



Department of Transportation
Board of Directors
Notice of Public Meeting
1263 South Stewart Street
Third Floor Conference Room
Carson City, Nevada
May 11, 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. April 13, 2015 Nevada Department of Transportation Board of Directors Meeting Minutes – *For possible action.*
4. Approval of Contracts over \$5,000,000 – *For possible action.*
5. Approval of Agreements over \$300,000 – *For possible action.*
6. Contracts, Agreements, and Settlements – *Informational item only.*
7. Condemnation Resolution No. 448 – *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; 3 Owners – 3 Parcels
8. Review and Ratify the Selection of the Contractor for the I-80 at Truckee River near Verdi Construction Manager at Risk Project and Approve an Agreement with Granite Construction Company for Pre-Construction Services for this Project – *For possible action.*
9. Presentation on NDOT's Communications Plan and Branding Campaign – *Informational item only.*
10. Briefing by Regional Transportation Commission of Washoe County – *Informational item only.*
11. Briefing on Cost Impacts due to Naturally Occurring Asbestos – *Informational item only.*
12. 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 April 28, 2015 – *Informational item only.*
13. 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.*
14. 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.

This agenda was posted at www.nevadadot.com and at the following locations:

Nevada Dept. of Transportation
1263 South Stewart Street
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

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

Sandoval: Good morning, ladies and gentlemen. I will call the Board of Directors for the Department of Transportation meeting to order. Before I commence with Agenda Item No. 1, I wanted to take a moment to recognize Mr. Ron Raiche, who is an NDOT employee whose life was tragically lost as a result of an accident. And if you would all join me in taking a moment of silence in his honor and in his memory. Thank you. And I'm sure we all will join in sending his family our thoughts and prayers.

So that'll take to Agenda Item No. 1, Presentation of the Retirement Plaques for 25+ Year Employees. Mr. Director.

Malfabon: Thank you, Governor. We have several retirees to honor today. I'll go over the list. I think that there's only one individual that's present today, but if there are others, as I read off your name, please make it known so that when we have a photo opportunity you can come forward.

Brad Fronberg was a highway equipment mechanic, a Supervisor I, 32 years of service. Liz Jackson was a friend of mine down in Las Vegas, Supervisor III. She was an assistant RE on Crew 922, 26 years of service. Louie Echegaray, Highway Maintenance Manager in Ely, 34 years of service. Ron Broady, Supervisor I in Location, 30 years of service. Nadine Klestinski, an Engineer Drafter III in Roadway Design, 25 years of service. Shane Cocking was a resident engineer, Manager I in District 2, 25 years of service. Joan Ives, Engineering Tech IV in District 1, 25 years of service. I actually hired Joan when I was a resident engineer, so brings back memories. Project Manager III, William Shulz, Bill Shulz, in Architecture;

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did a lot of our projects and architecture, retired with 26 years of service. Let's give a round of applause to those retirees.

And we'll do the photo opportunities with the awards, Item 2, and then I'll have -- Shane Cocking, I believe, is in the audience. So we'll have him come up and receive his clock from the Board at that time.

Sandoval: And before you proceed, Mr. Director, just again, my personal thanks to all these employees. Somebody is getting ahead of me and they did the math for me, but it's a total of 223 years of service and experience that we're going to be losing, but by the same token, these are folks that all can be proud of a job well done. I mean look at this, the least amount of years of service for any of the individuals on this list is 25 years, and that's just flat-out remarkable. And I know that it's going to be hard to replace these individuals and hope that somebody can come in and backfill and do the great job that they have. But this, for me, shows complete commitment and dedication to the people of the State of Nevada. So thank you very much.

Malfabon: Thank you, Governor. Okay. Moving on to Presentation of Awards, Item 2. The Nevada Taxpayers Association awards strong, continuing and consistent efforts to spend taxpayers' dollars wisely and efficiently, and the effective, open, and accountable practice of creating a user-friendly government, and they have the Cashman Good Government Awards. We had submitted a group of employees from NDOT associated with a software program called DocuSign. So we've been trying to do more electronic documents and forms. It saves a lot of paperwork and filing, a much more efficient processing of some of our contracts and agreements. And I wanted to recognize the folks that were involved in that from our admin services and IT departments: Kayla Sneed, Teresa Schlaffer, Jenny Eyerly and Dave Wooldridge. So we'll have them come up shortly. But this is a pretty nice award from the Taxpayers Association that we acknowledge their efforts.

And then we had several partnering awards, and we have a very robust partnering program. Partnering is the way that we do business at NDOT, so we work very closely with our contractors at the project level. And it's really the resident engineer who's got the responsibility of the day-to-day management of construction, oversight of the contractor's operations, and that contractor's project manager or superintendent on the project. Those are the ones that hold the keys to a successful project. And even on some

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projects that have very tough challenges to face, they work together closely. And we wanted to acknowledge their efforts on several of these projects.

The first is the State Route 431 Mt. Rose Highway project, the Silver Award goes to Granite Construction. And the project was originally slated to be completed in two construction seasons. It was substantially completed in only one season, greatly reducing costs and impacts to the traveling public. And everybody knows that Mt. Rose Highway is a heavily traveled route in the summer; a lot of folks going up to Tahoe to enjoy the sights up there. And the NDOT crew and Granite Construction did a great job overseeing that project. When we have the photo opportunity, if Matt Cates of Granite, Shane Cocking, who recently retired, and I don't know if Thor is here from District 2 -- but congratulations to Crew 913 of NDOT, through Shane's leadership and Granite's construction crew, led by Matt Cates. That was Contract 3558, Mt. Rose Highway.

A Gold Award winner, State Route 207, we discussed a lot last year as this project was implemented by Q&D Construction. This was a Construction Manager at Risk project, so Q&D did that assistance during this project to help us get a good quality design and then went on to construct. But the issue here was the team successfully conducted widespread public outreach to keep affected stakeholders, residents, commuters, and businesses informed of the project status. They also created innovative and time-saving solutions, such as noise suppression techniques that allowed for night work throughout the summer. So a very well-orchestrated approach to the project, very innovative. To get some of the residents through there, through some of the gates with the card key, I think that was very innovative. They did a lot of outreach, even down here in Carson Valley and South Gardnerville/Minden area to affected stakeholders. And a very well-done, well-delivered project. That was a Gold Award recipient for our partnering program. And we'd like to acknowledge the efforts of Brian Graham of Q&D Construction. Pedro Rodriguez was our project manager and John Angel was the resident engineer for Crew 911.

And lastly, the Silver Award winner goes to I-80 Carlin Tunnel's Construction Manager at Risk project. This project was with Q&D Construction. A lot of different types of construction on this; bridge construction, reconstruction and rehabilitation of the pavement, the tunnel

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lighting system, and tunnel rehab. The project team was committed to improving safety, reducing congestion, and improving the highway infrastructure quality. Through collaborative teamwork they achieved measurable results, including finishing the project a year ahead of schedule. So you see a lot of the theme of working together and finishing projects ahead of schedule with the least amount of disruption to the public in these projects. So we acknowledge on Carlin Tunnel's CM at Risk project, Kurt Matzoll of Q&D Construction, Dale Keller was our project manager. And pleased that Tim Mouritsen and Nick Senrud from Crew 908, the acting resident engineers on the project, were able to come down and be acknowledged in person, coming down from Elko.

So first, if we could do the photo opportunity, we'll do the retirement first. Shane?

Sandoval: If you would proceed with the Director's Report.

Malfabon: Thank you, Governor. I wanted to acknowledge a couple of employees that were recently promoted. I noticed that Sonnie is down in Las Vegas. Sonnie, tell me if I'm pronouncing this correctly, Braih. Okay, see, third time is a charm. He's our civil rights officer that I mentioned last month. And our civil rights officer is over not only our disadvantaged business enterprise, or DBE program, Title VI is an important element of their oversight, the ADA program, and contract compliance, which is a day-to-day job with managing our contractors and the administration, all the paperwork they have to do on both state and federally funded projects. So welcome, Sonnie, for your -- congratulations on your promotion.

Braih: Thank you very much. Thank you.

Malfabon: And then I wanted to mention that Sharon Foerschler was recently promoted to the chief construction engineer position at NDOT. Sharon was an assistant construction engineer for several years, and really a great field of candidates were interviewed and considered for this position. I'm pleased that Sharon Forrester was selected by Reid Kaiser, her supervisor as the assistant director of Ops. So Sharon, best wishes in the construction engineer position.

Foerschler: Thank you.

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Malfabon: You have your hands full, I'm sure. Okay. Next slide please. And, Governor, thank you for acknowledging our loss. Ron Raiche was one of NDOT's family members. And it really was a tragedy that he was struck and killed on I-80 near Battle Mountain while they were doing crack-filling operations on the shoulder. The truck driver was arrested as indicated there. And our hearts go out to the family members and to Crew 371. There was a coworker with Ron at the time. It was very unfortunate. And I included a picture of the memorial wall, Governor and Board members. I would want to acknowledge our loss officially when the time is right. We're ordering the star to add to that. Unfortunately, there's been 25 preceding events there on that wall. And I wanted to also mention that we've heard that his mother was devastated by that, obviously, but she intends to testify at the legislature on an issue that's of importance to her about traffic safety and the speed limit.

Next slide please. A little update on State Route 342, the road to Virginia City. And the Comstock Mining Company is removing the uncompacted fill. They've removed a lot of it. And as we mentioned last month, the temporary route will reopen June 2015, and then they'll continue removing some of that unstable material on the slopes, finishing, finally, in December. But they're paying for the construction costs. We're overseeing the construction. Next slide. You can see where the old mine shaft that had caved in a few years back was located, and they did a design including reinforcing steel and those steel beams, a lot of concrete capping that mine shaft, so we won't have that issue of a sinkhole in the future with that type of measures that they're doing.

Sandoval: So, Rudy, have you or has somebody mapped all those tunnels so that this doesn't happen again?

Malfabon: They know where most of them are. I think that this was the only one that was a concern for causing a sinkhole. The other ones were apparently far enough down, so they've addressed them all that had a conflict with the road. So we hope that this never occurs again; after they get the final completion at the end of the year that it'll all be nice and safe and we won't have that type of thing hanging over our head anymore.

Sandoval: Okay.

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Malfabon: Next slide please. A little bit on federal funding. There hasn't been a lot of action. Congress is just coming off of a two-week recess. But as we've reported in the past, the current surface transportation bill expires the end of May, but they will have some issues with the Highway Trust Fund, the revenue not keeping up with how much the states' DOTs are allowed to expend on their federal aid projects. But we're hearing that we'll get some news in the next couple weeks from the House side on their proposal for funding transportation. And I wanted to acknowledge the efforts of the RTCs and the electeds that did the Stand Up for Transportation event last week. It was something that was organized by the APTA, which is the American Public Transportation Association. The event was highlighted down in Southern Nevada at the RTC's bus maintenance facility, and up here we did an event collaboratively -- or participated there where the Carson Freeway is going to have a connection with the junction with U.S. 395 and U.S. 50. So thank you all for your participation in that. It got a lot of coverage on social media, as well. A lot of people did little short videos, Standing Up for Transportation.

Next slide. Recently, USDOT announced the availability of \$500 million in TIGER grants for this next round. They're doing a lot of webinars and we will have a representative. Our Washington, D.C. advocates are available to attend the April 16th summit from USDOT. So the USDOT is trying to give a lot of information about how to be competitive in this grant process. There is something unique this year. They have a preapplication, very simple online method for preapplication, and then applications are due June 5th. We're looking at some improvements on I-15 area near Apex. I've been trying to see what we can develop as a proposal that could be competitive for the TIGER grant program. And as always, we coordinate with the RTCs and other public entities as they develop their applications and see where we can partner together, at least support their applications that go to USDOT. Governor, I know that you receive a lot of requests for letters of support, so we anticipate that that'll be the case this year, as well.

Next slide.

Fransway: Governor?

Sandoval: Member Fransway.

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Fransway: Thank you, Governor. While you're on TIGER, I'm just wondering, Mr. Director, is that \$500 million kind of follow suit with the past or is it less or more?

Malfabon: It's about what we saw. I think it was \$600 million last year, so it's a little bit less.

Fransway: A lot less.

Malfabon: And to that point, I think that one of the things that -- at the I-11, which I'll cover a little bit later, the groundbreaking, Senator Reid made a comment about earmarks. And this money that is discretionary to USDOT actually Congress used to see this as their earmark fund. So that's something that we don't anticipate that earmarks will come back, but at least they're having some discussion about this discretionary account. \$500 million, when you spread it across the 50 states and D.C., it's not a lot, comparatively speaking. So that's why it was great that Nevada, the RTC in Washoe County and RTC of Southern Nevada received quite a bit of TIGER grant funding last year for their two projects. So we hope to continue that trend of receiving several millions of dollars from this TIGER grant program. Hopefully NDOT will be successful, but we're pleased if any agency from Nevada receives some of that grant funding.

Next slide. Good news on our bridge condition. The American Road & Transportation Builders Association released a report recently that noted that Nevada was, depending on how you look at it, we're the best in the nation as far as the bridge condition. So out of the 50 states, we were the 50th. When they included D.C. on one of the categories of number of bridges, we were behind D.C., but they're very small. But the point was that we have the least amount of structurally deficient bridges at 1.8 percent. And, in fact, some of the bridges on the list that are coming up -- I know that Virginia Street Bridge over the Truckee River is one of those that's going to be addressed. So we're going to continue this trend of systematically reducing the amount of structurally deficient bridges. We're blessed in that we don't have the problems that some of those states back east have with large river bridges, crossings, and deterioration. We have relatively good weather. So our bridges, though, we're pleased that we're number one in the nation as far as the condition.

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And there is an explanation. Federal Highways has not changed the definition of structurally deficient. But as we've stated in the past, it's safe to drive over these. They might have to be load restricted in some cases, but they're just bridges that need some attention.

Sandoval: Okay. No, and, Rudy, I think this is extraordinary. And I just want you to save this, because isn't there another organization that puts out a report that said our bridges weren't in good condition and that we needed to invest a lot of money?

Malfabon: I think it was the same organization.

Sandoval: Is it?

Malfabon: Well, they do this...

Sandoval: Because didn't we -- I mean, am I...

Malfabon: ...they do this ranking. And I think, Governor, you're thinking of the ASCE Report...

Sandoval: Yeah.

Malfabon: ...American Society of Civil Engineers. So a lot of groups do reports. And even with the ARTBA Report, they highlighted the need to address some of these bridges in Nevada, and they do a state-by-state report. So they obviously want to promote investment in infrastructure as being advocates of road and transportation projects.

Sandoval: No, but it isn't the same organization, is it?

Malfabon: It was ASCE that had the other report.

Sandoval: Yes. Yeah, so I just...

Malfabon: But the ARTBA Report does say how many millions of dollars are needed for bridges in each state, state by state.

Sandoval: So I don't want to beat a dead horse here, but this one reflects a little bit more positively than the other one.

Malfabon: Yes.

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Sandoval: And this one is a little bit more neutral than the other one, based on who sponsors it, correct?

Malfabon: Yes.

Sandoval: I didn't hear you.

Malfabon: Well, they all have a stake in it, but definitely this is good news and it's a great report for Nevada. We're number one in bridge condition. Next slide.

A lot happening in the legislature. Last week was the deadline to get bills out of the Committee. And pleased to report that our two bills passed out of Committee on the Assembly Transportation. One was the bonding that allows us to issue bonds with the proper approvals up to a 30-year term rather than the current 20-year limitation. And as we testified on this one, it's not to say that we're going to issue bonds for 30 years every time. In fact, when you look at the bond issuance in the past, even though we can go up to 20 years, very few of those bond issuances have been up to that maximum term. So it just gives us more flexibility in financing major projects.

Then Assembly Bill 43, the Construction Manager at Risk and design-build procurement process and confidentiality of certain information, that was passed. And then the Senate side, we had two bills. One was the housekeeping bill on what we report to the legislature. It was formally a three-year list and now it's a four-year. And that's in alignment with the federal requirements that were changed several years ago from a three-year to a four-year, but we didn't change the NRS appropriately. Then Senator Manendo gave us one of his placeholders for a BDR, and we are pleased to report that Senate Bill 324 passed out of Committee last week. It gives us enforcement authority on discharges onto or over NDOT right-of-ways. So we can be in the enforcement role for our stormwater program.

Sandoval: Okay. I have a question and then the Controller has a question. On that last one, so we're dealing with the EPA right now obviously...

Malfabon: Yes.

Sandoval: ...and we're the ones that have the issue, so where does the enforcement -- this doesn't give enforcement authority over ourselves, does it?

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- Malfabon: No. Let's say that there's dirty water, polluted water coming off of an adjacent parcel or further up the canyon or something that is discharging onto our NDOT right-of-way, then we have authority to basically do a cease and desist, make someone stop what they're doing and clean it up. And it also gives us the authority to investigate where this polluted water is coming from onto our right-of-way.
- Sandoval: And who previously had that authority?
- Malfabon: That would have been the Division of Environmental Protection. We would've notified them and it would've been a longer process. So this is a more definitive process and we're in control of our own right-of-way.
- Sandoval: Okay. Thank you. Mr. Controller.
- Knecht: Thank you, Governor. Am I on? How's that? Thank you, Governor. Rudy, back to the first item, AB 21, allowing bonds to be paid over 30 years. I think that's a very positive thing, especially in light of the continuation of near-record low interest rates and we should take advantage of that while it lasts. And who knows how long it will last, it may last a while. But do we have a formal or semi-formal process for deciding, with our investment advisors or investment bankers, what duration of bond to go with each time?
- Malfabon: Yes, Mr. Controller. What we do is we get with Bond Counsel, they look at what's our outstanding obligations, what series of bonds are going to be paid off in the years to come, and they give us advice on what term to issue that for so we get the best deal for the state and the taxpayers.
- Knecht: So it's the best deal in the sense of basically optimizing our overall financing portfolio?
- Malfabon: Exactly.
- Knecht: Okay. That's what I wanted to be sure of then. I think that's very important. Thank you, Governor.
- Malfabon: And just very quickly, while they're not on the slide, I wanted to mention a couple of bills. Senate Bill 2 was the speed limit bill that we discussed last month. It was amended to 80 miles per hour instead of the 85 originally, and it was passed out of Committee. There was another bill in the Assembly, AB 345, that would allow people to put up personal securities in

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lieu of bonds. They could actually, under this bill, if it was passed and approved, they could put up their house, say for instance. And that would make it difficult for personal securities for us to be in the middle of how much is that worth, have they put it up for other security for other loans. So it was something that we looked at it, but we were opposed in the end to that type of personal security in lieu of traditional bonds.

Then we also looked at Senate Bill 371, apprenticeships on construction contracts. And we work with the unions and non-unions alike on our construction contracts. And what we do is we provide training hours on construction contracts, and the prime contractor or the subs will hire apprenticeships with the unions. The unions all have different rules on how many journeymen per apprentice. And it was complicated, but this bill was proposing a 15 percent flat rate for apprenticeships on construction contracts of a sizeable nature, and I think it was over \$2 million. And we expressed some concerns. We definitely liked the idea of apprenticeships and it trains the next generation of construction workforce, but we had some concerns with that high-level 15 percent and we checked with another state that had a similar law and they were having some challenges with that. So we testified neutral with some concerns on that one.

And then last week, Assembly Bill 450 was heard in the Assembly Transportation Committee. Had to do with I-11 Toll -- it was a toll project with public-private partnerships mentioned in it. But we didn't see the final markup of that bill, so we'll have to wait and see. Obviously, NDOT in the past has put forward some bill draft requests for tolling authority for managed lanes and for public-private partnerships that would allow us to initiate a P3 rather than start one after receiving an unsolicited proposal. So we'll be watching that bill as it develops and we see more definitive requirements that are stipulated in AB 450. Next slide.

A great event last week with the RTC of Southern Nevada. A lot of folks present. Governor, thank you and the Board members that were present for that event. It was a great day for us down there in Southern Nevada, and I thought it was a nice touch allowing us to sign the box culverts that had the I-11 shield on them. Greg Nadeau from FHWA, the acting administrator of FHWA, was in town, as well as both of our senators and several of our congressmen. And a lot of support for this project and a great turnout, as

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you can see from the photograph there. And, again, it was an important project, and that was highlighted through the presenters' comments. And I wanted to thank the RTC of Southern Nevada for working with us on setting up that event and all the outreach folks that assisted in that, and as well as our contractors. For us it's Fisher Sand & Gravel and for the RTC, Las Vegas Paving, that helped in setting everything up out there and making that a successful event. Next slide. Yes.

Sandoval: Member Fransway.

Fransway: Governor, I was just wondering if you're offering a reward for the return of your speech.

Sandoval: Give a little context. So I had these prepared remarks and it was a little breezy that day and I wasn't prepared as I normally am and had them in a folder. And as we were -- I had to, obviously, put them down while we did the Pledge of Allegiance, and a gust a wind came up and blew them away. And so I said, "I know that my remarks will be brief," because I did not have them. But all's well that ends well.

Malfabon: And I wanted to quell some rumors about a possible issue with Fisher Sand & Gravel. And we looked into this issue, talked to Fisher, our contractor, about what they intended to do. And they actually had some points to make about reducing how much haul goes across, by Fisher, across 95 and by Vegas Paving across the other direction at that interchange with U.S. 95 that's on Phase 2, the RTC's project. So we will work with them, but we looked into this and Fisher is going to produce aggregates and other materials from the Phase 1 excavated material. That's allowed by our specifications. And our specifications are very clear, our plans are clear. If there's a shortfall in building the embankments that's required in the contract, then Fisher has to haul in material to make up the difference.

What they're trying to do is point out that both the NDOT project and the RTC project have a surplus of embankment. That's why we're having them build an embankment on Phase 2, and they're just looking at what's the safest and least impactful to traffic method of hauling in there. They have to meet their obligations by our contract, and I would be the first to fight if they had an issue that was going to result in extra money or a claim. Some of our Board members have asked about this, and they're willing to be

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involved as we work out this issue, and I appreciate their involvement in that. But as I've stated, I believe that Fisher has some good points to make. They'll work closely with the RTC, NDOT, and Las Vegas Paving to find out what's the best way to construct this, but they are obligated by the contract with NDOT to build the embankment that is mentioned near that U.S. 95 Interchange. Next slide.

An update on Project NEON. On March 18th, we had a workshop with minority contractors which we -- if they're in the federal program and certified, they're disadvantaged enterprises or DBEs. 32 vendors were present there, so they got to meet our design-build teams; kind of show themselves off, what they could do for those contractors or engineering companies. Most of the time, the major subs are identified in the team that was prequalified for the three teams on Project NEON, but it's an opportunity for some of the other smaller subcontracts to let them know what's available out there and meet and greet our teams.

We've also been meeting with the design-build teams and we received a lot of alternative technical concepts, ATCs. So a design-builder will have plenty of ideas on how to build this job smarter, more economically, have some innovation, so that's a benefit of design-build. And what we'll do is once we approve an ATC, that idea is available for the teams to use. The property acquisitions are continuing, and you'll see a lot of them on today's Board packet. And proposals are due from the design-builders on July 31st, so we're still on schedule to meet that date. Next slide.

An update on USA Parkway. This is also a design-build procurement. Six teams had submitted for the statement of qualifications, and those are the three in alphabetical order: Ames Construction, DeSilva Gates Construction, Granite Construction, Kiewit, Q&D, and Road and Highway Builders, LLC. Next slide. So the process is to -- go ahead, next slide -- to rank those teams against the criteria, so look at their qualification packet, assess the points on these -- well, criteria on these. So if they met the goals of the project and organization of the proposer team and key personnel, project understanding and experience, past performance, safety. And since this is a state-funded construction project, we look at the bidder's preference per NRS, as well. Four teams out of those six were shortlisted; Ames Construction, Granite Construction, Kiewit, and Q&D.

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And just to mention the process, the selection official -- in this case, I was the selection official. I receive a presentation from the teams that ranked those proposals. And it's in the blind, so I don't know any names of team members. You have Team 1 through 6. And so we see the rankings and it was clearly a delineation on shortlisting for -- by NRS, we can shortlist three to five, and because there was a clear delineation, our recommendation to the selection official was cut it off at four. So that's where we're at now and then we'll issue draft request proposals on May 27th to those four shortlisted. Next.

A lot of major projects bid recently. And Carson Freeway, we opened bids on April 2nd. Road and Highway Builders is the apparent low bidder, \$42.2 million. Six bids were received, so very competitive. And what happens next is we do our review of the bid through the Bid Review Analysis Team, the BRAT team, and then they'll have their recommendation and then we hope that next month you'll be approving the award of this and several other contracts that I'm going to mention.

U.S. 95 Interchange at 215 Beltway, that's the project that we talked about. The two ramps are the first phase of that. Bids were opened last week and Las Vegas Paving Corporation is the apparent low, \$39.2 million. Three bids were received on that contract. Next slide.

This is a project that's being administered by Clark County Public Works, but we have \$35 million of federal funds associated with this. In fact, NDOT has maintenance responsibility of the 215 Beltway from I-15 to the airport connector. So Las Vegas Paving is apparent low bidder, and there were three bids received by Clark County Public Works. The winning bid is about \$52.5 million. Next slide.

No recent settlements to take to the Board of Examiners tomorrow. And I just wanted to mention that we are continuing discussion with Meadow Valley Construction on their claim for Meadowood Interchange on 580. That was completed a few years ago, but we're still working through the issues associated with a construction claim. We are doing an independent review of the facts associated with the drilled shaft construction, because that's a major component of the delay and additional costs that they incurred. We have a difference of opinion on who's at fault for that issue, so that's why we thought an independent review would be helpful for the

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Department. And then also we, in January, did an audit of Meadow Valley's books and got some information from there. So we'll continue those discussions and try to work out the issues. We're not saying that it's going to be easy, but we'll definitely involve the Board, keep you informed of those measures that we're taking to address that construction claim. Next slide.

That concludes the Director's Report. I'm willing to answer any questions.

Sandoval: Any questions from Board members? Thank you, Mr. Director.

Malfabon: Thank you, Governor.

Sandoval: We'll move on to Agenda Item No. 4, which is Public Comment. Is there any member of the public here in Carson City that would like to provide public comment to the Board? Is there anyone present in Las Vegas that would like to provide public comment to the Board?

Martin: None here, sir.

Sandoval: Thank you. Agenda Item 5, March 9, 2015 NDOT Board of Directors Meeting Minutes. Have the members had an opportunity to review the minutes and are there any changes? If there are none, the Chair will accept a motion for approval.

Knecht: Move for approval.

Fransway: So moved. Second.

Sandoval: Controller has moved for approval. Member Fransway has seconded the motion. Any questions or discussion? All in favor say aye.

Group: Aye.

Sandoval: Opposed no? Motion passes. We will move on to Agenda Item No. 6, Approval of Agreements over \$300,000.

Malfabon: And Robert Nellis, our Assistant Director of Administration, will cover these next two items.

Sandoval: Good morning, Mr. Nellis.

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- Nellis: Good morning, Governor and members of the Board. There are three agreements under Attachment A for the Board's consideration. They're found on Pages 3 of 18 in your packet. The first item is in the amount of \$892,373.30 for subsurface utility engineering services on State Route 648 Glendale Avenue from Kietzke Lane to McCarran Boulevard. The second item is for weather forecasting services. Per the agreement language, the amendment can be extended for two additional years with the same terms and conditions at \$103,478 per year. This amendment extends the termination date from 9/30/15 to 9/30/17, and increases authority by \$206,956. Then finally...
- Sandoval: Mr. Nellis, just one question on that, just out of curiosity. So we outsource that and obviously the purpose is to plan so that when we need to lay down material on the roadways during a winter event. But do we consult with the state climatologist? I mean is this something we have to outsource and...
- Malfabon: We do and the reason that we outsource is it's very specific to certain sites. You can have storm events that are limited to a certain area, so this gives us more specific information so that Maintenance can get out there either apply brine ahead of the storm or doing their winter operations during or subsequent to the storm to clear ice and snow. So it's very specific and more detailed information, and that's why we need the service to help Maintenance be more direct in their specific locations.
- Sandoval: Okay. Please proceed.
- Fransway: Governor?
- Sandoval: Oh. Member Fransway, then the Controller, and then the Lieutenant Governor.
- Fransway: On the Item No. 2 and your comments, Governor, and I may have asked this before, because we did this last year. But my question then was do we use NOAA for this particular -- and if we do that's wonderful. If we don't, why not?
- Malfabon: The other weather services, so national weather services, NOAA, they're more general, I think, is the information that we receive from them. So we could rely on them, but it's not going to be as specific for some of the locations that we're trying to conduct winter operations on is what we've

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heard from our Maintenance staff. So they need this service to get more direct information, and it's given to the actual people that run the maintenance crews. So they get on this provider's forecasting service and they can get more specific information for specific locations. And it really does help us to be more efficient and not waste brine, for instance, or salt sand.

Fransway: Okay. So, for instance, it's more specific to the on-the-ground condition than we're talking about the availability to project frost or frost depths or those sorts of things that NOAA and these other just don't have the depth of information that we need?

Malfabon: Yes. I know that our district engineer, Thor Dyson, is coming up to the mic to address that. But one of the things I wanted to mention for pavement temperature is we do have road weather information system devices implanted in the pavement. And a combination of atmospheric weather forecasting and some of these information system devices that we have throughout the state on our highways, that gives us real-time information to act upon. Thor, if you want to add to this.

Dyson: Yes, certainly. Again, Thor Dyson, District 2 Engineer, Governor, Board members. The Telvent weather service that we use is, like Director Malfabon was stating, it actually uses the road weather information sensors in the roadway, so temperature sensors, and they get involved with when the road's going to freeze. And so we're able to accurately time through the weather forecasting service, the sensors in the ground, the algorithm and the computers processing that information and telling our maintenance forces, okay, at 9:48 p.m. tonight it's anticipated that the road's going to freeze. So, therefore, based on all the atmospheric and the pavement sensors at that location, and we have lots of locations throughout the state and we know what to apply, when to apply, how much to apply, and when to reapply.

Member Fransway, we do use NOAA. We work very closely with the National Weather Service. When there is a major event, be it wind, be it snow and ice or rains or flooding, they'll send us e-mails. We do some webinars with them, as well. They're more of a global area. So for me, as District 2 engineer in Reno, we look at problem areas on Mt. Rose, Washoe Valley with wind, down by Shores and Hawthorne. And the National Weather Service will give us a more global or a more macro view of what is

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to come. So we use both tools. One's free, so to speak. I mean, NDOT's not paying NOAA's services, but we use their information. And when there is an emergency about to happen, the EOC, Emergency Operations Center for Washoe County kicks in and NOAA's brought into that, as well, and there's detailed briefings for them. This service really helps us with our specific snow and ice and some construction efforts, as well.

Malfabon: Thank you, Thor.

Fransway: Mr. Dyson, thank you for explaining that to me, and the answer that I was looking for is what you just relayed to me. It's very site-specific and time sensitive to what we need when we have construction issues, and I appreciate that. Thank you.

Dyson: You're welcome.

Malfabon: Mr. Controller.

Knecht: Thank you, Governor. Mr. Dyson, or anyone for that matter, Director Malfabon, my question is in the same line as the Governor's and Member Fransway's. I guess it's the next and maybe ultimate question. I appreciate the need and the explanation you gave on the route-specific nature of this on the need for real-time data and that sort of thing. And that's very valuable. My only question would be would we're renewing this for two more years, which means it's at least a four-year contract and I would assume there is a lot of development going on in this business just the way is the case for all information technology and all sensors and that sort of thing. And are we confident that we won't miss an opportunity for somebody to bid anew on this with new capability and maybe lower costs?

Malfabon: I'll try to take that, Thor. Because Thor is not the contracting authority for this. But one of the things is that we try to be efficient in the contracting process so we don't have the administrative staff put out another RFP when we're satisfied with the quality of service and the price. So it is a great question. We feel that we're getting the quality of service and a good price for that service, so we built into our contract that two-year option. But one thing to point out is that on every contract we can unilaterally stop that service, shut it down, and then reprocur the services if we feel that we're not getting the quality or that we're paying too much if we -- a vendor is

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always able to approach our staff and talk about their services and how they could save the state and taxpayers money.

Knecht: I just want to be clear. This wasn't an implicit criticism of the vendor or any vendor. It was just this is an area of rapid technological development, and so it strikes me as something we want to keep our eye on for new possibilities coming up continuously.

Malfabon: Definitely. My remarks, Mr. Controller, were more general. In every contract that's kind of what we look for.

Sandoval: Mr. Lieutenant Governor.

Hutchison: Thank you, Governor. And all my questions really had been answered, but it prompted one in terms of just historically has weather information processing ever been done in-house or through state agencies rather than outsourced? Was there a reason to outsource it and that one time we did do it in state?

Dyson: You know...

Malfabon: I don't think that we've done it to that extent. Thor, if you could comment.

Dyson: The answer, Member Hutchison -- again, Thor Dyson, District Engineer. The answer is no. Prior to this weather service, we began with these roadway weather information systems back in the early '90s, and at that time we got our weather service from the TV channels, the radio. So this is much more specific. As you know, when it does snow, it hasn't snowed much in the last four years, I know, but...

Sandoval: That was going to be my comment, because they're the vendor and it is what it is. But...

Dyson: But we still have to plan for frost events. There's still plenty of frosting, black ice. A half inch of snow, in many ways, is much more deadly than eight or ten inches of snow. So this really helps us out to tell us, the users and operators of the roadways, what's actually happening on the surface. And what's happening on the surface is dependent on what's happening in the atmosphere, what's the relative humidity, what's the wind, what's the dew point. That kind of thing. So all those things play into how we use this

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weather service with our existing infrastructure for all the sensors on the roadway.

