



Department of Transportation  
Board of Directors  
Notice of Public Meeting  
1263 South Stewart Street  
Third Floor Conference Room  
Carson City, Nevada  
March 14, 2016 – 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. February 8, 2016 Nevada Department of Transportation Board of Directors Meeting Minutes – *For possible action.*
4. Approval of Agreements over \$300,000 – *For possible action.*
5. Contracts, Agreements, and Settlements – *Informational item only.*
6. Resolution of Relinquishment – *For possible action.*  
  
Disposal of NDOT right-of-way located at IR-15, in the City of Mesquite, County of Clark, State of Nevada (Central Mesquite Overpass, Grapevine Road) SUR 14-16
7. Receive an Annual Report on Construction Working Group Activities – *Informational item only.*
8. Receive Report on Consultant Utilization and Backlog – *Informational item only.*
9. Presentation Regarding the Cost to Administer the Federal Highway Program in Nevada – *Informational item only.*
10. Receive Report on the Nevada Department of Transportation (NDOT) Americans with Disabilities Act (ADA) Draft Transition Plan – *Informational item only.*
11. 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 March 1, 2016 – *Informational item only.*
12. 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.*
13. 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](mailto: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](http://www.nevadadot.com).

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1263 South Stewart Street  
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Governor's Office  
Capitol Building  
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Governor Brian Sandoval  
Lieutenant Governor Mark Hutchison  
Controller Ron Knecht  
Frank Martin  
Tom Skancke  
Len Savage  
BJ AlMBERG  
Rudy Malfabon  
Bill Hoffman  
Dennis Gallagher

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Sandoval: Good morning everyone, I will call the Nevada Department of Transportation Board of Directors Meeting to order. Can you hear me loud and clear in Las Vegas? [pause] Can you hear us in Las Vegas? [pause] Can you hear us in Las Vegas? [pause] Was that a yes? I guess what I would suggest, anybody that's speaking, talk directly into the microphone.

We'll move forward, I guess we'll be as brief as possible.

Malfabon: Yes Governor.

Sandoval: We'll commence with Agenda Item No. 1, which is to receive the Director's Report.

Malfabon: Thank you Governor and Board Members. I wanted to request that we take, during the Agenda, the Item 8, take it after the Approval of the Minutes, Item 3, just with respect to Director Dykema's time. She has another Committee Meeting to present today.

So, going on with the—I wanted to mention some new management staff that NDOT has promoted or acquired. Ruth Borelli is our new Chief Right-of-Way Agent. Ruth has 16 years' experience in Right-of-Way and four and a half years as the Deputy Chief Right-of-Way Agent. Ruth, are you here? Can you stand? Randy Travis was recently promoted to Planning Data Administrator position in Planning. He had previously 19 years in NDOT Traffic Information. So, in his new role, he supervises that section, Research and Roadway Systems. Randy, is he present, no? He's working. And, new acquisition, formerly from DETR, Mark Costa, but also served in the US Army. Mark? Mark has a bachelor's in

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economics and an MBA. Great acquisition for our planning team. Welcome to all those folks and congratulations. Mark will oversee multimodal, so aviation, rail, freight, transit, bike and ped.

Some of this stuff is a repeat but I wanted to add that, you probably saw on the news that President Obama is talking about a possible tax on \$10.00 per barrel of oil. We don't think that that's going to get through Congress, but I just wanted to mention it because the President is looking at ways to fund some of the transportation improvements that he feels needs some additional funding across the nation. The other thing that I wanted to mention is, I met with Director Jim Wright, from the Department of Public Safety. One of the things that the State DOTs are concerned about in the FAST Act was the policy change that removed our ability to flex funding to behavioral safety programs. Behavioral safety programs are like, Click It Or Ticket. Things that have to do with education, enforcement. We feel that those are very good programs. They have a lot of return on investment and we'll meet our obligations rather than pull the rug out from under the Department of Public Safety and the Office of Traffic Safety who works for DPS.

The last thing is, you might have seen some articles recently about Nevada having \$22M in earmarks that could be used for new flexibility that was under the Appropriations Act. I wanted to reiterate, as I did last month, that that money is dedicated to certain projects. The Laughlin Bridge, Colorado River Bridge. Clark County has that earmark. Starr Interchange on I-15, NDOT and Henderson are using that earmark. Then, another earmark remaining is being used by North Las Vegas for the 215 and I-15 north Interchange Improvements. So, that money is obligated. We have used more than 10% of those funds, so we didn't have that flexibility to move that around like some other states that had earmarks that were just sitting around not being used.

We're moving along on the Industrial Center improvements at Apex. The I-15 and US-93 improvements RFP was issued. Proposals are due February 23<sup>rd</sup> from engineering firms. I wanted to mention that it is a phased approach. When it comes time for the environmental clearances done and all the preliminary engineering is done, we'll ask the Board to approve an amendment for the design-build procurement. We anticipate using the design-build process to procure this project. It's the quickest way to deliver the infrastructure improvements. I wanted to give you a heads up that there will be a significant amendment once we get to that phase. We feel that it's better to nail down the scope and negotiate the

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fee at that time, rather than do it all at once. It protects both parties to that agreement. Then we met with Faraday Future's representative in Las Vegas to discuss the project and our schedule for the project.

I wanted to quickly cover some of the presentation that I gave to the Southern Nevada Tourism Infrastructure Committee. That's the Committee that's chaired by Steve Hill, from the Governor's Office of Economic Development. It was based on the Transportation Investment Business Plan. I spoke with General Manager Tina Quigley from the RTC of Southern Nevada and she'll give a more comprehensive presentation on the business plan coming up. There's a lot of improvements slated for Las Vegas to connect the core of the airport to the convention centers and the strip, and some connections to improve access to downtown Las Vegas. NDOT was primarily involved in two of the project suites to improve core area access from I-15 and improve downtown circulation and access.

I'm going to go over these quickly. A lot of these you have seen before in the HOV Update for Southern Nevada that John Terry had presented. It includes the HOV ramps to have direct access. There's a photo there that shows an example of a direct access ramp from the center of a freeway to a bridge over the freeway. That's the type of thing we're looking at. At Hacienda and Harmon, there's existing bridges over the freeway on I-15. Mead doesn't have that great separation yet.

We also have been studying the Tropicana Interchange improvements. You can see the significant right-of-way impacts for that future project. You can see the arena depicted there as well. We know that it's something that's needed to improve I-15 and the access and moving up traffic in that area. A lot more to come on that. We haven't done the environmental clearances yet.

There's also in the HOV plan that was in the business plan, the direct connection of the HOV system from the I-15 to the 215 Beltway. You'd have a flyover ramp from I-15 to the Beltway and then eventually, the next phase would go into the airport. Possibly through the center tunnel that's not currently being used underneath the runways.

Also, some improvements for downtown circulation. We'd have to work with the City of Las Vegas on this one. Maryland Parkway is a proposed new interchange on 515, which a lot of people in Vegas refer to as US-95.

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Then, HOV access, a direct connection ramp off of 95, the 515, at City Parkway, to improve downtown access and circulation.

So, a lot of these were identified previously, as I said, in the HOV Plan Update. One thing to mention about this one is, the City of Las Vegas would like us to advance this one more rapidly. We're going to work with our Project NEON design-builder Kiewit to not preclude this type of improvement in the future. We don't have any environmental approvals for this design. We'll get working on that. We just want to accommodate this in the future, under Project NEON, not build it under Project NEON.

I have the website there, in your presentation. It's a great report, very comprehensive and as I said, General Manager, Tina Quigley, from the RTC of Southern Nevada will give a more comprehensive update in the future.

I wanted to give the Board an update on recent developments with a project. We were going to repave Carson Street from where the terminus of the freeway near US-50, on the south end of Carson City, up to Fairview Drive. We were approached by Carson City. Their plans, just as they are doing downtown with the Complete Street idea and you have just a generic photo, depiction of a complete street. You have wider sidewalks, landscaping, bike lanes. They want to use that approach on this segment of Carson Street too, which is in need of repaving. We met with Carson City and we felt that it's best to not subject the public to traffic control and the waste of funding by building something, repaving the road and then tearing it out three years or so later. We're going to work with Carson City. We proposed to use the project funds for their Complete Street Project at the right time there. So, amend our agreement for Carson Freeway. We'll do a patching and a resealing of the road to keep it together. We feel that it was in the public's and Department's and Carson City's best interest to not waste the funds for the repaving and then tear it up later.

