSPORTATION
RIGHT-OF-WAY DIVISION
1263 S. STEWART ST.
CARSON CITY, NV 89712

**RESOLUTION OF RELINQUISHMENT
OF A PORTION OF STATE HIGHWAY RIGHT-OF-WAY**

WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, presently holds an easement interest in that certain right-of-way for a portion of former US-93A (Wendover Blvd.), extending from the easterly right-of-way line of said former US-93A, to the westerly right-of-way line of said former US-93A a distance of 0.14 of a mile; and

WHEREAS, said right-of-way is delineated and identified as Parcel U-93A-EL-053.109 XS1 on EXHIBIT "A" attached hereto and made a part hereof; and

WHEREAS, as set forth in NRS 408.527, the Nevada Department of Transportation may, by resolution of the board, relinquish to cities and counties any portion of any state highway which has been superseded by relocation or which the Department determines exceeds its needs; and

ATTACHMENT 2

WHEREAS, said right-of-way is of no further contemplated use by the Department due to that portion of former US-93A (Wendover Blvd.), being in excess of its needs; and

WHEREAS, the City of West Wendover has requested the relinquishment of aforesaid portion of former US-93A (Wendover Blvd.) for the purpose of a public facility; and

WHEREAS, the City of West Wendover has agreed to accept the relinquishment of said right-of-way for the aforesaid portion of former US-93A (Wendover Blvd.) together with any and all revocable leases and licenses entered into between the Department and the adjoining owners for the multiple use of the right-of-way; and

WHEREAS, the City of West Wendover entered into an agreement with the Department on June 8, 2015, to accept the hereinafter described portion of former US-93A (Wendover Blvd.), as a part of the City of West Wendover's Public Facilities; and

WHEREAS, the City Council of the City of West Wendover, State of Nevada, consented by resolution passed and adopted on May 19, 2015, to the Department relinquishing the aforesaid portion of said former US-93A (Wendover Blvd.) to the City of West Wendover; and

WHEREAS, NRS 408.527 provides that the Department of Transportation may relinquish any portion of a state highway which has been superseded by relocation or which the Department determines exceeds its needs after the Department and the city or county have entered into an agreement and the city or county legislative body has adopted a resolution consenting thereto.

THEREFORE, it is hereby determined by the Board of Directors of the Nevada Department of Transportation, State of Nevada, that the following described right-of-way and incidents thereto, being all that land, delineated and identified as Parcel U-93A-EL-053.109 XS1 on EXHIBIT "A" attached hereto and made a part hereof, is hereby relinquished to the City of West Wendover of the State of Nevada. Said right-of-way is described as follows: situate, lying and being in the City of West Wendover, County of Elko, State of Nevada, and more

particularly described as being a portion of Government Lots 4 and 13 of Section 15, and Government Lot 1 and the NE 1/4 of the NE 1/4 of Section 16, all in T. 33 N., R. 70 E., M.D.M., and more fully described by metes and bounds as follows:

COMMENCING at a .76M GLO BRASS CAP, accepted as the northeast corner of said section 16, shown and delineated as a "FOUND BRASS CAP MONUMENT" on that certain Record of Survey No. 2802 titled Boundary And Topographic Survey - WEST RECREATION PARCEL WEST WENDOVER RECREATION DISTRICT, filed for record on August 7, 2008, as Document No. 601176, Official Records, Elko County, Nevada; thence S. 5°01'32" E. a distance of 1,503.67 feet to the POINT OF BEGINNING; said point of beginning being on the westerly right-of-way line of US-93A, 100 feet left of Highway Engineer's Station "C2" 977+98.70 P.O.T., and further described as being the southeast corner of said parcel; thence along the southerly right-of-way line of former US-93A (Wendover Blvd.) N. 78°06'35" W. a distance of 736.90 feet; thence the following four (4) courses and distances;

- 1) N. 11°53'25" E. – 147.50 feet;
- 2) from a tangent which bears the last described course, curving to the right with a radius of 24.50 feet, through an angle of 90°00'00", an arc distance of 38.48 feet;
- 3) S. 78°06'35" E. – 712.40 feet;
- 4) S. 11°53'25" W. – 172.00 feet to said point of beginning; said parcel contains an area of 2.91 acres.

The Basis of Bearing for this description is the NEVADA STATE PLANE COORDINATE SYSTEM, NAD 83/94 DATUM, East Zone as determined by the State of Nevada, Department of Transportation.

It is the intent of the Department to relinquish to the City of West Wendover all of the Department's right, title and interest in and to the aforesaid described right-of-way as shown on EXHIBIT "A", attached hereto and made a part hereof.

DATED this ____ day of _____, 20__.

APPROVED AS TO LEGALITY AND FORM:

ON BEHALF OF STATE OF NEVADA,
DEPARTMENT OF TRANSPORTATION
BOARD OF DIRECTORS

Dennis Gallagher, Deputy Attorney General

Brian Sandoval, Chairman

ATTEST:

William H. Hoffman, Secretary to the Board

Control Section: EL-011
Route: Off System
Former Route: US-93A
Surplus No.: SUR 15-05
Project: F.I.-90
Portion of: BLM Application No.
CC 023497
Parcel: U-93A-EL-053.109 XS1

RESOLUTION CONSENTING TO RELINQUISHMENT
AND LAND TRANSFER AGREEMENT

WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, desires to relinquish a portion of former US-93A (Wendover Blvd.), being a parcel of land known as the West Wendover Welcome Center, lying within the City of West Wendover, State of Nevada, extending from the easterly right-of-way line of said former US-93A to the westerly right-of-way line of said former US-93A, a distance of approximately 0.14 of a mile, said portion of former US-93A is identified as Parcel U-93A-EL-053.109 XS1 on EXHIBIT "A" attached hereto and made a part hereof; and

WHEREAS, the City Council of the City of West Wendover, State of Nevada, desires that the aforesaid portion of said highway be relinquished to the City of West Wendover; and

WHEREAS, the City of West Wendover has requested the relinquishment of aforesaid portion of former US-93A for public purposes; and

WHEREAS, the City of West Wendover has agreed to accept the relinquishment of said portion of former US-93A.

NOW THEREFORE be it resolved that the City Council of the City of West Wendover, does in consideration of the actions of the Department as set forth herein, hereby consent to the State of Nevada, Department of Transportation, Board of Directors, relinquishing to the City of West Wendover, that portion of former US-93A (Wendover Blvd.), being a parcel of land known as the West Wendover Welcome Center, lying within the City of West Wendover, State of Nevada, extending from the easterly right-of-way line of said former US-93A to the westerly right-of-way line of said former US-93A, a distance of approximately 0.14 of a mile, being all that portion of said former US-93A delineated and identified as Parcel U-93A-EL-053.109 XS1 on EXHIBIT "A" attached hereto and made a part hereof.

ATTACHMENT 3

The parties acknowledge that no relinquishment can occur until the Department of Transportation, Board of Directors approves of this relinquishment.

[USE FOR "CITY" USE ONLY]

IN WITNESS WHEREOF the parties hereto have executed this agreement dated this 8th day of June, 2015.

ATTEST:

CITY COUNCIL

[Signature]

, City Clerk

Emily Carter

, Mayor

REVIEWED AND RECOMMENDED BY:

APPROVED AS TO LEGALITY AND FORM:

[Signature]

Paul A. Saucedo, Chief Right-of-Way Agent

[Signature]

, Chief Deputy Attorney General
Chief Counsel, Department of Transportation

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STATE OF NEVADA acting by and through its Department of Transportation

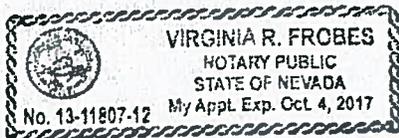
[Signature]

, Director

STATE OF NEVADA
CARSON CITY

On this 17th day of June, 2015, personally appeared before me, the undersigned, a Notary Public in and for Carson City, State of Nevada, Rudy Malfabon personally known (or proved) to me to be the _____ Director of the Department of Transportation of the State of Nevada who subscribed to the above instrument for the Nevada Department of Transportation under authorization of Nevada Revised Statutes, Chapter 408.205; that he/she affirms that the seal affixed to said instrument is the seal of said Department; and that said instrument was executed for the Nevada Department of Transportation freely and voluntarily and for the uses and purposes therein mentioned.

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IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]

LOCATION MAP



SUR 15-05

**DESCRIPTION: West Wendover Welcome Center
Former US-93A (Wendover Blvd.),
City of West Wendover, Elko County, Nevada**



EXHIBIT "A"



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7013
Fax: (775) 888-7104

MEMORANDUM

Environmental Services Division

April 15, 2015

To: Diana Callahan, Staff Specialist, Acquisitions, Right-of-Way

From: Steve M. Cooke, PE, Chief, Environmental Services 

Subject: Environmental Clearance for Transportation Board
Surplus No.: SUR 15-05
Project No.: IR-080-5(26)409
EA: 71297
Parcel: U-93A-EL-053.109 XS1, West Wendover Welcome Center
Surplus Property Disposal

The Environmental Services Division reviewed the requested action and found it clear of any documented environmental concern. The Categorical Exclusion for disposal was approved by the Federal Highway Administration on April 15, 2015.

EC: R. Borrelli, Surplus Property Committee, Chair
M. Orci, Asst Chief Right-of-Way Agent
H. Salazar, Surplus Property Committee, Vice-Chair
Project E-File

ATTACHMENT 4

NRS 408.527 Procedure for relinquishment of roadways; regulations.

1. Whenever the Department and the county or city concerned have entered into a written agreement providing therefor, and the legislative body of the county or city has adopted a resolution consenting thereto, the Board may relinquish to the county or city:

(a) Any portion of any state highway which has been deleted from the state highway system by legislative enactment; or

(b) Any portion of any state highway which has been superseded by relocation or which the Department determines exceeds its needs.

2. Whenever the county or city concerned and the Department have entered into a written agreement providing therefor, and the Board has adopted a resolution consenting thereto, the county or city may relinquish to the Department any portion of any county or city road which the Department agrees qualifies to join the state highway system.

3. By resolution of the Board, the Department may upon request relinquish to the Division of State Lands of the State Department of Conservation and Natural Resources for the public use of another state agency any portion of any state highway which has been superseded by relocation or which the Department determines exceeds its needs.

4. Relinquishment must be made by a resolution. A certified copy of the resolution must be filed with the legislative body of the county or city concerned. The resolution must be recorded in the office of the county recorder of the county where the land is located and, upon recordation, all right, title and interest of the State in and to that portion of any state highway vests in the county, city or division, as the case may be.

5. Nothing in NRS 408.523 limits the power of the Board to relinquish abandoned or vacated portions of a state highway to a county, city or the Division.

6. If the Board relinquishes property pursuant to subsection 5, and the purpose for which the property was relinquished is abandoned or ceases to exist, then, absent an agreement or a provision of law to the contrary, and regardless of the interest of the Department in the property before it was relinquished, all right, title and interest in the property shall vest in the county, city or Division without reversion to the Department.

7. The Board may accept from a county or city any portion of any county or city road which has changed in function such that it has risen to the level of functioning as a state highway. Such a road may be traded for any portion of any state highway relinquished by the Department or accepted by the Department after equitable compensation or trade values have been negotiated and agreed to in writing.

8. A county or city may accept from the Department any portion of any state highway which no longer functions to support the state highway system and which exceeds the needs of the Department. Such a highway may be traded for any portion of any county or city road relinquished by the county or city or accepted by the county or city after equitable compensation or trade values have been negotiated and agreed to in writing.

9. Any portion of a state highway or county or city road that is relinquished or traded pursuant to this section must be placed in good repair, or the parties must establish and agree in writing to equitable monetary compensation. If any highways or roads, or portions thereof, to be relinquished or traded are not of comparable value, the parties must negotiate and agree in writing to equitable monetary compensation or equitable trade considerations.

10. The Department, in cooperation with local governments, shall adopt regulations governing procedural documents that address the process by which highways and roads are relinquished.

11. The vesting of all right, title and interest of the Department in and to portions of any state highways relinquished previously by the Department in the city, county or state agency to which it was relinquished is hereby confirmed.

(Added to NRS by 1960, 68; A 1983, 338; 1987, 1102, 1812; 1989, 1308; 1991, 1173; 2013, 1844)

ATTACHMENT 5



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7201

MEMORANDUM

July 24, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: August 10, 2015 Transportation Board of Directors Meeting
Item #9: Approval of Equipment in Excess of \$50,000 – Fleet Replacement –
For possible action

Summary:

This item is to request Transportation Board approval of procurement to replace fleet vehicles.

Background:

NRS 408.389 states that the Department shall not purchase any equipment which exceeds \$50,000, unless the purchase is first approved by the Board. The Legislature approved new heavy duty replacement equipment. The procurement to purchase a total of \$5,000,000 was approved in the regular 2015 Legislature session (Attachment 1) for purchase in FY 2016, which is a significant amount and warrants consideration and approval by the Transportation Board. An explanation of vehicles priced over \$50,000 is provided.

The replacement criteria for fleet vehicles is shown as Attachment 2 and is based on age and/or mileage. Each class of vehicle has specific replacement criteria, however the Department has discretion in identifying vehicles to be replaced. For example, if a vehicle remains serviceable with acceptable maintenance costs, it will remain in service even though it exceeds the replacement criteria. If a vehicle is experiencing excessive repair costs, it may be replaced before the criteria is met in order to achieve our mission objectives.

