

Transcript of Nevada Department of Transportation  
Board of Directors Meeting  
January 8, 2018

Governor Brian Sandoval  
Controller Ron Knecht  
Frank Martin  
Virginia Valentine  
Len Savage  
BJ AlMBERG  
Rudy Malfabon  
Lou Holland

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Sandoval: Good morning, ladies and gentlemen. I will call the Department of Transportation Board of Directors Meeting to order. First, I'll wish everybody a happy new year. We're excited to be here.

Rudy, I'm going to steal a little bit of your thunder and I'm going to introduce Virginia Valentine, who is our newest Member of the Transportation Board. I'm very honored and privileged that you've accepted this appointment. I think you're going to be a fabulous addition to the Board. I look forward to having the benefit of your experience and insights and even in your current capacity with regard to the Gaming Industry and its intersection with Transportation. So, Virginia, welcome aboard. I'm not sure if you have any comments, you'd like to make.

Valentine: Well, I'd just like to say, thank you Governor, for appointing me to this Board as a recovering civil engineer, it's a great honor to be here. Engineering is, of course, my first love, but I don't think there's anything more important right now to the continued success, at both ends of the State, than providing strong infrastructure as we continue to grow the economy and a little bit of recovery still going on and so, I am really excited to be here. I hope it's going to be a really exciting time for the Transportation Board and the Transportation in general, infrastructure in the State, so thank you again.

Sandoval: You're very welcome. We are in a transportation renaissance and really proud of the work of the Department, as well as this Board in what we've been able to accomplish. So, Rudy, from there, we'll go to Agenda Item No. 1, which is to receive the Directors Report.

Malfabon: Thank you Governor and happy new year everybody. I wanted to mention that Lou Holland is filling in for Dennis Gallagher. Dennis will be joining us during

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the meeting. Also want to welcome Sondra Rosenberg back. She came back with the smallest intern Nevada Department of Transportation has ever had. Her son Zander so, congratulations and welcome back.

Also, congratulations Governor, you couldn't have said it any better, we're excited to have Virginia Valentine as a Transportation Board Member. I'll reach out to her to provide a more detailed briefing, but I did provide a briefing to her members, back in late November last year. Definitely well qualified and she's a consummate professional. I've known her for years and we're looking forward to working with her.

Go ahead and skip that one.

A little on the federal front. Congress kind of kicked the can for another month until January 19<sup>th</sup> for the Continuing Resolution, which is the short-term extension of the—since they don't have an appropriated budget yet for FY '18. It didn't include or didn't address any additional spending for defense or emergency relief funding for the hurricane, so there was no associated rescission of federal funds or spending authority to USDOT. So, we'll have to be watchful of what they pass before it expires again on January 19<sup>th</sup>. I think that hopefully it will go the rest of the federal fiscal year, but one of the things that's a concern to us is that there are, you know, a slight 2% increase each year to the FAST Act spending levels that were anticipated. We're not getting that increase, as they keep on doing these extensions.

The Trump Administration, President Trump had a little get together this weekend to talk about policy with the leadership in Congress. No details yet on the infrastructure plan, we just hear that details are coming this month. I know that Secretary Chao will be attending the Consumer Electronic Show (CES) in Las Vegas this week. Hopefully more information comes out because right now, a lot of people are just waiting for details.

We did provide some information to our delegation about refunding of bonds. I know that Las Vegas Convention and Visitors Authority had an opportunity to refund some of their bonds that they sold in order for NDOT to widen I-15 near the airport and the resort corridor a few years back. John Terry was the Project Manager of that project years ago and they saw the opportunity before the door closed for the tax exemption being removed for refunding of bonds. It's

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something that NDOT has done. Basically it's like, refinancing your house to save money over the term of the loan. We're waiting for details on all the things—I think the Private Activity Bonds issue with the linkage to public/private partnerships, P3s, I think that was still available, but more details to come on the final version of the tax bill that was reconciled.

Another thing that we heard from Federal Highway Administration was concern about the patent issues with the Rapid Rectangular Flashing Beacons. These are very efficient and effective devices to install on our roads and local roads for pedestrian safety projects. You see them here in Carson City and throughout Las Vegas and Reno where there's—it calls attention from the drivers that pedestrians pushed the button and activated that—that signal, that flasher, so that they can stop at the crosswalk. The concern is when there's sole-source issues or federal eligibility issues for repayment. I think that we want to go forward with installing these devices wherever we can. We'll get to the bottom of any kind of patent issues and whether there's restrictions on usage of these but I think they're very effective and we'll want to continue using those.

Good news on—Nevada traffic fatalities dropped over 7% in 2017. What we're hoping is that this trend continues. We reached a peak in 2016 and hopefully we'll further address our goals towards zero fatalities. Working with our partners in law enforcement, educators, emergency responders; definitely a success story with our partners in dealing with alcohol impairment. Nearly 43% down from the previous year, 38 lives saved, just from that focus on reducing impairment on our roads.

Unfortunately we do have our work cut out for us on the pedestrian fatalities issue. It increased 20% from the previous year in 2016. We are doing more to install infrastructure and also the education front, doing those sidewalk decals, working around some specific areas, whether it's schools, universities, where there's a lot of pedestrian traffic. Obviously the resort corridor has a lot of pedestrian traffic.

So, we're going to work tirelessly with our partners to address and focus on pedestrian safety and keep this trend going in the coming years.