Hutchison: Thank you. Thank you, Governor.

Sandoval: No, and thank you. And in the vendor's defense and in your defense and part of this discussion is you don't just look at the cost benefit analysis of us saving materials; the benefit of saving lives, because as you say, with this type of precision in regards to predicting the conditions of the roads, that's the difference in laying that material down and somebody passing through, that may be the difference of life and death.

Dyson: Agreed, Governor. It's not just savings the lives, which is number one, but it's also the environment. We don't want to put down any more sand and salt than necessary. Without the weather service and without the sensors in the roadway, we will be forced to apply much more material for being conservative and keeping accidents from occurring. This way, we're able to use our equipment less, use our resources better. We're able to stay out of litigation, because when there's accidents and snow and ice on the road then there's opportunities for who's at fault. Is it's the Highway Department's fault? And so we can show, it's documented with our weather service what we did, why we did it, and it makes us a little bit stronger but also much more efficient and less liable.

Sandoval: No, and I appreciate you're saying all that, because for a lay person who looks at this they may not realize everything that goes into this and what the consequences of it are. So we probably spent more time than we should on this item, but I think we've made a good record so that everybody understands why it's so valuable.

Malfabon: Thank you, Governor. Thank you, Thor. Robert.

Nellis: Governor and Board members, moving on to Line Item Number 3, with Diversified Consulting Services. This is for naturally occurring asbestos mitigation, construction engineering, and augmentation services for the Boulder City Bypass. And, Governor, that completes the agreements under Agenda Item No. 6.

Sandoval: And there will be a lot of questions on this one. And just again help me -- and I don't know how long it's been, a year, but we started out a few hundred

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thousand dollars and then it went up to \$600,000 and then it went up again, and now we're jumping up to \$7 million. Is that...

Unidentified: \$8 million.

Sandoval: \$8 million. And why are we responsible for all this and not the contractor? Because, frankly, this is what I was concerned about when we first entered into this was this growing and growing and growing. And now it's...

Kaiser: Actually, this is a construction augmentation agreement, and \$5 million of it is just inspection services, testing services, schedulers; those types of services to help out our construction crew.

Sandoval: But that makes my point, is that's what I thought we had taken care of initially for when we were first surveying all this and this airborne asbestos issue came up.

Kaiser: Okay. Now, from what I understand, and John can probably answer this better than I can, is that was to find the information we needed to put into the contract documents on the engineering side. This agreement is for the operation side for the crew building the project, and what this CDM Smith will be doing, they're a subconsultant to DSC, is they will be monitoring the contractor's operations, they will be making sure that what his NOA program -- his plan is, making sure that it's followed through by the contractor, will be checking the air quality, this subconsultant will be. So this is really the, I guess you could say the quality assurance to make sure that the contractor is abiding by the contract documents, because our staff personnel don't have that expertise.

Sandoval: And I'm not questioning this. This seems like a huge amount of money for that.

Kaiser: It is a huge amount of money.

Sandoval: And I'm curious what is the RTC paying for similar services for its project?

Kaiser: You know, I couldn't answer that. I think they've lumped their costs into the design-build and put that onus onto the contractor. But John can probably answer it better than I can. I'm hoping.

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- Terry: John Terry, Assistant Director for Engineering. The RTC is using the same consultant for this industrial hygienist. They're calling it roll in terms of looking at the air quality monitors and monitoring the dust throughout the entire project. It's hard to compare exactly, because theirs is design-build and ours is design-bid-build, and they put more of the risk of doing that on the contractor. I will say that in addition to this \$3 million that we're doing for our review of what the contractor is doing, there is quite a bit of money in the contractor's bid for the extensive dust control and other measures that they have to do as a part of this that were bid. So I will say there is a shared risk in terms of the NOA out there. This is our role of reading the air quality monitors, assuring that they're following everything that's in the specs, but there is money that is part of the contractor's bid. I cannot give you, right now, I could follow up with an exact comparison between what the RTC is spending and what we're spending. But because of the different contracting methods, they're not apples to apples.
- Sandoval: All right. Member Savage.
- Savage: Thank you, Governor, and John and Reid. So this \$8 million, is this all NOA oversight?
- Kaiser: No, it's only \$3 million of the \$8 is NOA oversight. The \$5 million is for the crew augmentation, and this is a three-year contract. It's 660 working days, so we've got to -- and this crew that we have out there is a 10-person crew. It's a fairly small crew. The contractors, in the first six months, they're going to be out there excavating embankment material, building three bridges, putting in the drainage facilities. So the contractor is jumping into it and going to have a lot of activities going on that do need to be monitored. We're going to need testers. All the material they're going to be using will need to be tested and so forth.
- Savage: Okay. Thank you. And it's just a tough pill to swallow.
- Kaiser: I understand.
- Savage: And like the Governor said, it started out 200, 400, 800. Now it's another \$3 million. We got the green light to proceed, because there was a big curve ball at the beginning when the UNLV had found this asbestos. And we're

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doing the right thing. We're being diligent, following the proper protocol. But the concern is how much more do we have to put towards this line item?

Kaiser: I understand. And, again, this is to keep our workers safe and so forth. And there will be one more agreement coming through. I don't want to add salt into your wound here, but our Materials Division that does a lot of the testing on the materials from the site were not set up to test material with asbestos in it. So even our Materials Division has to write an agreement to hire a materials testing group that is licensed to deal with asbestos-type material. So there is one more agreement that will be coming through here within the next couple months dealing with that. But I understand it's a big pill to swallow, but it's what we need to do.

Savage: So my concern is what accountability -- who did the abatement originally, again? Was it Smith, the subcontractor of DCS?

Kaiser: CDM Smith is who DSC consulted the NOA work to, yes.

Savage: But who did the original oversight abatement review?

Terry: Again, John Terry, Assistant Director for Engineering. We've had a variety of consultants, but the major consultant that we brought before this Board to do our NOA study to get us through the environmental firm was not CDM Smith. It was Tetra Tech overseen by the FHWA's Volpe group. So I would categorize what we're doing now as we hired a consultant to get us through the environmental phase. We made commitments in that environmental update that we did of how we deal with naturally occurring asbestos, and this contract is really the day-to-day assuring that we're following that; that we're reading the air monitors, we're checking the air monitors, we're checking that no dust is leaving the site and that we're training our workers and monitoring our workers while they're out there.

Savage: Thank you, Mr. Terry. And was Smith the subconsultant for RTC? Yes.

Terry: Yes, they were.

Savage: That's where the name is familiar. Okay. Thank you, Mr. Terry. Thank you, Governor.

Sandoval: Mr. Controller.

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- Knecht: Thank you, Governor. And Mr. Terry, two-part question in a way. Is the RTC work and the work that's being done for us, are those scopes at the same sites or different sites? And regardless of the answer to that question, can we be sure that there's no cost shifting going on here given the difference in the contract types that the subcontractor is operating under?
- Terry: Again, John Terry, Assistant Director. Yes, I mean we have an agreement with the RTC. We have a design-build job of theirs. Characterizing the two sites, theirs is a much larger job with even more significant blasting and earthwork than our job, but both jobs have blasting and earthwork, and both jobs build a significant amount of pavement. We have an agreement with them. We have limits between one job and the other. We have an oversight crew on their project. A lot has to be done, but I believe we have protections in place and we are working cooperatively with the RTC.
- Knecht: Thank you, Mr. Terry, and thank you, Governor. I have no reason to cast any aspersions on the subcontractor or the contractor here or even doubt the efficacy of our actions, but it just occurs to me when you've got asymmetric incentives there, one consequence to worry about is cost shifting to where the contractor or subcontractor can recover the cost versus where they can't.
- Sandoval: And I just want to make sure I'm hearing you right. We're not paying our contractor to inspect and monitor the RTC project, correct?
- Terry: That is correct.
- Sandoval: Okay. But I still am really curious, and I know it's not a completely apples to apples comparison between our project and the RTC's project, but ours is a fraction of theirs. And it would be very interesting to me, pardon the pun, if we could drill down and see the comparison between what the RTC is paying for the same services that we are on that project.
- Terry: If it's okay with the Board that we follow up with that information at or before the next Board meeting so we could get it together.
- Sandoval: Yeah. No, I don't expect it right now, but just would be interesting to me. Any other questions with regard to this item? Member Savage.
- Savage: I have a question on Item Number 1, regarding the Glendale project. On the subservice utility engineering, why aren't these utility locations incorporated

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within the as-built drawings of the project or when the work was originally done and completed? It seems to me that should have been a matter of record during the construction.

Terry: Again, John Terry, Assistant Director for Engineering. You would think so, but we have a lot of issues with utilities. As-builts aren't correct. This is a very old road. This is the largest subsurface utility engineering or potholing job that I believe we have ever done. But there are a lot of utilities that are unknown out there and we're putting a lot of holes in the road to determine where they are before we put this important project out. Subservice utility engineering is supposed to go through the old as-built drawings, review those, match them up, pothole in the right places, take that potholing, put it together with the as-built drawings, and give us a map of where those utilities are. And that's what this contract is, but unfortunately, our as-builts are not that good on some of these roads and we find utilities are nowhere near where we thought. And, frankly, utilities are some of the biggest change orders that we pay on our contracts, and we feel this is needed in order to avoid that on this contract.

Savage: So moving forward, I think the Department and the utility contractors have to do a better job on the as-builts, because we could certainly save a lot of money if the as-builts are a matter of record and the utilities are spot on, because just out of curiosity the question begs, what happens when the contractor hits a utility that was marked by this company? Who pays for that?

Terry: That's a complex one. That depends. Not only that and then they're marked by the utility companies, but a lot of our change orders are related to utility conflicts that are discovered in the field. And some of these utilities, we would pay for the relocation and some the utility would pay for the relocation. To answer the first part of your question, moving forward we know require utilities to be surveyed and GPS'd before the hole is filled. And we are getting into our GIS system a map of all the utilities statewide. But these, of course, were done before that process was in place.

Savage: Good. And it just begs the question on the accountability of the subservice utility engineering. I mean, if the contractor hits something, the Department always shouldn't be the one that pays the piper. We should hold the

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engineering people responsible, as well. And that's all I have, Governor. Thank you, Mr. Terry.

Sandoval: Okay. Member Fransway.

Martin: I have a question, sir.

Sandoval: We'll go to Mr. Martin and then Member Fransway.

Martin: Thank you, sir. John, what I see on Item Number 3 is, and correct me if I'm wrong here, please, is that the NOA is only \$3 million of the \$8 million being requested. The other \$4.9 million is to augment your NDOT staff; is that a fair statement?

Terry: Yes, sir, that's correct.

Martin: So really the NOA at \$3 million, not totally unswallowable, but -- if that's a word -- but to have \$4.9 million just to augment our staff seems like a huge number. And how did we come about the fact that the people monitoring the NOA are the same people that's going to augment our staff?

Terry: I'm going to turn it over to Reid for the first part of that. But on the second part, we did make a conscious decision, because we were going to have an augmentation crew out there, that these services seemed to fit within that procurement. So we made the decision to put the NOA people under the larger construction augmentation contract. And, frankly, we debated that decision. Because there are things like setting up an office, having a staff out there, et cetera, that we thought it'd fit with a construction augmentation. And if that answers that part of it, I'll turn it over to Reid to answer the magnitude of the augmentation.

Kaiser: Okay. Reid Kaiser, Assistant Director of Operations. As I mentioned earlier, Member Martin, this construction crew is a fairly small crew. So the augmentation is supplying the crew with two senior inspectors, or Tech IVs as we call them, two material testers, a person to help in the office with the paperwork, a part-time scheduler with a project that's three years long. We typically do not have the expertise to handle a schedule and deal with potential problems that might come up dealing with schedules, so we like to hire part-time schedulers should we need that service. Also, this construction augmentation was financed to pay the contractor if he were to

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work six days a week, so we did put 20 percent of that cost as overtime. If we don't use it then that won't be an expense we pay. So that's kind of the nuts and bolts of the agreement.

Martin: Okay. In the breakdown I see Kleinfelder. And in my world, Kleinfelder is a geotechnical firm, but I believe you said that there's another contract coming up for materials testing. Is that anticipated to be Kleinfelder, as well?

Kaiser: I'm not sure. The Kleinfelder, from what I see in the agreement, is that they supply the geologist under CDM Smith and we need a geologist on the project essentially to map where this material is going to go. So once the contractor is done we'll be able to have a good idea where the asbestos material might be once the project is over. So mainly what that Kleinfelder is there to do is to supply us with a geologist.

Martin: Okay. Thanks. Reid. This last -- this next piece, because on this thing we're beginning to find out we can never say last. The next piece when it comes to materials testing, do you have an anticipation, is that another \$8 million that we're going to have to cough up or is it \$1.5?

Kaiser: I don't have an idea. My guess would be \$1 or \$2 million, but that's a shot in the dark.

Martin: Understood. We call those swags.

Kaiser: Okay.

Martin: But just one more question on this thing. The decision to wrap up the \$8 million in the staff augmentation -- I guess it's a statement rather than a question. It would have been nice to know that as we were awarding it that we were looking for another \$8 million (inaudible) the shot rather than coming in and surprising me -- or surprising us I should say.

Kaiser: Understood.

Martin: That's why I was looking for a warning on what the next shot's going to be.

Sandoval: No, and we've got to know. I mean that's...

Kaiser: Yes.

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- Sandoval: ...I mean I -- sorry to interrupt, Member Martin, but this completely blindsided me, because I thought we were done when we awarded this contract. And as I said, this isn't a small amount of money.
- Kaiser: Understood.
- Sandoval: And just one other follow up, if I may, Mr. Martin. Are the augmented staff going to be from Southern Nevada?
- Kaiser: DCS -- I couldn't really answer that. I know that some of the staff that works for DCS is from Southern Nevada. I know one of the individuals is from Northern Nevada, but when it comes to the actual crew that will be augmenting, I couldn't answer that. Jeff Freeman, who help put together the agreement, who's our assistant construction engineer might give you a better answer.
- Freeman: For the record, Jeff Freeman, Assistant Construction Engineer. Thank you, Governor. Thank you, Board members. I believe the staff that DCS is hiring, they have been hiring a lot of local staff down in the Las Vegas area, so I believe they are staffing, as well as the other members. The only ones that will be coming from outside the Vegas area is some of the asbestos people on the other side, just because we don't have that expertise in Nevada. So all for the construction augmentation, geologist, and even some, like I said, some of these asbestos people are coming from the Las Vegas area.
- Sandoval: Member Martin, did you have any other questions?
- Martin: No, sir. Thank you.
- Sandoval: Member Fransway.
- Fransway: Thank you, Governor. I hate to belabor this, but back to line item number 1. As a person who retired after 30 years of the utility business, it has always been my knowledge that it was the utilities responsibility to locate and to mark the location of their plant. I called USA Dig, it's a free service and granted, if there is a conflict and NDOT needs to have a relocation, it is their responsibility to engineer the relocation, but it's our responsibility to pay for it. So I don't know whether we've got the responsibility of who's responsible for what dialed in here the way it should be.

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Terry: Again, John Terry, Assistant Director. I'll address a couple of things in there. Who's responsible for the relocation cost depends on who has prior rights. This is an old road. We probably have prior rights on a majority on them. That would mean the utility would have to pay for the relocation if our project truly caused a relocation to occur. Perhaps the relocations in this case of the project is simply raising or adjusting the valves. But this is a total reconstruction. In other words, we're not redoing the pavement. We're tearing it all out to, I don't know, 12 or more inches deep and replacing it all. As to USA Dig; yes, you call them, they'll go out there and put an orange mark on the pavement and tell you where the utility is. We're actually doing potholes and physically going down and finding the actual depth and location of the utility in many locations. That is beyond the level of what they will do if you just were to call USA Dig. We need to know the actual location to an accuracy better than what you would get out of that.

Fransway: Things must have changed, because in the past if we had to pothole to locate a cable, it was our responsibility. We hired, we meaning the utility, hired a backhoe to go out there and pothole it with a standby person to figure out just exactly how deep it was, where it was. And things must've changed somehow. This is costing us \$900,000.

Kaiser: Reid Kaiser, Assistant Director of Operations. On an actual construction project, if there's a utility in the plans, contractors still go out there and they locate them. So if their utilities are located on the plans, it is up to the contractor to protect those utilities. So I think that point is still the same. So I hope that answers that part of your question.

Fransway: Well, I guess it does, but vaguely. If the contractor's responsible, why are we being billed for it?

Kaiser: I can tell you that back in the '90s, when we were doing a lot of the roadwork, utilities were a major problem for us. We were up at -- if we wouldn't have had this same type of service on Kingsbury Grade, I believe we would have found a lot more utilities and had a lot more problems with the contractor up there than if we would not have done this. And any time you delay a contractor or when they hit a utility, there's cost. It's been a real problem for us in the past, and I believe this is just one tool that the Department uses in the engineering design services to try and get by some of those problems that we've had in the past.

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- Terry: All I can say is this is how we do business. I cannot imagine us having a utility go out and dig up our road in these hundreds of locations to find those utilities. We go out there and pothole -- we're talking about holes in the middle of our road to find the utilities for our project. I don't know of a scenario where we would force the utilities to do that.
- Fransway: Well, I can tell you that I've spent a lot of time with a digging bar locating stuff that maybe I wasn't supposed to. Thank you.
- Sandoval: Controller.
- Knecht: Thank you, Governor. And just to follow up on that. Are the utilities' as-builts worth anything in this regard?
- Terry: Again, John Terry, Assistant Director. Some are, some aren't, but these are very old ones. In our experience, the really old ones are pretty unreliable.
- Knecht: Thank you.
- Sandoval: Any other questions with regard to Agenda Item No. 6?
- Kaiser: I've got one comment. I did misspeak on one item. Member Martin has asked what the Kleinfelder person was for, and I said they were a geologist. They're actually a dust control monitor. So details, but it is the dust control monitor.
- Sandoval: If there are no further questions, the Chair will accept a motion to approve the agreements over \$300,000 as described in Agenda Item No. 6.
- Martin: So moved, sir.
- Sandoval: Mr. Martin has moved for approval. Is there a second.
- Savage: I'll second.
- Sandoval: Second by Member Savage. Any questions or discussion on the motion? All in favor say aye.
- Group: Aye.
- Sandoval: Opposed no? Motion passes. I'd like to welcome Member Skancke. Good morning, sir. Let's move on to Agenda Item No. 7.

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Nellis: Thank you, Governor. Again for the record, Robert Nellis, Assistant Director for Administration. There are three attachments under Agenda Item No. 7 for the Board's information. And beginning with Attachment A, there are five awarded contracts. The first project is located on U.S. 50 in Dayton from .13 miles west of Pine Cone Road to .17 miles east of Retail road in Lyon County to revise striping, construct raised median islands and decel lanes at various locations. There were five bids and the Director awarded the contract to Sierra Nevada Construction, Incorporated, in the amount of \$266,007.

The second project is located on Interstate 80, half mile west of the Wadsworth Interchange in Washoe County for paving and installing a weigh-in-motion automated data collection system. There were three bids and the Director awarded the contract to Titan Electric Contracting, Incorporated, in the amount of \$338,585. And the third project is located on U.S. 50, .8 miles west of U.S. 50A in Churchill County to install automated vehicle counter detector loops and a pull box. There were two bids and the Director awarded the contract to Titan Electrical Contracting, Incorporated, in the amount of \$19,520. And I can pause there, Governor, if there's question on these first three items.

Sandoval: Mr. Controller.

Knecht: Thank you, Governor. Just one. On the second item, we've got a 20-some percent overrun of the lowest estimate versus the engineer's estimate. Any word of explanation on that?

Nellis: We'll have Assistant Director John Terry address that question. Thank you.

Terry: Again, John Terry, Assistant Director. Not really. It's pretty small work in a relatively rural area. Our engineers do their best, but at least, like is say numerous times, the bids compared to each other are pretty close and we're constantly trying to update our bids to be closer to the real bids. But I don't have a real explanation of why our engineer's estimate was so low.

Sandoval: Please proceed, Mr. Nellis.

Nellis: Thank you, Governor. Moving on to the fourth project located at U.S. 6 and U.S. 95, 2.2 miles east of Miller's rest stop in Esmeralda County to install automated vehicle counter detector loops, a pull box and a special M-1

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cabinet. There were two bids and the Director awarded the contract to Titan Electrical Contracting, Incorporated, in the amount of \$28,062. And finally, the fifth one is for the NDOT headquarters building in Carson City to install second and third floor fire sprinklers, upgrade some ceilings, lighting, and the HVAC system and create an exit passageway. There were three bids total, two were responsive, one was nonresponsive, and the Director awarded the contract to Building Solutions, Incorporated, in the amount of \$532,258. And that concludes the items under Attachment B. Does the Board have any questions on those last two items?

Sandoval: Just one, Mr. Nellis. What was the genesis of having to refurbish this building? Did we have an inspection and were found lacking in terms of those issues?

Nellis: Anita Bush will address those questions, Governor.

Bush: Anita Bush, Chief Maintenance and Asset Management Engineer. And we do a building assessment every six years, but the fire sprinklers refurbish -- it's not really a refurbishment. We do not have fire sprinklers in the second and most of the third floor. I mean you can see them over here. We are not going to redo them, but in the rooms that we don't have them, we are going to install them.

Sandoval: I'm just curious, when we put these in we didn't do the whole floor?

Bush: I think we just built this room to be a conference room, and we just do these as we can. And maybe just we didn't have the money at the time. I'm not sure. I don't remember. I wasn't here when we did this room, but that's why we do them.

Sandoval: Thank you. Member Fransway.

Fransway: Thank you, Governor. On that same item, do you know whether that is a wet system or a dry system and is it plugged in so that the fire department can charge the system or do you...

Bush: It's going to be a wet system and, yes, it's going to be -- all of our fire alarm is linked into the fire department. So when it goes off, it automatically comes out -- the fire department comes out.

Fransway: Okay. Thanks.

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Bush: Thanks.

Sandoval: Thank you.

Nellis: Governor, members of the Board, moving on to Executed Agreements under Attachment B that can be found on Pages 11 through 17, and these are for the Board's information. Items 1 through 7 are interlocal agreements; 8 through 20 are acquisitions for Project NEON; 21 through 29 are facility agreements and grants; 30 through 50 are leases and right-of-way access agreements, and finally 51 through 65 are service provider agreements. And I just have a couple notes for correction for the Board's information. Items 2 and 3, within the note section on the first line it says, "TAPS grant." That should actually read "IAP Grant" for Implementation Assistance Program. And these are federal competitive grants that the universities apply for and not part of NDOT's regular research program. And we're just essentially the pass-through entity on these, so...

Sandoval: Okay. Good save.

Nellis: So hopefully there's no questions on those, Governor.

Sandoval: I'll let you get through there, but...

Nellis: Okay.

Sandoval: ...even though it's a pass-through, I still wonder because several months ago we had an Agenda Item continuing some University of Nevada, Reno grants extending more time to get them done. And then maybe it was last month they were awarded more grants, and now here's another grant. And so is there a capacity issue with regard to the university, at least UNR, because we see quite a few going to UNR, and I'd imagine it's probably the same professor who's getting all these grants.

Malfabon: Governor, I can speak to that. For this IAP grant, I'm familiar with it because I'm actually the chair of the committee that selected it. And I didn't -- because I'm the chairman, that's not why they selected Nevada. But I know specifically...

Sandoval: You can admit it, Rudy. It's all right.

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- Malfabon: No, we have to recuse ourselves on those votes. But this professor at UNR is working specifically on pedestrian safety. I know that a lot of the other research projects by UNR are associated with structures or bridge division. They have that shaker table for earthquake testing there. They have different groups over there that work with asphalt material, so it's not always the same professor or doctor over there that does the research. But I know specifically on this one it's the first time that I've seen this researcher doing some specific pedestrian safety research.
- Nellis: Thank you, Governor. Again for the record, Robert Nellis. Items 26, I believe it is, 26 and 27, just a few notes on those. These are FTA funds with a local match. And, again, NDOT is a pass-through entity on those. NDOT administers the program and applies on behalf of local entities and nonprofits because -- basically for the ones that are nonprofits or local entities that are too small and don't have the resources to manage the federal funds themselves. But just so you know, NDOT does charge time that's spent on these grants. So those are all the notes I have on these agreements, Governor. Is there any more questions?
- Sandoval: Yes, and I have a few and then we'll go to the members. But on 15, that's a Project NEON acquisition. Will we be reimbursed for that through federal money of is that eligible for reimbursement?
- Nellis: Assistant Director John Terry will answer that.
- Terry: Assistant Director John Terry again. With very few exceptions, all NEON right-of-way is eligible for federal reimbursement and, of course, it's somewhat complicated that we're bonding for the right-of-way to be eligible later for federal reimbursement. But, yes, it is eligible for 95-5.
- Sandoval: All right. Thank you. Then I'll move to 21, which is with Nevada Power Company. And this is our radio system that we're going to be replacing, I understand, and is obsolete. So just a little bit more clarity on what the purpose of this is.
- Nellis: I believe we can have either Denise Inda or Reid Kaiser answer that.
- Malfabon: If Denise could come up. Denise.

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Ina: Good morning. Denise Ina, Chief Traffic Operations Engineer. This agreement is to allow NDOT equipment and system components to be collocated at NV Energy mountaintop sites. And so what it is, is we pay a little bit of a rent and infrastructure maintenance fees to them. This agreement happens to be for four sites in Southern Nevada, but we have well over a hundred of these agreements with a variety of different places. Some might be a rancher where we have some equipment at the edge of their pasture. Others are in other places. So what this is, is this allows our infrastructure to be in place to allow the system to function. What we're doing is amending this agreement to reflect current conditions. There's actually four sites that we need to acknowledge and pay for. We've been paying for them, but it wasn't appropriately documented in the agreement, so we're amending to add those in. And it's also just fine-tuning some of the actual details of how we pay for it and what we do for it. We're trying to get back up to speed.

We're amending this for four years, and what will happen as we move into our new radio system over time is we will assess -- for all of these existing sites where we have leases and agreements with folks, we'll figure out do we still need to have equipment there; will there be others who will be sharing in the cost of that. This isn't for purchasing any equipment. It's for paying to have our equipment sit at the right spot so that the system functions.

Sandoval: No, and I understand you. I would imagine we're paying our proportionate rent given that we co-own the system with...

Ina: Correct. Correct. Cost sharing.

Sandoval: Mm-hmm. All right. And just while we're on it, and this isn't a question. But I'd like to see an Agenda item in the near future about where we are with putting together the RFP on this given the amount of money that's involved. And I believe we talked about looking at Southern Nevada and Metro and the system that they have and whether we can use that one.

Ina: Absolutely. The Department shared with the Board members just last week the final report from our initial review of -- that came out with recommendations on moving forward with replacement of the system, so each of you have that. Reid is coordinating with the director and the other front office staff. We're going to be doing some outreach with individuals

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who have questions, as well as bringing a more formal presentation to the Board in the near future. And we'll be looking to Rudy and the others in the Director's Office to determine the right timing for that. But we will absolutely be bringing more information to you guys in the fairly near future.

Malfabon: And, Governor, to add. The report was sent out electronically, so if there's any members that would like a hard copy of that report, we can definitely give them a hard copy. Just let Holly know or let me know and we'll get it to them.

Sandoval: Yeah. It hasn't hit my desk yet, and that's why I obviously asked the question. But I'm sure it's within the office somewhere, so I can take a look at it.

Malfabon: Yes, it was just last Thursday that we sent out that e-mail.

Sandoval: But I just want to make sure that we have information rather than suddenly an Agenda item landing that says this is what we're doing.

Malfabon: Yes.

Sandoval: All right. Then let's move to 51. And this is a little bit of a follow up, because I thought this is one of those projects where we think we're done and...

Terry: John Terry, Assistant Director for Engineering. And, no, we're nowhere near done. This is the engineering agreement. I believe we presented to the Board, because this is a CMAR project, of how we're proceeding with the CMAR. We presented that we've had some issues with this project. We've also presented to the LVCVA. This agreement is to update the engineering agreement. It was put in here versus put in the section of agreements over because by the note in there that's being paid for with other money. But essentially, this is a major amendment to that agreement. Maybe I could hit on some of the big parts that are a major amendment.

Originally, we hired this consultant to do design before it was a CMAR and before we got the input from the casinos, from the county and from others for what we were doing, before it was relatively straightforward; replace the escalators. As I have mentioned to the Board before, as to the LVCVA, we

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got a lot of input from the resorts that they very much want us to upgrade this to a level similar to the other pedestrian crossings further north across Las Vegas Boulevard. And a lot of this extra money for the -- and we had the design nearly 90 percent and we had to somewhat start over. The biggest element is instead of having the metal fencing that, frankly, people are throwing stuff through and has other esthetic issues, we are putting up the Plexiglas with the LCD railings that are similar to the ones that over Flamingo and others.

That in itself was a lot more design for the consultants, as well as we were convinced that we had to have these consultants take a serious look at what this does to the structural capacity of the bridge because of the added load and wind load that we added to the bridge, which was not done before. In addition to that, since it is now a CMAR, we are proceeding ahead. We included in the consultant amendment assistance with construction services all the way through the end of construction, which was not originally part of their scope. So I hope maybe I answered your questions in terms of why it's such a big amount.

Sandoval: No, you did. That's what I want to know. Thank you. So I'm finished. I'll move to Member Savage, and why don't you stay there while we're on this one so that we can stay consistent.

Savage: Thank you, Governor. And just a couple more questions on 51. And refresh my memory on where we stand with the CMAR. I know we had awarded the preconstruction services. Have we awarded the construction aspect of this project?

Terry: Again, John Terry, Assistant Director. No, and the next phase would be the guaranteed maximum price. And currently we are talking about separating out the guaranteed maximum price of doing the early escalator ordering and then later the final construction phases. So, no, the CMAR contractor is still in the preconstruction phases until we get what will probably be more than one GMP towards the construction. And that's what we're working towards, but we have to get the design to a level that we have essentially biddable documents in order to do that.

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- Savage: So that leads into the question -- thank you, Mr. Terry. It leads into the question regarding the construction estimate, because our design tripled. So where does the construction estimate stand in relation to the design?
- Terry: I will have a better answer for you soon, once we get this design consultant back up and running. But as I have told the Board and I believe I told the LVCVA, we are talking about a project that is in excess of the \$19.6 million that is left from the LVCVA and we will have to put a few million dollars of state funding into it. And the first order of business when we get this consultant back on board is to get better updated estimates so I can answer your question better, but it probably will be a few million dollars in excess of the \$19.6 million.
- Savage: So the current estimate is around \$20 (million)?
- Terry: Yes. The current estimate is more than \$20 (million) and we're trying to refine it right now.
- Savage: Okay. I'd appreciate that. Thank you, Mr. Terry. And, Governor, one other question on line item number 5.
- Sandoval: Before you go there, because I want to -- I have a follow-up question -- excuse me, Member Savage, on the pedestrian crossover. But anyway, so is all this new addition because we're putting Plexiglas instead of fence?
- Terry: A good portion of it is Plexiglas upgraded esthetics to the bridges. I know I'm missing something. But that is a good part of it, is what we're doing on the upper part to upgrade the looks and the -- of the structures is a big part of the upgrade. The escalators and the elevators are pretty similar to what they were before.
- Sandoval: And what's the genesis of that change? Was that something that we proposed or somebody else?
- Terry: The resorts very much wanted it and the county very much wanted it. And, frankly, as we looked into it, we somewhat agreed with them that the current fence situation was not a good situation. There's issues with people throwing things through it. There's gum and other debris all over the railing. It's much harder to maintain in its current state. So I'd say it was a joint

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thing, but it was pressure from both the county and the resorts to upgrade to that level.

Sandoval: And there is still no certainty as to whether the county will take over the maintenance of this once this is completed?

Terry: While I would say there's no absolute certainty in terms of a signed agreement, we're very close to having that agreement with the county, and this is a big part of that.

Sandoval: Are we going to have that agreement concluded before we start construction?

Terry: At one time I had said we wouldn't go and spend the money towards the construction until we had that signed agreement. We'll have to get to that point. I still hope that we'll have a signed agreement before we expend the money to do this upgrade, but it could be close. We're kind of now in sort of this race with the arena to try and get the early phases done before the arena opens up, so I don't want that agreement to slow down doing these, but that's a decision we've got to make.

Sandoval: We should talk some more, because as I said, we were talking about this issue 11 years ago. And I don't want to -- the state is putting in millions, and we need to do it right. I don't disagree with that. But then we're going to be in with those maintenance contracts that are incredibly expensive, because we may still not have that maintenance agreement. So I don't want to get bread-crumbed into continuing this huge expense after we've made this tremendous investment into getting this done.

Terry: If I could, I just happened to remember the other issue that added to the cost and the complexity of this. And that is the requirement based upon the code that the escalators actually have to be covered. In other words, there has to be a cover over the escalators, which there currently isn't. That's the other part that adds quite a bit to the cost and the complexity.

Sandoval: No, and as I said, I'm not going to quibble with those issues. We have to do what we have to do and it should look right, and we don't want gum and all of that that you've described. But I really would like some closure on this maintenance piece.