The proposed list of vehicles for replacement is shown in Attachment 3. In addition to the vehicle information and the requested replacement class, maintenance costs from May, 2012 thru May, 2015, captured by our Equipment Management System, are shown. The vehicle maintenance costs included all parts and labor and any outsourced repair cost (fuel costs are not included).

Analysis:

Class 10 and Class 11 Vehicles (1 Ton, 1½ Ton, Medium Duty Trucks)

There are approximately 10 units being requested for replacement, ranging in price from \$34,000 to \$55,000. It is estimated that 3 of these units will be at or over \$50,000 each. Class 10 and 11 vehicles are primarily used by NDOT employees working on core maintenance functions. These vehicles are used as maintenance crew trucks. The trucks are used to transport crews to the field to perform normal maintenance duties and road improvement – betterment projects. Equipment is transported to the field utilizing these classes of vehicles, such as traffic control devices, roadway apparatus, and other equipment. Additionally, these units are used to respond to remove debris or other items off the roadway and need to be reliable.

Class 13 & 15 Vehicles (Heavy Duty Trucks)

There are 9 units of these classes being requested; all will exceed \$50,000 per unit. Class 13 and Class 15 vehicles are utilized year-round. In the winter, they are used for snow removal and de-icing, and hauling of salt/sand. Summer usage includes transportation of chips, crushed rocks, shouldering material, plant mix, gravel, asphalt, concrete, and transporting equipment. Class 13 units are also used as a swap loader truck that can be fitted with multiple self-contained beds. These beds allow the unit to be used as a water truck, dump bed, stake bed, or plow/sander, depending on needs and the season.

Class 21 & 24 (Sweepers)

There are 5 units of these classes being requested for replacement; all will exceed \$50,000 per unit. Road brooms are utilized for chip seal projects, debris removal, on the roadway, and in the maintenance yards. The brooms are typically the last piece of equipment on the road for final cleanup. The vacuum brooms are used on roads within NDOT's ROW for debris removal after storm events. They are also a primary tool in meeting Facility Pollution Prevention Plans (FPPP) at the maintenance yards. They are to be used in any operation where debris/material cannot be picked up and must be swept. Additionally they are used to limit the emissions of particulate matter into the environment by preventing, controlling, and mitigating fugitive pollutants from maintenance sweeper activities.

Class 25 Vehicles (Water Trucks)

There is 1 unit of this class being requested for replacement; which will exceed \$50,000. Water trucks are used on maintenance projects for dust abatement during shoulder repair projects and pre-wetting chip stockpiles on chip seal projects. They are also used to haul water to culvert cleaning trucks during culvert cleaning operations, street sweeping, storm water management, fire suppression, and other maintenance projects.

Class 54 Tractor

There is 1 unit of this class being requested for replacement, which will exceed \$50,000. Class 54 vehicles are used for vegetation management. Part of vegetation management is to increase visibility and sight distance to reduce hazards to the traveling public.

Class 54A Skid Loaders

There is 1 unit of this class being requested for replacement; this unit will exceed \$50,000. Skid Steer Loaders are used as loaders and used with various attachments. They are also used for digging post holes, milling pavements, removing pavement markings, cleaning ditches, box culverts, filling excavation ditch lines, landscaping, working around facilities, patching, and placing rip rap in drainages.

Class 54B Backhoe Loader

There is 1 unit of this class being requested for replacement, which will exceed \$50,000. The backhoes are utilized in digging trenches, cleaning ditches, and loading or placing material.

Class 60 Trailer - Cargo

There is 1 unit of this class being requested for replacement; this unit will exceed \$50,000. Transport trailers are primarily used to transport equipment.

Class 63B Programmable Message Boards

There are 4 units of these classes being requested for replacement; this unit will exceed \$50,000. Class 63B units are for incident management and traveler information. These portable message boards are placed in work zones or incident zones to inform the traveling public of information on alerts, emergency traffic control, for accidents, road closures, and other emergency situations. During routine highway maintenance projects, message boards are placed in the appropriate work zones to inform the traveling public of traffic control perimeters. These boards are also utilized in conjunction with local agencies, such as NHP, to provide information on public safety campaigns.

Class 72 Lab/Office Trailers

There are 3 of these units being requested for purchase; each unit will exceed \$50,000. These are mobile units used to house equipment and facilitate material testing on construction projects.

Cost Analysis:

See Attachment 4 – Cost Analysis Excel Sheet

List of Attachments:

- 1) Biennial Legislative Budget
- 2) Equipment Replacement Criteria by Vehicle Class
- 3) List of Replacement Vehicles by Districts
- 4) Cost Analysis Excel Sheet

Recommendation for Board Action:

The Department recommends approval of the purchase of replacement fleet vehicles with an estimated value of \$1,500,000 for FY 2015.

NDOT OBJECT	OBJECT TITLE DESCRIPTION / JUSTIFICATION / DOCUMENTATION OF NEED	2016 REQUEST	2017 REQUEST
E710	EQUIPMENT REPLACEMENT		
	REVENUE - CATEGORY 00		
00-2507	Highway Fund Authorization	\$ 5,420,000	\$ 5,420,000
TOTAL REVENUE E710 - CATEGORY 00		\$ 5,420,000	\$ 5,420,000
EQUIPMENT - CATEGORY 05			
05-8000	COMMUNICATIONS EQUIPMENT - 800 MHZ RADIOS	\$ 420,000	\$ 420,000
<p>This decision unit requests budget authority for the replacement of approximately ten percent (10%) of the 800 MHz radios owned and utilized by the Department of Transportation (NDOT). The type of radios to be replaced reached their end of service for parts support in 2009 and 2010. 200 radios x \$4,200 estimated replacement cost per unit = \$840,000 (see attached list of NDOT radios to be replaced). The replacement radios are compatible with any P25 radio system and are vender neutral.</p> <p>The Nevada Shared Radio System (NSRS) is a statewide 800 MHz trunked radio system. The NSRS is a public private partnership shared between the NDOT, the University of Nevada Las Vegas (UNLV), and Nevada Energy participating in full legal accordance with FCC regulations. System resources and components are combined to maximize mobile radio capabilities, advanced technologies and coverage throughout Nevada, while minimizing equipment costs and associated operational costs. A portion of the NDOT operating costs are reimbursed by the non-highway funded agencies listed on the attached diagram depicting the participants in the NSRS.</p> <p>Although the backbone (mountain top) radio system has reached its end of life and will no longer be supported by the manufacture, the end user equipment is supported and needs to be replaced as described above. The replacement radios will work on any P25 radio system that is chosen as the replacement, regardless of the manufacturer.</p>			
05-8280	HEAVY DUTY REPLACEMENT EQUIPMENT	\$ 5,000,000	\$ 5,000,000
ENHANCEMENT - REPLACEMENT EQUIPMENT TOTAL - E710		\$ 5,420,000	\$ 5,420,000

Attachment 1

Attachment 2

EQUIPMENT REPLACEMENT CRITERIA BY VEHICLE CLASS

Criteria for NDOT licensed equipment replacement are based upon number of miles or hours, age, and/or downtime, excessive repair/recapitalization cost and parts availability.

Mileage, hour and age criteria for replacement are as follows:

<u>Class</u>	<u>Description</u>	<u>Miles/Hours</u>	<u>Months</u>
01	Sedans	100,000	96
	Purchased after FY03	120,000	120
01A	AWD Passenger Vehicles	100,000	96
	Purchased after FY03	150,000	120
03	3/4 Ton Pickups	150,000	96
	Diesel Powered	200,000	144
04	Vans	150,000	96
	Diesel Powered	200,000	144
05	1/2 Ton Pickups	150,000	96
10	Survey Units	150,000	96
	Diesel Powered	200,000	144
11E	1 Ton Dump/Garbage Trucks	150,000	96
	Diesel Powered	200,000	144
11F	Service Trucks	150,000	96
	Diesel Powered	200,000	144
12	Single Axle Dump Trucks	200,000	144
	Purchased after FY03	250,000	180
13	Tandem Axle Dump Trucks	200,000	144
	Purchased after FY03	250,000	180
15	All Wheel Drive Dump Trucks	200,000 or 5,000hrs	180
21	S P Road Brooms	8,000	120
24	S P Pickup Brooms		72
25	Water Trucks	200,000	180
	Purchased after FY03	250,000	240
41	Mowers		180
54	Industrial Tractors		240
54A	Skid Loaders		240
54B	Backhoe Loader		240
60	Trailers – Cargo		204
63	Sign Trailers		360
63B	Programmable Message Boards		144
72	Lab/Office Trailers		240

**ATTACHMENT 3
DISTRICT I
FY 2016 Equipment Replacement**

CLASS	Unit No	Current Age (Years)	Fuel Type	ODOMETER as of 6/30/15	VEHICLE MNT COST May 2012 THRU May 2015	CLASS AVG YEARLY MAINT COST	DESCRIPTION REQUEST	ADJ CLASS	EST. COST	REPLACEMENT CRITERIA MET	
25	0882	30	Dsl	219900	\$24,540	\$4,133	Tandem Axle Water Truck	25	\$250,000	MIL & AGE	
11E	3123	13	Dsl	258300	\$44,909	\$6,353	1 Ton Ext Cab Dump Truck Dsl	11	\$55,000	MIL & AGE	
54A	1909	23	Dsl	3610	\$17,269	\$3,079	Skid Steer Loader	54A	\$50,000	AGE*	
41	1317	30	N/A	N/A	\$15,726	\$2,372	Batwing 15' Rotary Mower	41	\$42,000	AGE*	
41	1318	30	N/A	N/A	\$19,261	\$2,372	Batwing 15' Rotary Mower	41	\$42,000	AGE*	
12	0851	19	Dsl	179850	\$10,868	\$4,778	Tandem Axle Dump Trk W/Plow & Sander	13	\$225,000	AGE	
12	0676	28	Dsl	229341	\$22,794	\$4,778	Tandem Axle Dump Trk W/Plow & Sander	13	\$225,000	MIL & AGE	
12	0515	22	Dsl	238000	\$7,526	\$4,778	Tandem Axle Dump Trk W/Plow & Sander	13	\$225,000	MIL & AGE	
10	1823	10	Dsl	253188	\$15,196	\$3,949	1 Ton Crew Cab 4x4 P/U Long Bed	10	\$34,000	MIL	
01	3118	13	Hybrid	Salvaged- C767	\$10,274	\$1,066	4x4 SUV	01A	\$27,000	Totaled	
05	0846	13	Bi-Fuel	200928	\$7,151	\$1,845	1/2 Ton 4x4 Ext Cab Short Bed P/U E-85	05	\$25,000	MIL & AGE	
05	2050	10	Unl	192000	\$5,217	\$1,845	1/2 Ton 4x4 Ext Cab Short Bed P/U	05	\$25,000	MIL & AGE	
05	1158	11	Unl	191000	\$9,112	\$1,845	1/2 Ton 4x4 Ext Cab Long Bed P/U	05	\$25,000	MIL & AGE	
54B	2039	31	Dsl	679 (New Meter)	\$18,769	\$2,397	Backhoe	54B	\$94,000	AGE	
05	0845	12	Unl	245740	\$4,322	\$2,397	1/2 Ton 4x4 Ext Cab short bed P/U E-85	05	\$25,000	MIL & AGE	
					UNITS HIGHLIGHTED IN ORANGE MAY NOT BE REPLACED UNLESS THERE IS ENOUGH COST SAVINGS						

**ATTACHMENT 3
DISTRICT II
FY 2016 Equipment Replacement**

CLASS	Unit No	Current Age (Years)	Fuel Type	ODOMETER as of 6/30/15	UNIT AVG YR MNT COST Dec 2011 THRU Dec 2014	CLASS AVG YEARLY MAINT COST	DESCRIPTION REQUEST	ADJ CLASS	EST. COST	REPLACMENT CRITERIA MET	
12	0814	21	Dsl	176353	\$17,087	\$4,778	Tandem Axle Dump Trk W/Plow & Sander	13	\$230,000	AGE	
12	1287	24	Dsl	192901	\$40,501	\$4,778	Tandem Axle Dump Trk W/Plow & Sander	13	\$230,000	AGE	
21	1782	17	Dsl	2546	\$29,045	\$3,972	Self Propelled Broom	21	\$60,000	AGE	
21	2794	17	Dsl	2137	\$13,454	\$3,972	Self Propelled Broom	21	\$60,000	AGE	
21	2792	17	Dsl	3000	\$11,834	\$3,972	Self Propelled Broom	21	\$60,000	AGE	
15	2683	18	Dsl	177555	\$57,278	\$14,579	6x6 Plow Truck One Way Plow & Sander	15	\$243,000	AGE	
24	2689	19	Dsl	92504	\$31,817	\$14,244	Self Propelled Street Sweeper	24	\$292,000	AGE	
03	0540	18	RFG	178906	\$11,036	\$2,868	1/2 Ton 4x4 Ext Cab Long Bed Pickup	05	\$25,000	MIL & AGE	
54	1340	21	Dsl	2000	\$33,620	\$3,980	AWD Ag Tractor	54	\$50,000	AGE*	
21	1435	21	Dsl	2395	\$23,235	\$3,972	Self Propelled Broom	21	\$60,000	AGE	
63B	3154	13	Dsl	N/A	\$0	\$962	Programmable Message Board	63B	\$23,000	AGE*	
					UNITS HIGHLIGHTED IN ORANGE MAY NOT BE REPLACED UNLESS THERE IS ENOUGH COST SAVINGS						