On Glendale Avenue, we had a complete reconstruction project that was going to be advertising late this year. The RTC of Washoe County is developing their Master Plan for Complete Streets and also updating their Bike and Ped Plan. They had some workshops scheduled February 17<sup>th</sup> and 25<sup>th</sup> to get input from the public on this. They requested that we include bike lanes on Glendale Avenue. We're reviewing how the bike lanes that are proposed by RTC will impact the existing on street parking. I have a meeting with Mayor Martini of the City of Sparks and his Public Works staff coming up later this month. We want to find out if there is

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on street parking and the businesses adjacent to Glendale Avenue are affected, we want to know how they feel about that, is there support from the City for that type of change. I know that there's a lot more to come in looking into this request. NDOT was only looking at rebuilding the pavement from the edge of the curb to the curb or basically from people's driveways on over. So, you can see they have significant impacts that we want to discuss with the City of Sparks and RTC and then the public.

An update on Reno Spaghetti Bowl. We attended the RTC North Valley's Public Information Meeting and had a booth there to share information on our traffic study, which is ongoing. We also hired a firm, HDR, to conduct a charrette. We'll do a lot of planning with the RTC and Washoe County to set up for that brainstorming session which we call a charrette. So, we're negotiating the contract scope and fee and that will be before the Board next month. The kick off meeting is also going to be scheduled. A lot of stakeholders involved from elected to local public agency representatives, to the general public. A lot of work to do on that planning effort.

I wanted to show you a quick video. I'm very impressed by the quality of our Public Information staff and Dave Gaskin's effort, our Deputy Director for Storm Water and Environmental, in highlighting the storm water improvements that we're doing at NDOT Maintenance Facilities. If we could show the video.

[video plays]

Just to recap, we're very pleased with the efforts of Kim Smith and the rest of the Communication Staff in developing those types of videos and public outreach.

There aren't any recent settlements and verdicts going to the Board of Examiners this month. I allow time for any questions from the Board Members.

Sandoval: Thank you Rudy. What did we used to do before we had that nice car wash?

Malfabon: We had wash stations but the water was not going to those types of settling basins and going on to a sanitary sewer, it would go into the storm drain.

Sandoval: Congratulations to the team that put that video together. That was very informative and very well done. Thank you for that. Hopefully in the future, perhaps you're working on it already, but I'd love to see what we're doing around Tahoe with regard to storm water and put something together like that. That'd be real helpful, but that was great.

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A few things, questions and comments. First, I got a copy of this book. I really encourage everyone here, if you haven't already, at NDOT to take a look at it. It's called Building Nevada's Highways. Sholet and Julie are prominently referenced in the book. There's some amazing photographs and a presentation of the history of transportation in Nevada. I'm not sure where you get it, I guess I'm not being real helpful, but it just came out a couple of months ago. It really traces the history and development of Nevada's Highway System. I don't know if you've seen it Rudy.

Malfabon: I haven't seen it yet. I know we're coming up on our 100<sup>th</sup> year anniversary.

Sandoval: Oh, Amazon, I should've known better. In any event, it's really good. Sholet one of your photos is in here. You got credit for that, right there. I don't know if you've seen it yourself. In the forward are the acknowledgements and I'm one of those nerds who reads the acknowledgements, but again, it acknowledges you and Julie and the staff at NDOT for your contributions to it. It's a very remarkable book.

Rudy, just a question. When I was driving into Carson last night, I saw that gas was \$1.75 a gallon. I was wondering, how long has it been since it was that low and whether that is the lowest price in the State. But, fill up, while you have the chance, but—

Malfabon: Yes, I'd have to look into that. It is very low. That's probably why the President wanted to put \$10.00 on a barrel on gas.

Sandoval: Yeah, now is the time. And then, finally and on a more serious note and I appreciated the report Rudy. You talked about the fact that we've got this work going on at Apex with the 93 and the 15. We've got Project NEON obviously that we're going to be doing a groundbreaking for that. You've got the downtown area. You have the airport connector and all those things. Having spent some time, always spending time in Las Vegas, like we all do, I'm wondering if it would be helpful to put together or propose some type of multi-agency working group or subcommittee to hopefully coordinate all of the construction that is going on in Southern Nevada. Because that's just us. It doesn't even include RTC and this isn't to suggest that we're not communicating already. I don't know if these are one-offs with Las Vegas, with Clark County, with Southern Nevada Water Authority, with NV Energy. Given the volume of projects that are going on, perhaps it would be good to have a regular committee that meets with

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representatives from each one of these agencies to talk about how we coordinate all those things.

You mentioned it yourself with regard to Carson City and not laying things down and then digging it back up. I know there's frustration in Southern Nevada with the orange cones everywhere. It's a blessing and a curse. We finally have some funding to get some meaningful road projects going on but at the same time, there is frustration with regard to delay and such, associated with all the construction going on. Perhaps for the next Board Meeting, we could have some type of perhaps a proposal and we can talk more about what I have in mind to get the stakeholders in Southern Nevada on a regular basis together to begin to coordinate all these projects.

Malfabon: Definitely will. We're doing a lot of coordination. We'll prepare a presentation on that and get with you on some of your thoughts on that. Definitely, the coordination of the road construction projects, it's not only the public agencies like NDOT, the county, RTC, the cities, but also the other, sewer, water, utilities, developers that are doing work on the roads and highways too.

Sandoval: We could talk about the—it's just working well. You mentioned the Southern Nevada Tourism Infrastructure Committee with Director Hill. That has gone extremely well. It gets everybody on a regular basis together to talk about those things. I think the drivers and the public would appreciate an effort associated with transportation in that regard. Just something that I would like to see on the next agenda. That's all I have. Questions from other Board Members? Member Savage.

Savage: Thank you Governor. Just a brief comment. I want to say thank you to the Department in Northern Nevada and Northeastern Nevada. We've been inundated and fortunate with the weather since the last Board Meeting and the crews, the men and women have been out there 24/7. I know this Board is very grateful for the work and the effort they've made. It's very much appreciated. I wanted to reach out from the top to the bottom of this Department and say, thank you.

Malfabon: Thank you Member Savage. I know that our maintainers have been working tirelessly out there. Snow, rain, whatever the weather is. We had a lot of trucks blow over in Washoe Valley in some of those high wind events and they've been doing a great job of keeping the public safe on our highways.

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Sandoval: Any questions or comments from Southern Nevada? All right. Then let's move to Public Comment. Is there any member of the public here in Carson City that would like to provide comment to the Board?

Berry: Hi, good morning Governor Sandoval and Members of the Board. Thank you for the opportunity to comment on Agenda Item No. 4. In regards to Agreement No. 06916. I'm Amy Berry, CEO of Non-Profit Tahoe Fund. Some of you may know, we have raised a little more than a million dollars for the North Demonstration Project, what we call the Incline to Sand Harbor Bike Path from more than 400 private individuals. Donations ranged from \$100 to \$100K. They came from individuals, foundations and corporations. We're going to use \$500 of this match for the match that's required for the Federal Lands Access Program Funding of more than \$12M. We've replaced the—we've placed the remaining funds in a long-term investment account for maintenance, for State Parks, once the project is built and a small fee to cover admin expenses for the Tahoe Fund.

These donors are all very eager to see the new section of bike path constructed along Route 28 to improve safety along the corridor and create a new recreational amenity. We understand this is a major undertaking and requires necessary time to properly engineer and construct the trail. We're happy to see that NDOT is now taking a lead on this project. They have a wonderful track record of projects, especially in the Tahoe Basin. The South Demonstration Project was done on time and under budget. We have complete faith in their ability to do the very same for this section of trail.

On behalf of the donors of the Tahoe Fund, we would like to request your approval of Agreement No. 06916, with CH2M to provide design and engineering services in support of the SR-28 North Demonstration Project. This will allow the project to move forward into final design and ultimately construction.

As we've discussed with NDOT staff, it is our hope that construction will begin in this building season as we are a little concerned that a further delay could generate requests from our secured donations to be refunded.

Thank you for your support of the North Demonstration Project.

Sandoval: Thank you for being here today.

Berry: Thank you.

Sandoval: Thank you.

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Jorgenson: Mr. Governor, Board. Thank you. I am—can you hear me all right? I am Randy Jorgenson. I'm representing Becho, Inc. Mr. Governor, on January 28<sup>th</sup>, we submitted to you and the rest of the Board a request to have an issue added to the agenda today regarding the Contract No. 3389. We asked that this—that the issue that we have be brought before the Board here today, however this has not been done so. We're requesting that this be voted on, on Agenda No. 4. We were assured during last month's meeting that you would follow-up with us regarding this issue, however, nobody from your office seems to want to deal with this matter. It's not simply going to go away. We respectfully ask that we can follow-up today on these issues.