Governor, you've touted a lot of the success in your term as Governor for Nevada. I know we're in the last year of your term, but I was very proud to hear you

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providing the keynote at the Council of State Government, CSG. You've been a National Chair before of this Association, but since we hosted it in Las Vegas, Nevada hosted it, Kevin Atkinson, our State Senator is the National Chair and I'm on a Committee that deals with infrastructure for CSG. I was very proud to hear some of the success stories and how Nevada has turned around the new Nevada economy and the efforts that you've made in the last few sessions of the legislature to improve education and our economic diversification in Nevada.

I attended a roundtable on the use of technology called Nevada Leads the Way. We had a lot of other private companies; Uber, Audi, Tesla, for instance, as well as other states that are dealing with these transportation technology issues. I had a good conversation, good presentation about what we're doing here in our State and also, learned about what other states are doing as far as that.

It leads into the next slide which is, National Governor's Association. Governor, you're the Chair of the NGA this year and you've identified your theme is ahead of the curve, innovation Governors for this next weeks' conference in Las Vegas. It coincides with the CES show. It will be a great opportunity to tie technology and the folks that are attending CES, showcasing their innovative technologies, their products, their vehicles. It's an exciting time in transportation and just in general with implementation of technology and the efficiencies you can gain through that.

Some of the things that you've identified that we have to look at is, we want to support technological innovation, modernize policy and protect systems from cyber threats. We want to have discussions amongst the states that attend the NGA event this week and have some bullet points and what are some action items we want to do as states to advance this agenda. We're looking forward to participating in that with our counterparts from Colorado, Arizona, Michigan and Ohio. A lot of those folks have confirmed, as well as other states, that they're going to be present at that. So, we'll have some counterparts from State DOTs present too to have—be involved in this discussion. Looking forward to it.

The Eagle has landed is the quote that I heard a lot for this 800 pound sculpture. It's eight feet tall. It's at the southern end of the Carson Freeway. A lot of folks were asking, when is it going to be placed on that pedestal that looks like a tree? Finally, we addressed all the—the contractor addressed the structural design issues. One of the things is, there's two different types of metal. I think the

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aluminum that the eagle is made out of comes in contact with steel. So, you could have dissimilar metals that can cause corrosion. So, they had to do some engineering on that to protect it from corrosion. Make sure that it was stable in the wind. It looks beautiful. Have gotten a lot of compliments from drivers who have expressed their appreciation for the aesthetics of that sculpture on the southern end of the Carson Freeway.

We had the public meeting December 12<sup>th</sup> to show Ames Design for the Garnet Interchange and the widening of the US-93 there by the Apex Industrial Park. One of the things I wanted to mention, Tracy Larkin-Thomason and I met with City of North Las Vegas Mayor John Lee and the Public Works Director and the Head of Economic Development and Business Development for North Las Vegas. He has an interest in the development of this Apex Industrial Center. So, one of the things we talked about—the Mayor really thanked us for going forward with the project but we talked about that orange line that says “Frontage Road”, 2.1 miles there, there’s a lot of vacant land next to that and given that we have access standards for spacing of driveways along that stretch, we just wanted to talk about, where are the best places to anticipate driveways. There’s different owners of different parcels. Some owners have adjacent parcels that they own. So, we just wanted to make sure that we’re looking forward to the future and not impeding any future development. It was a good conversation and more to come on access along that frontage road that we’re going to be building with our project through Ames’ design-build contract.

Project NEON is going to have a public information meeting January 24<sup>th</sup> in Las Vegas. We will be calling the—just to use another sports analogy, the home stretch of, we’ve got about a year and a half of work on Project NEON to finish it up. A lot of impacts anticipated on I-15, we will have some lane closures to reconstruct it. We’re going to brand that The Main Event, and have the media team—I think who have been doing an excellent job on communication and outreach on this project—to develop some materials for the Main Event to get more emphasis and focus from the public, from the folks that commute and drive through that stretch of I-15 and what to expect in the coming months and this year as we enter the home stretch of this project and successful completion.

You’ll be happy with this one, Governor. John Terry did his work. As I mentioned before, he—before he retires, Clark County Board of Commissioners

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approved the transfer agreement for the pedestrian bridges last month. The project manager informed us today that he did receive the signed agreement Friday, so he's sending that through agreement services, for routing, for final signatures but we're very pleased to transfer this to the County. They'll take it over. We negotiated all the details and we're looking forward to that transfer. The County manages a lot of those pedestrian bridges all throughout the resort corridor, as you know.

We completed a project in North Las Vegas, \$17.3 million about four and a half miles of repaving. Also, this is on North Las Vegas Boulevard, it's a stretch that has the max-bus, from RTC, operates along that and it's a high-capacity bus, heavy loads. So, we put in concrete bus lanes on the bus portion of the pavement. We redid the median islands. You can see the nice aesthetics in the medial islands with some of those metal sculptures. Then, mid-block crossings and flashing beacons for pedestrian safety. Made ADA improvements on the sidewalk along this stretch. So, it's a very successful project. We're really proud of the way it turned out.

Wanted to give the Board an update on the Nevada Shared Radio System. This is the procurement for the next generation system of our radios that maintenance uses, as well as law enforcement throughout the State. We had to request some additional information. We responded to questions from the proposers and their final responses are due for this addendum are due January 19<sup>th</sup>. Then we'll do the technical review, get those scores and then after those scores are established, then we open up the confidential price information and combine technical score, with price, to get the final score and a recommendation to this Board. I just wanted to keep you informed of what the revised schedule is.