**ATTACHMENT 3
DISTRICT III
FY 2016 Equipment Replacement**

CLASS	Unit No	Current Age (Years)	Fuel Type	ODOMETER as of 6/30/15	UNIT AVG YR MNT COST Dec 2011 THRU Dec 2014	CLASS AVG YEARLY MAINT COST	DESCRIPTION REQUEST	ADJ CLASS	EST. COST	REPLACEMENT CRITERIA MET
13	0623	12	Dsl	249000	\$22,184	\$8,404	Tandem Axle Dump Trk W/Plow & Sander	13	\$230,000	MIL & AGE
13	3032	15	Dsl	248000	\$30,922	\$8,404	Tandem Axle Dump Trk W/Plow & Sander	13	\$230,000	MIL & AGE
13	0243	14	Dsl	246000	\$34,299	\$8,404	Tandem Axle Dump Trk W/Plow & Sander	13	\$230,000	MIL & AGE
03	2154	07	Unl	226000	\$9,839	\$2,868	3/4 ton 4x4 Reg Cab Long Bed Pickup	03	\$26,000	MIL
03	0078	09	Unl	219000	\$9,363	\$2,868	3/4 ton 4x4 Reg Cab Long Bed Pickup	03	\$26,000	MIL & AGE
03	0822	12	Unl	209000	\$11,614	\$2,868	3/4 ton 4x4 Reg Cab Long Bed Pickup	03	\$26,000	MIL & AGE
03	0048	14	Unl	227507	\$15,497	\$2,868	3/4 ton 4x4 Reg Cab Long Bed Pickup	03	\$26,000	MIL & AGE
11F	0811	13	Unl	193692	\$7,616	\$4,569	3/4 ton 4x4 Reg Cab Long Bed Pickup	03	\$26,000	MIL & AGE
03	0153	07	Unl	195149	\$14,230	\$2,868	3/4 ton 4x4 Reg Cab Long Bed Pickup	03	\$26,000	MIL
11E	0561	13	Dsl	249000	\$14,462	\$6,353	1 Ton Reg Cab Dump Bed Dsl	11E	\$45,000	MIL & AGE
11E	1860	09	Dsl	246000	\$46,619	\$6,353	1 Ton Reg Cab Dump Bed Dsl	11E	\$45,000	MIL
11E	1208	16	Unl	222000	\$31,576	\$6,353	1 Ton Reg Cab Dump Bed Dsl	11E	\$45,000	MIL & AGE
05	0989	18	Unl	177531	\$5,637	\$1,845	1/2 Ton Reg Cab Short Bed Pickup	05	\$21,000	MIL & AGE
63B	1850	17	Dsl	N/A	\$318	\$962	Programmable Message Board	63B	\$23,000	AGE*
03	0815	12	Dsl	223000	\$30,360	\$2,868	3/4 Ton Reg Cab Long Bed Pickup	03	\$23,500	MIL & AGE
41	2051	31	N/A	N/A	\$0	\$2,373	15' Rotary Mower	41	\$45,000	AGE*
63B	2713	19	Dsl	N/A	\$2,327	\$189	Programmable Message Board	63B	\$23,000	AGE*
10	3153	14	Dsl	218445	\$40,000	\$3,949	Replace with 3/4 ton Crew cab with survey	03	\$42,000	MIL & AGE
05	0079	14	Unl	184334	\$5,524	\$1,845	1/2 Ton Reg Cab Short Bed Pickup	05	\$22,000	MIL & AGE
63B	2712	19	Dsl	N/A	\$3,320	\$189	Programmable Message Board	63B	\$23,000	AGE*
1A	2918	15	Unl	219355	\$3,196	\$1,066	4x4 SUV	1A	\$28,000	MIL & AGE
1A	417	13	Unl	179367	\$11,532	\$1,066	1/2 Ton Crew Cab 4x4	05	\$27,000	MIL & AGE
21	1638	19	Dsl	41777	\$47,552	\$1,066	Self Propelled Broom	21	\$60,000	AGE

**ATTACHMENT 3
CARSON CITY DIVISIONS AND CONSTRUCTION CREWS
FY 2016 Equipment Replacement**

CLASS	Unit No	Current Age (Years)	Fuel Type	ODOMETER as of 6/30/15	UNIT AVG YR MNT COST 2010 THRU 2013	CLASS AVG YEARLY MAINT COST	DESCRIPTION REQUEST	ADJ CLASS	EST. COST	REPLACEMENT CRITERIA MET
01	0059	19	Unl	80000	\$3,895	\$1,066	4 Door Sedan	01	\$18,500	AGE
01	0404	13	Unl	150000	\$2,719	\$1,066	4 Door Sedan	01	\$18,500	MIL & AGE
01	0406	13	Unl	140000	\$3,208	\$1,066	4 Door Sedan	01	\$18,500	MIL & AGE
01	0415	13	Unl	150000	\$7,004	\$1,066	4 Door Sedan	01	\$18,500	MIL & AGE
01	0809	12	Unl	155000	\$4,784	\$1,066	4 Door Sedan	01	\$18,500	MIL & AGE
01	1710	10	Unl	128000	\$3,259	\$1,066	4 Door Sedan	01	\$18,500	MIL & AGE
01	1711	10	Unl	118000	\$4,916	\$1,066	4 Door Sedan	01	\$18,500	AGE
01	0097	19	Unl	66000	\$1,269	\$1,066	4 Door Sedan	01	\$18,500	AGE
01	0014	17	Unl	73000	\$2,209	\$1,066	4 Door Sedan	01	\$18,500	AGE
01	0036	18	Unl	59000	\$7,896	\$1,066	4 Door Sedan	01	\$18,500	AGE
01	0050	20	Unl	76000	\$2,359	\$1,066	4 Door Sedan	01	\$18,500	AGE
01	0075	18	Unl	51000	\$1,002	\$1,066	4 Door Sedan	01	\$18,500	AGE
01	0158	18	Unl	68000	\$1,392	\$1,066	4 Door Sedan	01	\$18,500	AGE
01	0261	17	Unl	82000	\$674	\$1,066	4 Door Sedan	01	\$18,500	AGE
01A	0095	22	Unl	130000	\$5,166	\$2,051	4x4 SUV	01A	\$28,000	MIL & AGE
05	0138	09	Unl	215857	\$10,845	\$1,845	1/2 Ton Ext Cab Short Bed 4x4 Pickup	05	\$25,000	MIL & AGE
03	0482	07	Unl	177399	\$13,310	\$2,868	1/2 Ton Ext Cab Short Bed 4x4 Pickup	05	\$25,000	MIL & AGE
04	3258	09	Unl	151377	\$8,248	\$1,690	1/2 Ton Ext Cab Short Bed 4x4 Pickup	05	\$25,000	MIL & AGE
01A	1120	11	Unl	80843	\$4,412	\$2,051	1/2 Ton Crew Cab Short Bed 4x4 Pickup	05	\$27,000	AGE
01A	3152	13	Unl	100516	\$3,951	\$2,051	4x4 SUV	01A	\$28,000	MIL & AGE
10	1105	16	Unl	115954	\$12,324	\$3,950	1/2 Ton Crew Cab Short Bed 4x4 Pickup	05	\$27,000	AGE
11J	0940	12	Unl	215969	\$9,061	\$5,042	F450 Ext Cab 4x4 Utility Bed Dsl	11	\$50,000	MIL & AGE
11F	2762	17	Unl	192000	\$16,569	\$4,569	F450 Ext Cab 4x4 Utility Bed Dsl	11	\$50,000	MIL & AGE
11F	0325	29	Unl	71000	\$4,413	\$4,569	1/2 Ton Ext Cab Long Bed 4x4 Pickup	05	\$25,000	AGE
11F	2756	17	Unl	154000	\$7,913	\$4,569	3/4 Ton Ext Cab Service Truck	03	\$34,000	MIL & AGE
05	2907	16	Unl	159000	\$4,392	\$1,845	1/2 Ton Ext Cab Long Bed 4x4 Pickup	05	\$25,000	MIL & AGE
60	2201	27	N/A	N/A	\$6,457	\$1,132	50 Ton Transport Trailer	60	\$72,000	AGE*
72	2365	27	N/A	N/A	\$275	\$329	10x50 Lab Trailer	72	\$149,000	AGE*

ATTACHMENT 4

NDOT MOBILE EQUIPMENT PURCHASE REQUEST - COSTS AND BENEFITS ANALYSIS

Equipment	Quantity	Price	Total Costs
Class 24 PM-10 Compliant Sweepers Total Purchase Price	1 Sweeper	\$ 296,000	\$ 296,000

(1) Costs for Purchasing Equipment, Operating and Maintaining

NDOT COSTS FOR THE SWEEPING TASK PER YEAR:

Task: Clark County Street Sweeping with PM-10 Compliant Sweepers

Item	Description	Quantity	Rate	Total Costs
1	Equipment Cost per Year	1 Sweeper		\$ 42,988
	Other Equipment used for the Task (Impact attenuator, garbage truck, etc.)			\$ 23,757
2	All Maintenance, Insurance, and Fuel Costs			\$ 27,862
3	Labor Costs related to the Task			\$ 22,845
4	Department Labor Overhead		67.28%	\$ 15,370
5	Materials Disposal for the Task			\$ 23,055
Total				\$ 155,877

Note: MMS = Maintenance Management System

4771 Curb Miles/Unit

Average Cost per Curb Mile = **\$ 33**

(2) Costs for Leasing, Operating and Maintaining

COSTS FOR LEASING THE EQUIPMENT TO DO THE SAME TASK:

Item	Description	Quantity	Rate	Total Costs
1	PM-10 Compliant Street Sweepers (Annual lease rate includes all maintenance & insurance costs)	1 Sweeper	\$ 144,000	\$ 144,000
	Other Equipment used for the Task (Impact attenuator, garbage truck, etc.)			\$ 23,757
2	Fuel Cost			\$ 3,699
3	Labor Costs Related to the Task			\$ 22,845
5	Department Labor Overhead		67.28%	\$ 15,370
6	Materials Disposal for the Task			\$ 23,055
Total				\$ 232,730

Average Cost per Curb Mile = **\$ 49**

(3) Costs for contracting for the performance of the work which would have been performed using the mobile equipment

COSTS FOR CONTRACTING OUT THE TASK:

Item	Description	Quantity	Rate	Total Costs
1	All Inclusive Street Sweeping (NDOT District 2 freeway contract)	4771 Curb Miles	\$ 59.25	\$ 282,679
2	Department Contract Administration:			
	Procurement and Contract Management (Project Mgr.)	200 Man Hours	\$ 40	\$ 8,000
	Payables Management (Admin. III)	24 Man Hours	\$ 22	\$ 528
	Quality Management	104 Man Hours	\$ 25	\$ 2,600
3	Department Labor Overhead		67.28%	\$ 7,487
Total				\$ 301,290

Average Cost per Curb Mile = **\$ 63**

ATTACHMENT 4

NDOT MOBILE EQUIPMENT PURCHASE REQUEST - COSTS AND BENEFITS ANALYSIS

Equipment	Quantity	Price	Total Costs
Class 24 PM-10 Compliant Sweepers Total Purchase Price	1 Sweeper	\$ 292,000	\$ 292,000

(1) Costs for Purchasing Equipment, Operating and Maintaining

NDOT COSTS FOR THE SWEEPING TASK PER YEAR:

Task: Washoe County Street Sweeping with PM-10 Compliant Sweepers

Item	Description	Quantity	Rate	Total Costs
1	Equipment Cost (assuming 6 years Depreciation)	1 Sweeper		\$ 45,603
2	Other Equipment used for the Task (Impact attenuator, garbage truck, etc.)			\$ 10,638
3	Equipment Maintenance, Insurance, and Fuel Costs			\$ 31,027
4	Labor Costs related to the Task (from MMS)			\$ 16,222
	Department Labor Overhead		67.28%	\$ 10,914
5	Materials Disposal for the Task			\$ 4,943
Total				\$ 119,347
6	Administration Cost	Add	30%	\$ 155,151

3821 Curb Miles/Unit

Average Cost per Curb Mile = **\$40.60**

(2) Costs for Leasing, Operating and Maintaining

COSTS FOR LEASING THE EQUIPMENT TO DO THE SAME TASK:

Item	Description	Quantity	Rate	Total Costs
1	PM-10 Compliant Street Sweepers (Annual lease rate includes all maintenance & insurance costs)	1 Sweeper	\$ 111,192	\$ 111,192
	Other Equipment used for the Task (Impact attenuator, garbage truck, etc.)			\$ 10,638
2	Fuel Cost			\$ 3,805
3	Labor Costs Related to the Task			\$ 16,222
5	Department Labor Overhead		67.28%	\$ 10,914
6	Materials Disposal for the Task			\$ 4,943
Total				\$ 157,710
6	Administration Cost	Add	30%	\$ 205,023

Average Cost per Curb Mile = **\$53.66**

(3) Costs for contracting for the performance of the work which would have been performed using the mobile equipment

COSTS FOR CONTRACTING OUT THE TASK:

Item	Description	Quantity	Rate	Total Costs
1	All Inclusive Street Sweeping (Average from 2 NDOT contracts)	3821 Curb Miles	\$ 43.12	\$ 164,746
2	Department Contract Administration:			
	Procurement and Contract Management (Project Mgr.)	200 Man Hours	\$ 40	\$ 8,000
	Payables Management (Admin. III)	24 Man Hours	\$ 31	\$ 744
	Quality Management	104 Man Hours	\$ 25	\$ 2,600
3	Department Labor Overhead		67.28%	\$ 7,632
Total				\$ 183,720

Average Cost per Curb Mile = **\$48.08**



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MEMORANDUM

July 24, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: August 10, 2015 Transportation Board of Directors Meeting
Item #10: Approval of Equipment in Excess of \$50,000 - Fleet for Possible Action

Summary:

This item is to request Transportation Board approval of the procurement to purchase three (3) PM 10 Sweepers, one (1) Culvert Cleaner Truck, and two (2) Tow Plows with granular spreaders.