The prime contractor, ACC, that has requested that NDOT consider our settlement offer that has been proposed to each of you. We have come up with an alternative plan, via change order No. 29, that I believe was also emailed to everyone, that will result in the closest to a win-win situation that we believe that we could have under this.

Given all the related issues, we've also done some research as well. Extensive research of the Federal Funding Guidelines and how through this research, we understand that the State actually stands to lose millions in federal funding if this issue is not resolved. Out of our plan, via agreement Change Order No. 29, that can prevent all that from happening.

If the State does not wish to address this issue, or does deny it, then we'd have to ask at this point that Mr. Malfabon, what type of analysis did you use to determine that Becho was only due \$4,500. That is a question that we would like answered here when I'm done. We believe that today is a good day to resolve this issue and that the litigation expenses would take this issue into the tens of millions. What our contractor is asking for now is a considerable savings to the State.

Mr. Governor, we also ask that given all that is known with this issue, if the State's intention is just to turn this over to Snell and Wilmer to have this settled, how do we avoid this from happening now at this point? How can we move on and how can we get this issue settled on Contract 3389?

At this point, I have nothing further.

Sandoval: Thank you Mr. Jorgenson. This is not on the agenda, so we're not going to have a conversation and a question/answer period. In terms of—I don't have any

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knowledge, independent knowledge regarding what conversations, if any took place outside of your presentation today. I know that the Department is always willing to have conversations with you. Otherwise, we can't have a discussion on what you've presented today.

Jorgenson: It will not be covered under Agenda Item No. 4 or any agenda on this day. How do we get this on the Agenda? We had requested that this be on the agenda and it has not.

Sandoval: Again, Mr. Jorgenson, that's not a conversation to have at this meeting because it's not on the agenda, but we can have a—somebody can have a conversation in that regard, later.

Jorgenson: Okay. So, we request that there is a follow-up and I'm sure we'll probably get something today?

Sandoval: Again, I can't say one way or the other, but I'm certain there will be a conversation after today.

Jorgenson: Okay, thank you. Thank you to the Board and thank you Mr. Governor.

Sandoval: Thank you. Any other public comment in Carson City? Any public comment in Southern Nevada? Then, let's move—we're going to move up Agenda Item No. 8. Director Dykema is with us today. That Agenda Item No. 8 is a report on the Nevada Electric Highway on US-95.

Dykema: Good morning Governor and Members of the Board. I will give a quick overview and status update of the Nevada Electric Highway. Some background on the project. First of all, promoting clean transportation options obviously aligns with the mission of my office as well as the goals of the State. In order to do that, we have to make sure that we provide the infrastructure necessary to do so.

Some background on the Nevada Electric Highway. We created a partnership with NV Energy in order to develop the Nevada Electric Highway last summer. The goal of the Nevada Electric Highway is to provide electric vehicle owners the ability to drive and charge their vehicles between our major urban centers, Reno and Las Vegas.

You can see from the photo here, this is our press conference that we did last June where we announced the plans for the project. We proceeded to solicit interest from host sites located in targeted communities along US-95. We identified the

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targeted communities based on distance apart. We targeted Fallon, Hawthorne, Tonopah and Beatty, based on the extended range of electric vehicles being about 70 to 100 miles currently.

You can see from the map here, the first three communities are located within NV Energy's service territory, Fallon, Hawthorne and Tonopah. And the fourth, because it's outside of NV Energy's service territory has required us to work directly with Valley Electric Association.

There are three major components to the Nevada Electric Highway. The first is NV Energy's Charging Station Shared Investment Agreement Program. This is an existing program that NV Energy has offered over the years and a lot of the charging stations we see, around Reno and Las Vegas, have been a result of that program, which has been very successful. Through the program, they offer an initial upfront cost abatement payment to the host site, in order to help them acquire, permit, install, own and operate the charging station on their property.

NV Energy has actually allotted all of their funds within their budget to the Nevada Electric Highway now. We are lucky that they're not currently offering the program to anything outside of the Electric Highway. They're helping us to see this program succeed.

The second major part of the project is the grant funding provided from the Governor's Office of Energy. In order to offset some of the installation costs of the charging station, we are utilizing grant funds that are allocated to our office from the DOE and it's our State Energy Program Formula Grant. It's an annual grant fund that we receive. We are issuing \$30,000 for the three stations, located in NV Energy's service territory and \$15,000 in grant funds to Valley Electric Association.

The difference between the amount of funding is due to the third component of the project which is the Demand Charge Offset Program. Each charging station will consist of a DC, direct current fast charger, which can charge a vehicle in less than an hour, along with two level two stations, which typically take like 4-6 hours to fully charge a vehicle. There can be significant demand charges associated with the DC fast charger. In order to help mitigate that, my office is offsetting those demand charge increases for the first five years of operation. However, only the sites located within NV Energy's service territory are eligible for this incentive and that is due to the statutory restrictions on that particular budget account, which is funded through the revenue that we receive through the

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Renewable Energy Tax Abatement Program to our office. NRS 701A.450 allows us to utilize that budget to offset the cost or consumption of electricity by NV Energy Rate Pairs.

Some of the eligibility criteria that we've used to select the host site. Obviously, the need to be on or near US-Route 95 and they have own the property or have consent from the owner to install and operate and maintain the charging station on the property. They have to provide a dedicated parking spot so the charging can be done safely. They have to provide year-round, 24 hour access, since people are traveling at all hours of the day or night on the highway. They cannot charge for the five years of operation. They have to use the charging stations that are compatible with the charge point networks so that we have a way of monitoring usage to quantify that. Then they have to accept the terms of NV Energy's Charging Station Shared Investment Agreement.

Working with NV Energy, we had a competitive solicitation process and we collected applications over the summer. Based on the eligibility criteria and the applications received, we selected the Fox Peak Station in the Town of Fallon. The Fox Peak Station is a gas station owned by the Fallon Paiute Shoshone Tribe. The current status of the charging station at this site, the Fallon Tribal Council has been reviewing the terms of NV Energy's Shared Investment Agreement for quite some time now. I'm told their legal review is complete and just last week they were finalizing the construction quotes. We expect a counteroffer to NV Energy, to the \$30,000 upfront abatement payment, but we don't expect it to be significant to deter moving forward.

Hawthorne was a little different experience. We initially selected the El Capitan Lodge Casino as the applicant for the host site. We were working with them. They were reviewing the agreement and then we learned last fall that they were no longer interested in proceeding with the partnership. Then we moved on to the next on the list which was the Golden Gate Petroleum Gas Station, which is located at the north end of the town by the McDonald's, near driving in on 95 there. Unfortunately, they had already moved forward with a Tesla Super Charger and were not interested in having another one on their site. So, we moved on from there as well.

That brings me to why I'm here before you today. We are now looking at, hopefully locating it at an NDOT Rest Area. We're looking at the Ladybird Park Rest Area, which is conveniently located right in the middle of town. It will still

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provide that foot traffic and access to electric vehicle owners to other local businesses.

The status of the one in Tonopah. We initially selected the Town of Tonopah as the host site. Pocket Park was the location that they were looking at. It's a little park along 95 in Tonopah. The town had reviewed the agreement. It was going through multiple board meetings and we were expecting approval by the end of the year, then their counteroffer ended up to be triple the amount of the abatement payment. NV Energy declined to move forward with that counteroffer.

We next reached out to the Mizpah Hotel and have been trying to solicit interest from them. They were one of the applicants on the list however, we have not gotten a response and so now we are looking at again, potentially the Rest Area. The Miller's Rest Area, we're looking at a little north of town.

The good news is, our fourth charging station and Valley Electric Association has been successful. This one is located at the Stagecoach Eddie World Gas Station, which is a good, convenient place in a commercial development, right by the entrance to Death Valley National Park. It's got restaurants and motels and a post office there. There is a Tesla Super Charger located on the site next to it. We're accommodating all electric vehicles. We got the NEPA approval last fall and the installation is complete. The charging station is operational as of last Thursday.

This structure is a little unique from the other three that we're working with NV Energy on in that Valley Electric Association will actually own and operate the station through a lease structure, instead of going through like the charging station agreement with the host site.