The LCB requested that we do a public hearing. I know that Governor and the Board Members, you recall approving the regulations for what we call, Digital Outdoor Advertising, electronic billboards is another term they're called. We sent it to LCB. They did their tweaking with it and they asked us to do another public hearing for it before they are formally adopted. We have to go through this next—this other step. We did announce this public hearing in December, so we could have it in February and then wrap this all up. I don't think that I've heard of any kind of concerns from either party; from Scenic Nevada or from the Outdoor Advertisers' Representatives. So, hopefully we're good to go. This is

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just something that LCB requested to make sure that we're following all required procedures.

Recent settlements, there's one this week at the Board of Examiners that will be presented. Just \$65,000 additional money, it's associated with a property that we required for construction of the Cactus Interchange, which was constructed a couple of years ago on I-15.

We also have some good news on the issue last month, you awarded a contract for about \$8.8 million to Q and D, it's near Winnemucca for grind and overlay of I-80. RHB had a bid protest and they decided to take it to court to request an injunction for award of that project. They were denied by the court. So that's good news, that project is going forward.

And, I just wanted to—we started with a welcome and we're ending with a fair well. John Terry has served us for five years as Assistant Director for Operations. He's worked throughout the Department but most recently as Chief Engineer and as Assistant Director for Engineering. We wish him well. I know he lives here locally in Carson City and hopefully he'll come back for a photo opportunity. He's been very much a right-hand to me in overseeing the engineering divisions at the department. Getting out some major projects, you know, Project NEON we just discussed. We're looking forward to the completion of that project. I just wanted to just say from the bottom of my heart, thanks John, for your service to Nevada Department of Transportation and also to the State of Nevada. We both have worked together for an engineering consultant and also worked in Las Vegas for several years before we both came up here to Carson City to lead the Department and I wanted to say thanks. [applause]

We will give him a formal going away gift later, but we're deciding whether it's golf or skiing. Probably skiing right now.

Any questions from the Board Members, I can respond.

Sandoval: All right, thank you Rudy. Let me start where you ended. I also wanted to congratulate John and thank him for his service to the State of Nevada. There's no doubt in my mind that the State is a better place because of his efforts. I personally wanted to let you know, John, how much I've always appreciated your candid and informed responses to some pretty tough questions from the Board. In

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this day and age, that's what we need is straight shooting and you've always provided that.

I'll have some more words when you come back for the formal recognition, but I've said it before, you have a future at the Department of State, in terms of resolving that escalator issue. I think they could use you in Washington.

In any event, but I really do mean that. This is something that had been dealt with for many, many years and you were able to bring some closure to that. So, I personally want to thank you for that as well. Again, appreciate your service to the State of Nevada and hopeful that you'll take some time to ski or golf or the other things that you enjoy because it's very well deserved.

Rudy, another comment that I wanted to make was on New Years Eve, I had the opportunity to spend time with the Sherriff and walk the strip and go to the command post. A very important component of the safety was NDOT. There were NDOT trucks parked in very strategic locations with regard to providing safety to the public and it really made me proud to see our big trucks out there and the NDOT employees being a really important component to making sure that close to 400,000 visitors were safe. I really, again, appreciate that.

Malfabon: Thank you Governor.

Sandoval: Finally, for me, I think you said it but I know we all recall when we had those Scenic Nevada as well as the sign companies there that they had stated on the record that they were agreed and that there wasn't going to be any [inaudible] at the adoption of those regulations at the LCB. It sounds like, from your comments, that they both kept their word and that we're going to move forward in a way that there isn't any further conflict or controversy.

Malfabon: Correct, Governor. I think it's just a procedural issue that LCB asked us to formally hold this public hearing.

Sandoval: All right, thank you. I have no further questions or comments. Do any of the other Board Members have questions or comments? Anything from Northern Nevada?

Savage: Yes, Governor, very quickly again, I would like to sincerely thank John Terry. I'm very, very happy for him and his family, but it's a sad day for the



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Department. I mean, it's very heartfelt like Rudy and the Governor had mentioned. The vast knowledge, the sincerity, the loyalty, the dedication, we're going to miss you John. I wish you all the best and come back any time. We may be calling. Thank you, John. That's all I have, thank you Governor.

Sandoval: Thank you Member Savage. Any other questions or comments for the Director with regard to Agenda Item No. 1? Mr. Controller.

Knecht: Thank you Governor. I'll be really brief. You and Mr. Savage said it so well, John Terry, thanks a whole lot. We appreciate it and god speed.

Sandoval: Thank you Mr. Controller. If there are no further questions or comments, we'll move to Agenda Item No. 2, Public Comment. Is there any member of the public present here in Las Vegas that would like to provide comment to the Board? I hear and see none. Is there anyone present in Carson City that would like to provide public comment to the Board?

Malfabon: None here Governor.

Sandoval: All right. Thank you. Then we'll move to Agenda Item No. 3, and he's not here, so with regard to the Appointment of the Lieutenant Governor, to serve as the State Transportation Board Vice Chairman. It would be my preference to have the Lieutenant Governor present when we make that decision. Is there any objection from any of the Board Members—obviously, we're going to do it, I would think, but I just think it's appropriate for the Lieutenant Governor to be present. I know he would like to provide some comments with regard to his appointment. So, any objection from any of the Board Members, to continuing this to our next regularly scheduled meeting?

Savage: No Governor.

Sandoval: All right, thank you. Let's move to Agenda Item No. 4, which is the approval of the December 11, 2017 Board Meeting Minutes. Have the Members had an opportunity to review the minutes and are there any changes?

Martin: Governor, although I wasn't at the December Meeting, I did read the Meeting Minutes and one thing that struck me very heavily was the segment in there where Rudy and some of the staff was talking about the financial planning for the major

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projects coming up. Meaning the Spaghetti Bowl in Reno and some of the other things that's on the plate over the course of the next three to four years.