Background:

The Legislature approved new equipment for special consideration during their 2015 regular session, Attachment 1. Part of this approval included the procurement to purchase a total of \$1,120,000 for the Sweepers and a Culvert Cleaner Truck. These units will be assigned and utilized in District I. The approval also included \$230,000 for the purchase of two (2) Tow Plows, for District III – Elko. The Department would like to purchase these units to increase efficiency in removing snow.

NRS 408.389 states that the Department shall not purchase any equipment which exceeds \$50,000, unless the purchase is first approved by the Board.

Analysis:

Class 24 Sweepers (PM 10 Sweepers)

There are three (3) Sweepers to be used to limit the emissions of particulate matter into the environment by preventing, controlling, and mitigating fugitive pollutants from maintenance sweeper activities. Sweepers are also the front line in combating storm water runoff into washes that lead to Lake Mead National Recreation Area. Areas of District I, specifically the Las Vegas Valley, are considered “non-attainment areas” by Clark County Air Quality and the Southern Nevada Health District, both of which follow the guidelines laid out by the US EPA. The current fleet of sweepers in District I are becoming more and more difficult to keep in operation. All three sweepers will be operated in the Las Vegas Valley, District I, Clark County.

Class 20 Culvert Cleaner/Flusher

The Culvert Flusher will be used to clean drainage culverts, and drop inlets.

Class 60T Tow Plows

There are two (2) Tow Plows requested for use in winter maintenance. The plow embodies the “doing more with less” concept. It creates operational improvements in snow removal that contribute significantly to cost efficiencies, productivity and safety. Fewer passes with less equipment means lower potential for traffic accidents during snow removal. The reduction in cycle time also gives the traveling public more hours in which to operate on a fully cleared roadway as the weather event unfolds and provides a higher level of service to roadway users. These steerable towed snow plows, when combined with a traditional snow plow truck, are able to plow and deploy deicing materials to two typical traffic lanes at the same time, providing significant operational efficiencies. These units have proven to be a highly efficient and timely method of snow removal, providing the best coverage for the traveling public during snow removal. Since the deployment of the initial Tow Plows, Task Proficiency Guides have been delivered to insure operators are proficient in their operation. We have not identified any safety concerns when operating these units on multi-lane highways. Both will be utilized in District III.

Cost Analysis:

The costs analysis for the equipment is shown in Attachment 2.

List of Attachments:

- 1) Excerpt FY 2014-2015 Approved Budget Request
- 2) Cost Analysis Excel Sheet

Recommendation for Board Action:

The Department recommends approval of the requested equipment purchase.

Prepared by:

Kevin Lee, P.E. District Engineer

NEVADA DEPARTMENT OF TRANSPORTATION
 BUDGET ACCOUNT 201-4660
 BUDGET REQUEST FISCAL YEARS 2015-2016 AND 2016-2017
 ENHANCEMENT

AGENCY REQUEST
 AUGUST 31, 2014

GOVERNOR RECOMMENDS
 JANUARY 19, 2015

NDOT OBJECT	OBJECT TITLE DESCRIPTION / JUSTIFICATION / DOCUMENTATION OF NEED	2016 A00	2017 A00	2016 G01	2017 G01
E720 EQUIPMENT - CATEGORY 05					
REVENUE - CATEGORY 00					
00-2507	Highway Fund Authorization	\$ 3,689,502	\$ 2,749,055	\$ 3,598,017	\$ 2,748,741
TOTAL REVENUE - CATEGORY 00		\$ 3,689,502	\$ 2,749,055	\$ 3,598,017	\$ 2,748,741

EQUIPMENT - CATEGORY 05

As required by the Budget Instructions, expenses associated with the purchases of new equipment are included as an enhancement. This decision unit is requesting budget authority to purchase operational equipment items that will cost greater than \$5,000 and several specialized equipment items, all of which are detailed separately and are summarized below by object code.

	<u>2016</u>	<u>2017</u>			
CAT 04/05 PROJECT NEON TEMPORARY FIELD OFFICE					
04 - 7771 SOFTWARE	\$ 27,090	\$ 27,090	\$ 27,150	\$ 27,150	
05 - 8241 OFFICE FURNITURE	\$ 194,400	\$ -	\$ 196,800		
05 - 8271 PROJECTOR	\$ 2,000	\$ -	\$ 1,500		
05 - 8370 COMPUTER HARDWARE > \$5,000	\$ 136,317	\$ -	\$ 35,537		
05 - 8371 COMPUTER HARDWARE < \$5,000	\$ 69,695	\$ 21,965	\$ 77,030	\$ 21,591	
	<u>\$ 429,502</u>	<u>\$ 49,055</u>			
05-8274 SPECIALIZED EQUIPMENT (NDOT Operational Equipment)	<u>\$ 1,750,000</u>	<u>\$ 1,750,000</u>	\$ 1,750,000	\$ 1,750,000	
Operational equipment includes a wide variety of equipment such as computers, office furniture, laboratory test equipment, shop tools and miscellaneous survey equipment.					
05-8276 MATERIAL / ENVIRONMENTAL EQUIPMENT					
CS9300 High Speed Profiling Systems	\$ 80,000	\$ -			
PM-10 Sweepers (three each year)	\$ 870,000	\$ 870,000			
Culvert Cleaner Truck	\$ 250,000	\$ -			
	<u>\$ 1,200,000</u>	<u>\$ 870,000</u>	\$ 1,200,000	\$ 870,000	
04-7460 EQUIPMENT < \$1,000					
EDOC Field Devices -tablets or IPADS - (100 @ \$800 each)	\$ 80,000	\$ 80,000			
	<u>\$ 80,000</u>	<u>\$ 80,000</u>	\$ 80,000	\$ 80,000	
05-8280 LIGHT AND HEAVY CONSTRUCTION & MAINTENANCE EQUIPMENT					
Viking TP26, 26' Tow Plows with swivel tongue (two)	\$ 230,000	\$ -			
	<u>\$ 230,000</u>	<u>\$ -</u>	\$ 230,000		
	<u>\$ 3,689,502</u>	<u>\$ 2,749,055</u>			
ENHANCEMENT - NEW EQUIPMENT - E720		\$ 3,689,502	\$ 2,749,055	\$ 3,598,017	\$ 2,748,741

ATTACHMENT 2

NDOT MOBILE EQUIPMENT PURCHASE REQUEST - COSTS AND BENEFITS ANALYSIS

Date: 7/22/2015

Equipment	Quantity	Price	Total Costs
Viking TP26, 26' Tow Plow (Class 60T)	2 Units	\$100,000.00	\$200,000.00

FUNDING: FY 2016 Equipment - Category 05

(1) Costs for Purchasing Equipment, Operating and Maintaining

NDOT COSTS FOR THE TASK FROM PREVIOUS FISCAL YEARS :

Task: Snow removal using tow plow

Item	Description	Quantity	Rate	Total Costs
1	26 foot tow plow	150 Estimated Hrs	\$97.33	\$14,600
2	Additional Fuel to tow plow	3750 Estimated miles	\$0.10	\$375
Savings				
1	Labor Savings related to the Task (Worker III 29-05)	150 Estimated Hrs	-\$20.27	-\$3,041
2	Department Labor Overhead		67.28%	-\$2,046
3	Equipment savings Class 13 truck maintenance cost only per mile	3750 Estimated miles	-\$2.02	-\$7,575
4	Equipment savings Sander maintenance cost only	150 Estimated Hrs	-\$13.78	-\$2,067
5	Equipment savings Plow maintenance cost only	150 Estimated Hrs	-\$7.80	-\$1,170
Total				-\$924

Note: A negative cost, is a savings to the Department for every hour of use.

Average Cost per Hour = **-\$6**

(2) Costs for Leasing, Operating and Maintaining

COSTS FOR LEASING THE EQUIPMENT TO DO THE SAME TASK:

Item	Description	Quantity	Rate	Total Costs
1	26 foot tow plow Lease	1 Year	\$35,471.52	\$35,472
2	Maintenance cost only	150 Estimated Hrs	\$14.00	\$2,100
3	Additional Fuel to tow plow	3,750 Estimated miles	\$0.10	\$375
Savings				
1	Labor Savings related to the Task (Worker III 29-05)	150 Estimated Hrs	-\$20.27	-\$3,041
2	Department Labor Overhead		67.28%	-\$2,046
3	Equipment savings Class 13 truck maintenance cost only per mile	3750 Estimated miles	-\$2.02	-\$7,575
4	Equipment savings Sander maintenance cost only	150 Estimated Hrs	-\$13.78	-\$2,067
5	Equipment savings Plow maintenance cost only	150 Estimated Hrs	-\$7.80	-\$1,170
Total				\$22,048

Equipment Annual Lease Rate: quoted is a finance/ownership contract.
Rate above is a three year contract at 4.080% interest
Current rate for a Class 13 is 4.33 percent for 5 years

Average Cost per Hour = **\$147**

(3) Costs for contracting for the performance of the work which would have been performed using the mobile equipment

COSTS FOR CONTRACTING OUT THE TASK:

Item	Description	Quantity	Rate	Total Costs
1	Equipment Blue Book Rental Rate for Truck, plows, sanders, and trailer. (Used Previous Blue Book Rates)	150 Equipment Hours	\$216.05	\$32,408
2	Equipment standby (Cover non use in 3 month period)	330 Hours	\$108.03	\$35,648
3	Equipment operator w/all benefits	150 Man Hours	\$69.40	\$10,410
4	Department Contract Administration			
	Procurement and Contract Management	120 Man Hours	\$40.00	\$4,800
	Quality Management	96 Man Hours	\$40.00	\$3,840
Savings				
1	Labor Savings related to the Task (Worker III 29-05)	300 Estimated Hrs	-\$20.27	-\$6,081
2	Department Labor Overhead		67.28%	-\$4,091
3	Equipment savings Class 13 truck maintenance cost only per mile	7500 Estimated miles	-\$2.02	-\$15,150
4	Equipment savings Sander maintenance cost only	300 Estimated Hrs	-\$13.78	-\$4,134
5	Equipment savings Plow maintenance cost only	300 Estimated Hrs	-\$7.80	-\$2,340
Total				\$55,300

Note: Without long term contract to cover initial equipment costs, equipment rate used may be to low.

Average Cost per Hour = **\$369**



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MEMORANDUM

July 24, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: August 10, 2015 Transportation Board of Directors Meeting
Item #11: Approval of Environmental Program Equipment Purchase – For Possible Action

Summary:

This item is to request Transportation Board approval of procurement to purchase new Environmental Program equipment for fiscal year 2016. The request includes three (3) Culvert Flushers, three (3) Remote Controlled Track Loaders, nine (9) PM-10 Sweepers, and additional maintenance crew vehicles.

Background:

The Legislature approved a budget amendment for the NDOT Environmental Program during their 2015 regular session. Part of this approval included the procurement to purchase a total of \$5,324,222 in new equipment in FY 2016 and an additional \$2,285,000 in FY 2017. The purchase was included in the legislatively-approved budget and funded with state highway funds (Attachment 1). The Department would like to purchase these units in order to meet the MS4 program requirements and implement a compliant statewide storm water program which will better address expectations of the EPA.

NRS 408.389 states that the Department shall not purchase any equipment which exceeds \$50,000, unless the purchase is first approved by the Board. Each of the Culvert Flushers, Remote Controlled Track Loaders, Sweepers, and Class 10 / 11 equipment exceed the \$50,000 threshold requiring Transportation Board approval. The total purchase of the maintenance crew vehicles is budgeted at \$1,034,222 in FY 2016, which is a significant amount and warrants consideration and approval by the Transportation Board. An explanation of new equipment and crew vehicles priced over \$50,000 is provided.

Each of the three districts would receive one (1) Culvert Flusher, one (1) Radio Controlled Track Loader, and three (3) PM-10 Sweepers. The 22 crew vehicles will be spread throughout the Districts and Headquarters to meet the needs of the program.

The proposed list of vehicles for purchase is shown in Attachment 2.