Some of our plans moving forward are to expand the Nevada Electric Highway beyond the current project on 95 and to electrify our state's highway infrastructure across 80, US 50 and 93. I think Board Members you have the map in front of you that shows what this looks like. It's basically showing the service territories of NV Energy and then the Rural Electric Co-Op and the routes 80, 93 and 50 and what we're looking at as far as how many charging stations, approximately where and who are partners would be.

We can utilize NV Energy's Charging Station Shared Investment Program for approximately seven of the stations. We've targeted these locations, based again on the distance, for extended range vehicles. Then we'd be looking at

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approximately one on 50, one along 93 and then we'd be looking to engage the Rural Electric Co-op for the remainder of the charging stations.

The Governor's Office of Energy can use the same state energy program formula grant funds from DOE, however, it's only going to go so far without a significant contribution from the host sites. The equipment costs alone for the charging stations are about \$40,000. We can definitely use the grant funds toward that end but we will have to engage the Nevada Rural Electric Association and get the rural electric co-ops on board. We have reached out to them and we've gotten a good response. They are definitely interested in helping us on this project. We actually have a meeting planned with NV Energy, Valley Electric Association and the managers of Wells, Mount Wheeler and Lincoln Power District next month to share the experience on the current project along 95 and discuss some siting options.

Alternatively, or as another option, I guess, we could look at locating the charging stations along rest areas. With the Department of Transportation's participation, we could complete US-93 by locating at the rest areas I've listed here on this slide. They're approximately the correct distance to accommodate the travel. It would only leave us one station that would have to be sited at a local business or potentially property of Mount Wheeler Power District in Ely.

Again, we could utilize the same, NV Energy's Shared Investment Agreement Program for most of 80 and 50 but we will still be working with the co-ops to locate a couple of them.

This is our grand plan beyond 95 to extend to the rural highways so that we have complete electric infrastructure and we have no charging anxiety for our electric vehicle owners. Thank you.

Sandoval: Thank you Ms. Dykema. A few questions. I'm really excited about this whole project. Correct me if I'm wrong, if we get this done, we would be the first state in the nation to have our highways electrified, correct?

Dykema: That is correct.

Sandoval: And, obviously—I shouldn't say obviously, but we have the most remote roads in the nation as well. I just, on so many different levels, I see an opportunity here, particularly for tourism. This is something we could market and it could be very helpful to some of these communities that, as you mentioned, charging anxiety.

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That if you're out in a vehicle and you're not sure what you're going to do when you get out there.

Assuming we have cooperation and participation, how long do you think it would take to complete this entire project?

Dykema: Well, our new cycle of the grant funding comes in July 1<sup>st</sup>, so if we get them on board and get the siting locations figured out prior to then, I mean, it probably takes about a month to install a charging station. So, we could probably have it done by the end of the year if we get everything lined up right.

Sandoval: When people use it, can you keep track of the utilization to see how many people—

Dykema: Yeah. That's why they're using the Charge Point Network to do that, that enables the tracking, the usage and everything.

Sandoval: So, if I own an EV, how long—so, I'm traveling along, leave Las Vegas and hit Beatty, it takes 30-40 minutes, you said on the—I can't remember what the term was for the—

Dykema: The extended range vehicle?

Sandoval: Well no, it's an extended range vehicle but it takes 30-40 minutes to charge the vehicle.

Dykema: Oh, for the fast charger?

Sandoval: Uh huh.

Dykema: Yeah. For the DC Fast Charger.

Sandoval: And you mentioned Tesla. It sounds like the Tesla chargers are not compatible with the other chargers.

Dykema: Right. Yeah, it's kind of like Apple. The Tesla's can use an adapter for charging at the charging stations that we're installing around the state, they can still utilize them with an adapter, but it doesn't work the other way around.

Sandoval: Interesting. That's good to know. I'm not going to get into that part of the conversation. All right. I guess before I go to Rudy on this, I want to make sure if any of the other Board Members have any questions.

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Hutchison: Governor?

Sandoval: Mr. Lieutenant Governor.

Hutchison: I have a follow-up question on the [inaudible] Charging Station Shared Investment Agreement. I assume the [inaudible] for these charging stations, that the State enters into that shared investment agreement with—[inaudible]

Sandoval: I'm sorry Mr. Lieutenant Governor, we lost the very last part of your sentence.

Hutchison: I'll get closer to the microphone.

Speaker: Lieutenant Governor, if we could try to unmute the regular mic, I think that we might have fixed that problem.

Hutchison: All right, is that working okay?

Speaker: Yes.

Sandoval: Yeah, you can sit down, the regular mic on the table is working.

Hutchison: We don't have any audio.

Skancke: Turn that volume up. That one there. Right hand button on the left hand side.

Hutchison: All right, we turned that up.

Malfabon: Can you hear us?

Sandoval: We can hear you crystal clear.

Hutchison: Great, we're in good shape now, we can hear you as well, Governor.

Sandoval: You looked like you were approaching the bench, Mr. Lieutenant Governor.

Hutchison: That would be, probably appropriate for me. Let me just repeat the question. I assume that when we are, as a State, going to use the rest areas as the location for the charging stations that the State will enter into a shared investment agreement with NV Energy, is that right?

Dykema: Correct. That's yes, that's correct.

Hutchison: So, would it be quicker, kind of getting to the Governor's point about how quickly can we get this done—would it be quicker to just do the rest—just to kind of rely on the rest sites as opposed to trying to see if businesses want to enter into this

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shared investment agreement with NV Energy? Would this be faster for the State to do it with the rest areas, or are there advantages to try to get this relationship with businesses? It seems like the efforts thus far with businesses have not been as successful as maybe we've hoped and we've kind of defaulted back to the rest stops. Just given our experience to date, does it make sense just to go forward with the rest stops?

Malfabon: This is Director Malfabon in response, Mr. Lieutenant Governor. I think that that's the best path forward because if you look on—there's a website on PlugShare.com that shows all the electric vehicle charging stations around the State, both on private property and public sites. As you saw from Director Dykema's presentation, we could probably do it more rapidly if we just attack this by doing the—figuring on the rest areas, in addition to whatever the power companies can work out through businesses along those routes. I think it's also good to look at other opportunities on state parks as well, places where people would want to go spend some time and tourism sites around rural Nevada. I think it's the best path forward, is to look at duplication of sites.

Hutchison: Well and it seems like we can control those sites much more so than a private business and them entering into a relationship with NV Energy. So, it seems like if we want to move this forward, our experience looks like the rest sites may make the most sense and like you say Rudy, maybe even State Parks. We can advertise that, we can signage that, as we want and then maybe these businesses can fill in over time. Anyway, it seemed like that's been our experience and my recommendation was that we ought to probably proceed in that regard. Thank you.

Sandoval: Thank you Mr. Lieutenant Governor. I didn't want to commit the Department before I heard what they said. I know there's a lot of details, but I would love to see this done at the rest areas, as well as the State Parks. Again, this is a great opportunity for the rural areas to have tourism opportunities and perhaps get more visitation to our State Parks as well. We are looking at significantly upgrading the experiences at the State Parks and this would really complement what we're trying to do out there. In any event, Mr. Controller.

Knecht: Thank you Governor. Humble apologies that I was late this morning. I'm on the 12<sup>th</sup> day of the worst cold in my memory. I wanted to follow-up on the Lieutenant Governor's question and maybe Ms. Dykema you answered this before I walked in, but the issue of too far a distance between recharge sites is

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already very real. 15 days ago, I pulled out of Pahrump with the wife and daughter in the car. I looked at the gas gauge, did some mental arithmetic and said, we can make Tonopah without a stop in Beatty. Some hours later, we were pulling off in Goldfield and looking for emergency supplies which were available at only \$10.00 a gallon. We needed them. So, my question to you is, when this project is complete between Hawthorne and Beatty, where will people be able to stop besides Tonopah? Will they be able to hit, what is it, Myna or Luna? Will they be able to find something in Goldfield that's not \$10.00 a gallon or what?

Dykema: The Tonopah Station would be the one between Hawthorne and Beatty. It is meant to be a framework. The whole build it and they will come idea. This will provide that framework for the extended range vehicles. Then hopefully we'll see things fill out as we go.

Knecht: Will there be any emergency opportunities between Beatty and Tonopah?

Dykema: We could look at—I know one of our applicants was located in Goldfield, so we could definitely look at that.

Knecht: A fellow named Bill in Goldfield would probably like to participate in that if he could make something off of it. Thank you. I just want to point out, that's already a very real problem with today's technology. You think you can make it and you're not used to the fact that at 75, you suck a little more gas a little faster than you do at 65, etc. And, it's a long lonely stretch of road out there that nobody wants to be stuck on when it's 19 degrees.