It was really refreshing to hear the plan that they had and how they were going to execute it and where the funds were going to come from and it was more than refreshing, it was reassuring that we're looking forward to the future of the State of Nevada, which is something that Rudy, you and your staff are to be congratulated about. I was amazed at the thought and the planning that you'd put into this thing. So, thank you very much for that. It's a much different scenario then we've seen in the beginning of Project NEON.

Malfabon: Thank you Member Martin.

Sandoval: Any other questions or comments with regard to the Meeting Minutes? If there are none, the Chair will accept a motion for approval of the December 11, 2017 Board Meeting Minutes. I'm going to need a Motion from up North because Member Martin and Virginia Valentine are going to have to abstain.

Knecht: So moved.

Almberg: So moved.

Sandoval: I'll give that to the Controller. The Controller has moved for approval, is there a second?

Almberg: Second.

Sandoval: Second by Member Almberg. Any questions or comments on the motion? All in favor, say aye. [ayes around] Opposed, no? That motion passes and if you would please mark Members Valentine and Martin as having abstained.

We'll move to Agenda Item No. 5 which is the Approval of Agreements Over \$300,000.

Nellis: Thank you Governor. Members of the Board, this is Robert Nellis, Assistant Director for Administration. There are four agreements under Agenda Item No. 5 on Page 3 of 38 for the Board's consideration.

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Line Item No. 1 is with Diversified Consulting Services for augmentation of Crew 903 for the Garnet Interchange Design-Build. This is in the amount of \$3.7 million.

Line Item No. 2 is with Diversified Consulting Services for augmentation of Crew 920, for multiple projects, in the amount of \$712,381.

Line Item No. 3 is with Kleinfelder, for a geo-technical forensic study in the amount of \$495,692.

Lastly, Item No. 4 is amendment number one with Wood Rodgers for the Statewide Long-Range Transportation Plan. This is to increase authority and extend the termination date to cover additional scope of services that requires extensive public outreach.

With that Governor, that concludes Agenda Item No. 5, does the Board have any questions for us regarding any of these agreements?

Sandoval: Thank you Mr. Nellis. I have no questions. Questions from Board Members?

Martin: I have—I have only one. On the Line Item 1 and 2, was there any subcontractors listed? I didn't see it in the write-up—or, sub-consultants I should say. Were there any sub-consultants involved in one of those contracts?

Kaiser: Yes, Member Martin, there were sub-consultants involved in those contracts.

Martin: Do we know who?

Kaiser: I can have somebody come up and answer your questions on that.

Martin: Thank you.

Kaiser: I have Mike with DCS here, he's the owner of DCS. He'll be able to answer the questions in regards to the sub-consultants.

Martin: Thank you.

Glock: Good morning. Mike Glock for the record with Diversified Consulting Services. The first item there for the augmentation of Crew 903, we had [inaudible], as a subconsultant. I'd have to look at the documentation, but I believe we had

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another one as well, Four Leaf was our—was another one on that particular agreement.

The second one, the augmentation of Crew 920—

Kaiser: Mike, I've got that information.

Glock: DCS did not have any—

Kaiser: You did not have any subconsultants—

Glock: --we did not have a subconsultant on that one, no. Anything else?

Sandoval: Any questions, Frank?

Martin: No sir. Thank you.

Sandoval: Thank you.

Glock: All right.

Sandoval: Any other questions from Board Members with regard to Agenda Item No. 5?

Almberg: I've got a couple questions, Governor.

Sandoval: Please proceed.

Almberg: Thank you. Let me get my stuff together here. On Line Item No. 3 with our Kleinfelder and Cheyenne Avenue. When you come back in here and you read some of this information, when the consultants came together, the consultant came in at \$1.4 million. NDOT had a cost of those services at \$200,000.

Obviously, there's some major difference in what we believe the scope of work is and then we final settled at \$400,000. Can we get some explanation of the difference in the scope of work of what they may have wanted in which we did not need?

Malfabon: I'm not sure who would respond to that one. That was—oh, okay. We'll have the geo-tech representative from the lab.

Griswold: Mike Griswold, Chief Geo-Tech for NDOT. Probably answer that question by starting off with you know, these services are for a forensic investigation. We've

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got a lot of damage to our roadway. We've enacted a lot of repairs over the years. We continue to see suffering and damage in those areas.

When we put together our scope, we put together what we thought might be appropriate to go out and do a—a continuing investigation. When we put out the RFP, there was no defined scope in that RFP because we really wanted a consultant to come back to us with some new ideas and some new ways of thinking and help us better define what the issues are on that roadway.

So yes, Kleinfelder came back at—started at \$1.4 million. Essentially, they were coming to us and saying, here are all the things that we can do to investigate this situation better. From that we had multiple negotiations and pared it back down to something that we thought was reasonable and would give us the information that we were really looking for.

Yes, it is higher than our original estimate, but that was just kind of our internal, taking a stab at—at what we thought might be reasonable investigation. We've negotiated it down to what we think now is a very reasonable forensic investigation.

Almberg: Thank you. I think that was well answered and very good negotiations went on there because it sounds like they came with everything on the table and we basically sat and worked through it and figured out, hey we don't need this, this and this and come to a viable agreement of what may be needed for this project.

One last question that I have there is, I just wanted to make sure that this is a regional problem of that area and not just a problem in our right-of-way where it could be pointed to its utilities or something else that's causing our problem, but is it a regional problem for the area?