Analysis:Class 20 Culvert Cleaner/Flusher

There are three (3) Culvert Flushers will be used to clean drainage culverts and drop inlets. Each unit is \$430,000 with attachments.

Radio Remote Controlled Track Loader

These track loaders, one for each District, will be used to clean material from culverts. The size of the unit allows material to be removed from culverts that are too small for a normal size loader or skid steer and culverts too big to be efficiently cleaned with a culvert flushing truck. Each unit is \$100,000.

PM-10 Sweepers

There are a total of nine (9) Sweepers, three (3) are to be assigned to each district. The cost of each Sweeper is \$300,000. These roadway sweepers capture Particulate Matter (PM) with a diameter of 10 micro meters or less and prevent entry of PM in water systems. They are critical to support the new Environmental Program.

Maintenance Crew Vehicles

There are a total of 22 units to be purchased in FY 2016.

There are four (4) Class 10 one ton trucks being requested. Class 10 and Class 11 vehicles are primarily used by NDOT employees working on core maintenance functions. These vehicles are used as maintenance crew trucks. The trucks are used to transport personnel and equipment to the field to perform normal maintenance duties.

Cost Analysis:

The cost analysis for equipment over \$50,000 is shown in Attachment 3.

List of Attachments:

- 1) Excerpt FY 2015-2016 Approved Budget Request
- 2) List of Equipment to be Purchased in FY 2016 for Environmental Program
- 3) Cost Analysis Excel Sheet

Recommendation for Board Action:

The Department recommends approval of the requested equipment purchase.

Prepared by:

Kevin Lee, P.E. District Engineer

NEVADA DEPARTMENT OF TRANSPORTATION
 BUDGET ACCOUNT 201-4660
 BUDGET REQUEST FISCAL YEARS 2015-2016 AND 2016-2017
 E244 - ENVIRONMENTAL PROGRAM

GOVERNOR REQUEST
 APRIL 09, 2015

As required by the Budget Instructions, expenses associated with a new program are included as an enhancement. This decision unit is requesting budget authority for personnel, operational equipment and supplies, and several specialized equipment items, all of which are detailed separately and are summarized below by object code.

REVENUE - CATEGORY 00			
00-2507	Highway Fund Authorization	\$ 9,322,352	\$ 6,379,840
TOTAL REVENUE - CATEGORY 00		\$ 9,322,352	\$ 6,379,840

EXPENDITURES:

	<u>2016</u>	<u>2017</u>		
01-5000 PERSONNEL	\$ 3,955,814	\$ 4,052,249		
03-6200 TRAVEL	\$ 21,500	\$ 21,500		
04-7000 OPERATING-EMPLOYEE BOND & AG ASSESSMENT	\$ 6,895	\$ 6,890		
26-7556 INFORMATION SERVICES	\$ 13,921	\$ 14,201		
	<u>\$ 3,998,130</u>	<u>\$ 4,094,840</u>		
05-8280 MATERIAL / ENVIRONMENTAL EQUIPMENT				
PM-10 SWEEPERS (three each crew)	\$ 2,700,000	\$ -		
CULVERT FLUSHER TRUCKS	\$ 1,290,000	\$ 1,290,000		
RADIO CONTROLLED TRACK LOADERS	\$ 300,000	\$ -		
CAMERA TRUCKS	\$ -	\$ 495,000		
CREW TRUCKS	\$ 1,034,222	\$ 500,000		
	<u>\$ 5,324,222</u>	<u>\$ 2,285,000</u>		
Environmental Program Total	<u><u>\$ 9,322,352</u></u>	<u><u>\$ 6,379,840</u></u>	\$ 9,322,352	\$ 6,379,840

ENHANCEMENT - ENVIRONMENTAL PROGRAM - E244		\$ 9,322,352	\$ 6,379,840
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Attachment 1

Attachment 2

FY 2016 Enviromental Program Equipment

CLASS	DESCRIPTION	Fuel Type	LOCATION	EST. COST	Group Cumm Cost	Total Cumm Cost
24	PM-10 self Propelled Street Sweeper	Dsl	District 1	\$300,000	\$300,000	\$300,000
24	PM-10 self Propelled Street Sweeper	Dsl	District 1	\$300,000	\$600,000	\$600,000
24	PM-10 self Propelled Street Sweeper	Dsl	District 1	\$300,000	\$900,000	\$900,000
24	PM-10 self Propelled Street Sweeper	Dsl	District 2	\$300,000	\$1,200,000	\$1,200,000
24	PM-10 self Propelled Street Sweeper	Dsl	District 2	\$300,000	\$1,500,000	\$1,500,000
24	PM-10 self Propelled Street Sweeper	Dsl	District 2	\$300,000	\$1,800,000	\$1,800,000
24	PM-10 self Propelled Street Sweeper	Dsl	District 3	\$300,000	\$2,100,000	\$2,100,000
24	PM-10 self Propelled Street Sweeper	Dsl	District 3	\$300,000	\$2,400,000	\$2,400,000
24	PM-10 self Propelled Street Sweeper	Dsl	District 3	\$300,000	\$2,700,000	\$2,700,000
20	Culvert Cleaner Truck (Vactor 2100PD)	Dsl	District 1	\$430,000	\$430,000	\$3,130,000
20	Culvert Cleaner Truck (Vactor 2100PD)	Dsl	District 2	\$430,000	\$860,000	\$3,560,000
20	Culvert Cleaner Truck (Vactor 2100PD)	Dsl	District 3	\$430,000	\$1,290,000	\$3,990,000
55	Remote Controlled Track Loader		District 1	\$100,000	\$100,000	\$4,090,000
55	Remote Controlled Track Loader		District 2	\$100,000	\$200,000	\$4,190,000
55	Remote Controlled Track Loader		District 3	\$100,000	\$300,000	\$4,290,000
05	1/2 Ton 4x4 Ext Cab PU	Unl	District 1	\$26,000	\$26,000	\$4,316,000
05	1/2 Ton 4x4 Ext Cab PU	Unl	District 1	\$26,000	\$52,000	\$4,342,000
05	1/2 Ton 4x4 Ext Cab PU	Unl	District 1	\$26,000	\$78,000	\$4,368,000
05	1/2 Ton 4x4 Ext Cab PU	Unl	District 1	\$26,000	\$104,000	\$4,394,000
05	1/2 Ton 4x4 Crew Cab PU	Unl	District 1	\$29,000	\$133,000	\$4,423,000
05	1/2 Ton 4x4 Crew Cab PU	Unl	District 1	\$29,000	\$162,000	\$4,452,000
10	1 Ton Crew Truck Flat Bed	Dsl	District 1	\$55,000	\$217,000	\$4,507,000
10	1 Ton Crew Truck Flat Bed	Dsl	District 1	\$55,000	\$272,000	\$4,562,000
05	1/2 Ton 4x4 Ext Cab PU	Unl	District 2	\$26,000	\$298,000	\$4,533,000
05	1/2 Ton 4x4 Ext Cab PU	Unl	District 2	\$26,000	\$324,000	\$4,559,000
05	1/2 Ton 4x4 Ext Cab PU	Unl	District 2	\$26,000	\$350,000	\$4,585,000
10	1 Ton Crew Truck Flat Bed	Dsl	District 2	\$55,000	\$405,000	\$4,640,000
05	1/2 Ton 4x4 Ext Cab PU	Unl	District 3	\$26,000	\$431,000	\$4,666,000
05	1/2 Ton 4x4 Crew Cab PU	Unl	District 3	\$29,000	\$460,000	\$4,695,000
05	1/2 Ton 4x4 Crew Cab PU	Unl	District 3	\$29,000	\$489,000	\$4,724,000
10	1 Ton Crew Truck Flat Bed	Dsl	District 3	\$55,000	\$544,000	\$4,779,000
01	4 Door Sedan	Unl	HQ	\$18,000	\$562,000	\$4,797,000
01	4 Door Sedan	Unl	HQ	\$18,000	\$580,000	\$4,815,000
05	1/2 Ton 4x4 Ext Cab PU	Unl	HQ	\$26,000	\$606,000	\$4,841,000
05	1/2 Ton 4x4 Ext Cab PU	Unl	HQ	\$26,000	\$632,000	\$4,867,000
05	1/2 Ton 4x4 Ext Cab PU	Unl	HQ/Dist	\$26,000	\$658,000	\$4,893,000
05	1/2 Ton 4x4 Ext Cab PU	Unl	HQ/Dist	\$26,000	\$684,000	\$4,919,000

ATTACHMENT 3

NDOT MOBILE EQUIPMENT PURCHASE REQUEST - COSTS AND BENEFITS ANALYSIS

Equipment	Quantity	Price	Total Costs
Class 24 PM-10 Compliant Sweepers Total Purchase Price	1 Sweeper	\$ 296,000	\$ 296,000

(1) Costs for Purchasing Equipment, Operating and Maintaining

NDOT COSTS FOR THE SWEEPING TASK PER YEAR:

Task: Clark County Street Sweeping with PM-10 Compliant Sweepers

Item	Description	Quantity	Rate	Total Costs
1	Equipment Cost per Year	1 Sweeper		\$ 42,988
	Other Equipment used for the Task (Impact attenuator, garbage truck, etc.)			\$ 23,757
2	All Maintenance, Insurance, and Fuel Costs			\$ 27,862
3	Labor Costs related to the Task			\$ 22,845
4	Department Labor Overhead		67.28%	\$ 15,370
5	Materials Disposal for the Task			\$ 23,055
Total				\$ 155,877

Note: MMS = Maintenance Management System

4771 Curb Miles/Unit

Average Cost per Curb Mile = **\$ 33**

(2) Costs for Leasing, Operating and Maintaining

COSTS FOR LEASING THE EQUIPMENT TO DO THE SAME TASK:

Item	Description	Quantity	Rate	Total Costs
1	PM-10 Compliant Street Sweepers (Annual lease rate includes all maintenance & insurance costs)	1 Sweeper	\$ 144,000	\$ 144,000
	Other Equipment used for the Task (Impact attenuator, garbage truck, etc.)			\$ 23,757
2	Fuel Cost			\$ 3,699
3	Labor Costs Related to the Task			\$ 22,845
5	Department Labor Overhead		67.28%	\$ 15,370
6	Materials Disposal for the Task			\$ 23,055
Total				\$ 232,730

Average Cost per Curb Mile = **\$ 49**

(3) Costs for contracting for the performance of the work which would have been performed using the mobile equipment

COSTS FOR CONTRACTING OUT THE TASK:

Item	Description	Quantity	Rate	Total Costs
1	All Inclusive Street Sweeping (NDOT District 2 freeway contract)	4771 Curb Miles	\$ 59.25	\$ 282,679
2	Department Contract Administration:			
	Procurement and Contract Management (Project Mgr.)	200 Man Hours	\$ 40	\$ 8,000
	Payables Management (Admin. III)	24 Man Hours	\$ 22	\$ 528
	Quality Management	104 Man Hours	\$ 25	\$ 2,600
3	Department Labor Overhead		67.28%	\$ 7,487
Total				\$ 301,290

Average Cost per Curb Mile = **\$ 63**



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MEMORANDUM

July 30, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: August 10, 2015 Transportation Board of Directors Meeting
Item #12: Update on Pedestrian Safety Improvement Projects

Summary:

Pedestrian safety continues to be a top priority for the Nevada Department of Transportation (NDOT). As such, NDOT and local agencies are undertaking numerous pedestrian safety projects.

This presentation will provide an update on the status of these statewide efforts, specifically those pedestrian safety projects previously presented and approved by the State Transportation Board.

Background:

For the past several years pedestrian fatalities have been on the rise. In order to address this trend, Director Malfabon requested and the State Transportation Board has approved an annual allocation of up to \$10,000,000 in state highway funds for pedestrian safety improvement projects based on Road Safety Assessments and Safety Management Plans. The initial projects were located in Clark and Washoe Counties.

In addition, a list of identified pedestrian crossing improvement locations were identified statewide. NDOT staff continues discussions with local agencies to prioritize and develop improvements at these locations.

The first series of projects have been identified and are in various stages of construction, planning or design. Periodic updates to the Transportation Board have been requested.

List of Attachments:

- A. Pedestrian Improvement Projects – Clark and Washoe Counties
- B. Future Pedestrian Crossing Improvement Locations

Recommendation for Board Action:

Informational item only.