Dykema: Very true.

Knecht: Thank you Governor.

Sandoval: Thank you Mr. Controller. That's part of the point is once we get this built out, I actually think you'll be more secure with an EV late at night than you would with a gas vehicle. I've been out there too and you're trying to make it to Tonopah and suddenly, the gas station is closed and you're like, oh no. But if you have that charging station that you can pull up to, that will work out extremely well. Any other questions or comments? Rudy, anything else? How do we get moving on the potential.

Malfabon: NDOT is just going to continue coordinating with the Office of Energy and work on this program. Prioritizing the US 95 Electric Highway first and then looking at the other routes. I've talked to our planning staff. I know that Mark, our new

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head of Multimodal will be interested in pursuing the program for the rest of the State under Sondra's leadership. I think that we want to concentrate on 95 first. Get those areas and then we're looking into working with the power companies, what power is available at some of these other sites across the State, because that's the first thing to do is to find out, what do we have to do to get the power to the site for the three phase power that's needed for the charging stations.

I would again inform the Board about that PlugShare.com. You can look at the maps and you can go into detail, zoom in on looking at how many sites there are across Nevada and where they're not currently located. NDOT will also help with the signage, for initially the US-95. Way finding signage will be put out on our highways so people will know where to go.

Sandoval: That's great. We found out what the universal symbol is for EV charging?

Malfabon: Yes, it looks like a gas pump with an electric cord on the end of it. That's the standard sign. Usually we work with those standard signs that are developed for national use so that people will have uniformity in signage.

Sandoval: Ms. Dykema, anything else you wanted to present?

Dykema: No, thank you.

Sandoval: Thank you for being here today. We'll move back to Agenda Item No. 3 which is consideration of the January 11, 2016 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.

Martin: So moved.

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

Savage: Second.

Sandoval: Second by Member Savage. Any questions or discussion on the motion? Hearing none, all in favor say aye. [ayes around] Oppose, no. That motion passes unanimously. We'll move on to Agenda Item No. 4, Approval of Agreements over \$300,000.

Nellis: Thank you Governor, Members of the Board, Robert Nellis for the record. There are four agreements that can be found under Agenda Item No. 4 on Page 3 of 49 for the Board's consideration. Item No. 1 is the first amendment with Stanley

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Consultants. This is to increase authority by \$71,186 and the original budget did not contemplate two separate construction contracts and in addition, there are sensitive environmental factors, extensive coordination required with several regulatory agencies and more team meetings than originally scoped.

The second item is with Stantec Consulting. This is in the amount of \$329,285 for project management, landscape and aesthetics, design, construction, administration, support and construction support for the Interstate 580 and Damonte Ranch Parkway and Interstate 580 and South Meadows Parkway Interchanges.

Item 3 is with Tetra Tech, Inc. in the amount of \$907,610.43 for naturally occurring asbestos and Erionite assessment services; areas which used by the Department which may distribute suspected or known material contain NOA and/or Erionite statewide. This is not related to the Boulder City Project, this is for a statewide contract and it was a separate bid.

Finally, Item No. 4 is with CH2M. This is for project management, design, public involvement, environmental construction support for the State Route 28, Federal Lands Management Program—I'm sorry, Federal Lands Access Program Bike Path from Tunnel Creek Road to US-50.

With that, that concludes Agenda Item No. 4 and we'd be happy to answer any questions the Board may have.

Sandoval: Thank you Mr. Nellis. I have a few questions on Contract No. 2 with Stantec. Is that an all-in number or is that just for planning? Does that include the entire contract for the, whatever art and installation is going to occur there, landscaping?

Nellis: Yes, Governor, that is an all-in contract.

Sandoval: And that will take care of both those intersections?

Nellis: Yes sir.

Malfabon: The design, not the—they have to design it and then we'll get bids for the construction.

Sandoval: Okay. Again, I get that we have to do this and it's important for the aesthetics and everything, but I just want to make sure that we balance and perhaps there are different buckets of money but the life safety projects versus landscape and aesthetic projects.

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Malfabon: Yes Governor.

Sandoval: And, I've been watching very closely over there at the Virginia exit and things are moving along there.

Malfabon: And Governor and Board Members, just to mention on that project, we heard you and the rest of the Board Members loud and clear on that. We cut about 10% of that working with our contractor to reduce the costs of some of the aesthetic treatments there.

Nellis: And Governor, one thing I didn't mention is, this will incorporate some storm water elements into this contract.

Sandoval: That's important to note too. I get that there's an expense associated with that. On the next contract, Tetra Tech, just curious, so this doesn't have anything to do with Boulder City?

Nellis: No Governor. My understanding, this is a statewide contract for non-Boulder City naturally occurring asbestos.

Sandoval: What was the genesis for us studying the naturally occurring asbestos statewide? And, let me preface the question here, Mr. Terry before you respond. We have that situation in Boulder City and I get it. Public safety and public health has to come first. We have to do whatever we can to ensure that we're protecting the public. Specifically with regard to this asbestos and I think all the Board Members know the history on how the situation in Boulder—the Boulder City Bypass Project and how it started out really small and has grown. At the end of the day, we can stand here today and say that as a 100% fact that we have protected the public and ensured that no one is out there in a dangerous situation. I don't recall having any conversation with regard to looking at this statewide. So, is this a solution in search of a problem or is—what are we planning on here?

Terry: John Terry, Assistant Director for Engineering. Maybe it wasn't clear, I believe it was the October Board Meeting, maybe September, we talked about amending Tetra Tech's current contract, which was only Boulder City, to look at just the landscaping rock that was being imported in to Las Vegas Valley to clear all of that. We said at that time, we would also have a follow-up larger and away contract and this is it. Now, whether it was clear or not back then, that we were going to look at our facilities. We are not looking at the State of Nevada. We are looking at our pits, our facilities, our operations statewide. We need to confirm

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with a geologic assessment of whether there is the potential for NOA or this other element they're calling Erionite, which is very similar to NOA and the potential for that there, surveyed geologically. Then look at specific sites and do some testing to confirm that it's not in these other areas because there's a suspicion there is. It is not statewide. We're not taking on NOA. We are taking on our facilities and our operations across the State and doing some testing to confirm that it's not there.

Sandoval: That's an important clarification. You just increased my blood pressure when you said there's a suspicion that we may have NOA and whatever that other element is in our very own pits. As I said, I will absolutely be supportive of this to ensure that we are not actually installing airborne asbestos material and other materials that may have a life safety element to them. Thank you for that. When will we have an answer on that? I would imagine it would not take very long to do that testing.

Terry: Again, John Terry. I think it will be phased. I think we're going to prioritize some of the areas that are in the vicinity of Las Vegas sooner and then move to the rest of the State, but I don't have an answer exactly, but I would believe within six months we'll have definitive testing going on.

Sandoval: As I said, it makes perfect sense that, God forbid that we are installing and then remediating that which we installed with regard to airborne asbestos. I'm very, very interested in the outcome of that testing.

Finally, on Contract No. 4. Again, this is something that I support and typically this is an Agenda Item that we move through pretty quickly, but Mr. Terry, if you could kind of provide more detail, or Rudy, or what have you with regard to what's being accomplished here. Because it is, Ms. Berry is here to testify on this and it really is an important project for Lake Tahoe.

Malfabon: Yes Governor. We're grateful for Ms. Berry's representation of the Tahoe Fund. I'm going to defer this to Bill Hoffman who has been working on this project. We're also appreciative of the Federal Highway Administration, the Central Federal Lands Office is providing that Federal Lands Access Program the FLAP money, a significant amount. So, Bill will you brief the Board on this project?

Hoffman: Sure. Good morning Governor, Board Members. Bill Hoffman, Deputy Director for the record. This project, like was mentioned earlier, was originally being led by Tahoe Transportation District and Central Federal Lands. Because of our

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experience, past experience, with complex projects like this, minor staffing issues with TTD, we all felt like NDOT should take the role of leading this effort.

The project itself is to build a three-mile long bike path, separated from SR-28 that links Incline Village and Sand Harbor. There's great benefits there, both from an environmental standpoint as well as safety standpoint. The project also is going to add parking areas for access to these—to the bike path, to the three-mile bike path. We're also doing Storm Water Erosion Control work so we get to check the storm water box. We're also putting in guard rail rumble strips roadway safety elements, scope of work, on SR-28. So of course, safety is our number one priority. That's very important.