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- Terry: Understood.
- Sandoval: Yeah.
- Savage: Thank you, Governor. And the last item would be Agenda Item No. -- I mean line item number 5. It looks like that research is going to be completed at the end of this month, so if I could kindly request a copy of the final study in mid-May, I'd appreciate that very much.
- Malfabon: Governor, in response. We are preparing a presentation once we get those for a final report on that Phase 1 study.
- Savage: Oh, you are? Okay. Thank you very much.
- Sandoval: Okay. Other questions? Member Fransway, and then the Lieutenant Governor.
- Fransway: Thank you, Governor. In comparison to some of the other remarks, this maybe trivial but to me it's not. 2 and 3, both research issues. The question is being that it appears to be a statewide study, one, why are we using both universities to do the same thing? And two, why is it so much more expensive for UNR to do their thing?
- Malfabon: I can respond to that, Governor. It's the same grant; it's the same research project. It's just that they're -- we receive the money directly from Federal Highway Administration under the SHRP 2 research program. And then the researchers are in two different entities, UNLV and UNR. So that's why there's two separate agreements, but it's for the same project. And hopefully that answers the question.
- Fransway: It answers part of it, but it doesn't answer the discrepancy of charges from each entity. \$87,000 versus \$18,700.
- Malfabon: In response, they're doing different elements of the research. The bulk of it is by the UNR researcher, but it's done in a partnership achieving the same goal. And hopefully it will go on to receive a Phase 2 grant. So each grant recipient had about \$100,000. They split it up because they approached this project jointly, so they're doing their parts, the bulk of it to UNR and some of it to UNLV.

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Fransway: Okay. And I hope that our agenda on this is to provide the research based on what we can do provide safety to our pedestrians. And I hope that we're not just distributing the money to -- for the sake of distribution from one university to the next. We need to see results.

Malfabon: And definitely that's -- in response, there were 10 recipients. Nevada was -- NDOT was one of them. But the program uses a unique type of database, video that was in vehicles, instrumentation in the vehicles. So you can actually see what the driver's reaction was to pedestrians. So they have to collect all this data, do their research and then come up with some recommendations that are specific to pedestrian safety and improving pedestrian safety. So it was a unique program. A lot of data to filter through. And this is, as I said, the first phase, the \$100,000 phase to get a proof of concept and then there'd be a subsequent phase to do more research with a limited number of those 10 that were shortlisted. Some of those will go on to a Phase 2 study, but this is specific to pedestrian safety and hopefully we'll have some initial recommendations to improve pedestrian safety.

Fransway: Okay. And it's the same project manager for both universities?

Malfabon: Yes. Manju Kumar is the NDOT project manager...

Fransway: Okay.

Malfabon: ...not the university project manager.

Fransway: Okay. Okay.

Sandoval: And I think, Rudy, just as a follow up is -- what I'm hearing from Tom and what I'm thinking, as well, is I want results that don't tell us something that we don't already know, like install flashers, lower the speed limit. I mean I would like to see some specificity given the conversation that we had the last couple months with regard to pedestrian safety throughout the state. So we...

Malfabon: Yes. This definitely is unique, Governor and Board members, in that you actually see the video of the driver's behavior in the car, whereas in other cases you can only do an accident investigation afterwards. So you can see near misses, you can see video of hard braking events where a pedestrian

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comes out of the side and you can see it from the camera angles that are instrumented in these vehicles. Volunteers authorize this instrumentation in their vehicles, and there's thousands of drivers that were in this program.

Sandoval: But like I said, I anticipate it's going to tell us don't text and drive. Well, we know that. Slow down. We know that. Don't talk on your phone while you drive. We know that. So, again, just something with a little more specificity with regard to strategies on intersections in our state.

Malfabon: Point taken, Governor.

Hutchison: Thank you, Governor. I just have one question so I can try to understand how to read these interlocal agreements. When it says "receivable amount," I assume that means that's coming back to NDOT from one of these other governmental agencies. Is that right?

Malfabon: Yes.

Hutchison: Is that -- okay. So when we see that on Item 1 and 5 and 6, we're doing some work for another agency and then we're getting reimbursed?

Malfabon: That's right.

Hutchison: Thank you very much. Thank you, Governor.

Sandoval: Any other questions from Board members? Mr. Nellis.

Nellis: Thank you, Governor. Moving on to Attachment C, we have one settlement and that can be found on Page 19 of 26. This settlement provides for \$2,403,292.57 to be paid to WestCare Works, Incorporated, for the acquisition of .92 acres of commercial property located on Martin Luther King Boulevard in Las Vegas for Project NEON. And, Governor, that concludes all of the items under Agenda Item No. 7. Does the Board have any questions for Mr. Gallagher on this settlement?

Sandoval: Any questions from Board members on the settlement? Okay. Mr. Lieutenant Governor.

Hutchison: Thank you, Governor. Mr. Gallagher, do you recall what the demand was prior to the settlement? What the plan is for demand?

Gallagher: Forgive me for a moment, Lieutenant Governor. I think it's in the...

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- Hutchison: No, no, please. I don't expect you to have that memorized.
- Gallagher: ...back of the memo. Lieutenant Governor, I believe at one time the claim was for \$5.6 million.
- Hutchison: Okay. Thank you.
- Sandoval: And just for the record, to make sure I've got it right. On that memo, Page 4 it says \$9 million was the demand.
- Gallagher: That's correct. That includes, I believe, the relocation expenses, Governor. And so my prior answer was for the real property acquisition.
- Sandoval: All right. Thank you. Board members, any other questions with regard to Agenda Item No. 7? If there are none, we will move to Agenda Item No. 8, Condemnation Resolution No. 447.
- Malfabon: Thank you, Governor. This condemnation action is associated with Project NEON, and it's for several parcels associated with the same owner. So we have 1901 Loch Lomond Way Trust. The owner in each of these parcels was requesting or demanding the same amount, \$7 million per acre. So we had a very strict process on how we appraise the value of the property. We think it's a fair process following the Uniform Relocation Act, the federal law on this. And the offers that we provided are indicated there for each of the parcels, \$230,000 on one versus their demand for \$1.295 million. The offer of \$205,000 and they demanded \$1.281 million. Again, based on the \$7 million per acre. And the last one, Loch Lomond Way Trust, the state's offer was substantially less than what they demanded at that \$7 million per acre, \$1.281 million that they demanded. So since we were at an impasse, we're requesting a condemnation resolution be supported by and approved by the Board so that the court will decide what's a fair value for the property. We just think that they're being unreasonable by taking that \$7 million per acre figure.
- Sandoval: No, I have no questions about this one. No, we have to be firm, particularly when the sums...
- Malfabon: Yes.
- Sandoval: ...requested are just patently (inaudible).

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Fransway: Governor, I have a motion if you'd like.

Sandoval: Yes, please proceed.

Fransway: I move for...

Sandoval: Just one moment, Member Fransway.

Fransway: Oh, I'm sorry.

Sandoval: The Lieutenant Governor has a comment.

Hutchison: Just a comment and just an inquiry. Is this unusual for this kind of a situation to arise, where you've got a 2,200 square-foot house backing up to the back of a highway or a freeway, and they're asking for a million dollars an acre or a million dollars (inaudible)?

Malfabon: I would say it's unusual.

Hutchison: \$7 million dollars an acre. I mean, tell me that's unusual.

Malfabon: It's unusual. It's unreasonable and that's why we're at this point of an impasse.

Hutchison: And they didn't back off that one bit?

Malfabon: No.

Hutchison: \$7 million an acre. That's our final offer. I've got a house on a freeway, 2,200 square feet. We want \$7 million an acre. Yeah, okay.

Malfabon: That's the situation.

Hutchison: Thank you.

Martin: I have one question, sir.

Sandoval: Member Martin.

Martin: Rudy, when I take a look at your aerial photographs and I see there is a large number of other parcels on Loch Lomond Way that I'm assuming we're going to have to acquire as well, have we started that acquisition process on any of those other parcels and have we gotten any of them purchased and closed?

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- Malfabon: I'll ask our Chief Right-of-Way Agent, Paul Saucedo to respond to that, Member Martin.
- Saucedo: Yes, for the record, Paul Saucedo, Chief Right-of-Way Agent, Governor, members of the Board. Member Martin, yes, we have acquired several of those parcels. I don't have the exact number in my head right now, but we've been very active out there. But I believe most of the single families have been -- we've been able to close and reach agreement.
- Sandoval: At what amount?
- Saucedo: Well, it varies. It varies. And we're trying to be consistent.
- Sandoval: It's not a million dollars, is it?
- Saucedo: No, no. It's nowhere near this amount. That's one of the reasons why it's here. It's just they're basing it off of the commercial value. And so whether that's a legitimate value or not, even for commercial property in that...
- Sandoval: But you don't have any number in your head in terms of a range that we've already paid?
- Saucedo: Well, nowhere near this amount, but typically anywhere from 10 to 20 percent depending on what they have, what they're conditions are. Each one is an individual property. They may have different amenities, different size. It just depends on the property. We try to be -- you look at each property independently, have the appraiser value it and then we negotiate with the owner and try to reach a settlement and avoid having to go to condemnation if we can justify that extra cost.
- Sandoval: Member Martin, did that satisfy your question?
- Martin: Yes, sir. I just wanted to make sure these weren't the first three that we were trying to acquire on Loch Lomond.
- Saucedo: Yeah. No. No, sir. We've been very active out there.
- Martin: Okay. Thank you.
- Sandoval: Okay. Controller has a question.

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- Knecht: Thank you, Governor. Help me out just a little bit with the process here. If we pass this item for condemnation, what is the process thereafter? What are we committing to in the way of process and what are the cost contingencies associated with that?
- Saucedo: Yeah. Dennis, I don't know if you want to...
- Gallagher: Good morning. For the record, Dennis Gallagher, Counsel to the Board. Assuming the Board passes the condemnation resolution, we'll prepare a complaint to be filed in district court. Typically, at least recently, every condemnation resolution passed by the Board is usually with the opportunity for continued negotiations. Sometimes, rarely, but sometimes the landowner does not wish to negotiate any further. But in most cases, they're agreeable to it. As we go through the process with the judicial system, we will continue to negotiate with the landowner and hopefully reach a resolution before we have to take it to trial. These matters do get a preference, Mr. Controller, in that a trial setting within two years of the action being filed.
- Knecht: And just to follow up, obviously, if the continued negotiations are productive, there would be a settlement coming back to us for action at that time. If not, is there further action by this Board that is required before we actually go to court?
- Gallagher: If the settlement is reached before the litigation is filed, it's done administratively and would be reported to this Board. If it is after litigation has been filed, it would go to the Board of Examiners for its consideration. Assuming the Board of Examiners approved it, it would be provided to this Board as an informational item.
- Knecht: Thank you. And thank you, Governor.
- Sandoval: Follow up by the Lieutenant Governor.
- Hutchison: Thank you. Mr. Gallagher, do you anticipate that this case would be handled by the AG's Office or would you anticipate that would be a contracted engagement with outside counsel?

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- Gallagher: Lieutenant Governor, for the record, Dennis Gallagher. I would anticipate the single-family residences would definitely be handled internally by the AG's Office.
- Hutchison: Thank you.
- Martin: One more question, sir.
- Sandoval: Please proceed, Mr. Martin.
- Martin: I found on January 12, 2015 Agenda where we acquired three parcels that have similar parcel numbers to these three. They range from \$195,000 to \$250,000 each.
- Sandoval: You're really good, Mr. Martin. All right. Member Fransway, do you still have a motion?
- Fransway: Reluctantly, yes, I do. Obviously, we still are finding what it's like to spell PISTOL, but obviously also the property owner is pretty proud of his property and we feel that he's inflated it, but we have to go and take our case in court or hopefully out of court. So I would move for approval of Condemnation Resolution 447.
- Knecht: Second.
- Sandoval: Member Fransway has moved for approval of Condemnation Resolution No. 447 as described in Agenda Item No. 8. Controller has seconded the motion. Any questions or discussion? All in favor say aye.
- Group: Aye.
- Sandoval: Opposed no? Motion passes unanimously. We'll move on to Agenda Item No. 9, Resolution of Relinquishment.
- Malfabon: Thank you, Governor and Board members. And just to mention that you will see more condemnation resolutions coming before you for consideration in the months to come associated with Project NEON. Moving on to Item No. 9, this is for disposal of a portion of NDOT right-of-way along State Route 604, which is Las Vegas Boulevard at Lamont Street. NDOT relinquished this road to Clark County previously. There's a portion of the NDOT right-of-way, it's an actual easement along

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State Route 604, Las Vegas Boulevard at Lamont in the City of Las Vegas. It's unimproved, about 924 square feet. We had the easement interest granted to us back in 1943. It's of no further contemplated use by the Department. The county passed a resolution back on February 7th of '95 to take this section of the roadway. And the transfer will benefit the Department by elimination of all liability and future maintenance responsibilities. There's no money -- since it's an easement, we don't own it outright, so we're just disposing of this portion of the right-of-way.

Sandoval: I have no questions. Is there a motion for approval?

Hutchison: So moved.

Sandoval: Lieutenant Governor has moved to approve the resolution of relinquishment as described in Agenda Item No. 9. Is there a second?

Savage: Second.

Sandoval: Second by Member Savage. Any questions or discussion? All in favor say aye.

Group: Aye.

Sandoval: Opposed no? Motion passes unanimously. We'll move on to Agenda Item No. 10, another resolution of relinquishment. Mr. Director.

Malfabon: Thank you, Governor. This is for disposal of a portion of Wells Avenue, a strip of land over and across the Truckee River. We've discussed this previously, and the right-of-way parcel is to be relinquished to the Nevada Department of Conservation and Natural Resources. We do have the resolution from the Department of Conservation and Natural Resources included in this packet. As I've mentioned, we've presented it a few times before. It didn't have all the documentation satisfactory to the Board, so hopefully there's -- if there's any questions that Paul Saucedo can respond to those.

Sandoval: And I'll leave it to Member Fransway. I know this has been of interest to him.

Fransway: It has, Governor. And all along, my concern was -- and I believe the Board recognized that -- my concern was that we were relinquishing this easement

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to an entity that does not have any ability to maintain a road. And it needed to be abundantly clear that no structure is involved and that it does not include any hard surface or roadway. That has been accomplished now, and I very much appreciate it. I'm not going to apologize, but I do appreciate, Paul, what you've done in following up on it. And this needs to be done and when the time comes I'll be happy to make the motion to approve.

- Sandoval: Thank you. Any further comments or questions?
- Skanccke: Governor?
- Sandoval: Any further comments or questions?
- Skanccke: Governor, this is Tom Skanccke.
- Sandoval: Yes, please proceed.
- Skanccke: Thank you, Governor. I'd like to hold this item for another month. I'm afraid I'm going to have separation anxiety if we don't have this at the May agenda. So with all due respect to the motion bearer, I'd like to make a motion we hold it.
- Sandoval: I'm not going to accept that motion.
- Skanccke: That was a joke, Tom. Governor, I make a motion for approval, in all seriousness.
- Sandoval: No, and I'm going to defer. I'll allow you to make the second. I was going to defer to Member Fransway. He wanted to make the motion.
- Skanccke: Absolutely. I'm sorry.
- Fransway: So moved.
- Sandoval: All right. So Member Fransway...
- Skanccke: I'll second.
- Sandoval: ...has moved to approve the resolution of relinquishment as described in Agenda Item No. 10. Member Skanccke has seconded the motion. Any questions or discussion? All in favor please say aye.
- Group: Aye.

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- Sandoval: Opposed no? Motion passes unanimously. And, again, thank you to staff for taking care of all the concerns in getting this done.
- Malfabon: Thank you, Governor.
- Sandoval: Let's move to Agenda Item 11, Direct Sale.
- Malfabon: Item No. 11 is for disposal of a parcel. It's a portion of a parcel there adjacent to Clear Acre Lane in the City of Reno, Washoe County. We originally obtained this parcel in fee on September 17, 2008, from the RTC of Washoe County. It was used by maintenance for material storage. And since then on May 23, 2013, Truckee Meadows Water Authority contacted the Department to request the sale of this surplus property. They want to use the property for, I believe it's installing some improvements on it. So we appraised the value of the property, fair market value. \$42,745 was determined last November. And we received the signed direct sale intent to purchase document in February, so it's before the Board now for disposal of this property at that price.
- Sandoval: And, Rudy, who owns that entire parcel?
- Malfabon: Do you know, Paul?
- Saucedo: I believe it's the Department. Paul Saucedo for the record, Chief Right-of-Way Agent. The Department of Transportation actually owns the entire parcel.
- Sandoval: So why would we just sell this one tiny piece so then we're going to have a different owner for that one parcel?
- Saucedo: Well, I think, Governor, it went through the Surplus Property Committee and they felt working with District that this would not be a problem for the continued use of the property. This is going to be a pump station, and so it's going to serve the community. So it was decided that we could go ahead and relinquish this piece or sell this piece and still maintain our operations.
- Sandoval: Okay. Mr. Controller.
- Knecht: Thank you, Governor. Mr. Saucedo, are we asking anywhere close to \$7 million an acre for this?

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- Saucedo: No, sir.
- Knecht: Any idea what it comes out to on a per acre basis?
- Saucedo: We do have an appraisal. I don't -- you know what; I can get that for you. I don't have it.
- Knecht: Okay.
- Saucedo: Sorry.
- Knecht: Well, that said, Governor, when you're ready I'll offer a motion on this one to approve.
- Sandoval: Tom was not using the same counsel as those folks down south, correct?
- Saucedo: Correct.
- Sandoval: All right. Mr. Controller, please proceed.
- Knecht: Governor, I move that the Board approve the sale as presented in Item 11.
- Sandoval: Controller has moved for approval of the direct sale as described in Agenda Item No. 11. Is there a second?
- Hutchison: Second.
- Sandoval: Second by the Lieutenant Governor. Any questions or discussion on the motion?
- Savage: Excuse me, Governor, I do have one late question. This pump station, does it have to do with any water rights that we have on this parcel?
- Saucedo: Again, Paul Saucedo, Chief Right-of-Way Agent. No, sir. No water rights. They already have the water rights that they need. It does not include any water rights from the Department.
- Savage: Okay. Thank you. Thank you, Governor.
- Sandoval: It's just property. I think -- so they're not pumping -- are they pumping underground water from that parcel?
- Saucedo: We'd have to get back to you. I don't know. If they are pumping water, they would have the water rights to do that.

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- Malfabon: So apparently we did not have the water rights on the property.
- Saucedo: We did not include water rights in the sale. They were not included.
- Sandoval: So are they pumping our water, I guess is the question.
- Saucedo: Oh, whether we -- well...
- Sandoval: Because that would change the value a little bit of this transaction.
- Saucedo: Sure. In order for them to pump the water, they would have to have the rights to do so. And we'd have to get back to you on whether there's actually a well there or this is just a station that's actually charging a booster station or something. I don't have the details. It's just a pump station? It's not a well. I misspoke.
- Sandoval: So it's just passing water through is all?
- Saucedo: Right. Sorry.
- Sandoval: No, that was a great question from Member Savage. So we do have a motion and a second. Any further questions? All in favor say aye.
- Group: Aye.
- Sandoval: Opposed no? Motion passes unanimously. We'll move to Agenda Item No. 12, Condemnation Resolution No. 437.
- Malfabon: Thank you, Governor. And to point out that we did revise the memo to be a little bit more precise in the correct description of what we're asking the Board to consider today. This is a proposed rescission of a condemnation resolution that was previously approved by the Board. So Condemnation Resolution No. 437 is being rescinded. And the reasons are noted for the property. It says "Darrell E. Jackson, Thomas M. Strawn Jr., and Andrew S. Levy." We determined that we need more property here, so we have to start the process over, reappraise this larger parcel that we need and then give the offer to the property owner for consideration. So it just restarts the process. As always in these cases, we strive to get a resolution and agreement with the property owner, but if we can't then we would bring it back to the Board for a new condemnation resolution associated with this parcel. Any questions on that specific one before I go to the next one?

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Sandoval: Member Fransway.

Fransway: Yeah, am I hearing this right then, Mr. Director, we are going to make a motion to rescind something?

Malfabon: Yes.

Fransway: Okay. As part of that, we probably should know when we took the action in the first place. Do you know that?

Malfabon: It says that it was previously approved by the Board on November 6, 2012. And it was, as I stated, Condemnation Resolution No. 437.

Fransway: To the counsel, can we rescind action taken that long ago?

Gallagher: For the record, Dennis Gallagher, Counsel to the Board. Yes, Board Member Fransway.

Fransway: Okay.

Gallagher: We've not taken any other steps, other than the Board's resolution of condemnation.

Fransway: Okay. And was the condemnation resolution numbered the same?

Malfabon: Yes.

Fransway: Okay.

Malfabon: It's provided in your packet.

Fransway: Okay.

Malfabon: So the packet materials are the same, it's just that we revised the memo to say that it was a rescission, not the original resolution.

Fransway: Would you like a motion to rescind?

Sandoval: Yeah, just one last question. Was there not any court action between 2012 and now with regard to these parcels?

Gallagher: On both of them, Governor, or just this one?

Sandoval: Just this one.

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- Gallagher: On this one, I don't believe there was any further action taken.
- Malfabon: And may I proceed?
- Sandoval: Yes.
- Malfabon: Okay. The second one is related to LaPour Grand Central, LLC. Originally, we thought that we required acquisition of temporary construction easements associated with access to this parcel. In reviewing this, we determined that the temporary easements were access to the parcel. After further consideration it was determined that access to the property could be provided by obtaining an agreement for construction outside right-of-way, and the acquisition of the two temporary easements is not required. If approved, we'll reach out to the property owner and work with them to ensure access is provided during construction and after the project is constructed for Project NEON. So in summary, we didn't actually need to condemn for these temporary construction easements. We feel that we can accomplish it through other means that don't require a condemnation action.
- Sandoval: Any questions from Board members with regard to Agenda Item No. 12? If there are none, the Chair will accept a motion.
- Fransway: Mr. Chairman, I would move for us to rescind action taken on November 6th of 2012 relative to Condemnation Resolution 437.
- Sandoval: You've heard the motion. Is there a second?
- Savage: Second.
- Sandoval: Second by Member Savage. Any questions or discussion on the motion? All in favor say aye.
- Group: Aye.
- Sandoval: Opposed no? Motion passes unanimously. And, Mr. Gallagher, just for clarity, that also satisfies any action that we needed to take on that second parcel?
- Gallagher: Yes, Governor. In case it wasn't as clear as it could have been, both of those parcels were condemned in the same resolution.
- Sandoval: All right. Thank you. Let's move on to Agenda Item No. 13.

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- Malfabon: Thank you, Governor. This is a resolution that gives the Director, on behalf of the Governor and the Board, the authorization to work with the FTA grants directly. So it's really housekeeping. Without this updated resolution, we wouldn't be allowed to apply for our Federal Transit Administration grants, which our regular process is just, as I said, a housekeeping item that we're bringing formally to the Board for approval authorizing the Director to act on that behalf.
- Sandoval: Okay. I see no questions from Board members. The Chair will accept a motion to approve the authorizing resolution with the FTA as described in Agenda Item 13.
- Skanche: So moved.
- Sandoval: Member Skanche has moved for approval. Is there a second?
- Fransway: Second.
- Sandoval: Second by Member Fransway. Any questions or discussion? All in favor say aye.
- Group: Aye.
- Sandoval: Opposed no? Motion passes unanimously. We'll move on to Agenda Item 14, Equipment in Excess of \$50,000.
- Malfabon: Thank you, Governor. This is equipment that's in excess of \$50,000 has to come before the Board for approval. This is using Congestion Mitigation and Air Quality, or federal funds called CMAQ, and it's in Washoe County. So it's to acquire five PM10, which is related to the fineness of the particulates that we're trying to address with these sweepers. These are high cost sweepers, but they're federally funded in order because of Washoe County being nonattainment for air quality. So it's funded and we're just requesting Board approval. Anita Bush is here to answer any questions, if you have any questions about the purchase.
- Sandoval: Didn't we just buy some sweepers within the last year or two?
- Malfabon: Yes, we did. And one of the things with sweepers, we're seeing that they need constant maintenance and replacement. They tend to last about five years because of all the moving parts in these vacuum sweepers. I don't

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know if you want to add anything to that, Anita, but it is something that we are constantly upgrading. And because we had so many years where we didn't buy sweepers, now we're asking for Board approval of purchase of those sweepers. And this, as I stated, is a federal air quality program that's funding these sweepers specifically.

Bush: Yes, we purchased two sweepers in 2010, and then we purchased five sweepers in 2013. And these are PM10 compliance sweepers, which is -- it's the air quality standards of 10 micrometer or less. And we don't have too many of those. Actually, we have 55 total sweepers and -- I don't have the totals out of the top of my head. But anyways, we don't have enough PM10 compliance sweepers, so...

Sandoval: No, and I just want...

Bush: ...that's my opinion.

Sandoval: ...clarity that we're essentially strengthening the inventory.

Bush: Yes. Yes, that's what we are doing.

Sandoval: Any other questions from Board members on Agenda Item 14? Mr. Controller.

Knecht: Thank you, Governor. How many such sweepers with PM10 capability do we have in inventory now?

Bush: Let me see.

Malfabon: I think that we'll have to get back to you, Mr. Controller.

Bush: I mean, I have a table here. I just have to add up the numbers really quick or I can just share the table with you afterwards.

Malfabon: It's just that I don't know. Anita, does the table to indicate which ones are PM10 compliant?

Bush: Yes. So we have 9 here, 14, 15, 25, but we are going to have to dispose 5 of those, so it's 20, and 27 total.

Knecht: So we've got 27 in inventory.

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Malfabon: Statewide.

Bush: Statewide.

Knecht: Pardon?

Bush: Statewide.

Knecht: Statewide.

Bush: Yes.

Knecht: Will we be retiring any or we're just adding the five?

Malfabon: This is not to retire. This is to...

Bush: Yeah, this is just add.

Malfabon: ...get a better quality sweeper that's going to improve air quality in Washoe County. As we stated previously, Clark County and Washoe County are the two nonattainment areas that have air quality issues, so you'll usually see these sweepers in those areas.

Knecht: Thank you.

Sandoval: Member Savage.

Savage: Thank you, Governor. Anita, I want to compliment you on your cost-benefit analysis in the package.

Bush: Thank you.

Savage: You made an analysis of the purchasing by the Department versus the leasing option versus the subcontracting.

Bush: Yes.

Savage: So it's well justified. I appreciate it very much.

Bush: Yes.

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

Bush: Thank you.

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- Sandoval: Any other questions from Board members? Chair will accept a motion to approve the purchase of these sweepers as described in Agenda Item 14.
- Savage: Move to approve.
- Sandoval: Member Savage has moved to approve.
- Fransway: Second.
- Sandoval: Member Fransway has seconded the motion. Any questions or discussion? All in favor say aye.
- Group: Aye.
- Sandoval: Okay. Motion passed unanimously. Thank you very much.
- Bush: Thank you.
- Sandoval: We swept that Agenda item away. We'll move on to Agenda Item 15. So a Report on Decision Lens.
- Malfabon: Thank you, Governor. Last month, there was a question about a contract that was for informational purposes. This month, we're providing a lot more detail to this contract. And the idea is that the Department wants to -- in advance of some of these upcoming federal requirements to have an asset-based -- I mean, pardon me, risk-based asset management plan, the Department wants to be a little bit proactive, put in some software tools in place that will help us to achieve that, and also have a better decision-making process that's more transparent. As stated in the backup, and you'll see in this presentation, there's a lot of different programs. I know that most people would say, well, don't you use engineering judgment to make these determinations about what to fund and what not to fund, what gets priority? And it gets a lot more complicated as these federal rules are going to be enacted. Right now they're in the rulemaking process. The final rules will come out eventually and they'll be required by all state DOTs to follow these federal requirements. But it's a good program and a good process to use, is to look at risk and to look at other factors in determining what our work program is going to be.

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We've asked our project manager, Ed Miranda, along with Jonathan Allen from Decision Lens, to present this. And feel free to ask questions as they give a quick overview of this software tool.

Miranda:

All right. Good morning, Governor and Board members. I'm here to debrief you on the NDOT five-year capital plan and to put in context the Decision Lens contract in support of this program. Let me introduce you to Michelle Maggiore and Jonathan Allen. Michelle is the vice president of the Transportation and Strategic Industries of Decision Lens. And prior to joining Decision Lens, she was the director of CH2M Hill highway and bridge performance and asset management practice for North America, and also the program director for policy and planning at AASHTO. Michelle is a professional civil engineer with nearly 20 years experience in transportation and planning.

Jonathan is the vice president of professional services for Decision Lens, and oversees the implementation of clients such as state, local, and federal government. He has overseen the activities at NDOT for the last year. Jonathan and I were able to work a lot in some implementations from Project NEON, and that's how we got to know this software a little bit more. And prior to joining Decision Lens, Jonathan was a strategy consultant at Deloitte. Both of them will be sharing some facts later on, on the presentation. I just want to make sure that I introduce you to them.

Let's explore the NDOT five-year capital plan vision a little bit to understand and to put into context the Decision Lens contract. What we're doing right now is the idea is to build from the current five-year plan. We want to provide the tools and expertise at the division level. We want to perform a prioritization at three levels, at the division at the portfolio, what we call the cross-functional team, and at the corporate level. In addition, we want to quantify risks into the prioritization process and then provide the analytical tools and experience at the portfolio and the corporate level or the cross-functional team level.

Now, this contract is for services. We already have the tool. We already have the software in and we are expanding. I still have the license for another year from the previous contract that I was working that I mentioned early on. So we asked them to help us now that we have the tool and we still have another year of that tool to help us with some of the services that

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we needed to produce this type of vision within the NDOT organization. Now, the idea is to allow decision makers to use judgment coupled with the quantification of that by layering in the cost, the risks, the finding of strategy, the project sequences, performance measure and to put all of this together as an entire portfolio level with ability to do trade-off analysis.

Now, the idea of this vision is how to put it together is that at the division level they will prioritize projects in going to a cross-functional team. This cross-functional team will look at a portfolio level, and you can see some of the questions on the right-hand side that they will be addressing. They would recommend to corporate where analytics will be performed and priorities and strategy will be communicating back to this cross-functional team, and that cross-functional team will help us to align the resources for the implantation plan at the division level so that we can get these projects out.

The idea of this bottom-up and top-down approach was to answer questions like which projects would benefit for the Board's priorities or how do we best allocate funding across programs; what is the best sequencing of projects; how do we address equity concerns between urban versus rural; which project provides the greater value return on investment and what resources are needed.

Now that I put into context what we're trying to do as a program as a vision for this five-year capital plan, I would like to turn the presentation over to Decision Lens and have them explain a little bit the role into this vision. And also we have a live demonstration of the software. I know that some of you were interested. And I want to address one item, is that this is a decision support tool. This doesn't make the decisions for anybody. It provides enough data visually organized, allows you to do a lot of what-if analysis so that the decision makers can make better decisions. All right. With that being said, I'll turn it over to Michelle, and then we'll hear from Jonathan.

Maggiore: Thank you. Good morning. Michelle Maggiore, Vice President, Transportation and Strategic Industries at Decision Lens. Okay, great. Thanks. Decision Lens is a company that provides analytics and collaboration in the transportation planning and programming process. We've helped the federal government, commercial customers, transportation

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organizations prioritize more than \$500 billion of investments. We empower organizations to optimize their available resources and prioritize projects while comparing the relative benefits. So for example, for transportation agencies, comparing the benefits of perhaps highway preservation to highway expansion opportunities.

We are currently supporting more than 20 different transportation organizations and transit agencies in performance-based planning, resource allocation, and structured decision making. And just to give you a few examples, we are currently working with the Utah Department of Transportation on project level prioritization for their three-year capital plan, helping them look at the relative trade-offs among safety preservation and expansion priorities. For the Texas Department of Transportation, we're currently working with them to implement their long-range transportation plan. The work in Texas focuses more at the resource allocation level, so understanding how to best spend and in what categories to achieve systemwide performance transportation goals.

For the Pennsylvania Department of Transportation, we're working more closely with them on MPO coordination and collaboration. So providing a way for MPOs to submit and collect projects and understand the importance of those project and their impacts in achieving goals and performance measures for the transportation system. So we not only have the depth of experience, but the breadth of expertise to deliver performance-based transportation decision making for NDOT.

The power of the Decision Lens methodology and tool is that it will support NDOT in meeting performance goals for the transportation system while rolling those goals and priorities up from really the division level. We are working currently with NDOT on performance management and project selection both within and across program areas. We're starting right now at the division level with those project selection criteria, and we're going to show you a demonstration of how this will work.

The Decision Lens model will allow for ongoing analysis and reporting for the portfolio of five-year plan projects. The outcome of our work is a prioritized project list, but this prioritized list can be reprioritized as priorities change, project selection criteria change, and funding levels change. NDOT will then have the ability to quickly analyze what project or

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projects to select next as budgets change. And this will include evaluating changes in performance outcomes as projects are reprioritized, which is critical to meeting federal transportation goals. Will also allow the Department to make better strategic funding decisions.

Allen: Thank you, Michelle. Good morning. Jonathan Allen, Vice President, Professional Services at Decision Lens. Governor, members of the Board, it's good to be with you. Just to build off of what Michelle and Ed have shared, in just a minute here I'd like to demonstrate various benefits of these efforts. And, again, the idea is to provide insight to make better decisions and to create a process that's transparent in the capital planning process. And it also enables better collaboration across the different stakeholders across the different divisions. And that's what we're going after here as a team.

If we could, Jeff, we'd like to just briefly show you a live demonstration of some aspects of this. And, of course, for the sake of time, we won't get into too much detail, but we thought that this may be useful and as it was requested last meeting. So if we could show the demonstration. This example is not representative of data within Nevada Department of Transportation. This is a sample model that has a different set of data. Of course, we're working now with the divisions on that aspect. But let me orient you to this aspect of it. You can see on the left-hand side a set of criteria that are reflective of the MAP-21 priorities. And you can see that there are weights associated with those criteria. You can also see on the right-hand side a set of projects representative of the capital plan that would have those projects, and you can see by the color codes how well each project does in conjunction with these different criteria. And so this is representative of a set of priorities that we can have once we bring the criteria and refine those and then get the right data, both in terms of human judgment, as well as the quantitative data metrics that we need to bring these together.