Griswold: We selected Kleinfelder, partially based on their forensic work that they're doing for other businesses in that locality. They've got a lot of intimate knowledge on distress in that area. Yes, there are adjacent properties that are showing signs of distress, as well as our roadway. To our knowledge, all of those adjacent properties are very near the distress areas that we have. It's a very complex geology out there, faults, subsidence, fractures, very expansive clays, collapsible soils. You know, very complicated issue but yes, there are—I wouldn't say it's a regional problem, but it expands out beyond our right-of-way.

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Almberg: Okay, that's all I got for this item, No. 3, so thank you.

Savage: I have a question on that same item. Very quickly, Mr. Griswold, how old is that road?

Griswold: I don't have—I do understand that I believe in 1988, it was widened to four-lanes. I don't know how old the roadway is previous to that.

Savage: I'm sorry, with the recent work that NDOT has done, how recent of work did we do on that roadway?

Griswold: We've had—I've got some information here, hang on just a moment. So, some of the history—in 2004, there was a mill and overlay, as well as repairing, there was subsidence of the roadway at that time. There were efforts to relevel the roadway, just with paving. In June 2009, we had another construction project, it was also mill and overlay but it did a much more extensive repair of continuing subsidence. Then there have been several emergency projects in 2015 and 2016, specifically, to repair continuing settlement and damage to the roadway.

Savage: Thank you and is most of that engineering been outside the Department or has that been inside the Department?

Griswold: Engineering has been inside the Department.

Savage: Okay, thank you Mr. Griswold, sorry to interrupt you BJ.

Martin: One more, Member Almberg, I own property and have owned property in that area and it is an issue on both sides of Cheyenne, both north and south from west of Martin Luther—East of Martin Luther King all the way down to Rancho.

One of the later ones that Mr. Griswold was talking about, repairs, happened from basically [inaudible] west to Rancho. That segment of the road seems to have been stabilized pretty good. From Simmons, where I own property, going back east to Martin Luther King, that segment of road and the properties surrounding that segment of road continue to experience bad, bad geological issues. I mean, buildings settling, highways—that roadway—I just drove Martin Luther King last week and—I'm sorry, drove Cheyenne last week and west of Martin Luther King, there's got to be a sag in the road that's anywhere from 12 to 18 inches deep and it's just one big, long sag. It's pretty amazing what the dirt is doing in that area.

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I'm happy to see that they're, NDOT is going to do something about it and get some sound geological information to back up the repairs.

Almberg: Thank you for that Frank, I just wanted to verify that it wasn't just our right-of-way, that it was an area that was outside of our right-of-way and just caused by some utilities or something else going on within our facilities. Thank you for that.

Sandoval: BJ, did you have any other questions on any of the other contracts?

Almberg: I've got a couple of quick comments on Line Item No. 4. If I can go over a few of those, that'd be great.

Sandoval: Please proceed.

Almberg: Okay, thank you Governor. In reading the scope of services, Attachment A, which is Page 31 of 38, it's talking about two phases—well, there's three phases, a future phase three, but Phase 1, Phase 2. From reading all the information in here, it appears that this amendment is majority for additional study for routes of I-11.

I don't have a problem with that, obviously it's something we need to work through and lots of work going on right there. One thing I do want to comment on though, as in general from the One Nevada Plan and what they are reviewing with this besides just the I-11 is—I want to make sure that we look at some long-term things. This is probably going to throw a real curve ball out in the equation here.

For a long-term view is not—I have no issues with going to I-11, exactly what we're doing, we still need to proceed down that path. As a long-term thing, has anybody ever looked at the continuation of I-70, as it ends in Utah, carrying that across the State?

Since this is a long-term plan, I'm just throwing this out there for long-term to think about.

Rosenberg: For the record, Sondra Rosenberg, Assistant Director for Planning. That topic actually did come up during our initial I-11 and Intermountain West Corridor Study. Certainly, there's some major topographical challenges with that route. However, this is a long-range plan and we'd be happy to include that. I'm not sure in terms of scope and fee how much detailed work we can do on it, but it's

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certainly a consideration for the future of the State. We'd be happy to include that as we look at those future scenarios.

Almberg: I'm glad to hear that it was even brought up. That it is something that has been considered, you know, how deeply it's gone into is not a concern, but at least it's out there. I do believe it's something that should be looked at and see if maybe one day it is something feasible that does need to happen.

Rosenberg: Being a—I've done a little research on the interstate naming conventions and being that it's a multiple of 10, it's technically supposed to go all the way across the country. That's why it did come up. It does stop in the middle of Utah. So, we'd have to work with our partners to the east of us, and there are certainly valid reasons why it did stop there, but it's probably worth saying, you know, are those reasons still valid. Is this something that makes sense for a future corridor.

Almberg: That's it for me, Governor, thank you.

Sandoval: Thank you Member Almberg. Do Board Members have any further questions with regard to Agenda Item No. 5?

Savage: Yes.

Sandoval: Member Savage.

Savage: Thank you Governor. Just a couple of comments regarding Line Item 1 and 2, with DCS augmentation. I see that there are four proposers on the first Line Item and only two proposers on the second item. I know DCS has brought many years of good value to the Department.

In Line Item 2, they did reduce their original estimate over \$100,000. I appreciate that and the value they've done in the past. Very diligent. Very timely and very cost efficient. My question is on the unsuccessful proposers, have they been debriefed on these RFPs?

Kaiser: Reid Kaiser, Assistant Director for Operations. When we do select DCS, the unsuccessful proposers are given the opportunity to meet with NDOT and be debriefed. Whether that has happened or not, I can't answer that, but I know they are given that opportunity.

Savage: I'd be interested to know if you find that out Reid, thank you very much.