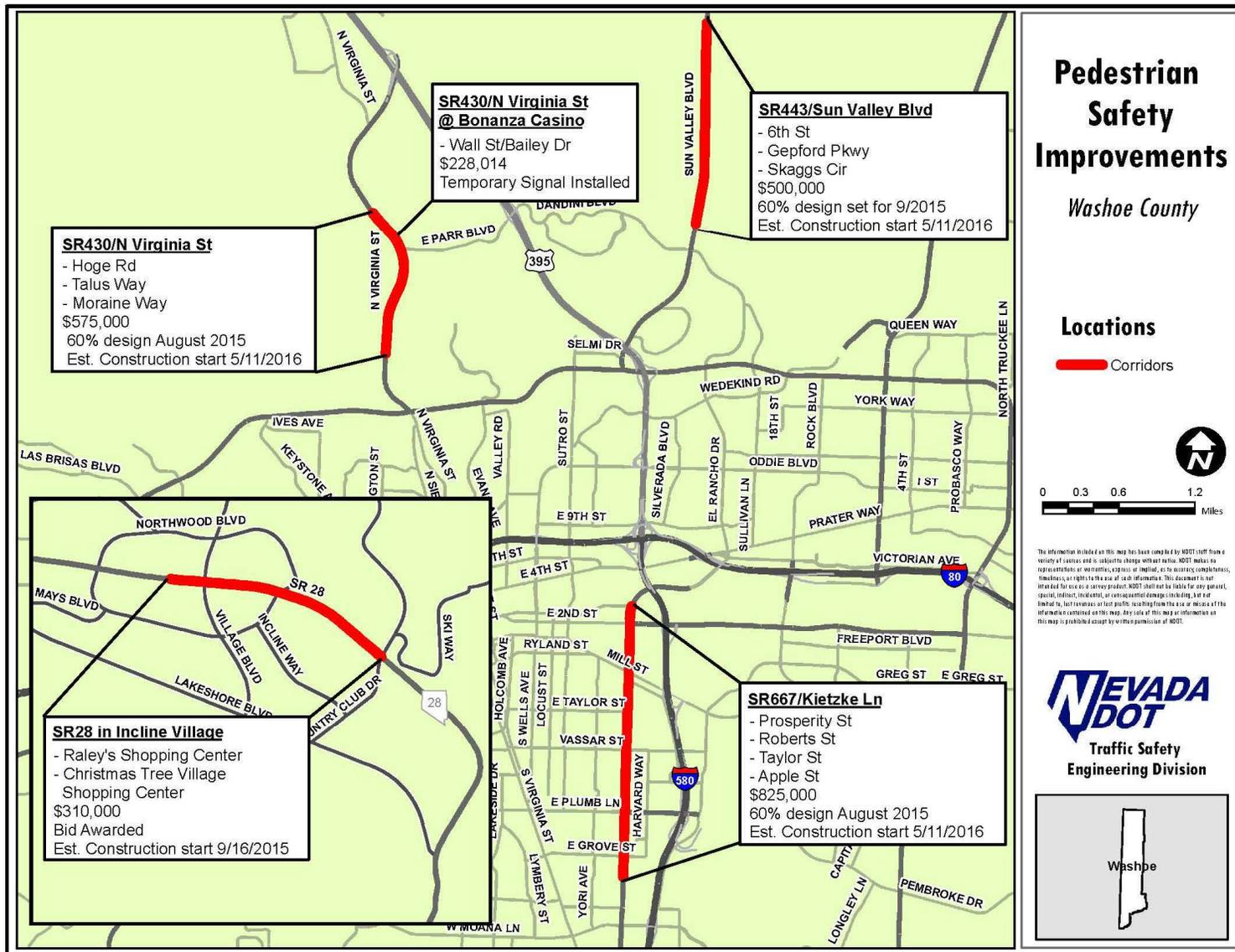
Prepared by:

PD Kiser, Assistant Chief Traffic Safety Engineer
Lori Campbell, Highway Safety Improvement Program Manager

Pedestrian Safety Improvement Projects (North)

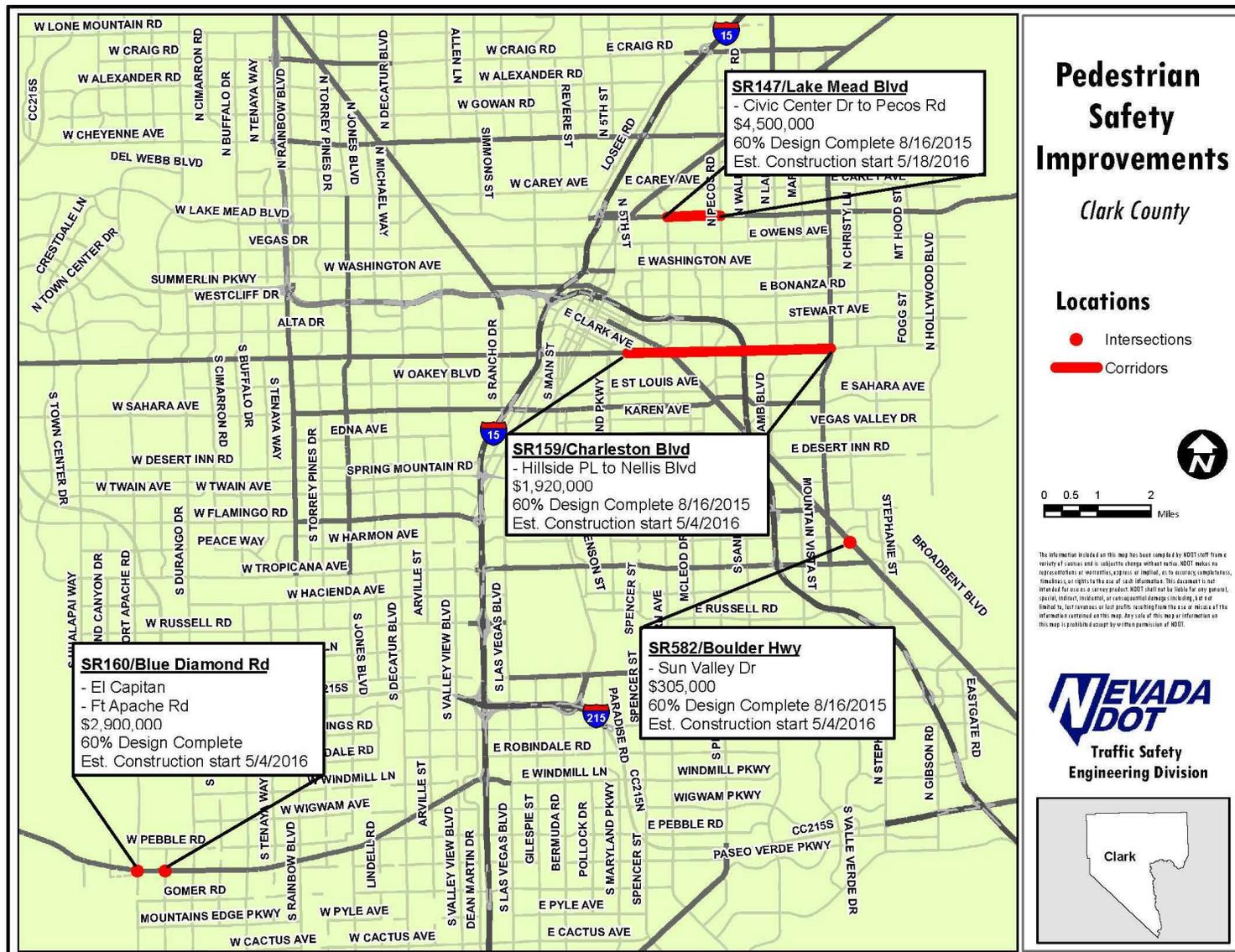
Project Description	Project Status	Estimated Advertise Date	Estimated Construction Start Date
SR 28 - Pedestrian and ADA Improvements (Incline Village) <i>Consultant Design</i>	Project was awarded to SNC in June, 2015	5/13/2015	9/16/2015
SR 430 , Pedestrian and ADA Improvements on North Virginia St @ Talus Way, Moraine Way, and Hoge Rd <i>In House Design</i>	60% design submittal to be complete in August 2015, Specs review will be in October 2015, Doc Date set for 1/6/2016. Environmental on schedule to meet current timelines. **	1/20/2016	5/11/2016
SR 667 , Pedestrian and ADA Improvements on Kietzke Lane @ Apple, Taylor, Roberts, and Prosperity <i>In House Design</i>	60% design submittal to be complete in August 2015, Specs review will be in October 2015, Doc Date is set for 1/6/2016. **	1/20/2016	5/11/2016
SR 443 , Pedestrian and ADA Improvements on Sun Valley Blvd @ 6th Street, Gepford Pkwy, and Skagg Circle <i>Consultant Design</i>	Preliminary field visit was conducted 6/26/2015. 60% design submittal is on schedule for September 2015, Doc Date is set for 1/6/2016. **	1/20/2016	5/11/2016
SR 430 , Pedestrian and ADA Improvements at Wall St/Bailey Drive (near Bonanza Casino) <i>In House Design</i>	Geometric changes to sidewalks, driveway, additional lighting are currently being designed	TBD	TBD
SR 430 , Traffic Signal at Wall St/Bailey Drive (near Bonanza Casino) <i>In House Design</i>	Temporary Traffic Signal Installed		

** It may be necessary to divide into 2 phases. Locations that require NV Energy easements, solar technology will be used until easements can be obtained (18-24 months).



Pedestrian Safety Improvement Projects (South)

Project Description	Project Status	Estimated Advertise Date	Estimated Construction Start Date
SR 147 , Pedestrian and ADA Improvements on Lake Mead from Civic Center to Pecos <i>Consultant Design</i>	30% design was completed on 4/1/2015. 60% design submittal on schedule for August, 2015. The preliminary timeline is for design to be completed by January, 2016.	1/27/2016	5/18/2016
SR 159 , Pedestrian and ADA Improvements on Charleston Blvd from Marion Drive to Nellis Boulevard, and Charleston Blvd from Hillside Place to Burnham Ave <i>Consultant Design</i>	30% design is complete, and 60% design submittal is scheduled for August, 2015. The preliminary timeline is for design to be completed by January 2016.	1/13/2016	5/4/2016
SR 582 , Pedestrian and ADA Improvements on Boulder Highway @ Sun Valley Dr <i>Consultant Design</i>	30% design is complete, and 60% design submittal is scheduled for August, 2015. The preliminary timeline is for design to be completed by January 2016.	1/13/2016	5/4/2016
SR 160, Traffic Signals at El Capitan and Ft Apache <i>In House Design</i>	60% design is complete	1/13/2016	5/4/2016



Pedestrian Crossing Improvement Locations

County	Local Jurisdiction	Primary Street	Secondary Street
Clark	Henderson	SR582/Boulder Hwy	VA Clinic - Midblock between College Dr/S. Pueblo Blvd and S. Racetrack Rd/Horizon Dr.
Carson City	Carson County	US 50	Silver State St
Clark	Henderson	SR582/Boulder Hwy	Foster Ave
Clark	City of Las Vegas	SR599/Rancho Dr	Coran Ln
Clark	City of Las Vegas	SR159/Charleston Blvd	Tonopah Dr
Lyon	Lyon County	US 50	Pike St
Clark	Clark County	SR582/Boulder Hwy	North of Hamilton Ave
Douglas	Douglas County	US 50	Lake Shore Blvd
Nye	Nye County	SR 160	Postal Dr/Saddle West Casino
Clark	Henderson	SR582/Boulder Hwy	Corn St
Clark	Clark County	SR582/Boulder Hwy	4350 Boulder Hwy
Clark	Henderson	SR582/Boulder Hwy	Lowery St
Douglas	Douglas	US 395	Mission St
Washoe	Washoe County	El Rancho Dr	North of G St.
Lander	Lander County	SR 306	Broyles Ranch to 8th St
Lyon	Lyon County	SR 208	Pearl St
Nye	Nye County	US 95	McCulloch Ave
Douglas	Douglas	US 395	Kingslane Ct
Nye	Nye County	US 95	Post Office and Mizpah
Washoe	Washoe County	El Rancho Dr	Between D St and G St
Clark	North Las Vegas	SR612/Nellis Blvd	Cedar Ave
Clark	Clark County	SR574/Cheyenne Ave	Mary Dee Ave
Clark	North Las Vegas	SR573/Craig Rd	Ferrell St
Clark	North Las Vegas	SR604/Las Vegas Blvd	Webster St/McCarran St
Douglas	Douglas	US 395	Mill St
Clark	City of Las Vegas	Fremont St	9th St
Clark	Clark County	SR589/Sahara Ave	Redwood St
Douglas	Douglas	US 395	High School St
Clark	City of Las Vegas	SR159/Charleston Blvd	13th St
Lyon	Lyon County	SR 208	Goldfield Ave
Clark	Clark County	N Hollywood Blvd	South of Lake Mead Blvd
Clark	Clark County	Tropicana Ave	Morris St
Lyon	Lyon County	SR 208	Between Littell St and Grove St or Bridge St
Clark	Clark County	SR612/Nellis Blvd	Mohave Ave
Clark	North Las Vegas	Lake Mead Blvd	Pecos St
Clark	City of Las Vegas	SR596/Jones Blvd	Eugene Ave
Nye	Nye County	US 95	1st St
Nye	Nye County	US 95	Burger King/South of Radar Rd
Clark	City of Las Vegas	SR612/Nellis Blvd	Sun Valley Dr
Clark	City of Las Vegas	SR596/Jones Blvd	Carmen Blvd
Clark	Clark County	SR596/Jones Blvd	Carl Ave
Clark	Clark County	Jones Blvd	Tropicana Flamingo Washington Trail
Clark	City of Las Vegas	SR159/Charleston Blvd	Mohawk St
Clark	North Las Vegas	SR574/Cheyenne Ave	Englestad St
Clark	Clark County	SR612/Nellis Blvd	Wyoming Ave
Clark	Boulder City	US 93	Midblock between Juniper Way and Eagle Dr
Clark	Clark County	SR612/Nellis Blvd	New World Ave
Clark	Clark County	SR582/Boulder Hwy	Oakey Blvd
Clark	Clark County	SR 169	Dollar Store/near Alma Ave
Clark	Clark County	Cactus Ave	Tenaya Paseo Crossing



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MEMORANDUM

July 24, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: August 10, 2015 Transportation Board of Directors Meeting
ITEM #13: Demonstration of the new eSTIP system and discussion of the Fiscal Year 2016 NDOT Work Program and the 2016-2019 Statewide Transportation Improvement Program – Information Only.