Let me just show you, at this point, some of the benefits of what we can provide. If you look down the list of the criteria at the freight and economic vitality, that criterion, we talked earlier today in the Director's Report about the I-11 visit that you all made. And what this could allow you to do is to say, well, let's look at the projects just from the perspective of the freight

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and economic vitality, those ones that would significantly enhance that aspect or that criterion. As we pull that out, we can see those projects that are of highest priority with respect to that particular criterion. You can also see in the middle the delta between where those projects were ranked previously and how those rankings have changed with respect to this one particular criterion. Again, neither of these scenarios is designed to provide a prescribed decision about what you're doing. It's to give decision makers insight about some of these projects that you may want to flag as being of high priority because of certain criteria that we're looking at.

Another example, and we don't need to do into too much detail on this, but another example is with respect to the bridge condition. I'd like to congratulate the Governor and the Board on the number one ranking on the bridge.

Sandoval: Has the press release gone out on that?

Malfabon: Yes, it did.

Sandoval: It did?

Malfabon: Yes.

Sandoval: Okay. That's a yes? All right.

Malfabon: Yes.

Allen: And of the source I was looking at, it was definitely number one. Again, what you could do is have an important discussion about do we continue to keep bridge condition as the weight or the impact that it has or increase it or decrease it and focus on other key factors or criteria that are important in that nature. And so we can, while holding equal safety, for example, or even increasing safety as an important measure, we can then also decrease the impact of the bridge condition just to get better insight as to how that would change what the priorities of the projects are. And there's an example of that. Again, all of this is designed to create scenarios to be able to use and analyze and compare against other scenarios that are being done.

The Director and others have talked about the fiscal uncertainty associated with the future and in departments of transportation. I'd like to walk through a couple of those scenarios very briefly as to how this would be done. What

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we've shown so far -- that's right, Jeff. Thank you. That reminds me, I do want to show that as we drill down into this, we can focus in on a subset of those projects within certain areas, whether it's safety or pedestrian safety or other areas that we need to focus on, bridge projects. And so that ability to filter -- yeah, if you could show the bridge. We're just filtering down to bridge and now we've narrowed down our focus into specifically what those projects are and what the priorities of that are.

Sandoval: And if I may, how do you set the base on those percentages? Because you could skew where projects rank by changing those percentages.

Allen: Yes. Governor, the base is set with a process, an exercise that we go through with key stakeholders to look at those criteria in comparison with each other and determine which are more important based on those stakeholder inputs. In fact, we would like to have a future opportunity with this Board to go through that process and receive input from the Board about the relative priorities of these criteria. That is something that we have and will do with the Director's Office and other key stakeholders in the organization to determine what the relative important of these criteria are.

Just moving on, imagine a scenario, and I'm going to go into now this phase of the idea of the scenario comparison. So the goal of this united effort with the Department and Decision Lens is to create a set of key scenarios that then this Board and the Director's Office can really analyze. Again, you have a set of funds that are available, and those are federal and state in nature. And, Jeff, if you could go to the visualize that shows this particular screen. What we're showing here is if you had federal cuts related to the fiscal cliff, associated with that, which projects would then be taken off -- below the cut line, so to speak, off of that funded list as compared to the current funding scenario. And you can show that. Jeff, if you could go to another scenario which would show, very quickly, if you had additional funding, so that top scenario. And suppose you had -- because of other reasons you had additional funding that was made available. The question is how do we spend that last dollar? What do we do and how do we allocate our funds in a way that would be meaningful? And you can see that certain projects that were on the not-funded list now would move over onto that funded list as a way of analysis for looking at.

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I just want to show one other scenario, and that is with respect to this trade-off analysis. We know that there are certain projects that whether because of engineering studies or human judgment or neither or both, it's important that we fund those projects. It may be related to the safety of individual lives. And what this allows us to do is to force fund specific projects and see what the impact of funding that project is and how that impacts the rest of the portfolio. We can also drill down into very specific two or three projects and look at the value of those projects and the benefit that those provide.

This diagram called a radar or spider diagram maybe you've seen in analyses is showing us three of the criteria and two projects and how they score on those. So let me orient you to this. You can see that this Interstate 80 bridge project that if you look at the freight and economic vitality, this project is vastly superior in nature to the project that it's being compared, because of the area under that particular point. However, if you look at State Road 50A installation you can see that from a safety perspective the State Road 50A will improve the safety overall, that safety measure. And you can see on the environmental sustainability that they're relatively equal.

So what this is allowing us to do is to drill down and, no pun intended by the way, and look at these projects and say which one is more important for us to really focus on, so that the decision makes can be able to look at this analysis and make those kinds of decisions. There are other aspects of this that we would like to share with the Board at some future time, but I think this is sufficient to share with you the purpose and a demonstration of what we're trying to accomplish.

Sandoval: Does that complete your presentation?

Allen: I'm sorry?

Sandoval: Does that complete your presentation?

Allen: Yes, it does. Thank you, Governor.

Sandoval: So just out of curiosity, so you were here the entire meeting. So the Director went through his report and we talked about the fact that we're starting I-11. We're working on Project NEON. We're going to start USA Parkway. We're going to finish the Carson City Bypass. We're going to build the U.S.

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95 Interchange at 215. We're going to build a connector from the 215 to the airport. I'm just curious about how, given your criteria, how all these projects match up against one another. Could that be done?

Miranda: Yeah, Governor, that is actually the purpose of doing this, is looking at it at a portfolio level. So at this point, remember they are just starting at the division level, then we need to create that portfolio criteria. And, of course, every single project that we have in a five-year plan it will be evaluated. If there are projects already that are under construction, of course, they are not part of the five-year plan. This is projects that we are planning to...

Sandoval: No, I get that this is anticipatory analysis, but I would just be curious to see how we've done.

Malfabon: Oh, I see. So looking backwards at how well we've ranked. And I think that that's a good point, Governor. And one of the things that we want to emphasize is that this is a tool that's going to provide that form of engagement from the Board on the selection of what we call our corporate level. So definitely the Board gives that direction to the Department. Annually, you approve the STIP document, the Statewide Transportation Improvement Program. So we want to have more involvement from the Board and a lot more to discuss with the Board on what those criteria are. We could definitely look backwards and see would we have had the same kind of work program. I think we definitely want to look forward and say as we have a certain amount of funding available, what's the right mix of projects to support and get the Board's approval.

Sandoval: No, and this isn't my way of saying gotcha compared to what we've done, but I've sat here now a little over four years and we've made a lot of decisions with road projects. And it'd be real interesting to me if our matrix of what we've decided, and it would help me be a better decision maker going forward. I don't know if that's part of the contract and I don't want to (inaudible) here, but...

Malfabon: We saw it as doing a workshop with the Board so that we talk about those criteria and then start talking about a specific slate of projects that the Department could deliver.

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Sandoval: No, and I watched the presentation, I think the USA Parkway, if I remember, had a 9 point something to 1 return which was one of the top, if not the top return on a project that we've ever had and others have lower.

Malfabon: It was. Right.

Sandoval: And it just would help me, again, kind of put in my mind how we're doing as we approve these projects. And I don't know if this captures because there's always this issue between what we're building in the north and what we're building in the south, and the amount of money that we've invested in rural Nevada, given that there's so much interstate. So I'm not sure you can measure that. But I'm curious.

Malfabon: You can, Governor. And that's the point that they were making, was benefit cost is a factor that can go into this list of factors for capacity or kind of enhancement of the existing system; those types of projects. But the projects that would be preservation-type projects, what type of ranking do we have to put towards that to take care of what we have, the assets that we do have. So that's the whole goal of this program, is to have those criteria identified, be a lot more transparent about how we select the projects and that we are considering all those factors when we give the slate of projects to the Board for approval, and you're involved in that process throughout.

Sandoval: Then my last question is how do we measure that these are dollars well spent for this contract?

Allen: Governor, members of the Board, Jonathan Allen, Vice President, Professional Services. Of course, that's a great question. With this specific work that we're doing, what we're doing is we're laying a foundation where across the various divisions we're being able to pull together the criteria. I'm just realizing, are you asking about specific to projects or are you asking about specific to this (inaudible)?

Sandoval: Well, just overall. I don't remember how much the contract is for.

Malfabon: I think it was just slightly less than \$300,000. \$290 something thousand.

Sandoval: Yeah. So a year from now we can say, wow, this was money well spent.

Allen: Yes, yes. Okay. I wanted to make sure I was on the right track. So let me offer a couple of thoughts on that. As we implement this across the various

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divisions, what we're really trying to get at is there's a lot of cost associated with doing a bad project, to the organization and to the state generally. In fact, it can go even further than that and we've talked about saving lives today. And if there's a way that we can decrease the risk associated with those projects and increase our confidence associated with those, the projects that should be spent, then we believe it is well worth the cost associated with getting a transparent justifiable system in place with the right services in place to do that.

Sandoval: No, and that's exactly where I'd like to see us go, because on the other hand we can say wow, that was a great project. So the elephant in the room is I-580. There was a lot of money spent on that and there was a lot of criticism with regard to that. And it's built and it's done. But in the future, if there's a project of that magnitude, we can hopefully use the information that comes from you to say this is what justifies the construction of that project and why.

Allen: Yes, sir. That's correct.

Sandoval: Other comments from Board members? Mr. Lieutenant Governor.

Hutchison: Thank you very much, Governor. Thank you again for the presentation. I just wanted to follow up on a couple of notes I had made, and I don't know who, Jonathan or Ed, either one of you. When did we get Decision Lens? When did we purchase that? When was that? And I guess what was the initial cost, initially, and when did we get that?

Miranda: The initial cost for Decision Lens was about \$158,000 for the software, and we got it somewhere in the middle of January of 2014.

Hutchison: 2014. And so obviously we didn't use Decision Lens before last year then, right?

Miranda: Yes, we did...

Hutchison: Okay.

Miranda: ...but we did for another application. Now, you need to have Decision Lens separated into two major categories. One is what we call the tool...

Hutchison: Yeah.

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Miranda: ...and one is the expertise to allow us to use this tool customized to NDOT needs, so to the state of Nevada needs. And so because we have the tool for another application...

Hutchison: Right.

Miranda: ...for another project, we looked at that tool and we said you know what, this vision can (inaudible). We have been working on this vision for about a couple of years prior to that. And so we got the tool and we said, okay, now that we have the tool, and we still have the tool until the end of this year, we said you know what, let's get the professional services in...

Hutchison: Right.

Miranda: ...let's maximize our resources and go through. Now, this tool is not a normal software that you usually buy like Microsoft Office, right, and you have it and it's yours. This is more like having the rights to use it during...

Hutchison: It's a licensing agreement.

Miranda: It's a...

Hutchison: It's a licensing agreement. Right. So the state license the software for use through the end of the year or whatever, for the next year or so.

Miranda: Correct. Correct.

Hutchison: And then what this contract is for is \$300,000 for professional services, essentially, to help us...

Miranda: For the five-year plan.

Hutchison: Right. To help NDOT run the software that we've already got a license for, right? That's what the idea is. We've got a license for the software, now we got professionals who can come in and say let us help you run it. Is there a scenario under which NDOT itself can just simply use the licensed software without having to hire and spend \$300,000 on professionals to come in and help us do that?

Miranda: I love the question, yes, that's division. Division right now, we have set it up and it's going to have to be set it up in different phases. But right now, at the three level -- if we can go back to the presentation. At the three level,

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we are leaving this license to each single one of these divisions. And we are training them. So if they don't want to use it -- they want to use it for more than the five-year plan they could.

- Hutchison: Who's we? Who's training them? Who's we, NDOT or the Decision Lens?
- Miranda: Decision Lens folks will come and train. We have -- some of us are familiar with the software because of the year of usage.
- Hutchison: Right.
- Miranda: Some other folks are getting familiar faster than other programs. Our IT division is way ahead of the game of so many of our programs already thus far. So the idea is at each level we're going to have this tool available, people are going to be trained. They can use it for the five-year capital plan and then if later on they want to use it for something else that they think adds value to their division they can. And that's the idea.
- Hutchison: And so will there be separate licensing fees...
- Miranda: No.
- Hutchison: ...for each of these divisions or does NDOT itself have license rights under the licensing agreement?
- Miranda: Correct.
- Hutchison: So NDOT has -- so is that \$150,000 for a certain period of time or...
- Miranda: The corporate license in the future, if you're talking about a future expense and we'll say we open it to the entire NDOT organization for anybody to use, 1,800 employees...
- Hutchison: Right.
- Miranda: ...I think that the amount, Jeff, was 330 if we want to acquire that type of license.
- Hutchison: For what term, a year or two years? One year?
- Unidentified: Per year.

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- Hutchison: Per year. Okay. So you got \$300,000 license fee if you want to have all of NDOT have access to this; is that correct, a year? And then are you telling us that once then Decision Lens comes in and train everybody, we're not going to see you again, a Decision Lens professional services agreement for approval because we're all going to be trained up on this and all we've got to do is have this tool that we'll use now for \$300,000 a year?
- Miranda: What I have learned, and this is my experience for the year that I have been working with this in this other application.
- Hutchison: Yeah.
- Miranda: And this other application is what I talked about that the software and professional services were \$158,000. You learn a lot and you become very good at it, but as you're changing the application nuances come to the application. It's very powerful. You might have seen 1/16 of the entire power of the tool. But I imagine that for the intent and purposes for the divisions to use it, they will be able to use it for the five-year plan.
- Hutchison: Okay.
- Miranda: There is a (inaudible) process in division at this point. As we use this tool, I imagine that even you, as a Board, are going to say, hey, what about this or what about that and can we do this. And we will see how that translates into that transfer knowledge of that training and professional services needed for it.
- Hutchison: Okay. But it seems like then there's going to be a definite element of the licensing fee and then there will be some component of a service contract, is what it sounds like to me, in order to really facilitate and maximize the use of this software.
- Miranda: Potentially, if we want to go outside the five-year plan or outside other alternatives. It's going to depend on the use and depend on how comfortable do we feel with all of this insight. If this a benefit. If this allowing us to do our work better.
- Hutchison: Thank you very much. And my final question is just how much of this purchasing the software and wanting to use Decision Lens is driven by the federal government? And the reason I ask you that is in the report that we

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got in our materials or in the memo, there's a paragraph on the second page that says, "While NDOT can apply engineering judgment in development of its capital improvement program." That was sort of our point last -- at least my point was last time was, hey, you got a bunch of engineers in this department, right. Let's use engineering judgment. I think other people thought similar things. So I know that you picked up on that well and said, "While you can apply engineering judgment in development of capital improvement program, project prioritization is becoming more complex due to forthcoming federal requirements for states to develop investment strategies based on a risk-based asset management system." I'm not sure what all those mean. It says here that the final rules are coming out, right, from the National Highway System. But how much of this need for this tool is driven by federal requirements or federal expectations or what we think is coming down the line with the federal funding?

Miranda:

I always try to relay questions to something like my family, right. I mean you handle a budget at home, right, and then the more that you spend the more that you have to start keeping track of it, right. Then you give an ATM card to your kids and they are charging on it and now you're trying to make sure that your bank account works.

So if you look at the federal government, per se, not only they have funding strategies that they come in. Sometimes federal cliffs could potentially come in. They have certain scenarios where more money can be given to a state. I mean, I think that as a state, NDOT has been very successful at the end of the year to capture sometimes a little bit more than others states. And if we get another \$10 million because of that capture then we know how fast can we move, which projects make more sense. If we get a decrease in the budget, what do we do then? So if you look at it in that regard, very useful for that level of communication and that level of analysis. If you are thinking through MAP-21 and it says, okay, you know what, we have this logistically-mandated performance measure, which you have in your NDOT book, but also you have these MAP-21 performance measures that you have to meet. Then, okay, how do we do the trade-off which this analysis?

So it helps tremendously. The one thing, though, that I wanted to clarify to you is that the first project that we did, this \$158,000, and we have the software that we're doing the second, for me to continue with that I would

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have had to pay another \$150,000 just to keep the software, right. For what IT needed it, maybe it would have been another \$80,000 for what they needed because they're doing the priority decision of all the IT. So if you look at it, it sounds a lot of money, but if you look at the benefits of it and the trade-off of how much we're gaining of it, I mean we have been having ability to save millions of dollars already by the use of this tool for the last year.

Malfabon: And if I could add, Mr. Lieutenant Governor.

Hutchison: Sure.

Malfabon: It wasn't really in response to the federal requirements that are going to be coming. I think that those are good policies to enact for a department to make those decisions on where resources are allocated and to consider our assets, and whether the risks that we're facing to keep those assets in a certain level of condition. But I think it was just the right time, I think. We were always talking about a better process, talking to divisions or districts; how do you select your projects. It rolls up to us at the higher levels and eventually to the Board as a recommendation. And we felt we needed a stronger tool for decision making that would also address some of these what-if scenarios that are constantly coming up as funding levels go up and down or projects get more priorities or programs get more priorities. We needed a more robust tool to help us make those decisions and pull the Board into those decision making processes.

Hutchison: Thank you. And I think I heard you right, where you said that you thought that the use of this tool has already saved NDOT millions of dollars?

Miranda: Yes, that is correct.

Hutchison: And so you anticipate that it would save millions of dollars in the future obviously. Do you expect that this tool would help secure additional federal funding, as well? Do I understand you previously or maybe I didn't understand you previously?

Miranda: Yeah. This is a decision support tool, right.

Hutchison: Okay.

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- Miranda: You still need to use your judgment. You still need to analyze these different things and you need to look at what is the best decision for the state. But what it does allow you to do, though, is to get to that comfort level to be able to measure performance. The Governor mentioned something really interesting in one of the questions that he has, is can I track the past. And immediately in my mind, yeah, but at the same time we can track what we're doing in the future. Now that we have the tool, we can look the performance. How are we doing? Where are we at? How did the cost end up being? We can plug in the actuals. And so there is so much that can be done.
- Malfabon: So looking at how we're meeting the performance would actually capture how we did in the past, how we're meeting the current performance measures that we have currently adopted and are going to be adopting for the federal requirements.
- Hutchison: Great. Well, thank you very much for answering my questions. Appreciate your time. Thank you, Governor.
- Sandoval: Thank you. Member Savage.
- Savage: Thank you, Governor. Thank you, Mr. Miranda. Thank you, Decision Lens. Please bear with me on some of these questions and comments. I'm not an engineer. I'm a practical business guy. And so I appreciate your patience on response to some of these questions and comments. The first question is you've been working with NDOT over the past year. How long and when was Decision Lens first established?
- Miranda: We acquired Decision Lens in the middle of January of 2014. We knew about them maybe somewhere on 2013, in a presentation that they were giving to AASHTO. And that's how we started getting to know what other states were doing. Very interesting, one of the things that we learned on the last month and a half is the State of Utah, they use a commission. And they wanted to come out with a rating and really provide some input (inaudible), and we're learning a little bit how that has been working for them and what were the benefits and what didn't work that well. So we know from them since 2013.
- Savage: So they were established in 2013 as a company in the United States?

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- Miranda: Oh no, they have been in the United States for...
- Allen: Jonathan Allen, Vice President Professional Services, Decision Lens. Member Savage, Decision Lens was founded in 2005.
- Savage: 2005. And how long have you been working with the DOTs?
- Allen: I think our first DOT was in 2007.
- Savage: 2007. And do you have a lot of competition in your industry?
- Allen: I will begin to attempt to answer that, and then I welcome Michelle or others. Our largest competition, frankly, is with processes that are manual in nature, processes with spreadsheets and so forth. We do run into other software companies and tools that focus on performance and project management systems. We know many of those and there are strategic planning tools. We know many of those. Frankly, there are very few, in our opinion, that focus in on this type of strategic prioritization decision making.
- Savage: Okay. So you don't have a lot of competition in this specific line of decision making software?
- Allen: I think that's a fair statement, yes.
- Savage: Thank you. And do you have any E&O insurance? Errors and omissions.
- Allen: Okay. The answer is no.
- Savage: Okay. Because this whole discussion is about theory versus reality. And like the Governor and Lieutenant Governor said, it's all about justifying the expense at the end of the end of the day. So I appreciate your patience on some of these questions. Because my concern, as a business guy, is trying to push the decision elsewhere to a computer. We have great management here at NDOT and we're very engaged in some of these decisions. And I knew every tool that we have, we have to justify another layer. So the initial cost is \$300,000 then the annual cost is \$100,000. So my question is how long do you foresee in being married to Decision Lens for this product?
- Miranda: Yeah, I think that is a question to NDOT. The idea with these initial capital plan is to be able to train all the NDOTs at the three levels and have them being able to use it. So at the end of the contract, NDOT should be able to

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use it. What we have learned through experience and conversations with other states is that when we go to -- usually the first plan that you're doing the five years, you're kind of like meeting every division where they are at today. And then the second time that you make the update is when we can start closing the gaps for what everybody is learning on it. However, after the first initial plan, every member within the organization should be able to use the tool.

Savage: So do you have a budget projected towards Decision Lens in the next five years?

Miranda: No. And that is something that is going to depend a lot in all of us, in your support and the Director's Office of that decision. We do have the ability right now to meet every single division in the program where they are at today and we're going to put them back into the tool and we are going to train them and they should be able to use it. So in that sense, that is our first primary goal. If you ask me and say in your professional opinion where you think that we should go, I will say that my recommendation to the Board will be let's do an update. Just not only we met the divisions where they are at, we let them use it for a year and we look at what they have learned and what do they need, and we graph all the stuff that they need and where they think the gaps are, and we allow Decision Lens with the expertise to come back and close the gap (inaudible) the division and continue with the divisions in NDOT to be able to continue to run not only the tool but the decisions associated with this decision support tool.

Savage: So a couple years out then. And does this mean that positions are going to be reduced within the Department?

Miranda: What do you mean with that question? Would you explain?

Savage: With this tool and this engagement of this contract, do you foresee positions being reduced due to utilizing this electronic software?

Miranda: Absolutely not.

Savage: Not. Okay.

Miranda: This is a decision support tool. One of my expectations is that people will be able to make better decision and have more of a what-if analysis and

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more insight to make better decisions. But I foresee no reduction into the decision making.

Savage: Because my fear, Mr. Miranda, is again, from a private business world, is to add additional layers and have our management team become complacent in engaging in some of these difficult decisions, because it's all about collaborative decision making amongst the departments and the upper administration. And we have to ensure that we look ourselves in the mirror every day and not blame a program; because how do we remain different than any other DOT? Are the basic foundations of this program the same? We've been very good with being progressive and staying ahead of our competition in complying with the federal mandates and the federal standards. So how do we stand alone and stay ahead on where we've been when we have the same program as 20 other DOTs?

Miranda: And the answer is simple. Because we have been making better decisions and we will continue to do them. Now that we have more ability to get more insights to our decisions -- and you know what's very interesting? As I have been talking to the divisions, some of the divisions have been very happy in the sense to say, hey, now I'm going to get to know a little bit more what hydraulic does so I know how to help. So our roadway knows a little bit how to help them. A lot more transparency, so everybody communicating and talking more. So that's where I see the benefit of this tool. This tool doesn't make decisions for you; neither the consultant will be there making decisions for NDOT either. It's going to be training us. It's going to be allowing us to automate a lot of this. This is kind of like -- and I don't want to insult you guys by no means, but it's kind of like when you have Excel sheet. I'm trying to relate to something that we might use in business, right.

Savage: Mm-hmm.

Miranda: We have an Excel sheet and we have tracking our incomes and expenses and we do calculations. And by looking at that report you go like oh, this is what we need to do. Imagine this expanded to what-if analysis and insights so that you can make better decisions, but for sure doesn't make decisions for you.

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Savage: Well, that's good to hear because, again, I'm not a naysayer. I want this program to succeed, but at the end of the day in a year or two, we have to see the benefits on where we saved the Department and the taxpayer the dollars moving forward. That's all I have, Governor.

Sandoval: No, and I'm going to limit -- honestly, I've got a bill signing at 1:30 in Virginia City. So I'm going to limit this. But I think that Member Savage brings up some good points. This is a new concept for us, and we want you to succeed, I mean to help us be better decision makers. And another thing the Director talked about in his Director's Report was the uncertainty with regard to federal funding, and so then you layer on top of that the decrease in the amount of federal funding that we as a state are going to get and the budget challenges that we have. So I want to ensure, as Member Savage said, that we are deploying every dollar that we spend in the best possible way.

So I see the Decision Lens folks nodding their heads. And so I guess what I'd like to see, and I hope I speak for the rest of the Board, is that feedback as we continue to move on, because, respectfully, things will hit our Agenda and then we won't see it again for two years, and it'll be \$200,000 more for Decision Lens. And we're going like, well, wait a minute, what did we get for that and did it work. And we have you that says it works great. It's helping us make better decisions. Well, we need a little more specificity as that moves on. And as I said, I'm not trying to lengthen our Board meetings, because they're long enough as it is. And I think I get more agreement from the NDOT folks than up here.

But in any event, we just want a little bit more specificity, because this is general right now. And as we move on, that would be helpful to me. And I want to be able to sit in a Board meeting and say, gosh, I'm glad we chose this Decision Lens. We almost built this project somewhere in Nevada, and that would have been a bad mistake. And it brought some issues to our attention that we may not have otherwise realized. So I'm more talking than asking a question, so there's no need to respond. The Controller would like to make a comment, as well as Member Fransway. I would respectfully ask you keep it brief, Mr. Controller.

Knecht: Governor, I'm happy to do that because I also don't want to lengthen this. I would just say that rather than a conceptual presentation, an actual

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presentation of a case or an incident or a choice that was made, a very brief one, could be helpful in that regard sometime between now and two years from now.

Sandoval: Member Fransway.

Fransway: Thank you, Governor. And in my view, we are not competing with other DOTs. We're competing with ourselves. We make decisions based on need. Will Lens increase our ability to make decisions on Nevada roads for Nevada travelers with goals set by this Board? You understand that the goals that we set are imperative that we obtain. So hopefully you're looking at those goals and saying this is what Nevada wants and we can help them obtain that. If that's the case then the expense is warranted. Thank you, Governor.

Sandoval: No, and thank you. And that wasn't really a question. But this was put on our desk today, this 2035 investment plan, and it says we need \$50 billion in the next 20 years and that we only have a fraction of the money that's available for that. So, again, accepting the information in this as true, we'll have to make some informed decisions in the next four years with the types of projects that are mentioned in here.

Malfabon: And, again, that was kind of an effort between all the metropolitan planning organization, the four Nevada and Nevada DOT. So a lot of needs. I-11 is in there, so billions of dollars of investment needed.

Sandoval: Yeah. And before I leave this Agenda item, I don't want to neglect our Board members from Southern Nevada. Any comments? It's frozen.

Malfabon: It might have froze.

Sandoval: So see what you did. You paralyzed our members from Southern Nevada.

Malfabon: Governor, I have to excuse myself. I have to catch a flight. I'm chairing the annual standing committee on highway traffic safety in Boise, Idaho. So I have to catch a flight. And I know that you have a meeting to go to, but Bill Hoffman will attend to the rest of the Agenda.

Sandoval: Well, let's move on from this Agenda item. Thank you very much. I am concerned that we don't have the connection to Southern Nevada. And I'm

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not hearing from them, as well, so there must not be an audio. And I'm actually a little embarrassed that I didn't notice sooner.

Martin: We got you back now.

Sandoval: All right. So we just completed Agenda Item No. 15, and we are moving to Agenda -- unless you had questions. I didn't want you all to feel neglected. I'll take that as a no. We'll move to Old Business. Do any of the members have any questions with regard to the reports contained in Agenda Item No. 16? Hearing none, we'll move to Agenda Item 17, Public Comment. Is there any member of the public in Carson City that would like to provide comment to the Board? Is there anyone present in Las Vegas that would like to provide public comment?

Martin: No, sir. No one here.

Sandoval: All right. Is there a motion to adjourn?

Knecht: So moved.

Sandoval: Controller has moved.

Martin: Second.

Sandoval: Mr. Martin has seconded the motion. All in favor say aye.

Group: Aye.

Sandoval: Motion passes. This meeting is adjourned. Thank you, ladies and gentlemen.

Secretary to Board

Preparer of Minutes



MEMORANDUM

May 4, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: May 11, 2015, Transportation Board of Directors Meeting
Item #4: Approval of Contracts Over \$5,000,000 – For Possible Action

Summary:

The purpose of this item is to present to the Board a list of construction contracts which are over \$5,000,000 for discussion and approval.

Background:

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.

The attached construction contracts constitute all contracts over \$5,000,000 for which the bids were opened and the analysis completed by the Bid Review and Analysis Team and the Contract Compliance section of the Department from March 20, 2014 to April 16, 2015.

Analysis:

These contracts have been prepared 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 for Approval, March 20, 2014 to April 16, 2015.

Recommendation for Board Action:

Approval of the contract listed on Attachment A.

Prepared by: Administrative Services Division

Attachment

A

STATE OF NEVADA DEPARTMENT OF TRANSPORTATION
CONTRACTS FOR APPROVAL
March 20, 2014 – April 16, 2015.

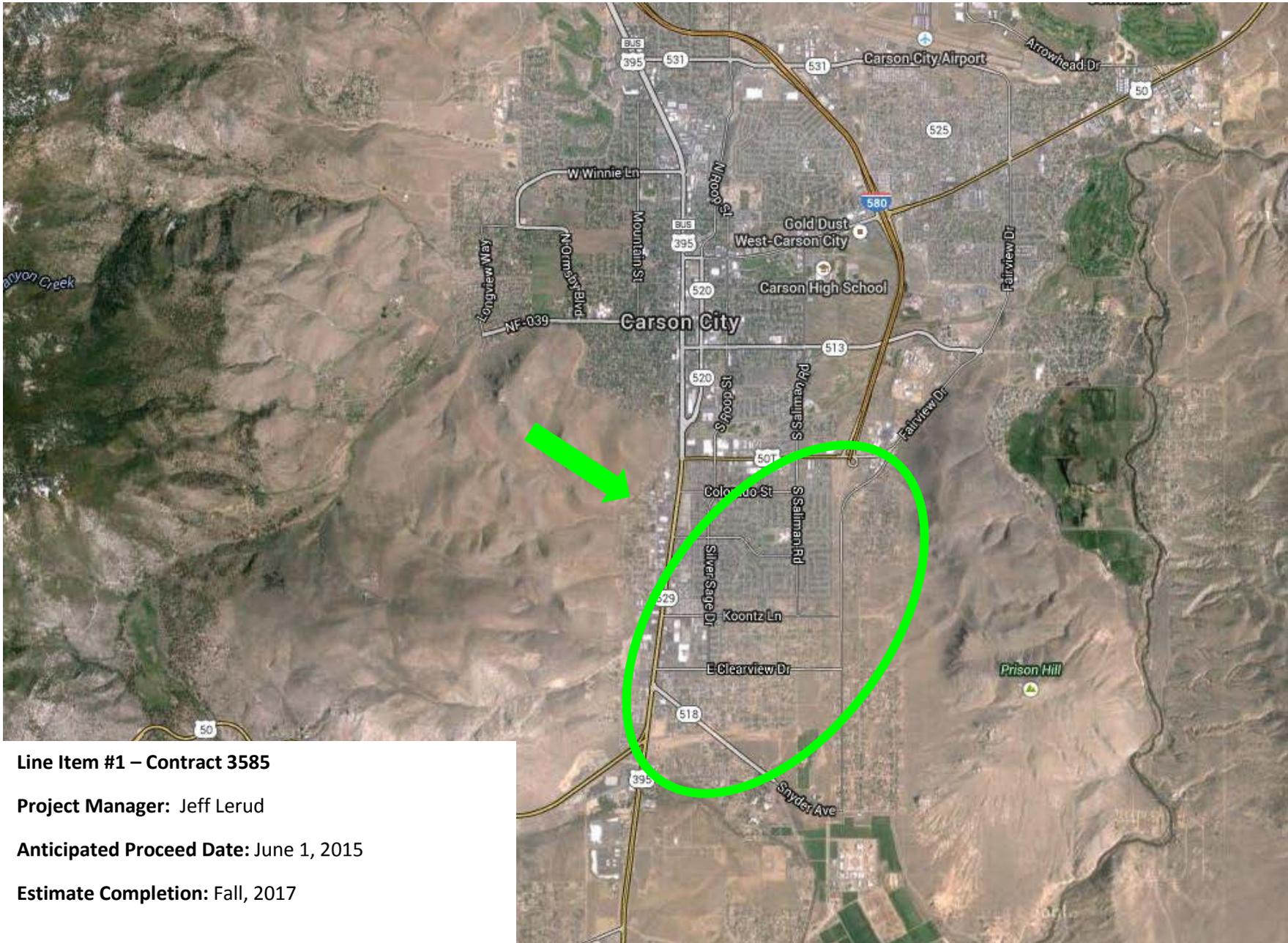
1. April 2, 2015, at 1:30 PM the following bids were opened for Contract 3585, Project No. NHP-395-1(027), US 395, Carson City Freeway, from South Carson Street to Fairview Drive, package 2B-3, to construct four lane controlled access freeway to include signs, lighting, sound walls and landscape and aesthetics.