This project, as a whole, is a great benefit to NDOT, Tahoe Transportation District and the Tahoe community in general.

Sandoval: Thank you Mr. Hoffman. Ms. Berry brought up an important issue because as you know, the Lake Tahoe construction window is very short. Is this something that we would get started this year, assuming approval of this contract?

Hoffman: Yes Governor, yes.

Sandoval: What would be the projected date of completion?

Hoffman: Well, what we're doing at this point is we're looking at trying to phase the project. We're trying to roll out the easiest components to get completed first, which we believe at this point is the water quality work. The roadway safety elements. Then, as much of the bike path, get as much of that started as we possibly can. We totally understand Ms. Berry's comments that she made in terms of donations that may be reverted back to the donors. We're very cognizant of that. We're going to try as quickly as we can forward. With approval of this contract today, we're moving today on this contract.

Sandoval: That's all I have. Board Members, other questions on this Agenda Item? Mr. Martin.

Martin: Thank you Governor, I have a couple. On the Tetra Tech—I'm sorry, the Stantec for landscape architecture, what's the construction budget on that project?

Malfabon: John?

Terry: Again, John Terry, Assistant Director for Engineering. We have only a very preliminary construction budget. I believe each of those is in excess of \$1M, but

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frankly, we would like to—as we saw on the last interchange, work hard with the consultant to try and get that budget down as well as to minimize the long-term maintenance risk. While we have budgets that are over \$1M for each location, we're hoping to drive that down as a part of the design. They are very preliminary budgets at this point.

Martin: Okay. Using my simple math in my vertical world, architectural fees, design fees are about 8% of the construction cost, so this is reasonably a \$4M total project all-in, construction cost.

Terry: I hope not. And again, these are costs plus fixed fee consultant agreements. We're going to get started on the design with the attempt to drive the cost down. I will add there is the water quality element that we absolutely have to do. Yeah, your math, it may look a little bit high on the consultant agreement, but it kind of specialized smaller work and we're hoping to not have that high of a construction value.

Martin: My second question, under the CH contract for the bicycle path and so on up there, we've been as the Board, asked to approve many times consultant agreements because the Board—because NDOT doesn't have the staff to manage the work and staff to manage the design and staff to manage all of the other things that goes in. Here you are, you're taking on another project. So, are we going to, at some point, face looking at hiring somebody else to manage this? So, I'm asking, I guess the basic question is, do y'all have the staff to manage this without hiring some more consultants?

Hoffman: I'll go ahead and take this. Bill Hoffman, Deputy Director, for the record. With this CH2M contract, we're not going to need additional staff to manage that. In this instance, what we did is we took, essentially, a competitive procurement that Central Federal Lands went through and that same design team was brought forward to help us with a lot of design elements. I don't foresee having to hire more staff or more consultants to help with this project. Although, that's a very challenging—I'm going to leave the door open just a little bit Mr. Martin. It's a very challenging—very challenging up there, but I will say at this point, we don't foresee having to go out and get more help.

Martin: This contract is only for design, not for construction though, right?

Hoffman: There is some construction support that was negotiated as part of the scope, but you know, if our NDOT folks can—we have John Angel and other District folks

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have worked a lot of projects up there, know that terrain and that element very well.

Martin: Okay, while I support this 100%, I'm also—I think the Board is sensitive to these continuing consulting agreements. I wanted to make sure that, it's my understanding that CH has already proceeded with the design. They started that initially, already?

Hoffman: Yes sir. Yes sir, they started that originally when Central Federal Lands was leading the design and management efforts. There was about \$800,000-\$850,000 worth of work that we would lose if we didn't take the same design team and carry it forward.

Martin: Like I said, I support it totally, but the fact that they've already started helps us get it into the ground this year.

Hoffman: Yes sir.

Malfabon: And, if I might add, Member Martin, we are preparing the summary of the consulting engineering contracts in the backlog, that was requested by the Board. We're gathering all that information. We should have it presented to the Board in March. That's been one of the concerns, I know.

Sandoval: Other questions, Member Savage?

Savage: Thank you Governor. To Items 3 and 4. On the Tetra Tech, we realize that the public health and safety is number one. This Board realizes that. The Department realizes that and it's priority number one. We don't question that. In the documents though, I do question the way it's written. I understood you, Mr. Terry and I understood the Governor, but on Page 36 of 49, task number one, it says, Tetra Tech will complete statewide NOA and Erionite mapping for all State of Nevada roads and rights-of way, including mapping of up to a maximum of 100 feet beyond the rights-of-way boundaries. I heard you say, Mr. Terry, this is for only our pits and our areas of concern within the Department, not the entire State. So, it's a little misleading in the documentation. I think it needs to be clear on the record that we're not going out to the entire State. We're only looking at our in-house supplies and pits. Is that correct?

Terry: And roads.

Savage: And roads.

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- Terry: If there's a concern on road—if it's a road that we're going to be excavating and doing, moving dirt around, that's our road, so we would map that road. It's, for the most part, our pits, our facilities, but they are also our roads and our projects. If we're going to go out and dig up an area of our road, we're going to see that that area is either geologically assessed and it has no potential, or it's tested.
- Savage: I understand some of that. My concern is the Pandora's box. Looking for something and spending money wisely and conservatively with the lack of funding that we have, it says, a maximum of 100 feet beyond our right-of-way. I mean, we're looking at private lands. I think we really need to tie this down so that—I know I need a comfort level. I understand the priority of the public health and safety, that's number one. Do we need to go out and map every road in the State of Nevada for NOA and Erionite, that's our concern?
- Terry: Okay, understood. I mean, the intent is the geologic assessment will tell us the areas to concentrate on and then we'll test as needed. I understand it's written a little open ended. I understand your concerns. We can work with a consultant to keep it limited as you described.
- Savage: Thank you Mr. Terry.
- Sandoval: So, I guess a follow-up, does that mean we hold approval of this contract until that's accomplished? It seems like it's too late if we approve it today.
- Savage: Yeah.
- Terry: Again, it's a cost plus fixed fee consultant agreement with the scope of work that's negotiated. We can adjust, within that scope of services and say, you know, don't do these areas until—or, not do them, as a part of it. I do not believe not approving this agreement at this time would be necessary for us to implement what Member Savage is requesting.
- Sandoval: Remind me how many miles of road we have in Nevada. This is the Tetra Tech full employment act, I mean, it is. Like I said, I don't want to be a solution in search of a problem. We've been building roads for many years. We've only identified this airborne asbestos there in the Boulder City Bypass and suddenly we're looking at a lot of area.
- Savage: Exactly.

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Sandoval: I don't know what the threshold is because you're going to find—I think you're going to find this material wherever you go. Or, you likely will. I don't know what that threshold is. How much have we spent in the Boulder City Bypass?

Savage: Millions.

Terry: I remember presentation on it, it was millions.

Sandoval: Millions. And suddenly if it's a proportionate analysis with regard to the rest of the roads in the State, we are going to be spending more money on that than we will on the roads themselves. So, again, I don't want in any way for this to be interpreted that I or any member of this Board is not concerned about public health and safety, but it is, Member Savage, it is a Pandora's Box. If we start locating these areas and they move like they have at the Boulder City Bypass, I don't know if we have the budget for this or I don't know if another road will ever be built. These are questions that I think we need a little more information so that we can make informed decisions.

Terry: Perhaps—and I would like to add, not only is Tetra Tech, but they have added a sub-consultant, some of the other consultants that have done some of this work in the South. Perhaps a presentation to this Board, at some time in the future, when we have the consultants on board from people that are a little more technical than I am, in the future.

Sandoval: I'm going to bookmark this moment. I recall this type of conversation before we got into the Boulder City Bypass. I think it would be important to get some idea of the scope of all this. I would welcome that presentation. I want it made extremely clear that you follow-up on what Member Savage talked about with regard to the scope of services that you're going to be negotiating with Tetra Tech.

Terry: Understood.

Savage: So that goes one question further Governor. Is it imperative that we look at this and vote on this today or is it another month going to matter in the big picture of things on this Agenda Item No. 3, rather than tying it down specifically and quantifying it so that we have dollars for scope of work?

Terry: Again John Terry, Assistant Director of Engineering. A lot of work has gone into this scope. We've wordsmithed it and you pointed out some areas that you don't like in this scope. I would say, in general, statewide, no there isn't a real urgency

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to get this contract done and we could look at it again, but some of the early action items that we would like them to do are some of the pits and facilities in Las Vegas area that frankly were not covered by the previous agreements. Those we would very much like to get going on.