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Kaiser: Sure.

Savage: That's all I have Governor, thank you.

Sandoval: Thank you. Any other questions or comments? Mr. Nellis, any further presentation?

Nellis: No Governor, that concludes Agenda Item No. 5.

Sandoval: If there are no further questions or comments with regard to Agenda Item No. 5, is there a motion to approve the agreements contained therein?

Martin: So moved.

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

Valentine: Second.

Savage: Second.

Sandoval: Second by Member Valentine. Any questions or discussion on the motion? I hear none, all those in favor say aye. [ayes around] Those opposed say no. That motion passes unanimously. We'll move to Agenda Item No. 6, Contracts, Agreements and Settlements. Mr. Nellis.

Nellis: Thank you Governor. There are two attachments that can be found under Agenda Item No. 6 for the Board's information and no settlements this month.

The first project is located at the Department of Transportation, Headquarters, administration Building for elevator improvements. The Director awarded the contract to Thyssenkrupp Elevator Corporation in the amount of \$585,226.93.

The second project is located on I-15 from north of the Apex Interchange to north of the Logandale/Overton Interchange in Clark County to install ITS infrastructure such as signs, TV cameras, DMS signs and underpass lighting. There were five bids and the Director awarded the contract to Andersen Home and Excavation in the amount of \$2,340,107.10.

Does the Board have any questions for us regarding these contracts before we turn to Attachment B?

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Sandoval: Any questions or comments from Board Members?

Knecht: One here Governor.

Sandoval: I'm sorry I didn't see you, Mr. Controller, please proceed.

Knecht: Thank you. Mr. Nellis, what are we going to get for \$585,000 in the way of elevator improvements in this building? I took the elevator this morning and it was not super-fast, but it was serviceable.

Nellis: Mr. Controller, for the record, Robert Nellis. I thought you might be the one to ask the question on this sir. The elevators are the original elevators that were installed in the building in the 1960s. They've become antiquated, unreliable and it's hard to find replacement parts, so it becomes more expensive to just keep repairing these older elevators. Now we're going to modernize them. They'll be more energy efficient and we shouldn't have the problems that we've had in the past.

Knecht: Thank you.

Sandoval: Any other questions on the contracts? Mr. Nellis, please continue.

Nellis: Thank you Governor. There are 43 executed agreements under Attachment B that can be found on Pages 8 and 9 for the Board's information. Items No. 1-9 are Acquisitions and Appraisals. 10-20 are Cooperative Agreement and Facility Agreements. 21-25 are Grants and Interlocal Agreements. 26-30 are Leases and Right-of-Way Access Agreements. Lastly, Items 31-43 are Service Providers.

With that, Governor, that concludes this Agenda Item, does the Board have any questions for us regarding any of these agreements?

Sandoval: All right, thank you Mr. Nellis. My favorite subject, Contracts 24 and 25. And, I guess, Ms. Rosenberg, you are over those, are those important and meaningful research projects for the Department?

Rosenberg: Yes. I'll give you a little more information on Item No. 24 and then turn it over to Mr. Kaiser for 25. 24 really gets at this performance management that we're trying to improve throughout the Department, both because of federal requirements, as well as just operating our system more efficiently.

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Although NDOT doesn't actually own or operate signals, we have a great partnership with the local entities in the urban areas and we are responsible for performance of the whole system not just the freeways. So, that includes signalized arterials.

What this does is, this is actually something new nationwide and we think we'll be an example for the country is looking at how do we measure signal performance? Currently we measure performance of arterials based on delay and things like that but don't actually measure how those signals are performing. We can look at signal timing and adjust those but this is taking a different approach of saying, how do we measure how those—that system is performing.

UNR is generally on the cutting-edge of signal timing and those types of efforts. We got a lot of support from our local urban areas to do this kind of research. We thought it was worthwhile in funding.

Sandoval: Ms. Rosenberg, why does it take so long? Why does it take three years to do that?

Rosenberg: That is an excellent question. I don't have a good answer for that at the moment. We will certainly talk with our researchers and see if we can accelerate that schedule. I don't have a good answer right now.

Sandoval: I just—and I'm uninformed, but it's just with the improvements with technology, it seems like technology may out—by the time we study this and figure it out, we may have something new and the findings would be obsolete. So, I just want to make sure—

Rosenberg: Right, that's an excellent point and we will talk with our researchers about that concern and see what we can do to accelerate and make sure those technological advances are being considered as part of this research.

Sandoval: Thank you. Mr. Kaiser.

Kaiser: Governor, Reid Kaiser, Assistant Director for Operations. A couple of years ago, we had similar research where we looked at the connection between the columns and the bridge structure. That research dealt with the axial forces or the up and down forces, the vertical forces. This research deals with the lateral forces, at the

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connection, where the column ties into the bridge structure and how the drill shafts will react, like say during an earthquake, with the lateral enforces.

Sandoval: Did we make use of those former findings from that previous research?

Kaiser: I'll see if Mr. Griswold can answer that question, but I'm sure we did.

Terry: This is John Terry, Assistant Director, if I can add on the structures—

Kaiser: John will answer that.

Terry: I will point out that drilled shafts are kind of our most common foundation type that we use both in Northern and Southern Nevada, although we're trying to go away from them some. And, with the change in the bridge analysis to the LRFD which is a newer bridge design criteria from AASHTO that we are finding that lateral loading of our piles is becoming the controlling factor of our bridge designs. So, we really could benefit from this research if we find that we can address the lateral loads better and probably save money on our foundation designs.