Summary:

This agenda item is to demonstrate the new electronic Statewide Transportation Improvement Program (eSTIP) system and to show the Board what information is out for public comment on the FY 2016 TSP.

Since January 2015, NDOT and MPO staff have been working with EcoInteractive (Service Provider) to build a multi-level access electronic Statewide Transportation Program (eSTIP) system. These levels include Local Public Agencies, MPOs, NDOT staff, the NDOT Director, the FHWA and the FTA for review and approval of federally funded transportation projects across the State of Nevada. In addition to the eSTIP, the Software-as-a-Service (SaaS) agreement with EcoInteractive includes functionality for management of the Work Program, Long Range Transportation planning data, Federal Financial Management Information System (FMIS) integration, report and query features, a secure site for users and a public website. The public website includes many features to query and view the data in both tabular forms and intelligent GIS maps.

In addition and in coordination with the eSTIP development, over the past 12 months, NDOT staff has developed the Transportation System of Projects (TSP) working closely with regional agencies, local governments, federal partners and planning boards. The TSP contains the following:

- Statewide Transportation Improvement Program (STIP), FFY 2016-2019
- Work Program (WP), FY 2016
- Short Range Element (SRE), FY 2017-2019
- Long Range Element (LRE), FY 2020 and beyond

Following consultations with Nevada's seventeen counties and a thirty-day public comment period, the STIP will be submitted electronically to the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA) for approval and the Environmental Protection Agency (EPA) for consultation.

Background:

The STIP lists all federally funded or regionally significant transportation projects in the state planned for four years. These projects improve the capacity, road conditions and safety of Nevada's transportation system, such as increasing the number of lanes, constructing new roads, road extensions, intersection improvements, safety and pedestrian improvements, roadway rehabilitation and reconstruction. It also includes transit, rail, and pedestrian walkway and bicycle facility projects.

The Department is required to include, without change, all projects listed in the Metropolitan Planning Organizations' (MPO) approved Regional Transportation Improvement Program (RTIP). The RTC of Washoe County is currently out for public comment with Board approval of the FFY16-FFY20 RTIP in August 2015. RTC of Southern Nevada adopted the FFY15-FFY19 RTIP on August 14, 2014. Tahoe MPO adopted the RTIP on September 24, 2014. Carson Area MPO is currently out for public comment with Board approval of the FFY16-FFY19 RTIP in August 2015. These documents have been created with NDOT staff and will be approved concurrently with the FFY16-FFY19 STIP. The STIP is approved by the Governor's Designee (Director of the Department of Transportation, after acceptance from the State Transportation Board) and submitted to the FHWA, FTA for approval and the EPA for consultation.

The Work Program consists of the Annual Work Program (first year), the Short Range Element (next three years) and Long Range Elements (beyond first four years). The Transportation System Projects (TSP) consists of the STIP and the Work Program

As part of the Department's public participation process, staff met with the 14 rural County Commissions and Nevada's four MPOs to present the proposed FY 2016 Work Program. Proposed changes based on these meetings are incorporated as appropriate to the draft document and redistributed for additional review and input during the 30 day public comment period of the TSP.

Recommendation for Board Action:

Information item only.

Approval of the Work Program and acceptance of the STIP will be sought at the September 2015 State Transportation Board following the completion of the 30 day public comment period.

List of Attachments:

Link to eSTIP public site

STIP: https://estip.nevadadot.com/default.asp?view_type=DRAFT

Work Program: https://estip.nevadadot.com/default.asp?view_type=AWP

Prepared by:

Joseph Spencer, Program Development, Planning Division



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MEMORANDUM

July 30, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: August 10, 2015 Transportation Board of Directors Meeting
Item #14: Old Business

Summary:

This item is to provide follow up and ongoing information brought up at previous Board Meetings.

Analysis:

- a. Report of Outside Counsel Costs on Open Matters - *Informational item only.*
Please see Attachment A.
- b. Monthly Litigation Report - *Informational item only.*
Please see Attachment B.
- c. Fatality Report dated July 27, 2015 - *Informational item only.*
Please see Attachment C.

List of Attachments:

- a. Report of Outside Counsel Costs on Open Matters - *Informational item only.*
- b. Monthly Litigation Report - *Informational item only.*
- c. Fatality Report dated July 27, 2015 - *Informational item only.*

Recommendation for Board Action:

Informational item only.

OPEN NDOT - OUTSIDE COUNSEL CONTRACTS AS OF JULY 17, 2015						
Vendor	Case/Project Name	Contract Period	Contract and Amendment Date	Contract and Amendment Amount	Total Contract Authority	Contract Authority Remaining
Nossaman, LLP	Project Neon Legal and Financial Planning NDOT Agmt No. P014-13-015	3/11/13 - 12/31/17 Amendment #1	3/11/13 1/14/14	\$ 1,400,000.00 \$ 2,000,000.00 \$ 3,400,000.00	\$ 3,400,000.00	\$ 333,986.58
Chapman Law Firm	NDOT vs. Robarts 1981 Decedents Trust 8th JD - 12-665880-C Project Neon - Las Vegas NDOT Agmt No. P452-12-004	10/23/12 - 9/30/16 Amendment #1	10/23/12 9/12/14	475725 Extension of Time	\$ 475,725.00	\$ 299,347.29
Chapman Law Firm	NDOT vs. MLK-ALTA 8th JD - A-12-658642-C Project Neon - Las Vegas NDOT Agmt No. P508-12-004	1/14/13 - 1/14/16	1/14/13	\$ 455,525.00	\$ 455,525.00	\$ 230,920.04
Laura FitzSimmons, Esq.	Condemnation Litigation Consultation NDOT Agmt No. P510-12-004	12/16/12 - 12/30/17 Amendment #1 Amendment #2 Amendment #3	12/16/12 8/12/13 1/22/14 5/12/14	\$ 300,000.00 \$ 850,000.00 \$ 750,000.00 \$ 800,000.00	\$ 2,700,000.00	\$ 563,366.06
Lemons, Grundy, Eisenberg	NDOT vs. Ad America (Appeal) 8th JD - A-11-640157-C Project Neon - Las Vegas NDOT Agmt No. P037-13-004	1/22/13 - 1/31/16 Amendment #1	1/22/13 1/22/15	\$205,250.00 Extension of Time	\$ 205,250.00	\$ 41,197.82
Sylvester & Polednak, Ltd.	NDOT vs. Wykoff 8th JD - A-12-656578-C Warms Sprinas Project - Las Vegas NDOT Agmt No. P071-13-004	2/27/13 - 1/31/17 Amendment #1 Amendment #2	2/27/13 1/23/15 5/13/15	\$275,000.00 Extension of Time \$ 150,000.00	\$ 425,000.00	\$ 69,474.21
Sylvester & Polednak, Ltd.	NDOT vs. K & L Dirt 8th JD - A-12-666050-C Boulder City Bypass Project NDOT Agmt No. P073-13-004	2/27/13 - 1/31/17 Amendment #1	2/27/13 1/23/15	\$ 275,000.00 Extension of Time	\$ 275,000.00	\$ 149,392.20
Sylvester & Polednak, Ltd.	NDOT vs. I-15 & Cactus Cactus Project - Las Vegas 8th JD - A-12-664403-C NDOT Agmt No. P074-13-004	2/27/13 - 2/28/17 Amendment #1	2/27/13 2/17/15	\$ 200,000.00 Extension of Time	\$ 200,000.00	\$ 39,093.73
** Varela, Lee, Metz & Guarina, LLP - Novation Agreement 2/28/14 from Watt, Tieder, Hoffar & Fitzgerald	Pacific Coast Steel vs. NDOT K3292 - I-580 2nd JD CV12-02093 NDOT Agmt No. P160-13-004	4/30/13 - 4/30/17	4/30/13	\$ 275,000.00	\$ 275,000.00	\$ 59,870.66
Sylvester & Polednak	Fitzhouse Enterprises (acquired title as Westcare) 8th JD - A-13-660564-C Project Neon - Las Vegas NDOT Agmt No. P201-13-004	5/31/13 - 5/31/15	5/31/13	\$ 290,000.00	\$ 290,000.00	\$ 160,050.56
Snell & Wilmer	Meadow Valley Public Records, K3389 NDOT Agmt No. P273-13-004	7/18/13 - 7/30/15 Amendment #1 Amendment #2	7/18/13 7/29/14 12/9/14	\$ 30,000.00 \$ 50,000.00 \$ 90,000.00	\$ 170,000.00	\$ 582.14
Kemp, Jones, Coulthard	Nassiri vs. NDOT 8th JD A672841 NDOT Agmt No. P290-13-004	7/17/13 - 2/28/17 Amendment #1	7/17/13 2/12/15	\$ 280,000.00 \$ 475,000.00	\$ 755,000.00	\$ 313.54
Chapman Law Firm	Ad America vs. NDOT (Project Neon) 8th JD A640157 NDOT Agmt No. P291-13-004	7/25/13 - 7/30/15 Amendment #1	7/25/13 4/28/14	\$ 200,000.00 \$ 250,000.00	\$ 450,000.00	\$ 83,699.59
Chapman Law Firm	Ad America vs. NDOT (South Point) 8th JD A-11-653502-C NDOT Agmt No. P293-13-004	7/25/13 - 7/30/15	7/25/13	\$ 70,000.00	\$ 70,000.00	\$ 89.66
Chapman Law Firm	NDOT vs. LGC, 231, LLC 8th JD NDOT Agmt No. P561-13-004	12/20/13 - 12/15/15	12/20/13	\$ 453,650.00	\$ 453,650.00	\$ 275,553.77

OPEN NDOT - OUTSIDE COUNSEL CONTRACTS AS OF JULY 17, 2015						
Vendor	Case/Project Name	Contract Period	Contract and Amendment Date	Contract and Amendment Amount	Total Contract Authority	Contract Authority Remaining
Laura FitzSimmons, Esq.	Risk Management Analysis for Project NEON Costs for Risk Management Analysis NDOT Agmt No. P006-14-004	1/13/14 - 12/31/17 Amendment #1 Amendment #2	1/13/14 8/21/14 4/21/15	\$ 900,000.00 \$ 310,000.00 \$ 250,000.00	\$ 1,460,000.00	\$ 269,753.20
Chapman Law Firm	McCarran Widening 2nd JD - Various Temporary Easements NDOT Agmt No. P142-14-004	5/14/14 - 5/30/16	5/14/14	\$ 200,000.00	\$ 200,000.00	\$ 88,638.42
*** Downey Brand, LLP Novation Agreement 2/12/15 from Armstrong Teasdale, LLP	Legal Support for utility matters relating to Project Neon and Boulder City Bypass NDOT Agmt No. P210-14-004	5/14/14 - 5/30/16	5/14/14	\$ 250,000.00	\$ 250,000.00	\$ 245,570.00
Sylvester & Polednak	First Presbyterian Church vs. NDOT 8th JD A-14-698783-C Project Neon NDOT Agmt No. P327-14-004	7/17/14 - 7/30/16	7/17/14	\$ 280,000.00	\$ 280,000.00	\$ 236,404.25
Carbajal & McNutt, LLP	Las Vegas Golf & Country Club 8th JD A-14-705477-C Project Neon NDOT Agmt No. P362-14-004	9/8/14 - 8/30/15	9/8/14	\$ 375,000.00	\$ 375,000.00	\$ 362,002.79
Kemp, Jones & Coulthard	Walker Furniture Project Neon NDOT Agmt No. P431-14-004	10/13/14 - 11/30/16	10/13/14	\$ 350,000.00	\$ 350,000.00	\$ 202,223.85
Lambrose Brown	Grant Properties Project Neon NDOT Agmt No. P433-14-004	10/14/14 - 10/30/16	10/14/14	\$ 275,000.00	\$ 275,000.00	\$ 257,362.79
Lambrose Brown	Sharples Project Neon NDOT Agmt No. P434-14-004	10/16/14 - 10/30/16	10/16/14	\$ 275,000.00	\$ 275,000.00	\$ 266,093.00
Laura FitzSimmons, Esq.	Project Neon Eminent Domain Actions NDOT Agmt No. P480-14-004	11/10/14 - 11/30/15	11/10/14	\$ 600,000.00	\$ 600,000.00	\$ 484,720.00
Varela, Lee, Metz & Guarino	Sequoia Electric K3409 NDOT Agmt No. P526-14-004	10/16/14 - 10/30/16	10/16/14	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00
Lambrose Brown	Paralegal Services - Project Neon NDOT Agmt No. P547-14-004 Amendment #1	11/20/14 - 11/30/16	11/20/14 2/12/15	\$ 250,000.00	\$ 250,000.00	\$ 174,107.28
Carbajal & McNutt, LLP	John J. Charleston Trust Project Neon NDOT Agmt No. P374-15-004	07/17/15 - 10/31/18	7/17/15	\$ 400,000.00	\$ 400,000.00	\$ 400,000.00
* BH Consulting Agreement	<i>Management assistance, policy recommendations, negotiation support and advice regarding NEXTEL and Re-channeling of NDOT's 800 Mhz frequencies.</i>	6/30/12 - 6/30/16	6/30/12	\$ 77,750.00	\$ 77,750.00	\$ 76,340.00

* Pass Through - Federally mandated 800 MHz rebanding project fully reimbursed by Sprint Nextel.