Like I say, the scope is then attached to a cost plus fixed fee agreement. We can always work with them to adjust the scope after it's amended. I do not think that we will change this scope dramatically based upon these comments. I honestly think we can incorporate what you're asking with this current approval. Of course, it's always up to you guys to approve.

Statewide, it's not a sense of urgency, but on some of the early action items in the Las Vegas area, we very much would like to get them started immediately.

Savage: Okay, I understand that. I respect that. I hear that loud and clear. I thank you Mr. Terry. On Agenda Item No. 4, for the bike path on SR-28 near Incline. I think it's a very nice project. I did also look in the documentation that this CH2M proposal is a not to exceed price. I like to see that and that's pointed out on Page 47 of 49. It says that the cost plus fixed fee to specific rate of compensation. With this method, the Department will not be responsible for a fixed fee payment, but only actual work performed by the consultant is less than anticipated. I think that's a good delivery system because we'll only spend what's necessary. I'm fully supportive of the project. Again, it's the New Nevada, over a beautiful Lake Tahoe. That's all I have, thank you Governor.

Sandoval: Mr. Controller.

Knecht: Thank you Governor. I want to echo the concerns of the three Board Members to my left. I agree with each and every point all of you raised. Thank you for doing so. I have one, Mr. Hoffman, Mr. Terry, whoever, on Item 4 here. We received a—I received at least an email sent on behalf of Mr. Hoffman that talks about some of the broader issues here and points out that Central Federal Lands will be allocating or did allocate \$12.5M for this. What is the total budget for this project and how much comes from State of Nevada funding?

Hoffman: All right, thank you Controller. For the record, Bill Hoffman, Deputy Director. The project at this time is estimated at around \$22M. What we would like to do is get started immediately with this consultant and start working through those estimates, refining those estimates that they already started and continue towards

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final design. I think the further that we get, or the closer we get to final design, the better numbers we're going to get.

As I mentioned in that email, we've—NDOT had already committed and started designing the roadway safety elements and the storm water erosion control elements and those total, I think at this time about \$8M.

Knecht: And there's any real prospect that our family will be able to take our bicycles up there this fall and use that bike path?

Hoffman: Mr. Controller, we're trying everything that we possibly can to try to get construction started on the actual bike path portion of the project. We're going to look for every opportunity that we can to start any portion of that scope of project.

Knecht: So a year from May would be a prudent planning horizon for us.

Hoffman: Yes sir. Yes sir.

Knecht: Thank you. Thank you Governor.

Dyson: Thor Dyson, District Engineer, I just wanted to address Board Member Frank Martin's concern or question about NDOT construction crews managing this job. We plan on doing it. We've been watching this project. We've been talking with the Director's Office, with Bill and others. While we're short staffed, we've looked at the timing. I've got Mr. John Angel. He's an outstanding resident engineer in the Tahoe Basin. He's won awards. He knows what needs to be done. Once we're given the green light, our guys will adjust accordingly on jobs, here in the District and we will hit that job as required. I just wanted to let you know that we plan on doing the construction administration for that particular project.

Sandoval: All right. Mr. Almberg.

Almberg: Yeah, I've got a couple of questions as it relates to Line Item No. 2 and No. 4. No. 4 would be the easiest one because it's actually been already addressed, I just wanted to make note of it, is reading through the documents in here, it was a sole source contract. Until recently, it wasn't expressed that there was \$850,000 that was already invested into them completing this work. I just—since that's been clarified, that makes me feel more comfortable and I can support this.

And Item No. 2, as it relates to the scope of services, in that scope of services, we're doing landscaping and as a part of the landscaping, when you read through

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the services, there is planting and other things that are going in out there. At the end of the scope of the services, it specifically excludes irrigation. I just want to make sure how we get that covered.

Terry: Again John Terry, Assistant Director of Engineering. Our current policy is not to put in landscaping that we have maintainable irrigation unless some other entity chooses to have that type of landscaping and is willing to take over the maintenance of that, which we do not anticipate in this case. And in that case, we do water harvesting and initial plantings with irrigation and plants and species that do not require constant irrigation. We do not install irrigation on our current landscaping projects.

Almberg: So, you do have a temporary irrigation? Because as part of the contract also it said in there that there's a three year establishment period that's required. So there is irrigation for three years to get that established and then it's a standalone?

Terry: That's correct.

Almberg: Thank you. Thank you Governor.

Sandoval: Any questions from Southern Nevada?

Hutchison: None here Governor.

Sandoval: All right. Just a couple of follow-ups for me. Follow-up on Contract No. 2, my recollection is that the Board didn't have input with regard to the approval of the contract last time. Will we have input on this one, Mr. Director?

Malfabon: On the construction—

Sandoval: It was an informational item last time. It was a \$2M contract.

Malfabon: Yes, it's typically the level that has been established by the Board in that approval matrix. It depends on the expense of the project. Robert, what is the threshold? That is subject to Board policy if you want to reconsider—

Nellis: Yeah, I put in a slide for the Board's reference, just to look at what was approved back in July 2011. 17 different categories, but yeah, basically agreements under \$300,000 are for informational only. Agreements over \$300,000 are for Transportation Board approval.

Malfabon: On construction contracts, \$5M is the threshold.

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- Nellis: Yeah, it won't be over \$5M, so that's all the way down—
- Sandoval: Yeah, and speaking of Pandora's Box, I don't want to open that one. I just—
- Nellis: No. 14.
- Sandoval: I guess I would—
- Malfabon: It's good to cover it again.
- Sandoval: --admonish you all to be really circumspect with regard to this as we try to balance those life safety projects with aesthetics.
- Malfabon: Yes Governor.
- Sandoval: And then, back to this Tetra Tech contract. I would assume Tetra Tech wrote this contract?
- Terry: Again John Terry, Assistant Director of Engineering. We write a draft scope of work when we go out with a contract and then our environmental section works with the consultant for the final scope that goes in the contract. It was a joint effort.
- Sandoval: Again, I look at the deliverables and the assumptions for each of these tasks. Under Task No. 2, it basically includes every possible project that there could ever be. As I said, we're looking at, what was it, \$900,000 just to begin. I could see this adding up to millions and millions in the hundred feet, as you say on each side. When you think about what's within a hundred feet of the roadway.
- So, to accomplish what you want to get done, at least for today, can we limit the approval of this contract to the pits in Southern Nevada that are supplying materials to those projects there? Then, revisit the rest of the scope?
- Terry: Again, John Terry. I believe we could. I believe we would follow up—we would only do the initial scope that's needed in Las Vegas until we'd had a follow-up presentation from some of the technical people to this Board and move forward on that. We have every right within the contract to only get tasks started as we choose and the other stuff would wait until that presentation to the Board if that's agreeable.
- Sandoval: So, we could just approve it as is and the scope would be limited to what we just discussed until that presentation.

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- Terry: That's what I'm proposing, yes.
- Sandoval: Okay. And, I'm sorry, just given what evolved in the Boulder City Project and how we started out at—what was the first contract?
- Speaker: \$200,000 or something.
- Sandoval: \$200,000 and it kept growing and growing and growing.
- Terry: And again, if I could, that would also give us the opportunity to get some experts on this up here talking to the Board instead of me trying to translate it.
- Sandoval: No, and I feel bad you're having to be in the spotlight on this. Again, I know the intent is pure and all of that, but I think I need a little more information. Given your representation, I'll not seek to limit the motion today. All right, Board Members, any other questions with regard to Agenda Item No. 4? Mr. Nellis, any further presentation?
- Nellis: No Governor, that concludes Agenda Item No. 4.
- Sandoval: If there are no further questions, the Chair will accept a motion to approve the agreements described in Agenda Item No. 4.
- Martin: Move for approval.
- Sandoval: Member Martin has moved for approval, is there a second?
- Almberg: I'll second it.
- Sandoval: Second by Mr. Almberg, any questions or discussion on the motion? Hearing none, all in favor, please say aye. [ayes around] Oppose, no. That motion passes unanimously. Let's move to Agenda Item No. 5, Contracts, Agreements and Settlements.
- Nellis: Thank you Governor. Again for the record, Robert Nellis. There are two attachments under Agenda Item No. 5 for the Board's information. Beginning with Attachment A, there is one contract that can be found on Page 4 of 10 for your reference. The project is located at the NDOT Headquarters Lab Building. This is for a replacement of an existing chilled water cooling system. There were two bids and the Director awarded the contract to D&D Plumbing in the amount of \$538,350. Governor, before turning to Attachment B, are there any questions either myself or Mr. Kaiser may answer on this item?