Sandoval: Thank you. I know I've said it over and over again, but there's no benefit to research if we don't act on it. I just want to ensure that we're doing meaningful research that the Department is going to take advantage of in future projects. Those are all the questions I have, Board Members, any other questions with regards to Agreements? Mr. Controller.

Knecht: Thank you Governor. On Item 31, the E-Discovery System, we're augmenting the original agreement and extending it from—augmenting it by \$52,000 from \$263,000 to \$316,000 and extending the time to 2019. Would you all remind me, somebody remind me of what the E-Discovery System is and what it does?

Malfabon: It's the—when we're dealing with eminent domain cases, which require a lot of legal documents and the opposing counsel will ask for documents, so it keeps track. It's a record management system, allows us to relatively quickly search this huge database of documents and get the request of documents to the opposing counsel as requested. It helps us to manage our documents better and do a quick search and manage the documents.

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Knecht: So, the only change in scope here is that we're just lengthening the time, right? We're not changing anything that they do in maintaining the E-Discovery System for us?

Malfabon: That's correct.

Knecht: Thank you.

Sandoval: Thank you Mr. Controller. Any other questions from Board Members with regard to Agreements? Mr. Nellis, any further presentation?

Nellis: No, Governor, that concludes this Agenda Item. Just a quick note for Member Savage's question on the previous Agenda Item, the unsuccessful proposers were briefed on the two previous Agenda Items.

Savage: Thank you Mr. Nellis.

Sandoval: All right, this is an informational item. If there are no further questions or comments, we'll move on to Agenda Item No. 7, Resolution of Abandonment.

Malfabon: Thank you Governor. This is associated with a property at the Railroad Pass Casino. As you may recall, we negotiated with the previous owner of that casino, to acquire some of their property and their easements associated with the I-11 Project that NDOT calls Phase 1 that we're building.

The owner of the property has—they sold the property to a new owner. We've been working with them diligently throughout the construction of I-11 and that portion. They asked if—they want to do some improvements there for better truck parking, better—just some improvements to their land. Part of the negotiations for the eminent domain case, where we would give them some of our property once our contractor, Fisher Sand and Gravel didn't need it anymore. Once they were basically getting to the end of I-11 construction of Phase 1.

Also wanted to report that February 1<sup>st</sup>, we're going to open the northbound lanes from Silverline Road to Foothill Drive, in this area. And then, March 1<sup>st</sup>, we're opening the Interchange at Railroad Pass. Mid-April, we should complete all of the NDOT project with the access to the US-95 Interchange, from I-11. The new realignment to I-11.

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As Fisher is building the project, we're opening up some portions and we feel that it's safe to accelerate the relinquishment of this property so the owner of the Railroad Pass Casino can do their improvements. That's what the backstory is for this.

We're asking basically to get Board approval so that when Fisher gives us the word that they no longer need the property or any temporary easements for construction, that we can abandon our interest in the property and then Railroad Pass Casino can build on it.

So, that's what the request is here, is to abandon this property that was part of the negotiated settlement with the Railroad Pass Casino for acquisition of property and easements associated with I-11.

Sandoval: Thank you Rudy. It does beg one question for me. Do we have an estimated value of that piece of property?

Malfabon: I'm sure that we do. We typically do appraisals, Governor. Ruth Borrelli is not available today but I don't know, John Terry, if you know roughly. We can get that information, but we do appraisals whenever we do these negotiations or at least have generally an idea of what the property is worth, including easements.

Terry: John Terry, Assistant Director. In this case, while we may have the value of that property, it was part of the whole agreement that we acquire the property from them and then this would be relinquished back to them at the end. It's kind of all melded in with the whole appraisal that was approved quite a while ago. We will check but I'm not sure if we have an appraisal of simply this remainder standalone. I imagine we do, but it really was part of the whole agreement of how much we paid them for their property, knowing that we would relinquish back this portion. We can look it up and get you that answer.

Sandoval: No, I understand. Thank you, Mr. Terry. I get that it's likely baked in. It was more out of curiosity than anything else. My next question really doesn't have anything to do with this resolution of abandonment, but as I looked at this agenda item, it reminded me of a historical issue associated with the project and airborne asbestos, or the lack thereof. I know there was a lot of money spent on testing for that and I would appreciate—it doesn't even have to be part of the agenda, but just an update on how that came out with regard to that testing. We did spend a

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significant amount of money with regard to that. It's my recollection that there were no findings of any danger to the public.

Terry: Again, John Terry, Assistant Director for Engineering. We have continued to monitor the asbestos situation through the complete construction of both Phase 1 and Phase 2 of Boulder City. While we have confirmed there is a presence, it's a very low level of naturally occurring asbestos and I would say the results have come in below our original report and expectations for the project. We have continued to monitor it and the monitoring stations are still up. Yes, we have found no danger, yet we are continuing to monitor it as we continue with the project and yes, I will agree, we have spent a substantial amount of money on investigating naturally occurring asbestos on this project.

Sandoval: Thank you Mr. Terry. Finally, Rudy, with regard to the resolution, are there—before I take a motion to adopt it, are there any changes to it?

Malfabon: None that I'm aware of, Governor.

Sandoval: Okay. Board Members, anyone else have any questions or comments with regard to Agenda Item No. 7? If there are none, the Chair will accept a motion to Approve the Resolution of Abandonment of a portion of State Highway Right-of-Way as presented in Agenda Item No. 7.

Savage: Moved to approve.

Sandoval: Member Savage has moved to approve, is there a second?

Martin: Second.

Almberg: Second.