Road and Highway Builders LLC.	\$42,242,242.00
Fisher Sand & Gravel Co.	\$42,625,000.00
Q & D Construction, Inc.	\$44,298,000.00
Granite Construction Company	\$46,060,060.00
W. W. Clyde & Co.	\$46,312,414.90
Ames Construction, Inc.	\$50,860,829.38

Engineer's Estimate.....\$42,112,241.52

The Director recommends award to Road and Highway Builders for \$42,242,242.00

Line Item 1



Line Item #1 – Contract 3585

Project Manager: Jeff Lerud

Anticipated Proceed Date: June 1, 2015

Estimate Completion: Fall, 2017



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7070
Fax: (775) 888-7101

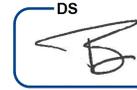
MEMORANDUM

Administrative Services

April 20, 2015

To: John Terry, Assistant Director, Engineering
Reid Kaiser, Assistant Director, Operations
Rudy Malfabon, Director

From: Teresa Schlaffer, Business Process Analyst III



Subject: Concurrence in Award for Contract No. 3585, Project No. NHP-395-1(027), US 395, Carson City Freeway, from South Carson St to Fairview Drive, Package 2B-3. CC 0.05 to CC 3.15, Carson City County, described as Construct Four Lane Controlled Access Freeway to Include Signs, Lighting, Sound Walls and Landscape and Aesthetics; Construct Interim Roadway from JCT US50 and SR 529 So Carson St to the SR 518 Snyder Ave Grade Separation, Engineer's Estimate \$42,112,241.52.

This memo is to confirm concurrence in award of the subject contract.

Bid proposals were opened on April 2, 2015. Road and Highway Builders LLC is the apparent low bidder at \$42,242,242.00 and they submitted a properly executed proposal, bid bond and anti-collusion affidavit. The second low bidder is Fisher Sand & Gravel Co. with a bid of \$42,625,000.00.

The project is federally funded, required 3.5% DBE participation and is not subject to State Bidder Preference provisions.

The subcontractor listing documentation and DBE information submitted by the two lowest bidders have been reviewed and certified by the Contract Compliance Officer. The bid is within the Engineer's Estimate Range, and a copy of the Unofficial Bid Results report is attached for your reference. The BRAT Chairpersons have provided their recommendation to award, and their report is attached.

Your concurrence in award of this contract by endorsement hereon is respectfully requested. Please return the approved copy to this office. Upon receipt a packet will be prepared to obtain Transportation Board approval of the award at the next available meeting.

Concurrence in award:

DocuSigned by:

F86830D9AE9715
John Terry, Assistant Director

DocuSigned by:
Reid G. Kaiser
22B87BD707CB4CD...
Reid Kaiser, Assistant Director

DocuSigned by:

C4C7CE5C0884445...
Rudy Malfabon, Director

Enclosures:
Unofficial Bid Results Report
Contract Compliance Memo
BRAT Summary Report



Nevada Department of Transportation
Unofficial Bid Results
 April 02, 2015

Contract Number: 3585	Bid Opening Date and Time: 4/2/2015 1:30 PM
Designer: FRED SHAKAL	Liquidated Damages: \$15,000.00
Senior Designer: STEVE BIRD	Working Days: 350
Estimate Range: R37 \$41,000,000.01 to \$49,000,000	District: DISTRICT 2
Project Number: NHP-395-1(027)	

County: CARSON CITY
Location: US 395, CARSON CITY FREEWAY, FROM SOUTH CARSON ST TO FAIRVIEW DRIVE, PACKAGE 2B-3. CC 0.05 TO CC 3.15
Description: CONSTRUCT FOUR LANE CONTROLLED ACCESS FREEWAY TO INCLUDE SIGNS, LIGHTING, SOUND WALLS AND L&A; CONSTRUCT INTERIM ROADWAY FM JCT US50 AND SR 529 SO CARSON ST TO THE SR 518 SNYDER AVE GRADE SEPARATION

	Actual Bid
Apparent Low Bidder: Road and Highway Builders LLC	\$42,242,242.00
Apparent 2nd: Fisher Sand & Gravel Co.	\$42,625,000.00
Apparent 3rd: Q & D Construction, Inc.	\$44,298,000.00

Bidders:	Actual Bid Amount
1 Road and Highway Builders LLC 96 Glen Carran Circle #106 Sparks, NV 89431 (775) 852-7283	\$42,242,242.00
2 Fisher Sand & Gravel Co. 3020 Energy Dr Dickinson, ND 58601 (701) 456-9184	\$42,625,000.00
3 Q & D Construction, Inc. 1050 South 21st Street Sparks, NV 89431 (775) 786-2677	\$44,298,000.00
4 Granite Construction Company 585 West Beach Street Watsonville, CA 95076 (831) 724-1011	\$46,060,060.00
5 W.W. Clyde & Co. 1375 North Main Street Springville, UT 84663- (801) 802-6800	\$46,312,414.90



Nevada Department of Transportation
Unofficial Bid Results
April 02, 2015

Bidders:		Actual Bid Amount
6	Ames Construction, Inc. 2000 Ames Drive Burnsville, MN 55306- (952) 435-7106	\$50,860,829.38



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7497
Fax: (775) 888-7235

MEMORANDUM

Contract Compliance Office

November 25, 2014

To: Jenni Eyerly, Administrative Services Officer
From: Jaye Lindsay, Contract Compliance
Subject: NDOT Bidder DBE & Subcontract Information – Contract No. 3585

US 395, Carson City Freeway, from South Carson Street to Fairview Drive. Package 2B-3. CC 0.05 to CC 3.15

Construct four lane controlled access freeway to include signs, lighting, soundwalls and L&A; construct interim roadway from Jct. US50 and Carson Street to the SR518 Snyder Ave. Grade Separation.

The subcontractors listed by the apparent low bidder, Road and Highway Builders, LLC., and the second low bidder Fisher Sand & Gravel, Company, are currently licensed by the Nevada State Board of Contractors.

The DBE goal of 3.5% has been met with a 5.78% DBE committed by the apparent low bidder Road and Highway Builders, LLC. and 9.70% committed by the apparent second low bidder Fisher Sand & Gravel Company to Nevada certified DBE firms. Specific information regarding the DBE goal is available in the Contract Compliance Division.

Road and Highway Builders, LLC has listed TK Blackburn Trucking with a 0.12% DBE Goal Attainment on this project, however at the time of this bid TK Blackburn Trucking has an expired DBE Certification.

TK Blackburn Trucking has been contracted regarding the DBE Certification. Without the additional 0.12% committed by TK Blackburn, the committed DBE Goal is met by Nevada Barricade & Sign Company on this project with a 5.78% committed DBE goal.

jvl



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7070
Fax: (775) 888-7101

MEMORANDUM

Administrative Services

April 16, 2015

To: Jenni Eyerly, Chief - Administrative Services
From: Bid Review and Analysis Team
Subject: BRAT Summary Report for Contract #3585

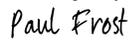
The Bid Review and Analysis Team met on April 14, 2015 to discuss the Bids for Contract 3585, Carson City Freeway. The following were in attendance:

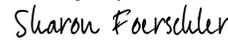
- Paul Frost, Chief Roadway Design Engineer
- Sharon Foerschler, Chief Construction Engineer
- Casey Connor, Assistant Chief Roadway Design Engineer
- Shawn Howerton, Principal Roadway Design Engineer
- Stephen Lani, Resident Engineer
- Ashley Hurlbut, Engineer, Crew 907
- Jeff Stoffer, Associate Engineer, Crew 907
- Steve Bird, Senior Designer
- Jeff Cobb, Constructability
- Teresa Schlaffer, BPA III, Administrative Services
- Paula Aiazzi, BPA I, Administrative Services
- Andrew Soderberg, FHWA
- Dale Wegner, FHWA

Although several bid prices from the apparent low were mathematically unbalanced, the overall bid proposal amount was evaluated and determined to be acceptable. The Price Sensitivity report, with comment, is attached.

The apparent low bidder, Road and Highway Builders, LLC, submitted a bid which is 100.31% of the Engineer's Estimate. The BRAT recommends award of this contract, pending receipt of additional information regarding pollution and dust control elements of the contract from the contractor.

Submitted:

DocuSigned by:

916B64045CA947F...
 Paul Frost, BRAT Co-Chair

DocuSigned by:

67A4C09A4CB7477...
 Sharon Foerschler, BRAT Co-Chair

cc: attendees
Pierre Gezelin, Legal
Design Admin

Price Sensitivity

April 2, 2015

Contract No.: 3585
 Project No(s): NHP-395-1(027)
 Project ID/EA No.: 60604
 County: Carson City
 Range: R37 \$41,000,000.01 to \$49,000,000
 Working Days: 350

RE: Stephen Lani
 Designer: Fred Shakal

Engineer's Estimate	Road and Highway Builders	Fisher Sand & Gravel Co.	Diff. Between Low & 2nd	Diff Between EE & Low	Low Bid % of EE
\$42,112,241.52	\$42,242,242.00	\$42,625,000.00	\$382,758.00	\$130,000.48	100.31%

Item No.	Quantity	Description	Unit	Engineer's Est. Unit Price	Low Bid Unit Price	2nd Low Bid Unit Price	Qty Chg Req'd to Chg Bid Order	% Change in Qty Req'd	Low % of EE	Significantly Unbalanced	Quantity Check Comments
2010100	1.00	CLEARING AND GRUBBING	LS	\$90,000.00	\$150,000.00	\$100,000.00	N/A	N/A	166.67%	Yes	EE ok. Quantity verified.
2020935	1,333.00	REMOVAL OF COMPOSITE SURFACE	CUYD	\$50.00	\$60.00	\$15.00	8,505.73	638.09%	120.00%	No	EE ok. Quantity verified.
2020990	38,682.00	REMOVAL OF BITUMINOUS SURFACE (COLD MILLING)	SQYD	\$3.50	\$4.00	\$2.00	191,379.00	494.75%	114.29%	No	EE ok. Quantity verified.
2021287	189,931.00	GRINDING FOR PAVEMENT MARKINGS	LINFT	\$1.75	\$0.10	\$0.50	-956,895.00	-503.81%	5.71%	Yes	EE price high, limited bid history at this quantity. Quantity verified.
2021288	8,990.00	GRINDING FOR PAVEMENT MARKINGS	SQFT	\$10.00	\$1.00	\$6.50	-69,592.36	-774.11%	10.00%	Yes	EE price high, limited bid history. Quantity verified.
2030140	1,016,750.00	ROADWAY EXCAVATION	CUYD	\$5.25	\$8.00	\$6.00	191,379.00	18.82%	152.38%	Yes	EE ok. Quantity verified.
2030160	17,004.00	DRAINAGE EXCAVATION	CUYD	\$10.00	\$12.00	\$7.00	76,551.60	450.20%	120.00%	No	EE ok. Quantity verified.
2060110	53,326.00	STRUCTURE EXCAVATION	CUYD	\$10.00	\$6.00	\$15.00	-42,528.67	-79.75%	60.00%	Yes	EE ok. Quantity verified.
2070110	24,327.00	GRANULAR BACKFILL	CUYD	\$10.00	\$25.00	\$25.00	N/A	N/A	250.00%	Yes	EE price low, limited bid history at this quantity. Quantity verified.
2110110	36,610.00	TOP SOIL (SALVAGE)	CUYD	\$7.00	\$3.00	\$3.00	N/A	N/A	42.86%	Yes	EE price high, limited bid history at this quantity. Quantity verified.
2110260	88.00	HYDRO-SEEDING	ACRE	\$2,500.00	\$2,000.00	\$3,500.00	-255.17	-289.97%	80.00%	No	EE ok. Quantity verified.
2110520	41,770.00	SEDIMENT LOG	LINFT	\$1.50	\$1.00	\$2.90	-201,451.58	-482.29%	66.67%	Yes	EE ok. Quantity verified.
2120040	38,750.00	AESTHETIC PATTERNING	SQYD	\$30.00	\$8.00	\$28.00	-19,137.90	-49.39%	26.67%	Yes	EE ok. Quantity verified.
2120050	2,400.00	DETAIL PAINTING	SQFT	\$15.00	\$25.00	\$12.00	29,442.92	1226.79%	166.67%	Yes	EE ok. Quantity verified.
2120830	150.00	DECORATIVE BOULDER (TYPE B)	EACH	\$500.00	\$500.00	\$250.00	1,531.03	1020.69%	100.00%	No	EE ok. Quantity verified.
2120840	129.00	DECORATIVE BOULDER (TYPE C)	EACH	\$1,000.00	\$1,000.00	\$300.00	546.80	423.87%	100.00%	No	EE ok. Quantity verified.
2120870	300.00	DECORATIVE ROCK (TYPE A)	TON	\$60.00	\$200.00	\$125.00	5,103.44	1701.15%	333.33%	Yes	EE ok. Quantity verified.
2120880	940.00	DECORATIVE ROCK (TYPE B)	TON	\$50.00	\$200.00	\$100.00	3,827.58	407.19%	400.00%	Yes	EE ok. Quantity verified.
2120940	240.00	IMAGE PANEL	SQYD	\$1,500.00	\$1,400.00	\$900.00	765.52	318.97%	93.33%	No	EE ok. Quantity verified.
2120942	1.00	DECORATIVE FIGURE (TYPE A)	EACH	\$120,000.00	\$40,000.00	\$11,000.00	13.20	1319.86%	33.33%	Yes	EE ok. Quantity verified.
2121943	47.00	DECORATIVE FIGURE (TYPE B)	EACH	\$4,100.00	\$8,000.00	\$2,000.00	63.79	135.73%	195.12%	Yes	EE ok. Quantity verified.
2130200	32.00	FLUSH VALVE ASSEMBLY	EACH	\$1,800.00	\$200.00	\$100.00	3,827.58	11961.19%	11.11%	Yes	EE price high, limited bid history. Quantity verified.
3020140	143,721.00	TYPE 1 CLASS B AGGREGATE BASE	CUYD	\$15.00	\$27.00	\$21.00	63,793.00	44.39%	180.00%	Yes	EE ok, limited history with this unit of measure. Quantity verified.
3050140	30,400.00	PROCESSING FOR ROADBED MODIFICATION	SQYD	\$1.50	\$4.00	\$3.00	382,758.00	1259.07%	266.67%	Yes	EE ok, limited bid history. Quantity verified.
3050190	30,838.00	PULVERIZE EXISTING SURFACE	SQYD	\$1.00	\$4.00	\$2.00	191,379.00	620.59%	400.00%	Yes	EE ok, limited bid history. Quantity verified.
4020190	85,680.00	PLANTMIX SURFACING (TYPE 2C)(WET)	TON	\$80.00	\$55.00	\$75.00	-19,137.90	-22.34%	68.75%	Yes	EE ok. Quantity verified.
4020200	488.00	PLANTMIX SURFACING (TYPE 3)(WET)	TON	\$100.00	\$130.00	\$115.00	25,517.20	5228.93%	130.00%	No	EE ok. Quantity verified.
4030110	10,665.00	PLANTMIX OPEN-GRADED SURFACING (3/8-INCH)(WET)	TON	\$110.00	\$120.00	\$115.00	76,551.60	717.78%	109.09%	No	EE ok. Quantity verified.
4060100	255.00	CUTBACK ASPHALT, TYPE MC-70NV	TON	\$650.00	\$69.00	\$700.00	-606.59	-237.88%	10.62%	Yes	EE ok. Quantity verified.
4090210	9,918.00	PORTLAND CEMENT CONCRETE PAVEMENT (9-INCHES)	SQYD	\$65.00	\$45.00	\$55.00	-38,275.80	-385.92%	69.23%	Yes	EE ok. Quantity verified.
5020170	21,613.00	CONCRETE BARRIER RAIL (TYPE FA)	LINFT	\$45.00	\$30.00	\$45.00	-25,517.20	-118.06%	66.67%	Yes	EE ok. Quantity verified.
5020200	10,162.00	CONCRETE BARRIER RAIL (TYPE FB)	LINFT	\$50.00	\$70.00	\$35.00	10,935.94	107.62%	140.00%	No	EE ok. Quantity verified.
5020740	551.00	CLASS AA CONCRETE (MAJOR)	CUYD	\$500.00	\$600.00	\$600.00	N/A	N/A	120.00%	No	EE ok. Quantity verified.
5020750	177.00	CLASS AA CONCRETE (MINOR)	CUYD	\$1,200.00	\$1,800.00	\$1,950.00	-2,551.72	-1441.65%	150.00%	No	EE ok. Quantity verified.
5020770	470.00	CLASS AA CONCRETE (ISLAND PAVING)(SPECIAL)	CUYD	\$400.00	\$500.00	\$900.00	-956.90	-203.59%	125.00%	No	EE ok. Quantity verified.

Price Sensitivity

April 2, 2015

Item No.	Quantity	Description	Unit	Engineer's Est. Unit Price	Low Bid Unit Price	2nd Low Bid Unit Price	Qty Chg Req'd to Chg Bid Order	% Change in Qty Req'd	Low % of EE	Significantly Unbalanced	Quantity Check Comments
5020950	3,423.00	CLASS AA CONCRETE, MODIFIED (MAJOR)	CUYD	\$500.00	\$300.00	\$275.00	15,310.32	447.28%	60.00%	Yes	EE ok. Quantity verified.
5021010	4,850.00	CLASS EA CONCRETE, MODIFIED (MAJOR)	CUYD	\$800.00	\$400.00	\$700.00	-1,275.86	-26.31%	50.00%	Yes	EE ok. Quantity verified.
5021590	3,390.00	FINE SURFACE FINISH	SQYD	\$20.00	\$20.00	\$20.00	N/A	N/A	100.00%	No	EE ok. Quantity verified.
5050100	948,189.00	REINFORCING STEEL	POUND	\$0.86	\$1.00	\$1.00	N/A	N/A	116.28%	No	EE ok. Quantity verified.
6000100	448.00	TRENCH DRAIN	LINFT	\$250.00	\$100.00	\$300.00	-1,913.79	-427.19%	40.00%	Yes	EE ok. Quantity verified.
6030140	5,667.00	15-INCH REINFORCED CONCRETE PIPE, CLASS III	LINFT	\$30.00	\$90.00	\$25.00	5,888.58	103.91%	300.00%	Yes	EE ok. Quantity verified.
6030170	2,819.00	18-INCH REINFORCED CONCRETE PIPE, CLASS III	LINFT	\$50.00	\$100.00	\$25.00	5,103.44	181.04%	200.00%	Yes	EE ok. Quantity verified.
6030230	1,481.00	24-INCH REINFORCED CONCRETE PIPE, CLASS III	LINFT	\$80.00	\$110.00	\$35.00	5,103.44	344.59%	137.50%	No	EE ok. Quantity verified.
6030290	1,447.00	30-INCH REINFORCED CONCRETE PIPE, CLASS III	LINFT	\$90.00	\$120.00	\$55.00	5,888.58	406.95%	133.33%	No	EE ok. Quantity verified.
6030350	2,158.00	36-INCH REINFORCED CONCRETE PIPE, CLASS III	LINFT	\$90.00	\$150.00	\$75.00	5,103.44	236.49%	166.67%	Yes	EE ok. Quantity verified.
6030410	5,090.00	42-INCH REINFORCED CONCRETE PIPE, CLASS III	LINFT	\$100.00	\$160.00	\$100.00	6,379.30	125.33%	160.00%	Yes	EE ok. Quantity verified.
6030440	871.00	48-INCH REINFORCED CONCRETE PIPE, CLASS III	LINFT	\$110.33	\$180.00	\$130.00	7,655.16	878.89%	163.15%	Yes	EE ok. Quantity verified.
6091030	20,400.00	CASTINGS	POUND	\$2.50	\$3.00	\$2.50	765,516.00	3752.53%	120.00%	No	EE ok. Quantity verified.
6091040	29,511.00	STRUCTURAL STEEL GRATES	POUND	\$2.50	\$3.00	\$3.50	-765,516.00	-2594.00%	120.00%	No	EE ok. Quantity verified.
6091280	15.00	60-INCH PRECAST REINFORCED CONCRETE MANHOLE, TYPE 2 (MODIFIED)	EACH	\$4,500.00	\$7,000.00	\$5,000.00	191.38	1275.86%	155.56%	Yes	EE ok. Quantity verified.
6091310	14.00	72-INCH PRECAST REINFORCED CONCRETE MANHOLE, TYPE 2	EACH	\$6,000.00	\$7,000.00	\$7,000.00	N/A	N/A	116.67%	No	EE ok. Quantity verified.
6100170	956.00	RIPRAP (CLASS 150)	CUYD	\$100.00	\$190.00	\$55.00	2,835.24	296.57%	190.00%	Yes	EE ok. Quantity verified.
6100340	12,750.00	SELECTED ROCK SLOPE	CUYD	\$60.00	\$20.00	\$45.00	-15,310.32	-120.08%	33.33%	Yes	EE ok. Quantity verified.
6100460	647.00	RIPRAP BEDDING,(CLASS 150)	CUYD	\$100.00	\$100.00	\$55.00	8,505.73	1314.64%	100.00%	No	EE ok. Quantity verified.
6120100	340.00	GRAFFITI RESISTANT COATING	SQYD	\$20.00	\$300.00	\$25.00	1,391.85	409.37%	1500.00%	Yes	EE ok. Quantity verified.
6130390	9,823.00	CLASS AA CONCRETE GLUE DOWN CURB (TYPE B)	LINFT	\$8.00	\$15.00	\$8.00	54,679.71	556.65%	187.50%	Yes	EE ok. Quantity verified.
6130890	11,529.00	CLASS AA CONCRETE CURB AND GUTTER (TYPE 8)	LINFT	\$15.00	\$10.00	\$18.00	-47,844.75	-414.99%	66.67%	Yes	EE ok. Quantity verified.
6131140	2,045.00	CLASS AA CONCRETE SIDEWALK (4-INCH)	SQYD	\$40.00	\$50.00	\$55.00	-76,551.60	-3743.35%	125.00%	No	EE ok. Quantity verified.
6161200	10,728.00	72-INCH CHAIN-LINK FENCE	LINFT	\$15.00	\$30.00	\$12.00	21,264.33	198.21%	200.00%	Yes	EE ok. Quantity verified.
6180230	11,562.00	CABLE BARRIER	LINFT	\$15.00	\$15.00	\$16.00	-382,758.00	-3310.48%	100.00%	No	EE ok. Quantity verified.
6230236	54.00	NO. 7 PULL BOX, MODIFIED	EACH	\$1,250.00	\$1,000.00	\$1,250.00	-1,531.03	-2835.24%	80.00%	No	EE ok. Quantity verified.
6230570	15.00	STEEL POLE, TYPE 7	EACH	\$3,500.00	\$7,000.00	\$3,000.00	95.69	637.93%	200.00%	Yes	EE ok. Quantity verified.
6230575	8.00	STEEL POLE, TYPE 7 WITH SAFETY BASE	EACH	\$4,500.00	\$8,000.00	\$3,800.00	91.13	1139.16%	177.78%	Yes	EE ok. Quantity verified.
6230650	4.00	STEEL POLE, TYPE 35A (MODIFIED)	EACH	\$15,000.00	\$8,000.00	\$27,500.00	-19.63	-490.72%	53.33%	Yes	EE ok. Quantity verified.
6231780	111,982.00	1-INCH CONDUIT	LINFT	\$1.10	\$4.00	\$2.50	255,172.00	227.87%	363.64%	Yes	EE ok. Quantity verified.
6231820	48,972.00	3-INCH CONDUIT	LINFT	\$16.50	\$8.00	\$6.00	191,379.00	390.79%	48.48%	Yes	EE ok. Quantity verified.
6231940	17,356.00	NO. 3/0 CONDUCTOR	LINFT	\$5.50	\$1.00	\$3.50	-153,103.20	-882.13%	18.18%	Yes	EE ok. Quantity verified.
6231975	30,344.00	NO. 6 CONDUCTOR	LINFT	\$1.75	\$1.00	\$1.00	N/A	N/A	57.14%	Yes	EE ok. Quantity verified.
6232530	35.00	SIGNAL HEAD 1W3C, MAST ARM	EACH	\$900.00	\$2,000.00	\$800.00	318.97	911.33%	222.22%	Yes	EE ok. Quantity verified.
6232885	1.00	DYNAMIC MESSAGE SIGN (TYPE 1)	EACH	\$85,000.00	\$80,000.00	\$80,000.00	N/A	N/A	94.12%	No	EE ok. Quantity verified.
6250490	1.00	RENT TRAFFIC CONTROL DEVICES	LS	\$250,000.00	\$600,000.00	\$400,000.00	N/A	N/A	240.00%	Yes	EE ok.
6270110	1.00	PERMANENT OVERHEAD SIGN SUPPORT STRUCTURES	LS	\$1,035,000.00	\$531,756.45	\$1,100,000.00	N/A	N/A	51.38%	Yes	EE ok. Quantity verified.
6270150	5,403.47	PERMANENT SIGN PANELS (OVERHEAD)	SQFT	\$30.00	\$25.00	\$25.00	N/A	N/A	83.33%	No	EE ok. Quantity verified.
6270190	1,913.76	PERMANENT SIGNS (GROUND MOUNTED) (METAL SUPPORTS)	SQFT	\$70.00	\$70.00	\$60.00	38,275.80	2000.03%	100.00%	No	EE ok. Quantity verified.

Price Sensitivity

April 2, 2015

Item No.	Quantity	Description	Unit	Engineer's Est. Unit Price	Low Bid Unit Price	2nd Low Bid Unit Price	Qty Chg Req'd to Chg Bid Order	% Change in Qty Req'd	Low % of EE	Significantly Unbalanced	Quantity Check Comments
6280120	1.00	MOBILIZATION	LS	\$2,379,891.19	\$2,000,000.00	\$1,688,888.44	N/A	N/A	84.04%	No	EE ok.
6290100	350.00	TIME RELATED OVERHEAD	DAY	\$4,500.00	\$8,000.00	\$7,500.00	765.52	218.72%	177.78%	Yes	EE ok.
6320930	53,926.00	EPOXY PAVEMENT STRIPING (8-INCH SOLID WHITE)	LINFT	\$1.00	\$0.50	\$0.50	N/A	N/A	50.00%	Yes	EE ok. Quantity verified.
6321020	44,472.00	EPOXY PAVEMENT STRIPING (8-INCH SOLID YELLOW)	LINFT	\$2.50	\$0.50	\$0.55	-7,655,160.00	-17213.44%	20.00%	Yes	EE ok. Limited bid history. Quantity verified.
6370110	1.00	TEMPORARY POLLUTION CONTROL	LS	\$100,000.00	\$10,000.00	\$400,000.00	N/A	N/A	10.00%	Yes	EE ok.
6370190	1.00	DUST CONTROL	LS	\$59,497.27	\$5,000.00	\$500,000.00	N/A	N/A	8.40%	Yes	EE ok.
6410150	8.00	IMPACT ATTENUATOR (70 MPH)	EACH	\$25,000.00	\$15,000.00	\$25,000.00	-38.28	-478.45%	60.00%	Yes	EE ok. Quantity verified.
Additional Comments:											



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

MEMORANDUM

May 4, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: May 11, 2015, Transportation Board of Directors Meeting
Item #5: 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 March 20, 2015, through April 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 March 20, 2015, through April 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, March 20, 2015, through April 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
March 20, 2015, through April 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	26113	01	ACCESS DATA GROUP, INC	E-DISCOVERY SYSTEM	N	52,465.00	263,200.00	315,665.00	-	12/19/2013	12/31/2017	-	Service Provider	EDUARDO MIRANDA	AMD 1 05-11-15: INCREASE AUTHORITY \$263,200.00 FROM \$52,465.00 TO \$315,665.00 AND EXTEND TERMINATION DATE FROM 06-30-2016 TO 12-31-2017 TO HAVE A REMOTE CONSULTANT RESOURCE FOR NDOT'S E-DISCOVERY TEAM, E-DISCOVERY CASE WORK SUPPORT, CASE MANAGEMENT SUPPORT OF THE TOOL, AND TRAINING FOR PROJECT NEON. 12-23-13: CONFIGURE, INTEGRATE, TEST, AND IMPLEMENT THE NEW E-DISCOVERY SYSTEM. STATEWIDE. NV B/L#: NV20131306302-R
2	27313	03	SNELL & WILMER, LLP	LEGAL SUPPORT SERVICES	N	30,000.00	450,000.00	620,000.00	-	7/18/2013	7/30/2016	5/11/2015	Service Provider	DENNIS GALLAGHER	AMD 3 05-11-15: INCREASE AUTHORITY \$450,000.00 FROM \$170,000.00 TO \$620,000.00 AND EXTEND TERMINATION DATE FROM 07-30-15 TO 07-30-16 TO PROCEED WITH DISCOVERY, SETTLEMENT NEGOTIATION, MEDIATION, LITIGATION, AND APPEAL. AMD 2 12-09-14: INCREASE AUTHORITY BY \$90,000.00 FROM \$80,000.00 TO \$170,000.00, IN ORDER TO RESOLVE PENDING LAWSUIT. AMD 1 07-29-14: INCREASE AUTHORITY BY \$50,000.00 FROM \$30,000.00 TO \$80,000.00, AND EXTEND TERMINATION DATE FROM 07-30-14 TO 07-30-15 IN ORDER TO RESOLVE PENDING LAWSUIT. 07-18-13: LEGAL SUPPORT RE: MEADOW VALLEY CONTRACTORS AND CONTRACT 3399, WASHOE COUNTY. NV B/L#: NV20011000455-S
3	55014	00	LUMOS AND ASSOCIATES	ARCHITECTURE SERVICES	N	850,000.00	-	850,000.00	-	5/11/2015	12/31/2016	-	Service Provider	DON TWICHELL	05-11-15: CIVIL ENGINEERING DESIGN SERVICES FOR PROJECT ELEMENTS INCLUDING: TRUCK AND HEAVY EQUIPMENT WASH PADS, SAND AND OIL SEPARATORS, RETENTION BASINS AND RELATED STORM WATER MANAGEMENT ISSUES, SEWAGE SYSTEM IMPROVEMENTS, AND INSPECTION FOR ADHERENCE TO INTERNATIONAL BUILDING CODES, STATEWIDE. NV B/L#: NV19791006982-R
4	49614	00	HI-TECH ROCKFALL CONSTRUCTION, INC	ROCK SCALING	N	1,250,000.00	-	1,250,000.00	-	5/11/2015	12/31/2016	-	Service Provider	ROBERT KVAM	05-11-15: ROCK SCALING AND RISK MITIGATION IN VARIOUS LOCATIONS THROUGHOUT DISTRICT II. CARSON CITY, DOUGLAS, WASHOE, CHURCHILL, MINERAL, LYON, AND STOREY COUNTIES. NV B/L#: NV20001413785-R

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
5	07113	02	SYLVESTER AND POLEDNAK LTD	LEGAL SUPPORT SERVICES	N	275,000.00	150,000.00	425,000.00	-	1/29/2013	1/31/2017	5/11/2015	Service Provider	DENNIS GALLAGHER	AMD 2 05-11-15: INCREASE AUTHORITY \$150,000.00 FROM \$275,000.00 TO \$425,000.00 TO CONTINUE REPRESENTATION FROM PRE-TRIAL THROUGH TRIAL. AMD 1 01-28-15: EXTEND TERMINATION DATE FROM 01-31-15 TO 01-31-17 TO ALLOW TIME FOR THE LAWSUIT TO COME TO A RESOLUTION. 01-29-13: LEGAL SUPPORT FOR CONDEMNATION MATTER RE: STATE V. WYKOFF, (WARM SPRINGS PROJECT), CLARK COUNTY. NV B/L#: NV19981131366-S
6	45612	01	SCHINDLER ELEVATOR CORP	TROPICANA PEDESTRIAN BRIDGES MAINTENANCE	N	1,167,328.00	533,664.00	1,700,992.00	-	4/30/2013	5/31/2016	3/30/2015	Service Provider	JENNIFER MANUBAY	AMD 1 03-30-15: INCREASE AUTHORITY BY \$533,664.00 FROM \$1,167,328.00 TO \$1,700,992.00, AND EXTEND TERMINATION DATE FROM 05-31-15 TO 05-31-16 DUE TO NEEDED PREVENTATIVE MAINTENANCE UNTIL ESCALATORS ARE REPLACED. 04-30-13: PERFORM PREVENTATIVE MAINTENANCE ON THE TROPICANA PEDESTRIAN BRIDGES, CLARK COUNTY. NV B/L#: NV19791002347-S

Line Item 1

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

DATE April 17, 2015

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

Done

FROM: Eduardo P. Miranda, Legal Liaison and Risk Manager

SUBJECT: REQUEST APPROVAL TO OBTAIN BUDGET APPROVAL
AMENDMENT No. 1 to P261-13-067
E-DISCOVERY FOR PROJECT NEON
REGARDING E.A. NO. 73652

REQUEST APPROVAL TO AMEND (AND OBTAIN BUDGET APPROVAL) FOR AGREEMENT NO. P261-13-067, The Agreement was entered into on December 19, 2013. Amendment No. 1 will provide for \$263,200 in additional funds. This funds are needed to:

- Have AccessData provide NDOT's E-Discovery team with a remote consultant resource.
- AccessData will conduct client designated E-Discovery operations at the direction of NDOT/AG.
- Provide eDiscovery case work support
- Provide Case Management Support of the tool
- Provide Training
- The Amendment will extend termination Date of June 30th, 2016 to May 13, 2017

The estimated additional cost for the services are \$263,200.00, State funds; for Fiscal Year 2015 \$40,000, and FY 2016 \$223,200.

Approval of this memo by the Financial Management Division, Budget Section, indicates funding authority is available for consulting services for Budget Category 16, Object 813W, Organization B067. 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 David Wooldridge/Eduardo Miranda. Return this memo to me for inclusion in the project.

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

Approved:

[Signature]

Director

Approved

[Signature]

Budget Section

per (be present for response to questions)

Requires Transportation Board Presentation

Requires IT Review

COMMENTS: Project Accounting to determine federal eligibility.

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

April 20th, 2015

TO: Rudy Malfabon, Director
From: Eduardo Miranda, Legal Liaison & Risk Manager
Subject: Negotiation Summary for P261-13-067 Amendment No. 1 – Access Data

A negotiation meeting was held via conference call in Las Vegas, Nevada on March 12-13, 2015 with representatives from Access Data, and Eduardo Miranda of the Nevada Department of Transportation (DEPARTMENT) in attendance.