** The firm of Varela, Lee, Metz & Guarino, LLP took over representing the Department in the matter of Pacific Coast Steel vs. NDOT Case as of 2/28/14 from the firm of Watt, Tieder, Hoffar & Fitzgerald.

*** The firm of Downey Brand, LLP took over representing the Department on 2/12/15 in utility matters relating to condemnation actions and acquisitions from the firm of Armstrong Teasdale, LLP.

Contracts Closed Since Last Report:

None						
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Monthly Litigation Report to the Nevada Department of Transportation - July 17, 2015				
Case Name	Nature of Case	Outside Counsel to Date		
		Fees	Costs	Total
Condemnations				
NDOT vs. Chavez, Dawn R.	Eminent domain - McCarran Widening *	\$ 89,568.75	\$ 21,792.83	\$ 111,361.58
NDOT vs. Custom Landco. (Walker Furniture)	Eminent domain - Project Neon	\$ 141,774.66	\$ 6,001.49	\$ 147,776.15
NDOT vs. Fitzhouse/Westcare	Eminent domain - Project Neon	\$ 88,350.00	\$ 41,599.44	\$ 129,949.44
NDOT vs. Hackler, Connie L.	Eminent domain - McCarran Widening *	\$ 89,568.75	\$ 21,792.83	\$ 111,361.58
NDOT vs. I-15 and Cactus, LLC	Eminent domain - I-15 Cactus	\$ 140,625.00	\$ 20,281.27	\$ 160,906.27
NDOT vs. Jensen, Allan B.	Eminent domain - McCarran Widening *	\$ 89,568.75	\$ 21,792.83	\$ 111,361.58
NDOT vs. K & L Dirt Company, LLC	Eminent domain - Boulder City Bypass	\$ 109,775.00	\$ 15,832.80	\$ 125,607.80
NDOT vs. LGC 231, LLC - (Holsom Lofts)	Eminent domain - Project Neon	\$ 121,902.50	\$ 56,193.73	\$ 178,096.23
NDOT vs. Las Vegas Golf & Country Club	Eminent domain - Project Neon	\$ 11,312.75	\$ 1,684.46	\$ 12,997.21
NDOT vs. Loch Lomond Trust, et al.	Eminent domain - Project Neon	\$ -	\$ -	\$ -
NDOT vs. Manaois, Randy M.	Eminent domain - McCarran Widening *	\$ 89,568.75	\$ 21,792.83	\$ 111,361.58
NDOT vs. Marsh, Nita, et al.	Eminent domain - McCarran Widening *	\$ 89,568.75	\$ 21,792.83	\$ 111,361.58
NDOT vs. Miller, Bruce B.	Eminent domain - McCarran Widening *	\$ 89,568.75	\$ 21,792.83	\$ 111,361.58
NDOT vs. MLK-ALTA	Eminent domain - Project Neon	\$ 194,403.45	\$ 30,201.51	\$ 224,604.96
NDOT vs. Reich Series, LLC, et al.	Eminent domain - Project Neon			
NDOT vs. Sharples, John; Sharples, Bonnie	Eminent domain - Project Neon	\$ 8,907.00	\$ -	\$ 8,907.00
NDOT vs. Stanford Crossing, LLC	Eminent domain - McCarran Widening *	\$ 89,568.75	\$ 21,792.83	\$ 111,361.58
NDOT vs. Turner, Ronald Lee	Eminent domain - McCarran Widening *	\$ 89,568.75	\$ 21,792.83	\$ 111,361.58
NDOT vs. Wykoff Newberg Corporation	Eminent domain - I-15 and Warm Springs	\$ 306,950.78	\$ 48,575.01	\$ 355,525.79
Inverse Condemnations				
AD America, Inc. vs. NDOT (NEON)	Inverse condemnation - Project Neon	\$ 513,748.06	\$ 113,858.70	\$ 627,606.76
AD America, Inc. vs. NDOT (NEON-Silver Ave.)	Inverse condemnation - Project Neon			
AD America, Inc. vs. NDOT (South Point)	Inverse condemnation - South Point	\$ 64,929.00	\$ 4,981.34	\$ 69,910.34
Eastman, Brandon vs. NDOT	Inverse condemnation - Project Neon			
First Presbyterian Church of LV vs. NDOT	Inverse condemnation - Project Neon	\$ 40,700.00	\$ 2,895.75	\$ 43,595.75
Nassiri, Fred vs. NDOT	Inverse condemnation	\$ 609,610.49	\$ 136,803.00	\$ 746,413.49
Robarts 1981 Decedents Trust vs. NDOT	Inverse Condemnation - Project Neon	\$ 166,481.08	\$ 9,896.63	\$ 176,377.71
Cases Closed and Removed from Last Report:				
None				
* McCarran Widening fees and costs are under one contract.				

7/27/2015

TO: PUBLIC SAFETY, DIRECTOR NDOT, HIGHWAY SAFETY COORDINATOR, NDOT TRAFFIC ENGINEERING, FHWA, LVMPD, RENO PD.

FROM: THE OFFICE OF TRAFFIC SAFETY, FATAL ANALYSIS REPORTING SYSTEM (FARS)

SUBJECT: FATAL CRASHES AND FATALITIES BY COUNTY, PERSON TYPE, DAY, MONTH, YEAR AND PERCENT CHANGE.

	CURRENT		SAME DATE LAST YEAR		# CHANGE		
	Crashes	Fatals	Crashes	Fatals	Crashes	Fatals	
7/26/2015	2	2	7/26/2014	1	1	1	1
MONTH	19	21	MONTH	24	25	-5	-4
YEAR	151	168	YEAR	145	161	6	7

CRASH AND FATAL COMPARISON BETWEEN 2014 AND 2015, AS OF CURRENT DATE.

COUNTY	2014 Crashes	2015 Crashes	% CHANGE	2014 Fatalities	2015 Fatalities	% Change	2014 Alcohol Crashes	2015 Alcohol Crashes	% Change	2014 Alcohol Fatalities	2015 Alcohol Fatalities	% Change
CARSON	2	1	-50.00%	3	1	-66.67%	0	0	0.00%	0	0	0.00%
CHURCHILL	3	1	-66.67%	3	1	-66.67%	0	0	0.00%	0	0	0.00%
CLARK	85	93	9.41%	90	103	14.44%	23	14	-39.13%	26	16	-38.46%
DOUGLAS	1	5	400.00%	1	5	400.00%	0	1	100.00%	0	1	100.00%
ELKO	7	5	-28.57%	10	6	-40.00%	2	1	-50.00%	2	1	-50.00%
ESMERALDA	1	3	200.00%	2	3	50.00%	0	0	0.00%	0	0	0.00%
EUREKA	3	2	-33.33%	4	2	-50.00%	0	0	0.00%	0	0	0.00%
HUMBOLDT	8	2	-75.00%	9	3	-66.67%	1	0	-100.00%	1	0	-100.00%
LANDER	3	4	33.33%	3	4	33.33%	0	0	0.00%	0	0	0.00%
LINCOLN	0	4	400.00%	0	4	400.00%	0	1	100.00%	0	1	100.00%
LYON	5	3	-40.00%	6	4	-33.33%	3	1	-66.67%	3	1	-66.67%
MINERAL	0	1	100.00%	0	2	200.00%	0	0	0.00%	0	0	0.00%
NYE	4	6	50.00%	5	6	20.00%	0	2	200.00%	0	2	200.00%
PERSHING	1	0	-100.00%	1	0	-100.00%	0	0	0.00%	0	0	0.00%
STOREY	1	1	0.00%	1	1	0.00%	0	0	0.00%	0	0	0.00%
WASHOE	21	19	-9.52%	23	22	-4.35%	4	4	0.00%	4	4	0.00%
WHITE PINE	0	1	100.00%	0	1	100.00%	0	0	0.00%	0	0	0.00%
YTD	145	151	4.14%	161	168	4.35%	33	24	-27.27%	36	26	-27.78%
TOTAL 14	267	----	-43.4%	290	----	-42.1%	----	----	#DIV/0!	----	----	#DIV/0!

2014 AND 2015 ALCOHOL CRASHES AND FATALITIES ARE BASED ON VERY PRELIMINARY DATA.

COMPARISON OF FATALITIES BY PERSON TYPE BETWEEN 2014 AND 2015, AS OF CURRENT DATE.

COUNTY	2014 Vehicle Occupants	2015 Vehicle Occupants	% Change	2014 Peds	2015 Peds	% Change	2014 Motor-Cyclist	2015 Motor-Cyclist	% Change	2014 Bike	2015 Bike	% Change	2014 Other moped,at v	2015 Other moped,at v
CARSON	0	1	100.00%	0	0	0.00%	3	0	-100.00%	0	0	0.00%	0	0
CHURCHILL	3	1	-66.67%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
CLARK	38	50	31.58%	27	23	-14.81%	19	16	-15.79%	1	7	600.00%	5	7
DOUGLAS	1	4	300.00%	0	0	0.00%	0	1	100.00%	0	0	0.00%	0	0
ELKO	10	5	-50.00%	0	1	100.00%	0	0	0.00%	0	0	0.00%	0	0
ESMERALDA	2	3	50.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
EUREKA	4	2	-50.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
HUMBOLDT	7	3	-57.14%	1	0	-100.00%	0	0	0.00%	0	0	0.00%	1	0
LANDER	2	2	0.00%	1	1	0.00%	0	0	0.00%	0	0	0.00%	0	0
LINCOLN	0	3	300.00%	0	0	0.00%	0	1	100.00%	0	0	0.00%	0	0
LYON	3	4	33.33%	1	0	-100.00%	1	0	-100.00%	1	0	-100.00%	0	0
MINERAL	0	2	200.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
NYE	5	6	20.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
PERSHING	1	0	-100.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
STOREY	0	0	0.00%	0	0	0.00%	1	1	0.00%	0	0	0.00%	0	0
WASHOE	9	13	44.44%	4	4	0.00%	5	5	0.00%	3	0	-100.00%	2	0
WHITE PINE	0	1	100.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
YTD	85	100	17.65%	34	29	-14.71%	29	24	-17.24%	5	7	40.00%	8	7
TOTAL 14	147	----	-31.97%	71	----	-59.15%	55	----	-56.36%	8	----	-12.50%	9	----

Total 2014 290

Monthly Litigation Report to the Nevada Department of Transportation - June 19, 2015				
Case Name	Nature of Case	Outside Counsel to		
		Fees	Costs	Total
<u>Torts</u>				
Ariza, Ana, et al. vs. Wulfenstein, NDOT	Plaintiff alleges wrongful death			
Discount Tire Company vs. NDOT; Fisher	Plaintiff alleges negligence and personal injury			
Francois, John A. vs. NDOT	Plaintiff alleges negligence and personal injury			
Harris Farm, Inc. vs NDOT	Plaintiff alleges negligence and personal injury			
Jorgenson & Koka, LLP	Plaintiff alleges negligence causing property damage			
Knowlton, Jane vs. NDOT	Plaintiff alleges personal injury and property damage			
NDOT vs. Tamietti	NDOT seeks injunct. relief to prevent closing access			
Oneal, Brenda vs. NDOT	Plaintiff alleges negligence causing personal injury			
Pyjas, Estate of Robert Charles	Plaintiff alleges wrongful death			
Richard, Eboni vs. NDOT	Plaintiff alleges negligence causing personal injury			
Windrum, Richard & Michelle vs. NDOT	Plaintiff alleges negligence and personal injury			
Woods, Willaim and Elaine	Plaintiff alleges wrongful death			
Zito, Adam vs. NDOT	Plaintiff alleges negligence and property damage			
<u>Contract Disputes</u>				
None currently in litigation				
<u>Miscellaneous</u>				
Nevada Power Co., Inc. vs. KAG Development; NDOT	Plaintiff seeking quiet title			
Road & Highway Builders vs. NDOT	Petition for Judicial Review of Prevailing Wage			
<u>Personnel Matters</u>				
Akinola, Ayodele vs. State, NDOT	Plaintiff alleges 14th Amendment - discrimination			
Cerini, Cheri	Petition for Judicial Review			
Cases Removed from Last Report:				
None				

Outside Counsel
Fees and Costs of Open Cases
as of July 17, 2015

<u>Category</u>	<u>Fees</u>	<u>Costs</u>	<u>Total</u>
Condemnation Litigation	\$ 1,213,569.89	\$ 242,162.54	\$ 1,455,732.43
Inverse Condemnation Litigation	\$ 1,395,468.63	\$ 268,435.42	\$ 1,663,904.05
Construction Litigation	0	0	0
Personnel Litigation	0	0	0
Tort Claim Litigation	0	0	0
	<u>\$ 2,609,038.52</u>	<u>\$ 510,597.96</u>	<u>\$ 3,119,636.48</u>