Sandoval: Second by Member Martin, any questions or discussion on the motion? I hear none, all those in favor say aye. [ayes around] Those opposed, say no. That motion passes unanimously. We'll move to Agenda Item No. 8, Approval of the Formal Amendments and Administrative Amendments to the FFY 2018-21 STIP. Who is presenting on that?

Rosenberg: I will take that one. Sondra Rosenberg, Assistant Director for Planning. This is our standard quarterly update with amendments and modifications. There's quite a lot in this one but it's primarily because of the timing of us adopting a STIP

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versus changes made in Southern Nevada. We weren't quite on the same page. So, a lot of that is just incorporating those. Also, when we do a major update, sometimes things get lost and it's making sure that all of those projects that should be in this STIP are in there, in the right place and that the right amount, the right year, all of that. There's really nothing significant in this one. We do have staff here to present or answer any questions if there are any detailed questions about the project changes in that item.

Sandoval: Thank you Ms. Rosenberg. Questions or comments from Board Members with regard to Agenda Item No. 8? Mr. Controller.

Knecht: Thank you Governor and there may be nothing significant here but at Page 11, we've got over \$100 million in the increased cost of Project NEON. So, just for the record, could you explain why that is? From \$10.5 million to \$112.5 million.

Rosenberg: I'm on the wrong page, hang on just a second. I believe what that is, is the—the bonding, the bond repayment, so it's not an increase in the project cost itself, it's sort of where the money is coming from and going to.

Knecht: Okay. And, back at Page 6, we've got Nellis Boulevard Roadway Reconstruction, which is unrelated to Mr. Nellis and it goes from \$2 million to \$15 million. Can you provide some explanation on that?

Rosenberg: Joseph, can you take that one? This is when I use the maternity leave excuse.

Spencer: For the record, Joseph Spencer, NDOT STIP Manager. This is what I like to call a Joe error. I was originally given paperwork that this project was \$2 million and I missed that it was actually \$15 million and not \$2 million, so updated accordingly.

Knecht: You said a doe error?

Spencer: Joe error.

Knecht: Joe, oh.

Spencer: My error.

Rosenberg: That's Joe.

Knecht: I thought you were going to say D'OH, like Homer does.



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Spencer: We can do that as well, if you would like, Mr. Controller.

Rosenberg: It's a Joe-D'OH error.

Spencer: It was my error.

Knecht: Thank you.

Sandoval: That's what we call a perfect mistake. All right. Any further questions with regard to Agenda Item No. 8? If there are none, the Chair will accept a motion for approval of the formal administrative amendments to the FFY 2018-2021 STIP.

Martin: So moved.

Almberg: So moved.

Sandoval: I'll give that one to Mr. Almberg. Mr. Almberg has moved for approval. Member Martin has seconded the motion. Any questions or discussion on the motion? I hear none, all in favor say aye. [ayes around] Those opposed say no. That motion passes unanimously. We'll move to Agenda Item No. 9, Old Business. Director Malfabon.

Malfabon: Thank you Governor. Under Old Business, we have a report, a status report for Agile Assets which is our Enterprise Asset Management System. Although it's more than bridges and pavement, it's also the storm water which is critical. By our consent decree with USEPA, we're going to manage our assets associated with drainage infrastructure and flood control, using this system. It just gives you a status of where we are. We're on track to implement it by the end of the year.

We also have the report of Outside Counsel Costs on Open Matters and Monthly Litigation Report. Lou Holland will do his best to answer any questions from the Board. Lieutenant Governor is not here, usually he does have the questions, Lou, so you—

Then, the Fatality Report. As I mentioned it's good news comparison to 2016. 2017 numbers are down. I wanted to clarify that there was an adjustment as Department of Public Safety does their check of the data, they do have at the end of the year, they typically have some adjustments to fatalities. Included in Attachment D, changed a little bit by three. In Clark County there was a motor

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vehicle driver and a motorcycle driver, they had to adjust upwards and Pershing County there was an additional pedestrian. Sometimes this is due to the quality of the data. Sometimes it's due because of unfortunately the person that was injured might succumb to their injuries and not recover. So, they have to adjust their data for the previous year.

If there are any questions, we can answer those.

Sandoval: Thank you, Director Malfabon. Member Martin.

Martin: Yes, on the Nassiri v. NDOT, I think it was two months ago that we had prevailed in Supreme Court, is that coming to a settlement or coming to an end soon, so we can see it disappear off of this list?

Malfabon: I believe so. Dennis Gallagher has more information but we prevailed, I think that we have the ability to recoup some of the legal costs. We're in discussions with the Nassiri Counsel. I think he has a new Counsel. About recouping some of our costs and hopefully—they're looking at putting this thing to rest as well, but we're still discussing. Hopefully we're all done with the legal costs though associated with any appeals. Hopefully, as I said, Member Martin, Dennis Gallagher will have more information next month in response to that, that's the best that I know about Nassiri.

Martin: Okay, thank you.

Sandoval: Board Members, any more questions with regard to Agenda Item No. 9? We'll move to Agenda Item No. 10, is there anyone present in Las Vegas that would like to provide public comment to the Board? I hear and see none. Is there anyone present in Carson City that would like to provide public comment to the Board?

Malfabon: None here, Governor.

Sandoval: All right, thank you. Agenda Item No. 11, Adjournment. Is there a motion to adjourn?

Valentine: So moved.

Sandoval: Member Valentine has moved to adjourn, is there a second?

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Martin: Second.

Sandoval: Second by Member Martin. All in favor say aye. [eyes around] All right, this meeting is adjourned. May everybody have a happy and blessed 2018. Thank you very much.



Secretary to Board



Preparer of Minutes