Article I, Paragraph 1 is amended by adding the following Scope of Services to the existing Agreement No. P261-13-067 per Revised Attachment "A1" incorporated herein and attached hereto

Article IV - Costs, Paragraph 1 is amended by deleting it in its entirety and inserting in its place: The "cost per unit of work" method of compensation shall be used for the SERVICE PROVIDER's services.

Article IV - Costs, Paragraph 2 is amended by increasing the dollar amount from Fifty Two Thousand Four Hundred Sixty Five and No/100 Dollars (\$52,465.00) to Three Hundred Fifteen Thousand Six Hundred Sixty Five and No/100 Dollars (\$315,665.00).

Costs included per unit see below:

Description	Quantity	Total
eDiscovery Consultant	1000 hrs.	\$225,000.00
Litigation All Access Pass	3 people	\$12,000.00
Trial-Run Analysis (NDOT v. Sharples)	40 hrs.	\$9,000.00
Travel	13 trips	\$17,200.00
Existing Hours Left in Orig. Contract	18 hrs.	\$5,400.00
Services Completed to date	1 LS	\$47,065.00
	Total	\$315,665.00

The Scope of Services that are to be provided by the SERVICE PROVIDER was reaffirmed by both parties. The adjustment to the Scope of Services is contained in Statement of work dated March 13, 2015 attached herewith.

The negotiations yielded the following:

1. The execution date referenced in the introductory paragraph of the Service Agreement, has been changed from July 31, 2013 to October 1, 2013;
2. The termination date referenced in Article II – Performance, Paragraph 1 is amended by changing the termination date referenced from June 30th, 2016 to December 31, 2017.
3. The cost of the agreement, based on the conditions indicated in Article IV, Paragraph 2 (referenced above) has been increased by \$263,200.00, bringing the agreement total to \$315,665.00 for the two year life of the agreement. The original Form 2A, was

approved for a total up to \$263,200.00; and

Reviewed and Approved:

A handwritten signature in blue ink, appearing to read "L. D. Wagner", written over a horizontal line.

Director

Line Item 2

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

RECEIVED

APR 02 2015

FINANCIAL MANAGEMENT

MEMORANDUM

DATE: April 1, 2015

TO: 1. Donna Spelts, Budget Section
2. Norfa Lanuza, Project Accounting *N Lanuza 4/9/15*
3. Rudy Malfabon, P.E., Director

FROM: Dennis Gallagher, Chief Deputy Attorney General, Legal Division *DG*
E. Pierre Gezelin, Senior Deputy Attorney General, Legal Division

SUBJECT: REQUEST APPROVAL TO OBTAIN BUDGET APPROVAL
FOR AMENDMENT #3 TO AGREEMENT NO. P273-13-004
FOR SNELL & WILMER, L.L.P.
IN THE MATTER OF *MEADOW VALLEY CONTRACTORS*
CONTRACT 3389

This Agreement was initiated as a contract with outside legal counsel to advise and assist the Nevada Department of Transportation (Department) in the public records request of Meadow Valley Contractors regarding Contract 3389. The review of information required the assistance of an outside contractor to gather, review, analyze, and review thousands of documents for confidentiality and privilege that had been requested under a public records request.

This Agreement was further amended for legal counsel to represent the Department in the construction claim of Meadow Valley Contractors, Inc. (MCVI), regarding Contract 3389. The Firm is to be representing the Department in an attempt to settle the \$14.3 million dollar claim submitted by MCVI on November 17, 2014. If the claim is not settled, Snell and Wilmer, LLP will represent the Department through litigation and appeal, if necessary.

On July 18, 2013, NDOT contracted with Snell & Wilmer for \$30,000 for assistance with the public records request. On July 29, 2014, Amendment No. 1 expanded the term and allowed for continued support regarding this construction claim in the amount of \$50,000.

On November 17, 2014, Meadow Valley Contractors presented and certified another claim to the DEPARTMENT, and Meadow Valley Contractors now claims over \$14.3 million. On December 9, 2014, Amendment No. 2 increased the amount of this agreement by Ninety Thousand Dollars (\$90,000.00) to continue to provide legal counsel.

New Agreement with Snell & Wilmer

Re: Meadow Valley Contractors Public Records Request on Contract 3399

Page 2

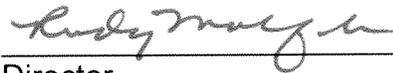
This Amendment No. 3 increases the amount to be paid to the SERVICE PROVIDER by Four Hundred Fifty Thousand Dollars (\$450,000.00) and extends the term of the agreement to July 30, 2016. These monies are necessary to proceed with discovery, settlement negotiation, mediation, litigation and appeal.

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:

Approved



Director



Budget Section

Requires Transportation Board Presentation

Requires IT Review

COMMENTS:

Agreement Total cost = \$620,000.00

Determining if NDOT is responsible for any of claimed costs. Will request FHWA participation if appropriate. - RM

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):

Type of Services: Civil Engineering Design Services

Originated by: Annette Ballew - Requestor Division: Maint/Asset Mgmt Date Originated: 3/10/2015

Division Head/District Engineer: Anita Bush Division Head

Budget Category #: 466006 Object #: 814M Organization #: C056

Estimated Cost: \$850,000.00 Type of Funding: State % of Fund: 09

Funding Notes: State Fiscal Year(s): 2016 & 2017

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

Purpose of, and Justification for, Budget Request:

On the initial approved 2a form attached, Architecture had requested \$500,000.00., for an RFP for a Licensed Civil Engineering On-Call Agreement, to provide professional Engineering Services.

In further evaluating DEPARTMENT needs, it has been determined that utilizing this civil engineering agreement for our Statewide Fuel Systems Upgrade Project would be beneficial. This work is within the scope of services of this civil engineering RFP that was advertised and bid proposals received as of January 27, 2015 (see attached notice of intent).

Because of the added fuel projects it is necessary to increase the amount to \$850,000.00 over the two year agreement period. Individual Task Orders will be written as needed for these projects throughout the fiscal years 2016 through June of 2017. The estimated cost for the services are \$850,000.00, State Fund for Fiscal Years 2016 at 50% (\$425,000), 2017 at 50% (\$425,000).

Scope of Services:

To provide professional Civil Engineering Services in general, including but not limited to; drawings and specifications for Department's truck and heavy equipment wash pads with associated infrastructure at multiple sites, as well as designing Fuel Island Upgrades, Repairs and Improvements throughout the State of Nevada.

Additional Information Attached

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

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

March 24, 2015

TO: Reid Kaiser, Assistant Director - Operations
FROM: Don Twichell, Project Manager 
SUBJECT: Negotiation Summary for RFP P500-14-056, On-Call Civil Engineering Services for NDOT Facilities Statewide

A negotiation meeting was held at Lumos & Associates Offices in Carson City NV on March 5, 2015, with Michael Bennett, Tim Russel and Don Twichell of the Nevada Department of Transportation (DEPARTMENT) in attendance.

The DBE goal for this agreement has been established at zero percent (0%).

The scope of services that are to be provided by Lumos & Associates was reaffirmed by both parties at the outset. A short synopsis of the scope of services for Lumos & Associates follows.

1. Design services and provide with plans and specifications for truck wash-pads, sand/oil separators, earth and concrete retaining walls, storm water retention basins.
2. Design services and provide plans and specifications for Repair and Remodel of Fuel Islands throughout the State.
3. Design civil site work as needed to comply with the DEPARTMENT's MS-4 Permit.
4. Provide construction administration services, progress meetings and occasional inspections as necessary to complete the construction and close out phases of the project contract.

Individual Task Orders are written as needed for various projects throughout the fiscal years.

The following schedule was agreed to by both parties:

Lumos & Associates has agreed to provide Civil Design Services by schedules that will be defined in each Task Order as they are written.

Key personnel dedicated this On-Call Civil Engineering Agreement are as follows:

The primary Engineer assigned to manage this On-Call Agreement is Michael Bennett, a Principle Engineer in the firm, with Tim Russel acting as the project manager contact. Lumos & Associates will assign work to their staff as necessary per the development of each Task Order.

The DEPARTMENT's total dollar amount for this On-Call Agreement is \$850,000.00 from which multiple Task Orders may be assigned until the dollar amount of individual Task Orders, added together, is \$850,000.00. There is no guarantee of work upon signing this On-Call agreement. The intent of the On-Call is to perform design services by negotiating individual Task Orders for design work assigned to this On-Call.

The Payment Structure type is LUMP SUM, as described in the DEPARTMENT'S Consultant Agreement Procedures.

Future Civil Design Services, added by Task Order, will be negotiated separately based on the PROVIDER'S billing rate for man hours multiplied by the time required to perform each element of work contained in the Task Order. The LUMP SUM costs will be determined and negotiated in accordance with the guidelines provided in the Consultant Agreement Procedures.

Billing rates for this PROVIDER and their sub-consultants are attached. A review of these billing rates for Civil Engineering Services plus sub-consultant engineering finds that the rates are within customary ranges for Civil Engineering professional services, as well as for their sub-consultant engineers.

Direct expenses (reimbursable expenses, travel, etc.) shall be included in each proposal for a Task Order. Direct Expenses, within individual elements of a Task Order, are paid as LUMP SUM amounts. Direct expenses are negotiated and built into the LUMP SUM cost at the time the PROVIDER submits their service proposal for elements of design agreed upon in each Task Order.

This Negotiated Summary Memorandum explains the method of negotiating future Task Orders that may be assigned to the On-Call Civil Engineering Services. Task Orders will not be formed and negotiated until after the On-Call Civil Engineering Services is signed.
Reviewed and Approved:

DocuSigned by:

3/26/2015 | 09:00 PT
800040180434471

Assistant Director - Operations

Line Item 4

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

Request to Solicit Services and Budget Approval (2A)

Initial Budget Request or Request for × Amendment # 1 or Task Order #

If Amendment or Task Order, name of Company: Hi-Tech Rockfall Construction

Agreement #: 496-14-050 Project ID #(s):

Type of Services: Rock Scaling and rockfall mitigation

Originated by: Teresa Schlaffer Division: Admin Svcs Date Originated: 4/22/2015

Division Head/District Engineer: Thor Dyson

Budget Category #: 06 Object #: 814L Organization #: C050

Estimated Cost: \$1,250,000.00 Type of Funding: State % of Fund: 100

Funding Notes: State Fiscal Year(s): 2015-2017

\$150,000 FY 15. \$1,050,000 in FY16. \$50,000 for FY17

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

Purpose of, and Justification for, Budget Request:

Please see original 2A (attached). Additional \$900,000 funding for rock fall mitigation at Cave Rock, in the interest of the safety of the traveling public.

Scope of Services:

See original 2A. Additional scope is for rock fall mitigation at Cave Rock on US 50.

Additional Information Attached

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

**STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
MEMORANDUM**

April 23, 2015

TO: Reid Kaiser, Assistant Director
FROM: Robert Kvam, Project Manager
SUBJECT: Amended, Negotiation Summary for RFP 496-14-050, Rock Scaling in District II

DocuSigned by:
Robert Kvam
0A350EA26570437...

Amended Subsequent to the initial negotiation Summary Memo of April 3, 2015 for Agreement #496-14-050 discussions were made among staff within District II, Administrative Services, and the Director's Office to accommodate urgent work for an additional \$900,000.00. This is an amended budget request for an increase in the amount of the agreement from \$350,000 to \$1,250,000 in order to accommodate urgent work at the US 50, Cave Rock tunnel. Budget has been identified and Steve Williams, Maintenance Manager, is working on an amended Form 2A.

The initial negotiation meeting was held by a phone conference call on April 3, 2015, with James Roth, Vice President; and Chris Ingram, President; HI-TECH Rockfall Construction, Inc. and Robert Kvam, Project Manager, from the Nevada Department of Transportation. Preceding the phone conference call, James Roth submitted two letters to the DEPARTMENT concerning the negotiation, dated March 13 and 17, 2015 responding to the Project Manager's questions. District II staff and Project Manager discussed the quantities and expected unit costs in a conference call March 30, 2015 and was agreeable to the amounts and conditions.

The initial scope of services to be provided by the SERVICE PROVIDER was reaffirmed by both parties and will include, Rock Scaling, Rock Scaling Overtime, Mobilization, and Rent Equipment. The locations for scaling will be determined by NDOT District II staff prior to the call-out. A crew size of three (3) to four (4) will be maintained dependent upon the location for each call-out inclusive with the Project Foreman.

Rock Scaling will be used when the DEPARTMENT has requested the Service Provider to commence work fourteen (14) working days after receiving the request from the DEPARTMENT. No scaling will be performed when the scaling Project Foreman is away from the field site. Begin scaling only after roadway protection measures are in place and protect all traffic from any rock fall hazards.

Rock Scaling Overtime will only be allowed when directed by the Department and used to complete work to return the highway to public use the same day.

QUANTITY	UNIT	DESCRIPTION OF WORK
288	CREW HOURS	Rock Scaling
15	CREW HOURS	Rock Scaling Overtime
30	EACH	Mobilization
1	LUMP SUM	Rent Equipment

Specific locations of the work will be prosecuted in accordance with the each individual and approved Site Specific Work Plan. Coordination Meetings will be used for each Rock Scaling request. The Department does not know how many separate call-out requests will be made; however the Department anticipates two, one week intervals could be requested.

The Service Provider shall be responsible for providing Rock Scaling equipment, all ancillary equipment necessary to successfully, safely and efficiently perform the work upon highway cut slopes. The DEPARTMENT will inspect and monitor the work for conformance to the contract documents. The NDOT District 2 contact will be Mr. Troy Hammond, Highway Maintenance Supervisor 2. The DEPARTMENT will work with the Service Provider to come up with the best solution for the protection of the highway, highway assets, and motorists. The traffic control operations will be performed by the DEPARTMENT.

When the budget is approved, the Amended Total Costs will not exceed \$1,250,000. The DBE goal for this agreement has been established at three percent (3.0%). Key personnel dedicated to this project from HI-TECH will be selected to meet the RFP requirements. Notice to Proceed (NTP) will follow the Execution of Agreement.

Estimate of Hours and Direct Expenses

Agreement 496-14-050	Quantities			Cost, \$
	NDOT	Service Provider	Agreed	
Rock Scaling (Crew Hours)	800	TBD	288	284,472.00
Rock Scaling Overtime (Crew Hours)	10	TBD	15	11,625.00
Mobilization (Each)	8	TBD	30	40,350.00
Direct Expenses, Rent Equipment	LS	LS	LS	6,480.00
Initial Total Cost, negotiated				342,927.00
Initial Budgeted Amount	--	--	--	350,000.00
Amended Additional Amount	N/A	N/A	N/A	900,000.00
Amended Total Cost,				1,250,000.00

The DEPARTMENT's original estimate was \$350,000.00 including direct labor (800 Crew-hours of work by the SERVICE PROVIDER), overhead rate of 1.5%, and direct expenses at \$24,000.00.

The SERVICE PROVIDER's original estimate was \$348,931.40, including direct labor (320 man-hours of work by the SERVICE PROVIDER), overhead rate, fee, and direct expenses at \$13,200.00 (Rent Equipment). The negotiations yielded the following:

1. There will be up to 288 Total Crew-hours using a 4-man crew allotted throughout the course of this agreement at a direct labor cost of \$284,472.00, with no anticipated raises (Laborer, Group 4) which will take effect over the term of the agreement.
2. The unit prices for Crew-Hours using a 4-man crew are fully loaded costs, including all direct labor costs, safety equipment for each crew member, ropes and harnesses, portable toilets, the overhead and fee. When a 3-man crew is requested the unit prices will be prorated downward.
3. The Mobilization will be for each call-out request and apply to each crew member (Laborer, Group 4) for an amount of \$1,345.00 Each and a total amount of \$40,350.00 for this agreement including coordination meetings, lodging, travel, per diem, overhead and fee.
4. The direct expenses agreed to will total \$6,480.00 for Rent Equipment as needed.
5. K & B Transportation, LLC from Sparks, Nevada, will be used as the DBE firm on this project. There are no direct costs for use of the firm, rather are included in other line items.
6. The Initial Total Negotiated Cost for this agreement, including direct labor, overhead, fee and direct expenses will be \$342,927.00.
7. With the Amended amount added, the Amended Total Cost for this agreement, including direct labor, overhead, fee and direct expenses will be \$1,250,000.00,

Reviewed and Approved:



 Assistant Director

Line Item 5

**STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION**

MEMORANDUM

TO: April 20, 2015

TO: 1. Donna Spelts, Budget Section
2. Norfa Lanuza, Project Accounting *N. Lanuza 4/20/15*
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. P071-13-004
FOR SYLVESTER & POLEDNAK, LTD. (Jeffery R. Sylvester, Esq.)
NDOT vs. WYKOFF; 8th JD CASE NO. A-12-656578-C
REGARDING E.A. NO. 73423 AND
PROJECT IDENTIFICATION NO. SPI-015-1(055)

This agreement contracts outside legal counsel to represent and advise the Nevada Department of Transportation in the eminent domain condemnation matter of *State of Nevada, ex rel., Department of Transportation vs. Wykoff, et al.* in the Eighth Judicial District Court of the State of Nevada, Case No. A-12-656578-C (the "Lawsuit").

The scope of services provides legal services to represent the Department pertaining to the Lawsuit. The original agreement began January 29, 2013 in the amount of \$275,000. On January 23, 2015, Amendment No. 1 extended the term of the agreement to January 31, 2017. This matter is set for trial on May 26, 2015 and is scheduled to last 5 to 7 days. Amendment No. 2 will continue the representation of Sylvester & Polednak from current pretrial preparations through trial. The estimated cost of trial at this time is \$150,000.

Amendment No. 2 in the amount of \$150,000.00 will increase the amount of this agreement from \$275,000.00 to \$425,000.00

Amendment No. 2 to Agreement P071-13-004 with Sylvester & Polednak, Ltd.
NDOT v. Wykoff, 8th JD Case No. A-12-656578-C
April 20, 2015
Page 2

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

 4/20/15

Budget Section

Requires Transportation Board Presentation

Requires IT Review

COMMENTS:

Court date has been set for May 2015; possible
settlement is pending. - Ru

Line Item 6



123 E. Washington Avenue
Las Vegas, Nevada 89101
Phone: (702) 385-6501
Fax: (702) 385-6511

MEMORANDUM

December 8, 2014

To: Tracy Larkin-Thomason, P.E., Deputy Director, Southern Nevada

From:  Mary A. Martini, P.E., District I Engineer

Subject: Request to Amend Agreement No. P456-12-160, Full Preventative Maintenance Service of the Tropicana Pedestrian Bridge Facilities, in Clark County, Nevada

District 1 is requesting your office for approval to amend Agreement No. P456-12-160, Full Preventative Maintenance Services for the Tropicana Pedestrian Bridges at the Intersection of Tropicana Boulevard and Las Vegas Boulevard. This amendment request is to extend the term of the agreement to May 31, 2016. This current preventive maintenance services will expire on May 31, 2015 per Article II, Paragraph 1 of the service agreement.

Since there is a design project to upgrade the existing pedestrian facilities with maintenance and janitorial services included, an extension of one year would be necessary while waiting for this construction project to commence. This existing agreement will be cancelled once the project has started. The construction of this project is currently scheduled in July 2015 if an agreement with the Tropicana Casino will be approved by the Transportation Board this month. If not, construction schedule will be delayed for up to six months.

With your approval, under Amendment 1 to Agreement No. P456-12-160, the completion date will be extended from May 31, 2015 to May 31, 2016.

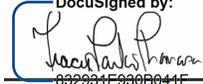
The Contractor, Schindler Elevator Cooperation indicates a willingness to continue Agreement No. P456-12-160 specified full preventative maintenance for an additional 12 (12) months at the same monthly rate under Bid Item No. 2.

Currently, Full Preventative Maintenance Services under Bid Item No. 2 is One Million Sixty-Seven Thousand Three Hundred Twenty-Eight and 00/100 Dollars (\$1,067,328.00). The total additional cost will be Five Hundred Thirty-Three Thousand Six Hundred Sixty-Four and 00/100 Dollars (\$533,664.00) for 12 (12) months extension. Therefore, with an approved Amendment 1 to Agreement P456-12-160, the total not to exceed amount would change from One Million One Hundred Sixty-Seven Thousand Three Hundred Twenty-Eight and 00/100 Dollars (\$1,167,328.00) to One Million Seven Hundred Thousand Nine Hundred Ninety-Two and 00/100 Dollars (\$1,700,992.00), with an Extra Work amount of One Hundred Thousand and 00/1000 Dollars (\$100,000.00).

Therefore, District 1 is requesting your approval and authorization to proceed with the amendment.

If you require additional information, please let me know.

Approved:

DocuSigned by:

082934E990B0417...
Tracy Larkin-Thomason, P.E.,
Deputy Director, Southern Nevada

12/21/2014 | 20:28 PT
Date

MAM/jm

Cc: Mohamed S. Rouas, P.E., Asst. District 1 Engineer
Jennifer Manubay, P.E., District 1 Project Manager
Sally Nicholson, Agreement Services



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

MEMORANDUM

May 4, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: May 11, 2015, Transportation Board of Directors Meeting
Item #6: 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 March 20, 2015, through April 16, 2015
- Agreements under \$300,000 executed March 20, 2015, through April 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 March 20, 2015, through April 16, 2015, and agreements executed by the Department from March 20, 2015, through April 16, 2015. There were no 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, March 20, 2015, through April 16, 2015

- B) State of Nevada Department of Transportation Executed Agreements – Under \$300,000, March 20, 2015, through April 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
March 20, 2015 to April 16, 2015**

1. March 12, 2015, at 2:00 PM the following bids were opened for Contract 807-15, Fernley Maintenance Station, in Lyon County, to upgrade the vehicle storage bays.

Reyman Brothers Construction.....base bid - \$488,000.00; total (base + alt. a) \$714,976.00
Walker River Construction, Inc.base bid - \$572,500.00; total (base + alt. a) \$904,500.00
Bison Constructionbase bid - \$573,900.00; total (base + alt. a) \$797,600.00

Engineer's Estimate base estimate - \$491,816.80; total (base + alt. a) \$865,264.11

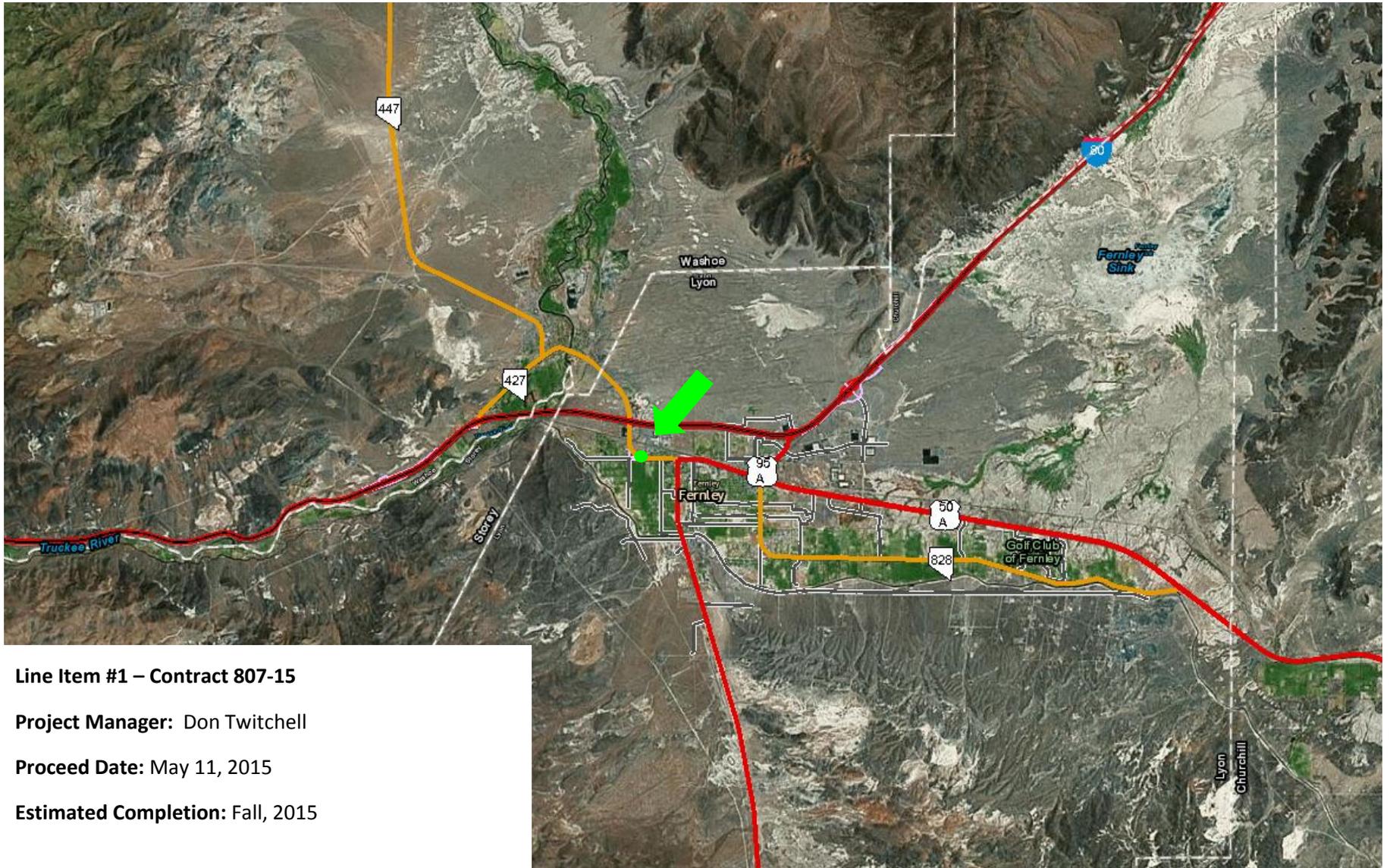
The Director awarded the contract April 7, 2015, to Reyman Brothers Construction, for \$714,976.00.

2. March 19, 2015, at 1:30 PM, the following bids were opened for Contract 3584, Project No. SPF-095-2(054), on US 95 Amargosa Valley to Beatty, in Nye County, for a half inch chip seal.

VSS International, Inc.\$1,542,000.00
Sierra Nevada Construction, Inc.\$1,563,007.00
Intermountain Slurry Seal, Inc.\$1,740,740.00
Graham Contractors, Inc.\$1,785,425.00

Engineer's Estimate \$1,409,032.98

The Director awarded the contract April 8, 2015, to VSS International, Inc., for \$1,542,000.00.



Line Item #1 – Contract 807-15

Project Manager: Don Twitchell

Proceed Date: May 11, 2015

Estimated Completion: Fall, 2015



Line Item #2 – Contract 3584

Project Manager: Phil Kanegsburg

Work History: Plantmix bituminous surface in 1999,
Flush seal in 2010

Length of Project: 27.41 miles

Proceed Date: May 11, 2015

Estimated Completion: Summer, 2015

Attachment B

**State of Nevada Department of Transportation
Executed Agreements - Informational
March 20, 2015, through April 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	13915	00	WASHOE COUNTY SCHOOL DIST	SAFE ROUTES IMPROVEMENTS	N	-	-	-	-	3/26/2015	12/31/2016	-	Cooperative	MIKE BRATZLER	03-26-15: NO COST AGREEMENT TO GAIN RIGHT OF ENTRY FOR SAFE ROUTES TO SCHOOL IMPROVEMENTS, WASHOE COUNTY. NV B/L#: EXEMPT
2	15815	00	CITY OF FALLON	PROVIDE MUSEUM SIGNING	N	13,000.00	-	-	13,000.00	4/10/2015	6/30/2016	-	Cooperative	JANELLE THOMAS	04-10-15: ESTABLISH FUNDING FOR MANUFACTURE, INSTALLATION, AND MAINTENANCE OF HISTORIC DOWNTOWN MUSEUM SIGNING, CHURCHILL COUNTY. NV B/L#: EXEMPT
3	06815	00	CITY OF MESQUITE	IDENTIFY RESPONSIBILITIES	N	-	-	-	-	3/25/2015	11/9/2016	-	Interlocal	TONY LORENZI	03-25-15: NO COST AGREEMENT TO IDENTIFY PARTIES' RESPONSIBILITIES CONCERNING THE DESIGN-BUILD METHOD TO BUILD A NEW INTERCHANGE ON I-15 AT MILEPOST 118, INCLUDING PROCUREMENT, DESIGN, SPECIFICATIONS, CONSTRUCTION, OWNERSHIP, MAINTENANCE, AND COST PARTICIPATION, CLARK COUNTY. NV B/L#: EXEMPT
4	12213	01	UNIVERSITY OF NEVADA, RENO	RESEARCH	Y	156,906.00	-	156,906.00	-	4/23/2013	9/30/2015	3/26/2015	Interlocal	MANJU KUMAR	AMD 1 03-26-15: EXTEND TERMINATION DATE FROM 04-30-15 TO 09-30-15 DUE TO INSTALLATION DELAYS FOR DETECTORS VITAL TO THE PROJECT. 04-23-13: CONDUCT A RESEARCH PROJECT TITLED: "AUTOMATED INTERSECTION VOLUME COUNTS USING EXISTING SIGNAL CONTROL DEVICES," STATEWIDE. NV B/L#: EXEMPT
5	15515	00	UNIVERSITY OF NEVADA, RENO	EMPLOYEE SATISFACTION SURVEY	N	9,965.00	-	9,965.00	-	3/31/2015	9/1/2015	-	Interlocal	KIMBERLEY KING	04-07-15: ADMINISTRATION OF THE DEPARTMENT'S EMPLOYEE SATISFACTION SURVEY, RESPONSE COMPILATION, AND FINAL REPORT. NV B/L#: EXEMPT
6	17615	00	860 81ST ASSOCIATES, LLC	PARCEL S-650-WA-019.599	N	90,448.00	-	90,448.00	-	3/20/2015	3/30/2016	-	Acquisition	TINA KRAMER	03-24-15: ACQUISITION OF PARCEL S-650-WA-019.599 FOR SOUTHEAST MCCARRAN BOULEVARD PROJECT, WASHOE COUNTY. NV B/L#: NV20141656152
7	17715	00	RENO TAHOE AIRPORT AUTHORITY	PARCEL S-650-WA-019.599	N	203,076.00	-	203,076.00	-	3/20/2015	3/30/2016	-	Acquisition	TINA KRAMER	03-24-15: ACQUISITION OF PARCEL S-650-WA-019.599 FOR SOUTHEAST MCCARRAN BOULEVARD PROJECT, WASHOE COUNTY. NV B/L#: EXEMPT
8	18615	00	SIMON / AUTUMN WATERS, ESQ	PARCEL I-015-CL-042.193	Y	1,150,000.00	-	1,150,000.00	-	3/23/2015	3/30/2016	-	Acquisition	TINA KRAMER	03-24-15: ACQUISITION OF PARCEL I-015-CL-042.193 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NV19951135191
9	19215	00	RAJ AND DAWN CHAMPANERI	PARCEL I-015-CL-042.089	Y	250,000.00	-	250,000.00	-	3/26/2015	3/11/2016	-	Acquisition	TINA KRAMER	03-30-15: ACQUISITION OF PARCEL I-015-CL-042.089 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NV19951135191

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	19515	00	BERGER TRANSFER AND STORAGE	MOVING EXPENSES I-015-CL-040.936	Y	3,616.75	-	3,616.75	-	4/1/2015	3/30/2016	-	Acquisition	TINA KRAMER	04-01-15: MOVING EXPENSES FOR PARCEL I-015-CL-040.936 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NV20141052565
11	22615	00	VALDEZ, RODRIGO AND RUTH	PARCEL I-015-CL-041.925	Y	309,376.00	-	309,376.00	-	4/9/2015	2/25/2016	-	Acquisition	TINA KRAMER	04-13-15: ACQUISITION OF PARCEL I-015-CL-041.925 OF PROJECT NEON, CLARK COUNTY. NV B/L#: NV19951135191
12	23415	00	ALICIA V. CARROLL	PARCEL I-015-CL-041.897	Y	480,000.00	-	480,000.00	-	4/13/2015	5/1/2016	-	Acquisition	TINA KRAMER	04-15-15: ACQUISITION OF PARCEL I-015-CL-041.897 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NV19951135191
13	19615	00	CLIFTON USHER	APPRAISAL FOR PROJECT NEON	Y	50,000.00	-	50,000.00	-	2/12/2015	2/28/2017	-	Appraisal	RON DIETRICH	03-26-15: OUTDOOR ADVERTISING STRUCTURE COST ESTIMATING SERVICES ARE NECESSARY FOR THE PROPOSED ACQUISITION OF PROPERTIES IN CONJUNCTION WITH PROJECT NEON, CLARK COUNTY. NV B/L#: NV20091630443
14	22415	00	LEGACY REALTY	APPRAISAL FOR PROJECT NEON	Y	225,000.00	-	225,000.00	-	3/2/2015	2/28/2017	-	Appraisal	RON DIETRICH	04-13-15: REAL ESTATE APPRAISAL AND POTENTIAL EXPERT WITNESS SERVICES FOR THE ACQUISITION OF PROPERTIES IN CONJUNCTION WITH PROJECT NEON, CLARK COUNTY. NV B/L#: NV19951074068
15	15615	00	OVERTON POWER DISTRICT 5	INSTALLATION OF ANCHOR GUYS	N	25,000.00	-	25,000.00	-	2/18/2015	3/1/2016	-	Facility	TINA KRAMER	03-24-15: INSTALLATION OF TWO ADDITIONAL ANCHOR GUYS ON A THREE POLE STRUCTURE, CLARK COUNTY. NV B/L#: EXEMPT
16	16115	00	COX COMMUNICATIONS	MANHOLE AND VALVE COVER	Y	200.00	-	200.00	-	3/17/2015	3/10/2016	-	Facility	TINA KRAMER	04-14-15: MANHOLE AND VALVE COVER ON TROPICANA AVENUE FROM EASTERN AVENUE TO BOULDER HIGHWAY, CLARK COUNTY. NV B/L#: NV19981315619
17	18515	00	CENTURYLINK	26 MANHOLE ADJUSTMENTS	N	286,000.00	-	286,000.00	2,860.00	3/20/2015	2/28/2017	-	Facility	TINA KRAMER	03-24-15: MEDIAN IMPROVEMENTS AND SIDEWALK REPAIR ON TROPICANA AVENUE FROM EASTERN AVENUE TO BOULDER HIGHWAY; 26 MANHOLES ADJUSTED TO FACILITATE IMPROVEMENTS, CLARK COUNTY. NV B/L#: NV19711000425
18	19015	00	NV ENERGY	EAST CLEAR ACRE LANE DESIGN	N	-	-	-	-	3/26/2015	2/28/2018	-	Facility	TINA KRAMER	03-31-15: NO COST DESIGN APPROVAL FOR EAST CLEAR ACRE LANE, CARSON CITY. NV B/L#: NV19831015840
19	20215	00	UNION PACIFIC RAILROAD	AUTHORIZATION TO INCUR COST	N	25,000.00	-	25,000.00	-	4/3/2015	1/1/2030	-	Facility	TINA KRAMER	04-13-15: AUTHORIZATION FOR UPRR TO CHARGE NDOT FOR PRELIMINARY ENGINEERING COSTS DUE TO IMPACTS THAT MAY INVOLVE OR IMPACT EXISTING RAILROAD FACILITIES IN RELATION TO THE REHABILITATION OF BRIDGE G-751, WASHOE COUNTY. NV B/L#: NV19691003146
20	20315	00	NV ENERGY	DESIGN APPROVAL AGREEMENT	N	-	-	-	-	4/6/2015	2/28/2018	-	Facility	TINA KRAMER	04-08-15: NO COST DESIGN APPROVAL AGREEMENT FOR STATE ROUTE 160 PHASE 1, CLARK COUNTY. NV B/L#: NV19831015840

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	21515	00	TANG LLC / LAS VEGAS GOLF & COUNTRY CLUB	PARCEL I-015-CL-041.443	Y	264,000.00	-	264,000.00	-	4/6/2015	11/15/2030	-	Lease	TINA KRAMER	04-06-15: LEASE, DEMISE, AND LET A PORTION OF THE UNIMPROVED PROPERTY OF PARCEL I-015-CL-041.443, CLARK COUNTY. NV B/L#: NV20031149539
22	54514	00	COVENANT CARE CARSON HOLDING	PARCEL U-050-CC-012.538	N	-	-	-	1,000.00	12/8/2014	12/31/2024	-	License	TINA KRAMER	04-15-15: GRANTING A LICENSE TO ALLOW FOR TEMPORARY ACCESS WITHIN THE HIGHWAY'S RIGHT-OF-WAY FOR PARKING DURING LANDSCAPE INSTALLMENT ADJACENT TO US-50,PARCEL U-050-CC-012.538, CARSON CITY.NV B/L#: NV20091029668
23	20415	00	MARTIN RENTAL	PARCEL I-015-CL-042.139	Y	216,000.00	-	216,000.00	-	4/1/2015	3/31/2025	-	Rent	TINA KRAMER	04-06-15: HOLD VACANT PROPERTY FOR PARCEL I-015-CL-042.139, CLARK COUNTY. NV B/L#: NV20091529298
24	16615	00	ROCK PROPERTY INVESTORS	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/19/2015	1/31/2018	-	ROW Access	TINA KRAMER	03-24-15: NO COST AGREEMENT TO GET PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: NV20081592268
25	16715	00	CHARLES W WATSON	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/23/2015	1/31/2018	-	ROW Access	TINA KRAMER	03-25-15: NO COST AGREEMENT TO GET PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: EXEMPT
26	17815	00	ANTON & ANNA LUTFI, ET AL	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/20/2015	1/31/2018	-	ROW Access	TINA KRAMER	03-24-15: NO COST AGREEMENT TO GET PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 604, WASHOE COUNTY. NV B/L#: EXEMPT
27	18115	00	BLUEBIRD GARDEN COMPANY	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/23/2015	1/31/2018	-	ROW Access	TINA KRAMER	03-25-15: NO COST AGREEMENT TO GET PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 604, CLARK COUNTY. NV B/L#: EXEMPT
28	18215	00	MICHAEL S ARGON	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/23/2015	1/31/2018	-	ROW Access	TINA KRAMER	03-25-15: NO COST AGREEMENT TO GET PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 604, CLARK COUNTY. NV B/L#: EXEMPT
29	18315	00	COLLEEN DOUGLAS	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/23/2015	1/31/2018	-	ROW Access	TINA KRAMER	03-25-15: NO COST AGREEMENT TO GET PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: EXEMPT
30	18415	00	CORDOVA COMMERCIAL PROPERTY	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/23/2015	1/31/2018	-	ROW Access	TINA KRAMER	03-25-15: NO COST AGREEMENT TO GET PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: EXEMPT
31	19115	00	RENO PATIO AND FIREPLACES	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/26/2015	1/31/2018	-	ROW Access	TINA KRAMER	03-30-15: NO COST AGREEMENT TO GET PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: NV20131610437
32	19315	00	SM ASSETS LLC	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/26/2015	1/31/2018	-	ROW Access	TINA KRAMER	03-30-15: NO COST AGREEMENT TO GET PERMISSION TO ENTER OWNER'S PROPERTY FOR THE RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: NV20111104793

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
33	20115	00	SUNRISE LIMITED	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	4/6/2015	1/31/2018	-	ROW Access	TINA KRAMER	04-08-15: NO COST AGREEMENT TO GET PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: NV20151023192
34	21415	00	MANFRIN 1994 REVOCABLE TRUST	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	4/6/2015	1/31/2018	-	ROW Access	TINA KRAMER	04-08-15: NO COST AGREEMENT TO GET PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: EXEMPT
35	22515	00	MADISON COLEMAN INVESTMENTS	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	4/9/2015	1/31/2018	-	ROW Access	TINA KRAMER	04-13-15: NO COST AGREEMENT TO GET PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 604, CLARK COUNTY. NV B/L#: EXEMPT
36	22715	00	WILLIAM COLEMAN INVESTMENTS	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	4/9/2015	1/31/2018	-	ROW Access	TINA KRAMER	04-13-15: NO COST AGREEMENT TO GET PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 604, CLARK COUNTY. NV B/L#: EXEMPT
37	19815	00	155 GLENDALE LLC	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	4/1/2015	1/31/2018	-	ROW Access	TINA KRAMER	04-08-15: NO COST AGREEMENT TO GET PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: NV20141064616
38	22815	00	PECOS PLAZA LTD PARTNERSHIP	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	4/3/2015	1/31/2018	-	ROW Access	TINA KRAMER	04-13-15: NO COST AGREEMENT TO GET PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 604, CLARK COUNTY. NV B/L#: EXEMPT
39	16915	00	DESERT DISPOSAL	WINNEMUCCA TRASH	N	44,312.00	-	44,312.00	-	3/31/2015	1/31/2018	-	Service Provider	JIM ARBONIES	03-31-15: Q3-012-15; TO PROVIDE TRASH REMOVAL, DISPOSAL SERVICES, AND TRASH RECEPTACLES, AT VARIOUS LOCATIONS WITHIN THE WINNEMUCCA SUB-DISTRICT INCLUDING THE MAINTENANCE STATIONS AND REST AREAS, HUMBOLDT AND LANDER COUNTIES. NV B/L#: NV20111124357-Q
40	18015	00	ANNIE'S JANITORIAL	FERNLEY / FALLON M.S. YARDS	N	52,500.16	-	52,500.16	-	3/24/2015	12/31/2017	-	Service Provider	PAUL HARMON	03-24-15: Q2-021-15: JANITORIAL SERVICES FOR A TWO YEAR PERIOD FOR THE FERNLEY AND FALLON MAINTENANCE YARDS WHICH INCLUDES 7 BUILDINGS, ONE DAY PER WEEK, CHURCHILL AND LYON COUNTIES. NV B/L#: NV20131145514-Q
41	21615	00	ESI INTERNATIONAL	MANAGING PROJECT TRAINING	N	12,500.00	-	12,500.00	-	4/7/2015	12/31/2015	-	Service Provider	CRAIG CRICK	04-10-15: PROVIDE ONE TWO-DAY TRAINING SESSION ON MANAGING PROJECTS FOR PROFESSIONAL ADVANCEMENT, CARSON CITY. NV B/L#: NV19981289042-Q
42	22115	00	TITAN ELECTRICAL CONTRACTING	LUMINAIRE REPLACEMENT	N	155,750.00	-	155,750.00	-	4/10/2015	6/30/2015	-	Service Provider	ROD SCHILLING	04-10-15: Q0-012-15: REPLACE LUMINAIRES ON I-580 AT US 395, WASHOE COUNTY. NV B/L#: NV20071408571-Q
43	22215	00	GOMEZ LATH & PLASTER	MATERIALS LAB STUCCO	N	10,150.00	-	10,150.00	-	4/16/2015	6/30/2015	-	Service Provider	JIM PRENTICE	04-16-15: REPAIR/REPLACE THE EXTERIOR STUCCO SURFACE ON THE MATERIALS LAB BUILDING, CARSON CITY. NV B/L#: NV20101758691-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
44	22315	00	HORROCKS ENGINEERING	SUE SERVICES FOR CARSON CITY	Y	50,000.00	-	50,000.00	-	4/16/2015	5/15/2016	-	Service Provider	TINA KRAMER	04-16-15: SUBSURFACE UTILITY ENGINEERING; THREE QUALITY LEVELS OF UTILITY DESIGNATION WITHIN THE PROJECT LIMITS DESCRIBED AS THE CARSON CITY MAINTENANCE YARD, CARSON CITY. NV B/L#: NV19991246016-S



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

May 4, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: May 11, 2015 Transportation Board of Directors Meeting
Item # ~~7~~ **Action Item: Condemnation Resolution No. 448**
I-15 Freeway, from Desert Inn Road to the US-95/I-515
Interchange; Project NEON; in the City of Las Vegas; Clark County.
3 Owners, 3 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:

The Peaceful Sundays Trust - The negotiation is unresolved for the acquisition from The Peaceful Sundays Trust. It is necessary to totally acquire the 15,870 square foot (0.36 acre) Planned Development District-zoned parcel in fee simple. The parcel is improved with two single-family residences, containing 1,000 square feet and 1,277 square feet respectively, a 384 square foot guesthouse, miscellaneous landscaping and fencing. **The parcel in question, which is located on the west side of Desert Lane, approximately 220 feet northerly of Charleston Boulevard, in the City of Las Vegas, is highlighted in blue on the right-of-way plans that are part of the Condemnation Resolution (Attachment 2).** The State's initial offer of \$244,000.00 for the 0.36 acre holding was presented to the property owner on November 10, 2014. The offer consisted of \$254,000.00 for the fee simple land (at \$16.00 per square foot) which was valued with a highest and best use as future office development. A \$10,000.00 cost to clear the various improvements was deducted from the land value, as these improvements would have no value under the concluded highest and best use for the land. The property owner rejected the offer on November 17, 2014 and countered at \$634,800.00 based on a commercial-zoned land value of \$40.00 per square foot. On January 15, 2015, a revised offer of \$310,000.00 was proposed to the owner by the State. This proposed offer was also rejected and negotiations are now at an impasse. The department is continuing to work towards settlement, but is requesting this condemnation resolution to meet construction deadlines.

Vincent J. Danisi, II - The negotiation is also unresolved for the acquisition from Vincent J. Danisi, II. It is necessary to totally acquire the 8,131 square foot (0.19 acre) Planned Development District-zoned parcel in fee simple. The parcel is improved with a 1,284 square foot office building that was converted from a single-family residence, a 432 square foot detached guesthouse, miscellaneous landscaping and fencing. **The parcel in question, which is located on the east side of Desert Lane, 65 feet south of Hastings Avenue, in the City of Las Vegas, is highlighted in red on the right-of-way plans that are part of the Condemnation Resolution (Attachment 2).** The State's initial offer of \$231,150.00 for the 0.19 acre holding was mailed to

the property owner on October 20, 2014. The offer consisted of \$130,000.00 for the fee simple land (at \$15.99 per square foot) and \$101,150.00 for the structures and miscellaneous on-site improvements. The property owner rejected the offer on December 4, 2014 and countered on January 26, 2015 with a range of \$479,000.00 to \$495,000.00. Negotiations are now at an impasse. The department is continuing to work towards settlement, but is requesting this condemnation resolution to meet construction deadlines.

Reich Series LLC - The negotiation is also unresolved for the acquisition from the Reich Series LLC. It is necessary to totally acquire the 21,070 square foot (0.48 acre) Planned Development District-zoned parcel in fee simple. The parcel is improved with a 7,182 square foot, 24-unit, two-story apartment building, an asphalt-paved parking lot, miscellaneous landscaping and fencing. **The parcel in question, which is located at the northwest corner of Martin Luther King Boulevard and Pinto Lane, in the City of Las Vegas, is highlighted in green on the right-of-way plans that are part of the Condemnation Resolution (Attachment 2).** The State's initial offer of \$950,700.00 for the 0.48 acre holding was mailed to the property owner on October 6, 2014. The offer consisted of \$505,700.00 for the fee simple land (at \$24.00 per square foot) and \$445,000.00 for the structure and miscellaneous on-site improvements. The property owner rejected the offer on January 29, 2015 without providing a counter-offer. On February 12, 2015 the State proposed a settlement amount of \$1,570,000.00. The property owner has not responded to this proposed settlement amount. Negotiations are now 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.

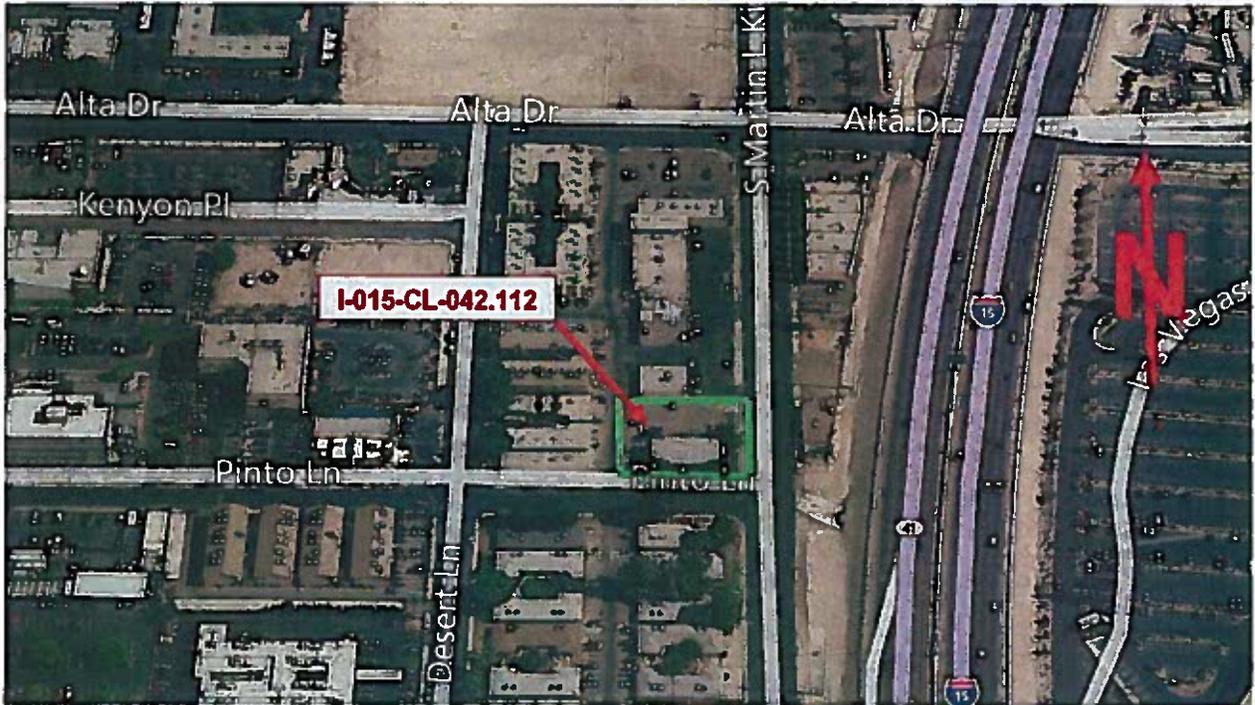
List of Attachments:

1. Location map
2. Condemnation Resolution No. 448 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 (2 of 2)



CONDEMNATION RESOLUTION No. 448

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

LOCATION MAP (1 of 2)



CONDEMNATION RESOLUTION No. 448

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

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. 448

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

ATTACHMENT 2

interest and necessity require the highway improvement and that the property described is necessary for such improvement.

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, 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 I-015-CL-041.801 owned by WILLIAM L. GRAHAM, JR. and ONCHA GRAHAM, Trustees of THE PEACEFUL SUNDAYS TRUST, to be acquired in fee simple.

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 portion of the SE 1/4 of the SW 1/4 of Section 33, T. 20 S., R. 61 E., M.D.M., and more fully described as follows:

LOTS FIVE (5) AND SIX (6) IN BLOCK ONE (1) OF
BUENA VISTA ADDITION, AS SHOWN BY MAP
THEREOF ON FILE IN BOOK 2 OF PLATS, PAGE 95 IN
THE OFFICE OF THE COUNTY RECORDER, CLARK
COUNTY, NEVADA.

It is the intent of this instrument 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 December 5, 2011, as Instrument No. 201112050001404 and

GRANT, BARGAIN & SALE DEED filed for record on January 10, 2012, as Instrument No. 201201100000938, in the Office of the County Recorder, Clark County, Nevada.

PARCEL I-015-CL-041.843 owned by VINCENT J. DANISI, II. to be acquired in fee simple.

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 portion of the SE 1/4 of the SW 1/4 of Section 33, T. 20 S., R. 61 E., M.D.M., and more fully described as follows:

LOT NINE (9) IN BLOCK TWO (2) OF BUENA
VISTA ADDITION, AS SHOWN BY MAP THEREOF ON
FILE IN BOOK 2 OF PLATS, PAGE 95 IN THE OFFICE OF
THE COUNTY RECORDER, CLARK COUNTY, NEVADA.

It is the intent of this instrument to describe and it does describe all that real property described in that certain GRANT, BARGAIN AND SALE DEED filed for record on June 29, 2007, as Instrument No. 200706290004591, in the Office of the County Recorder, Clark County, Nevada.

PARCEL I-015-CL-042.112 owned by REICH SERIES, LLC, to be acquired in fee simple.

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 portion of the NE 1/4 of the SW 1/4 of Section 33, T. 20 S., R. 61 E., M.D.M., and more fully described by metes and bounds as follows:

COMMENCING at the section corner common to Sections
28, 29, 32 and 33, a FOUND 3" CITY OF LAS VEGAS BRASS
DISK 0.05' BELOW ASPHALT STAMPED "CITY OF LAS VEGAS

SEC COR 29|28|32|33 T20S R61E DO NOT DISTURB" shown and delineated as a FOUND CITY OF LAS VEGAS BRASS CAP on that certain Record of Survey for The City of Las Vegas Department of Public Works, filed for record on May 20, 2005, as Instrument No. 200505200004959, File 148, Page 79, Official Records Clark County, Nevada; thence N. 89°44'14" E., along the North line of Section 33, a distance of 2,645.34 feet (Record N. 89°44'21" E. – 2,645.42 feet per said Record of Survey), to the north 1/4 corner of said Section 33, a FOUND 2" BRASS CAP ON A 0.6' CONC POST STAMPED "T20S R61E 1/4 28/33 PLS7635", shown and delineated as a FOUND BRASS CAP on said Record of Survey; thence S. 0°01'50" W. a distance of 3,278.96 feet to the POINT OF BEGINNING; said point of beginning being the intersection of the former northerly right-of-way line of Pinto Lane and the left or westerly right-of-way line of IR-15, which is coincident with the north - south 1/4 section line, 239.49 feet left of and measured radially from Highway Engineer's Station "Le" 820+66.36 P.O.C.; thence S. 89°54'27" W., along the former northerly right-of-way line of Pinto Lane, a distance of 140.35 feet; thence N. 0°02'33" E., leaving said former right-of-way line, a distance of 150.14 feet; thence N. 89°54'27" E. a distance of 140.32 feet to said former westerly right-of-way line of IR-15; thence S. 0°01'55" W., along said former right-of-way line, a distance of 150.14 feet to the point of beginning; said parcel contains an area of 21,070 square feet (0.48 acres).

STATE	L.A. NO.	PROJECT NO.	COUNTY	SHEET NO.
NEVADA	73852	NH-STP-015-K1471	CLARK	01

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

RIGHT-OF-WAY PROJECT

FOUND MONUMENTS

- | | |
|------------|-------------|
| 1 28505L | 11 447010L |
| 2 285052L | 12 761032L |
| 3 420200L | 13 761046L |
| 4 43801L | 14 118200BL |
| 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

7.0" ±
A = 35° 31' 35"
P = 1,800.00'
L = 1,116.09'

DISCOVERY DRIVE GRADE SEPARATION

ALTA DRIVE GRADE SEPARATION

SAHARA AVENUE INTERCHANGE

PROJECT LOCATION

NH-STP-015-K1471

OLEN HEATHER ESTATES UNIT NO. 3
SAHARA/RANCHO OFFICE PARK
YO DESERT RV OVERPASS

SCOTCH BENTY ADDITION REBUNDIVISION

ELLIS ESTATES

BURMA VIATA ADDITION

TO BONANZA ROAD GRADE SEPARATION

OAKLEY BLVD. GRADE SEPARATION

CHARLESTON BLVD. INTERCHANGE

DOWNTOWN EXPRESSWAY INTERCHANGE

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

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

7.0" ±
A = 56° 25' 55"
P = 8,200.00'
L = 6.59' ±8

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

NEVADA DOT	R/W DIVISION	
	TRACED	DM JMD MHR WTC HFC
	CHECKED	JMH
	PHONE	(775) 886-7470

SCALE: 1"=1000' SHEET 1 OF 05

It is the intent of this instrument to describe and it does describe all that real property described in that certain GRANT, BARGAIN, AND SALE DEED, filed for record on June 1, 2006, as Instrument No. 200606010002195, in the Office of the County Recorder, Clark County, Nevada.

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.

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 May, 2015.

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

**Secretary to the Board
William H. Hoffman**

**Chairman – Brian Sandoval
Governor**

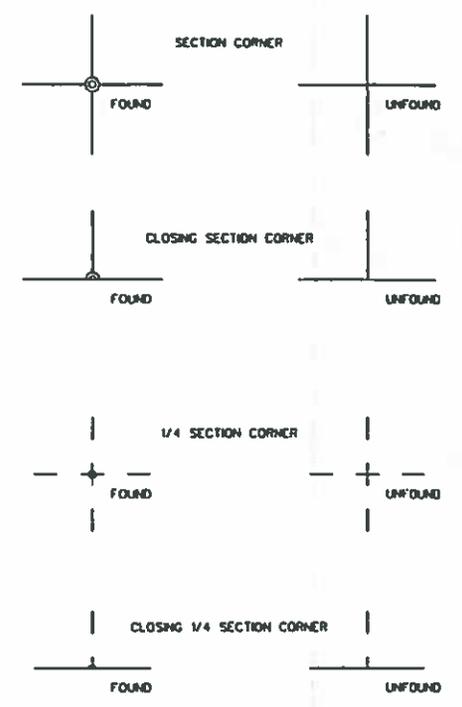
**APPROVED AS TO LEGALITY
AND FORM**

**Dennis Gallagher, Chief Counsel
Department of Transportation**

LEGEND OF RIGHT-OF-WAY SYMBOLS

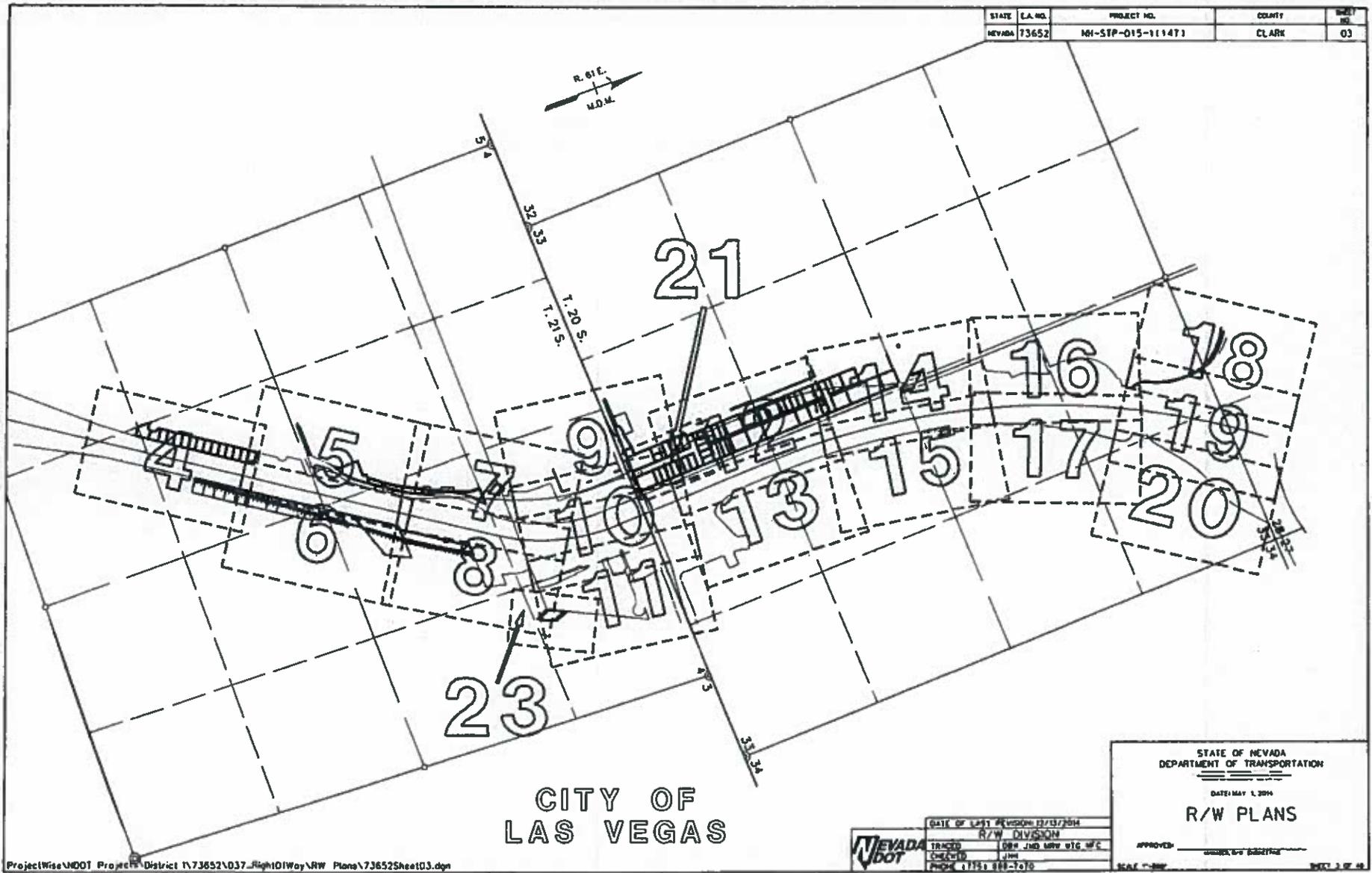
C/A	CONTROL OF ACCESS
℄	CENTERLINE
C/P	PERMISSION TO CONSTRUCT
Δ	DELTA
L	ARC LENGTH
LT	LEFT
P.C.	POINT OF CURVE
P.C.C.	POINT OF COMPOUND CURVATURE
PE	PERMANENT EASEMENT
P/L	PROPERTY LINE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT ON CURVE
P.O.E.	POINT OF ENDING
P.O.T	POINT ON TANGENT
P.R.C.	POINT OF REVERSE CURVATURE
P T	POINT OF TANGENCY
R	RADIUS
REM.	REMAINDER
RT	RIGHT
R/W	RIGHT-OF-WAY
TE	TEMPORARY EASEMENT
1	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
	1/84 SECTION LINE
	FENCE LINE



STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
DATE: MAY 1, 2004
R/W PLANS

STATE	L.A. NO.	PROJECT NO.	COUNTY	SHEET NO.
NEVADA	73652	NH-STP-015-111471	CLARK	03



CITY OF
LAS VEGAS

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

DATE: MAY 1, 2004

R/W PLANS

DATE OF LAST REVISION: 07/07/2004
R/W DIVISION

TRACED: DEN JMD MWG WTC WFC
CHECKED: JHM
PHONE: (702) 888-7070

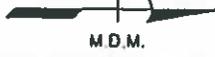
APPROVED: _____
SCALE: 1"=50'

SHEET 3 OF 18

PARCEL NUMBER PREFIX: I-015-CL-

041.756 041.756TE

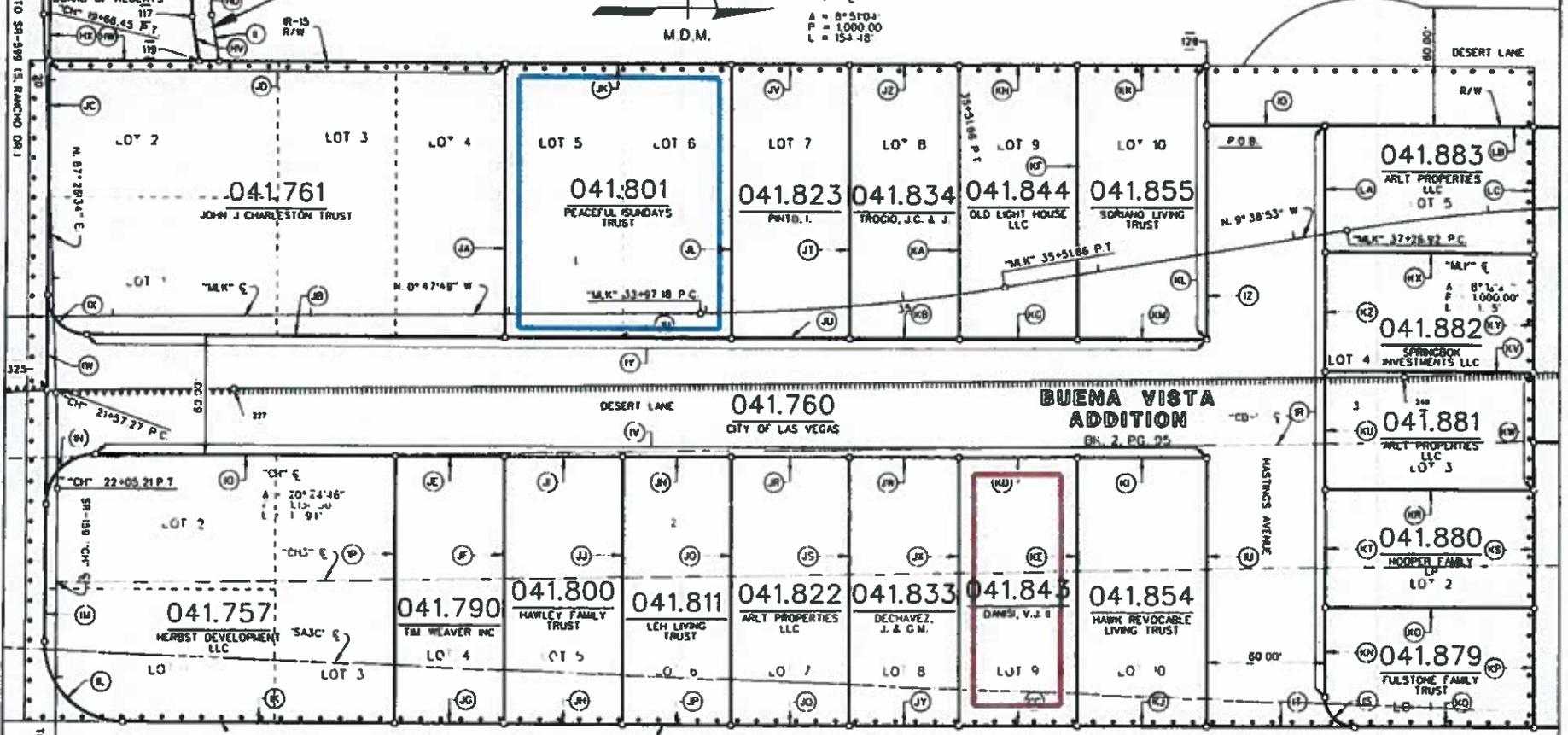
S 1/2 S 1/2
SEC 33
T. 20 S., R. 61 E



"M.P." ϵ
A = 8" SFD
P = 1000.00
L = 154.48

STATE	E.A. NO.	PROJECT NO.	COUNTY	SHEET NO.
NEVADA	73652	MM-STP-015-111471	CLARK	21

ENGINEERING BOXES: SHEETS 28 & 29
STATION & OFFSET: SHEETS 31 & 32



1/4 SEC LINE
**CHARLESTON
BLVD.
INTERCHANGE**

TRAFFIC MOVEMENT WILL BE PERMITTED
UNDER THE FREEWAY AND MLK AT
CHARLESTON BLVD

BEING ACQUIRED
UNDER PHASE 1

**CITY OF
LAS VEGAS**

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

DATE: MAY 1, 2014

R/W PLANS

APPROVED: _____
SCALE: 1"=40'

DATE OF LAST REVISION:	12/15/2014
TRACED:	R/W DIVISION
CHECKED:	STP AND MHW WIS MFE
PROJECT:	MM
PHONE:	(775) 889-1470

PARCEL NUMBER PREFIX: I-015-CL-

042.070TE

PINTO LAKE LLC
042.089

CHAMPANERI, R.L. ET UX

042.110

WESCOM CENTRAL
CREDIT UNION

042.118

GOLDEN RAINBOW INC

042.166TE

MARTIN RENTALS

042.135

DESERT ALTA LLC
SEE

INSET "A"

042.193

SMON, P.A. & J.M.

CITY OF LAS VEGAS

042.139

MARTIN RENTALS

042.218

CITY OF LAS VEGAS

042.225

UNION PACIFIC
LAND RESOURCES

041.898

CITY OF LAS VEGAS

042.092

ALL CITY PROPERTY S LLC

042.071

MENKEL, G.E. & P.M.

12 118
13 115 117

PARKWAY
CENTER

CITY OF
LAS VEGAS

ALTA DRIVE
GRADE
SEPARATION

NOTE: PERPETUATE C 1/4 COR. SEC. 33
20" BRASS DISC IN WELL STAMPED
"PLS 8421 CV/4 533 T20S R60E 1992"
331.40' LT "L" 826+85.36 P.O.C.

SEC. 33
T. 20 S., R. 61 E.
M.D.M.

042.241TE2

042.241TE1

042.241

CLARK COUNTY

INSET "A"
NOT TO SCALE

TRAFFIC MOVEMENT WILL BE
PERMITTED UNDER THE FREEWAY
AT ALTA DRIVE

R/W PLANS

STATE P. No. PROJECT No. SHEET No. 042.1
14 73652 NH-SIP-015-111471 CLARK 14

ENGINEERING BOXES: SHEETS 30 & 31
STATION & OFFSET: SHEETS 31 & 32

3/19/2015	
P	Q
DEW JMD MRS WTC MFC	JMH
11751 688-7470	

PARCEL NO. PREFIX: I-015-CL-

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

37

PARCEL NO.	GRANTOR	GROSS AREA OF ACOSN.	PREV. ACQ.	NET AREA	RAW AREA	REMAINDER		ACQUISITION RECORDING DATA			SURPLUS LAND DATA			REMARKS
						LT.	RT.	INST. OR DOC.	SPL. PG.	DATE TYPE	AREA	INST. OR DOC.	SPL. PG.	
041.420TE	GRANT A.G. & J.M. TRUSTEES	1,187		1,187										Temporary Construction Easement
041.455	GIBSON, C.A. ET AL	8,531		8,531	8,531									Total Acquisition
041.573PE	UNION PACIFIC RAILROAD COMPANY	13,800		13,800										To Be Deeded to City of Las Vegas
041.573TE1	UNION PACIFIC RAILROAD COMPANY	2,513		2,513										Temporary Construction Easement
041.573TE2	UNION PACIFIC RAILROAD COMPANY	2,711		2,711										Temporary Construction Easement
041.583TE1	FIRST PRESBYTERIAN CHURCH	2,937		2,937										Temporary Construction Easement
041.583TE2	FIRST PRESBYTERIAN CHURCH	450		450										Temporary Construction Easement
041.583TE3	FIRST PRESBYTERIAN CHURCH	881		881										Temporary Construction Easement
041.758	UNLV BOARD OF REGENTS	22,348		22,348	22,348		789,852							
041.758TE	UNLV BOARD OF REGENTS	23,481		23,481										Temporary Construction Easement
041.757	HERBST DEVELOPMENT LLC	23,185		23,185	23,185									Total Acquisition
041.780	CITY OF LAS VEGAS	53,871		53,871	53,871									
041.781	CHARLESTON TRUST	31,806		31,806	31,806									Total Acquisition
041.780	WEAVER TIM INC	7,403		7,403	7,403									Total Acquisition
041.800	HAWLEY FAMILY TRUST	8,087		8,087	8,087									Total Acquisition
041.801	PEACEFUL SUNDAYS TRUST	15,870		15,870	15,870									Total Acquisition
041.811	LEH LIVING TRUST	7,423		7,423	7,423									Total Acquisition
041.822	ARLT PROPERTIES LLC	8,109		8,109	8,109									Total Acquisition
041.823	PINTO, I.	8,280		8,280	8,280									Total Acquisition
041.833	DECHAVEZ, J. & G.M.	7,443		7,443	7,443									Total Acquisition
041.834	TROCKO, J.C. & J.	7,580		7,580	7,580									Total Acquisition
041.843	V.J. DANESI II	8,131		8,131	8,131									Total Acquisition
041.844	OLD LIGHT HOUSE LLC	8,280		8,280	8,280									Total Acquisition

STATE OF NEVADA

DEPT. OF TRANSPORTATION

RAW DIVISION

DATE MAY 1, 2014

RAW PLANS

SHEET 37 OF 40 SHEETS

DATE OF LAST REVISION: 2/19/2015

PARCEL NO. PREFIX: 1-015-CL-

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

39

PARCEL NO.	GRANTOR	GROSS AREA OF ACQSN.	PREV. ACQ.	NET AREA	RW AREA	REMAINDER		ACQUISITION RECORDING DATA			SURPLUS LAND DATA			REMARKS	
						LT.	RT.	INST. OR DOC.	BK. PG.	DATE TYPE	AREA	INST. OR DOC.	BK. PG.		DATE TYPE
041.997	DE LEON, A.	8,702		8,702	8,702									Total Acquisition	
042.007	MENKEL, G.E.	17,373		17,373	17,373									Total Acquisition	
042.028	CHAMPABOOL, L. & M.	8,888		8,888	8,888									Total Acquisition	
042.038	951 DESERT LANE LLC	8,887		8,887	8,887									Total Acquisition	
042.048	FLUSH INVESTMENTS LLC	8,372		8,372	8,372									Total Acquisition	
042.061	SUZUKI LIVING TRUST	16,792		16,792	16,792									Total Acquisition	
042.069	ADW REQ LLC	8,372		8,372	8,372									Total Acquisition	
042.088	HMT PROPERTIES LLC	16,744		16,744	16,744									Total Acquisition	
042.070TE	PINTO LANE LLC	1,820		1,820										Temporary Construction Easement	
042.071	MENKEL, G.E. & P.M.	16,788		16,788	16,788									Total Acquisition	
042.088	CHAMPANERI, R.L. ETUX	8,407		8,407	8,407									Total Acquisition	
042.092	JLL CITY PROPERTY 5 LLC	8,375		8,375	8,375									Total Acquisition	
042.110	WESCOM CENTRAL CREDIT UNION	7,007		7,007	7,007									Total Acquisition	
042.112	FRECH SERIES LLC	21,070		21,070	21,070									Total Acquisition	
042.118	GOLDEN RAINBOW INC	14,013		14,013	14,013									Total Acquisition	
042.135	DESERT ALTA LLC	21,020		21,020	21,020									Total Acquisition	
042.139	MARTIN RENTALS	47,881		47,881	47,881									Total Acquisition	
042.188TE	MARTIN RENTALS	1,300		1,300										Temporary Construction Easement	
042.193	SIMON, P.A. & J.M.	22,383		22,383	22,383									Total Acquisition	
042.218	CITY OF LAS VEGAS	195		195	195										
042.225	UNION PACIFIC LAND RESOURCES CORP.	1,471		1,471	1,471										
042.225	CITY OF LAS VEGAS	1,471		1,471	1,471									Outclaim to clear City's Interest	
042.241	CLARK COUNTY	485		485	485	598.631									

STATE OF NEVADA

DEPT. OF TRANSPORTATION

RW DIVISION

DATE: MAY 1, 2014

RW PLANS

DATE OF LAST REVISION: 2/19/2015

SHEET 39 OF 40 SHEETS

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



MEMORANDUM

May 1, 2015

To: Department of Transportation Board of Directors
From: Rudy Malfabon, Director
Subject: May 11, 2015 Transportation Board of Directors Meeting
Item #8: Review and Ratify the Selection of the Contractor for the I-80 at Truckee River near Verdi Construction Manager at Risk Project and Approve an Agreement with Granite Construction Company for Pre-Construction Services for this Project – *For possible action*

Summary:

The Department of Transportation is seeking approval of the selection of the Construction Manager to perform pre-construction services for the I-80 at Truckee River near Verdi Construction Manager at Risk (CMAR) Project. Granite Construction Company was selected as the Construction Manager for this CMAR Project. The selection was made after a Request for Proposals (RFP) was issued, proposals were received and evaluated to determine a short list of best qualified firms, an Invitation to Interview was issued to short listed firms, and an interview of these firms was conducted to determine the most qualified. The procurement process was in accordance with the Department's Pioneer Program Process for CMAR as approved by the Board on December 12, 2011 (Attachment A); a confidential evaluation and selection plan; and in accordance with applicable sections of Nevada Revised Statute 338.

Background:

The Nevada Department of Transportation proposes to construct scour countermeasures and also to repair the concrete superstructures for structures B-764 E/W at milepost WA-3.12 and B-772 E/W at milepost WA-5.53. The project includes the following elements;

- River diversion;
- Limited access;
- Confined spaces;
- Multiple regulatory agencies; and
- Work in environmentally sensitive areas.

The Department issued a RFP using the Construction Manager at Risk (CMAR) delivery method to assist in pre-construction design by minimizing risk, improving construction schedule, and incorporating innovations to meet or exceed project goals.

In an effort to continue to be open and transparent, the Construction Industry and FHWA were invited to observe NDOT's procurement process in the selection of the CMAR for the

project. The following representatives observed the review of proposals and attended the interview evaluations:

- Construction Industry – Ed McSwain, Terra Contracting, Inc.
- FHWA – Dale Wegner

Analysis:

The Department issued a RFP for CMAR Pre-Construction Services on February 26, 2015 for this project. An optional pre-proposal meeting was held on March 10, 2015. Proposals were evaluated by a panel consisting of Department staff. Four (4) firms responded with proposals and are listed below in alphabetical order as follows:

- Burdick Excavating Company
- Granite Construction Company
- Q & D Construction Co., Inc.
- RHB – Meyers

Two (2) of the four (4) proposers were short listed based on their qualifications. The Director approved the Evaluation Panel's recommendation on April 1, 2015 (Attachment B). Listed below, in alphabetical order, are the firms selected for the short list from the proposals.

- Granite Construction Company
- Q & D Construction Co., Inc.

The Department released an Invitation to Interview to the short listed firms on April 9, 2015. These firms were interviewed on April 21, 2015. The evaluation panel for the interview included the same individuals that served as evaluators on the proposal. As specified in the RFP and in accordance with the NRS, final selection of the most qualified firm was based 100% on scoring of the interview process. Evaluations of the proposals and interviews were conducted in strict adherence to detailed and confidential evaluation and selection criteria. During the solicitation process and prior to the interview, proposers were afforded the opportunity to submit written questions to the Department and responses were provided.

Based on the evaluation criteria for the interview, the Evaluation Panel recommended Granite Construction Company to the Director as the most qualified firm.

The Director approved the Evaluation Panel's recommendation on April 22 2015 (Attachment C) and a Notification of Intent to Award to Granite Construction Company was provided to all proposers on April 22, 2015. Pursuant to the Board approved Pioneer Program CMAR process, FHWA has reviewed the selection as well and issued their concurrence on April 22, 2015 (Attachment D).

The Department has followed all requirements of NRS 338.169 to 388.16985, inclusive and has successfully negotiated an Agreement for the CMAR Pre-Construction Services with Granite Construction Company. The amount is being finalized and it will be executed based upon approval of the Transportation Board. Please refer to the Summary of

Contract Terms & Conditions (Attachment E). The conformed contract will be available for your review and approval at the Board meeting on May 11, 2015.

The construction cost for the project is estimated to be \$4,600,000 to \$7,950,000 (R25 - R27).

List of Attachments:

- A. Pioneer Program CMAR Process (flowchart)
- B. Director's Approval of Short Listing (CONFIDENTIAL)
- C. Director's Selection Approval Memo (CONFIDENTIAL)
- D. FHWA Concurrence with Selection (CONFIDENTIAL)
- E. Summary of Contract Terms & Conditions

Recommendation for Board Action:

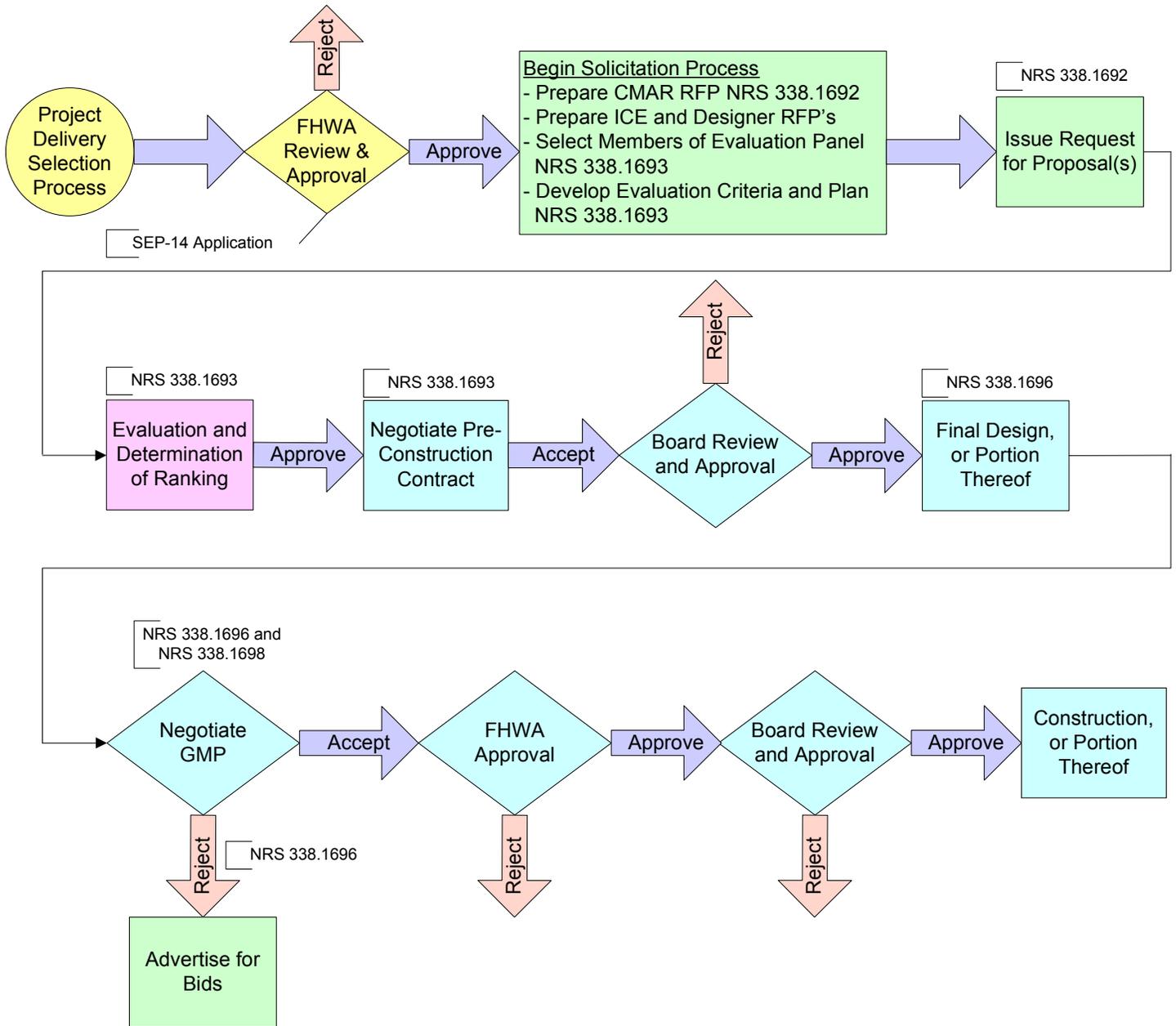
1. Ratify the Selection of Granite Construction Company as CMAR provider for the I-80 at Truckee River near Verdi Project.
2. Approve a Pre-Construction Services Agreement with Granite Construction Company.

Prepared by:

Jenica Keller, Project Manager

NDOT CMAR Process

November 7, 2011



Legend



= Identification Phase



= Evaluation Phase



= Solicitation Phase



= Award/Implementation Phase

Terminology

RFP = Request for Proposal

GMP = Guaranteed Maximum Price

Item #8 Attachment B Confidential

Item #8 Attachment C Confidential

Item #8 Attachment D Confidential

Attachment E

Summary of Contract Terms & Conditions

I-80 at Truckee River near Verdi Project – Preconstruction Services

Scope of Work:

The scope of work is for preconstruction services in development of the I-80 at Truckee River near Verdi Project. These improvements include constructing scour countermeasures, repairing concrete superstructure and the construction of access roads. Major project elements during preconstruction include full and active collaboration with the Department's design team on the following items:

- Cost estimation coordination to establish agreed upon methods for quantification and communication of scope and quantities
- Risk management, including identification, quantification and mitigation strategies
- Detailed and continuous design and constructability review to achieve a higher quality final design and more certain construction cost.
- Open Book Cost Estimates to discuss assumptions and cost allocations with the Department.
- Detailed construction schedule estimates to analyze the impacts of design elements and opportunities for improvement
- Provide a Guaranteed Maximum Price (GMP) for construction services.

Schedule:

The schedule for these preconstruction services as estimated by the Department includes a single GMP in spring 2016. The Construction Manager will participate in milestones, such as plan reviews and Opinion of Probable Construction Costs (OPCC) meetings, with the Department to develop the final plans and GMP. The anticipated start of construction is summer 2016.

Price:

The negotiated agreement price for preconstruction services is \$**XXX,XXX.00**.

Major Terms & Conditions:

Strong contractual controls have been placed on the work to be conducted during cost development and negotiation of GMP. Detailed information is required to be provided as to assumed production rates, overhead and profit rates, risk assumptions, and contingencies. If the Department is not in agreement with the GMP, the Department has the opportunity to elect to advertise the construction contract competitively.

Prepared by: Jenica Keller, Project Manager



MEMORANDUM

April 22, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: May 11, 2015 Transportation Board of Directors Meeting
Item #9: Presentation on NDOT's Communications Plan and Branding Campaign –
Information item only.

Summary:

This item is to update the Transportation Board on outreach activities the Nevada Department of Transportation (NDOT) currently undertakes and discuss potential opportunities for the Department to promote itself and further provide public information through a Communications Plan and Branding Campaign.

Background:

Through mass media, social media, online services, direct customer service, public events and more, NDOT promotes its core messages and continually provides the public with road and departmental updates.

Based on website traffic and volume of public inquiries, we find that public interest and information needs are highest for road condition and project updates. NDOT Communications and Traffic Operations staff continue to collaborate on ongoing improvements to the Department's 511 Travel Information Service which provides up-to-the minute road conditions to drivers. To fulfill public project-related information needs, major Department construction contracts include public outreach conducted through consultants.

A recent Communications Plan commissioned by the Department stressed the need to continue to focus on our mission of roadway safety and connectivity. It included extensive research, a positioning statement, branding ideas, measurement, and additional outreach opportunities, such as working directly with community organizations to raise awareness.

Analysis:

While the Department currently promotes core messages through many channels and receives largely positive feedback from the public, every opportunity to enhance online and public road reporting forums should be evaluated in an effort to provide the road condition and project updates the public seeks.

NDOT will further develop the Communications Plan to augment existing promotional and public outreach activities, as well as utilize a tagline to help establish a brand for NDOT.

Recommendation for Board Action:

Informational item only.

Prepared by:

Sean Sever, Communications Director



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

MEMORANDUM

Date: May 1, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: May 11, 2015 Transportation Board of Directors Meeting
Item #10: Briefing by the Regional Transportation Commission of Washoe County –
Informational item only.

Summary:

Lee Gibson, Executive Director of the Regional Transportation Commission (RTC) of Washoe County, will provide an informational update to the State Transportation Board of Directors. This update will include information on regional projects such as the Southeast Connector, 4th Street / Prater Way Bus Rapid Transit (BRT) and the Virginia Street Corridor.

Background:

The RTC of Washoe County serves three roles for the Washoe County urban area: it is the Metropolitan Planning Organization (MPO), the transit service provider, and builds and maintains the regional roadway network.

Analysis:

N/A

List of Attachments:

N/A

Recommendation for Board Action:

Information item only.

Prepared by:

Sondra Rosenberg, Asst. Director - Planning



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

MEMORANDUM

April 28, 2015

To: Department of Transportation Board of Directors
From: Rudy Malfabon, Director
Subject: May 11, 2015 Transportation Board of Directors Meeting
Item #11: Briefing on Cost Impacts due to Naturally Occurring Asbestos –
Information item only.

Summary:

Naturally Occurring Asbestos (NOA) was identified in Southern Nevada in a technical journal article published in October 2013. This memo, and the presentation at the Transportation Board meeting, will summarize the steps NDOT has taken, and will be taking, as well as the costs to deal with NOA on the I-11, Boulder City Bypass project, and other projects in Southern Nevada.

Background:

I-11, the Boulder City Bypass project, was well underway when NOA was first reported. NDOT had advertised Contract 3528, Phase 1b – Frontage Roads and Utilities and the advertisement was cancelled and the project combined with the larger Phase 1 project. NDOT and the Regional Transportation Commission of Southern Nevada (RTCSN) worked together to address the NOA on I-11 and to contract out consultant services to address NOA.

Analysis:

Since the discovery of NOA in Southern Nevada, the Transportation Board of Directors and others have requested information on the impacts and costs associated with NOA. NOA has delayed the delivery of I-11, Boulder City Bypass Phases 1 and 2. A reevaluation of the Environmental Impact Study (EIS) was completed and approved, but this did result in delays to the two projects and increased the cost to the agencies and the contractors. Both projects are now awarded and moving into the construction phase. A presentation will be made to the Transportation Board to summarize all of the added agreements and costs due to NOA on the I-11, Boulder City Bypass, project.

Other projects in Southern Nevada may potentially be impacted by NOA. NDOT will rely on consultant expertise to investigate the presence of NOA on those projects. Also, NDOT material deposits and commercial material sources will need to be evaluated for NOA.

Proposed Actions Moving Forward:

- Assess the presence of NOA at commercial sources of landscaping rock and other commercial products used on NDOT projects in Southern Nevada.
- Eliminate the placement of landscaping rock on certain NDOT construction projects until sources can be confirmed to not contain NOA.
- Amend the existing Tetra Tech agreement to provide analysis and testing of material sources on active construction projects.
- Bring to the Board at a future meeting(s) service provider agreement(s) for additional NOA services for new projects in potential NOA areas.
- If material on the I-11 project is confirmed to contain NOA, the Headquarters Materials and Testing Division is unable to test it. In that event, testing will be performed by a materials testing firm in Southern Nevada under a separate agreement to be presented to the Board.

Recommendation for Board Action:

For information only.

Prepared by:

John M. Terry, P.E., Asst. Director - Engineering



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

MEMORANDUM

May 1, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: May 11, 2015 Transportation Board of Directors Meeting
Item #12: 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 April 28, 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 April 28, 2015- *Informational item only.*

Recommendation for Board Action:

Informational item only.

OPEN NDOT - OUTSIDE COUNSEL CONTRACTS AS OF APRIL 20, 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	\$ 497,534.90
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	\$ 345,958.25
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	\$ 236,415.45
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	2/27/13 1/23/15	\$275,000.00 Extension of Time	\$ 275,000.00	\$ 6,236.51
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	\$ 161,801.85
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	\$ 39,585.97
** 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	\$ 160,744.56
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	\$ 234,229.04
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	\$ 87,741.34
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	\$ 2,089.66
Kemp, Jones & Coulthard	NDOT vs. City of Los Angeles 8th JD A-13-687717-C Boulder City Bypass Project NDOT Agmt No. P405-13-004	9/1/13 - 9/30/15	9/1/13	\$ 250,000.00	\$ 250,000.00	\$ 195,308.32

OPEN NDOT - OUTSIDE COUNSEL CONTRACTS AS OF APRIL 20, 2015						
Vendor	Case/Project Name	Contract Period	Contract and Amendment Date	Contract and Amendment Amount	Total Contract Authority	Contract Authority Remaining
Sylvester & Polednak	NDOT vs. Smith Family Trust 8th JD A-13-687895-C Project Neon NDOT Agmt No. P465-13-004	9/7/13 - 9/30/15	9/7/13	\$ 280,000.00	\$ 280,000.00	\$ 252,720.49
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	\$ 367,802.51
Laura FitzSimmons, Esq.	Risk Management Analysis for Project NEON Costs for Risk Management Analysis NDOT Agmt No. P006-14-004	1/13/14 - 12/13/17 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	\$ 424,875.57
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	\$ 116,620.51
*** 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	\$ 247,852.70
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	\$ 365,149.99
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	\$ 260,761.80
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	\$ 275,000.00
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	\$ 267,070.00
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	\$ 536,800.00
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	11/20/14 - 11/30/16 Amendment #1	11/20/14 2/12/15	\$ 250,000.00 Define Provider	\$ 250,000.00	\$ 210,036.39
* BH Consulting Agreement	<i>Management assistance, policy recommendations, negotiation support and advice regarding NEXTEL and Re-channelina 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
					\$ 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.

OPEN NDOT - OUTSIDE COUNSEL CONTRACTS AS OF APRIL 20, 2015						
Vendor	Case/Project Name	Contract Period	Contract and Amendment Date	Contract and Amendment Amount	Total Contract Authority	Contract Authority Remaining

Contracts Closed Since Last Report:

Kemp, Jones & Coulthard	NDOT vs. City of Los Angeles 8th JD A-13-687717-C Boulder City Bypass Project NDOT Agmt No. P405-13-004	9/1/13 - 9/30/15	9/1/13	\$ 250,000.00		
					\$ 250,000.00	\$ 195,308.32
Sylvester & Poednak	NDOT vs. Smith Family Trust 8th JD A-13-687895-C Project Neon NDOT Agmt No. P465-13-004	9/7/13 - 9/30/15	9/7/13	\$ 280,000.00		
					\$ 280,000.00	\$ 252,720.49

Monthly Litigation Report to the Nevada Department of Transportation - April 20, 2015				
Case Name	Nature of Case	Outside Counsel to Date		
		Fees	Costs	Total
Condemnations				
NDOT vs. Chavez, Dawn R.	Eminent domain - McCarran Widening *	\$ 63,127.50	\$ 20,251.99	\$ 83,379.49
NDOT vs. Custom Landco. (Walker Furniture)	Eminent domain - Project Neon	\$ 84,954.16	\$ 4,284.04	\$ 89,238.20
NDOT vs. Fitzhouse/Westcare	Eminent domain - Project Neon	\$ 87,825.00	\$ 41,430.44	\$ 129,255.44
NDOT vs. Hackler, Connie L.	Eminent domain - McCarran Widening *	\$ 63,127.50	\$ 20,251.99	\$ 83,379.49
NDOT vs. I-15 and Cactus, LLC	Eminent domain - I-15 Cactus	\$ 140,625.00	\$ 19,789.03	\$ 160,414.03
NDOT vs. Jensen, Allan B.	Eminent domain - McCarran Widening *	\$ 63,127.50	\$ 20,251.99	\$ 83,379.49
NDOT vs. K & L Dirt Company, LLC	Eminent domain - Boulder City Bypass	\$ 98,225.00	\$ 14,973.15	\$ 113,198.15
NDOT vs. LGC 231, LLC - (Holsom Lofts)	Eminent domain - Project Neon	\$ 83,321.25	\$ 2,526.24	\$ 85,847.49
NDOT vs. Las Vegas Golf & Country Club	Eminent domain - Project Neon	\$ 8,957.75	\$ 892.26	\$ 9,850.01
NDOT vs. Manaois, Randy M.	Eminent domain - McCarran Widening *	\$ 63,127.50	\$ 20,251.99	\$ 83,379.49
NDOT vs. Marsh, Nita, et al.	Eminent domain - McCarran Widening *	\$ 63,127.50	\$ 20,251.99	\$ 83,379.49
NDOT vs. Miller, Bruce B.	Eminent domain - McCarran Widening *	\$ 63,127.50	\$ 20,251.99	\$ 83,379.49
NDOT vs. MLK-ALTA	Eminent domain - Project Neon	\$ 191,080.95	\$ 28,028.60	\$ 219,109.55
NDOT vs. Sharples, John; Sharples, Bonnie	Eminent domain - Project Neon	\$ 7,930.00	\$ -	\$ 7,930.00
NDOT vs. Stanford Crossing, LLC	Eminent domain - McCarran Widening *	\$ 63,127.50	\$ 20,251.99	\$ 83,379.49
NDOT vs. Turner, Ronald Lee	Eminent domain - McCarran Widening *	\$ 63,127.50	\$ 20,251.99	\$ 83,379.49
NDOT vs. Wykoff Newberg Corporation	Eminent domain - I-15 and Warm Springs	\$ 233,300.78	\$ 35,462.71	\$ 268,763.49
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			
Eastman, Brandon vs. NDOT	Inverse condemnation - Project Neon			
First Presbyterian Church of LV vs. NDOT	Inverse condemnation - Project Neon	\$ 30,200.00	\$ 1,947.30	\$ 32,147.30
Nassiri, Fred vs. NDOT	Inverse condemnation	\$ 459,180.28	\$ 61,590.68	\$ 520,770.96
Robarts 1981 Decedents Trust vs. NDOT	Inverse Condemnation - Project Neon	\$ 122,803.58	\$ 6,983.17	\$ 129,786.75
Cases Closed and Removed from Last Report:				
NDOT vs. City of Los Angeles, et al.	Eminent domain - Boulder City Bypass	\$ 51,714.50	\$ 2,817.88	\$ 54,532.38
NDOT vs. Smith Family Trust, et al	Eminent domain - Project Neon	\$ 25,225.00	\$ 2,054.51	\$ 27,279.51
* McCarran Widening fees and costs are under one contract.				

Monthly Litigation Report to the Nevada Department of Transportation - April 20, 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 April 20, 2015

<u>Category</u>	<u>Fees</u>	<u>Costs</u>	<u>Total</u>
Condemnation Litigation	\$ 999,347.39	\$ 167,638.46	\$ 1,166,985.85
Inverse Condemnation Litigation	\$ 1,125,931.92	\$ 184,379.85	\$ 1,310,311.77
Construction Litigation	0	0	0
Personnel Litigation	0	0	0
Tort Claim Litigation	0	0	0
	<u>\$ 2,125,279.31</u>	<u>\$ 352,018.31</u>	<u>\$ 2,477,297.62</u>

4/28/2015

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	
4/27/2015	1	1	4/27/2014	1	1	0	0
MONTH	18	23	MONTH	17	20	1	3
YEAR	86	95	YEAR	73	80	13	15

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	1	1	0.00%	2	1	-50.00%	0	0	0.00%	0	0	0.00%
CHURCHILL	1	1	0.00%	1	1	0.00%	0	0	0.00%	0	0	0.00%
CLARK	42	57	35.71%	45	64	42.22%	15	6	-60.00%	17	7	-58.82%
DOUGLAS	1	1	0.00%	1	1	0.00%	0	1	100.00%	0	1	100.00%
ELKO	2	2	0.00%	2	2	0.00%	1	0	-100.00%	1	0	-100.00%
ESMERALDA	0	1	100.00%	0	1	100.00%	0	0	0.00%	0	0	0.00%
EUREKA	2	2	0.00%	2	2	0.00%	0	0	0.00%	0	0	0.00%
HUMBOLDT	4	0	-100.00%	5	0	-100.00%	1	0	-100.00%	1	0	-100.00%
LANDER	3	2	-33.33%	3	2	-33.33%	0	0	0.00%	0	0	0.00%
LINCOLN	0	2	200.00%	0	2	200.00%	0	1	100.00%	0	1	100.00%
LYON	5	2	-60.00%	6	2	-66.67%	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	1	3	200.00%	1	3	200.00%	0	1	100.00%	0	1	100.00%
PERSHING	0	0	0.00%	0	0	0.00%	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	10	10	0.00%	11	11	0.00%	3	0	-100.00%	3	0	-100.00%
WHITE PINE	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
YTD	73	86	17.81%	80	95	18.75%	23	10	-56.52%	25	11	-56.00%
TOTAL 14	268	----	-67.9%	291	----	-67.4%	----	----	#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%	2	0	-100.00%	0	0	0.00%	0	0
CHURCHILL	1	1	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
CLARK	18	29	61.11%	13	18	38.46%	11	9	-18.18%	0	4	400.00%	3	4
DOUGLAS	1	1	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
ELKO	2	2	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
ESMERALDA	0	1	100.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
EUREKA	2	2	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
HUMBOLDT	5	0	-100.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
LANDER	2	1	-50.00%	1	1	0.00%	0	0	0.00%	0	0	0.00%	0	0
LINCOLN	0	2	200.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
LYON	3	2	-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	1	3	200.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
PERSHING	0	0	0.00%	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	5	7	40.00%	4	1	-75.00%	2	3	50.00%	0	0	0.00%	0	0
WHITE PINE	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
YTD	40	54	35.00%	19	20	5.26%	17	13	-23.53%	1	4	300.00%	3	4
TOTAL 14	147	----	-63.27%	72	----	-72.22%	55	----	-76.36%	8	----	-50.00%	9	----

Total 2014 291