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Sandoval: I'm sure you can anticipate the question which is, the ultimate bid exceeds the engineer's estimate, by quite a bit. If you could cover that please.

Kaiser: Sure, for the record, Reid Kaiser, Assistant Director for Operations. We had a supplemental that went out during the advertise period for this project and the engineer's estimate did not take that cost of that supplemental into account. That supplemental was to do with asbestos removal, changing some of the mechanical system hardware and software to be added under this project.

Sandoval: How old is the system that we have now?

Kaiser: I couldn't tell you but I know it's got to be 30 or 40 years old. What it is, there's two chillers, one small one on top of the Materials Division. Then we have a facility between the Headquarters and Materials Division which houses a larger chiller. What happens is, that smaller chiller, when it's windy and it's raining, we actually have water leaks down through that chiller, into the Materials Division and onto the floor all over our electrical lines, our HVAC system. It's a problem for us every time it's wet and windy. This will remediate that problem for us.

Sandoval: Okay. Well, it's time then.

Kaiser: It's time.

Sandoval: All right. Any other questions on this first contract? Thank you.

Nellis: All right Governor, there are 27 executed agreements under Attachment B that can be found on Pages 7 through 10 for the Board's information. Acquisitions are on Page 7. Cooperative and facility agreements are all on Page 8. Lastly, interlocal and service provider agreements are on Pages 9 and 10. With that, that concludes Agenda Item No. 5, we'd be happy to answer any questions the Board may have on these items.

Sandoval: All right. I know you likely get tired of me asking but on the 19 and 20, is that useful research?

Kaiser: Again, Reid Kaiser, Assistant Director for Operations. No. 19, back when they had the Northridge earthquake in California, there was some bridge failures down in the Los Angeles areas and where those failures took place were the connection between the drill shaft or the foundation and the footing of the columns to support the bridges. What happens is, when that connection is too stiff, it translates earthquake energy up into the bridge. It causes the bridge to shake too much.

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What this research will do will look at our design of our connections at those locations to make sure that we have designed them correctly so that that earthquake energy will not be translated to the upper portion of our bridge. It's more of a safety type research.

Sandoval: No, that's fine.

Kaiser: Okay. No. 20, again, that's a federal grant that the Department received and what that grant will do is, that's going to reach out to national experts, dealing in chip seals, slurry seals and micro surface seals. Those experts are going to come together and formulate or write three technical briefs that will then be dispersed to all the 50 states. We just happen to have that grant and will do that work for the federal government or the FHWA.

Sandoval: All right, great. This is meant to be a serious question but can't any of this research money be applied toward airborne asbestos research?

Kaiser: I'm sure we probably could. We would need somebody to take the lead on that.

Sandoval: There's a grant, that I would be leading the charge on. We have two great universities and frankly one of whom, UNLV, which was the one that detected the asbestos in the first place. Why wouldn't we get our universities to work to be looking at this?

Kaiser: That's definitely something we can take a look at, through our Research Division.

Sandoval: All right. Mr. Controller.

Knecht: Thank you Governor. On No. 19, does that research take advantage of the shake table facilities at UNR or is it entirely separate from that?

Kaiser: I would have to assume that it does take those facilities into account and part of that research since UNR will be spearheading this research for us.

Knecht: Okay, I'm comforted by that assumption.

Sandoval: All right, Member Martin.

Martin: Thank you Governor. Item No. 12, the Washoe RTC, I'm not understanding the numbers. You got an original agreement amount of \$1,157,000 and change, but a payable amount of \$2,472,000. You're looking for an extension in time but I

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don't see how the original amount has been amended to get it to the \$2,472,000 and I couldn't find it in the write up down here either.

Malfabon: It says Amendment No. 3 in the notes, increased the amount.

Martin: It went from \$1,272,000 to \$2,472,000.

Malfabon: Yes.

Martin: In one—okay, I understand. Thank you.

Sandoval: Other questions from Board Members?

Hutchison: Governor?

Sandoval: Mr. Lieutenant Governor.

Hutchison: Thank you very much. I'm just looking at Item No. 18, Community Outreach. I'm just wondering, what's been the history of NDOT's community outreach and are there situations where there is a partnership required with RTC? RTC does a great job, I'm sure with outreach, but is there a particular reason why NDOT needs to contract with RTC of Southern Nevada for outreach purposes?

Malfabon: I'm going to defer that to Tracy Larkin-Thomason, Deputy Director.

Larkin-Thomason: For the record, Tracy Larkin, Deputy Director in Southern Nevada. We reach for them. We're targeting the very same audience, basically, for both the small businesses and the minority businesses. We have contracted with them to make sure that we align our outreach activities. So that we work with them to make sure that when we—they have a large event, we have a large event, that we are at the table, we are participating in the table and we are working with them and not against them in there. We're not trying to compete with them when we're looking for the same audience. It worked very well last year, we're just getting our team up to speed. We've brought on our contractor about—just at the very end of last year. We're bringing that up to speed and we're working on several activities that they also participated on our side. That is basically so [inaudible] coordinate with them and they take care of some of the costs for us for those activities.

Hutchison: It's great that we're coordinating, we've expressed concern about that in the past. Is this really just kind of a cost reimbursement for them or is there a contract that is required where we're actually compensating RTC for those services?

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- Larkin: A little bit of both. So, we're compensating them for some of the services that they're doing, which is some of the outreach part, which is actually some of the items that are there to go out for. The other is also, just the coordination factor. We also pick up—we also utilize their contractors that they have for their parts. Then we're now working ours to eventually [inaudible] off on that, but there's still that coordination.
- Hutchison: Okay, great. Thank you very much. Thank you Governor.
- Sandoval: Other questions? I had one more contract that I had started, it was 22 for that decision lens. If I recall, we were using them to help us make better decisions. Do we have any experience yet with regard to the contract?
- Malfabon: Yes, so the decision lens company has taken in the input from the Director's Office and from the Divisions that are involved in the program delivery. We anticipate probably in April having a presentation of where they're at with the Board. It was a very good exercise to look at, at least from within NDOT. I think that we could do the same thing with the Board about the emphasis on certain programs.
- Governor, you mentioned it for public safety projects are very critical to deliver. They're doing that same type of work internally at NDOT to establish priorities and then when we present in the coming months to the Board, we'll get that same type of input on what are the priorities for the Board for the Transportation Program.
- Sandoval: That's good. Hopefully—we're extending this, but we haven't really seen anything about how it's benefitted us.
- Malfabon: It's coming.
- Sandoval: Any other questions from Board Members with regard to Agenda Item No. 5? Anything else from you Mr. Nellis?
- Nellis: That concludes this Agenda Item, Mr. Governor.
- Sandoval: This is an informational item, so if there are no questions we will move on to Agenda Item No. 6. Thank you Mr. Nellis.
- Malfabon: Governor, Item No. 6 is for Disposal of NDOT Right-of-Way located along McCarran Boulevard and Glendale Avenue, the corner there. It's through a

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public auction to sell off this surplus property. This disposal of the NDOT right-of-way is requested for Board approval.

Sandoval: Any questions from Board Members? This is probably one of the better pieces of property I've seen come through here.

Malfabon: Yeah, I don't know how we got it, but it's good to sell it.

Sandoval: Member Savage.

Savage: Thank you Governor. It's not a question specifically on this Agenda Item, but if someone at the Department could review the last year of auction items, for my benefit and possibly get me the results.

Malfabon: Yes, that's a good question.

Savage: I would like to see that, how we're faring there.

Malfabon: We have a new Chief Right-of-Way Agent and she'll get right on it.

Savage: Thank you Governor, thank you Rudy.

Sandoval: Rudy, this is a big number, \$1M. Is that money that comes right back into the Highway Fund, is that where it goes?

Malfabon: Yes. It depends if we purchased the property with federal funds. Then they get a credit or reimbursement and then it's a two-way street there. If it was State Funds that was used to purchase the property, then it goes to the State Highway Fund.

Sandoval: Help pay for that landscaping over there on Damonte, right?

Malfabon: Right.

Sandoval: All right. If there are no further questions from Board Members, the Chair will accept a motion to approve the disposal of NDOT right-of-way by public auction as described in Agenda Item No. 6.

Knecht: So moved.

Sandoval: Controller has moved for approval. Is there a second?

Hutchison: Second.

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Sandoval: Second by the Lieutenant Governor. Any questions or discussion? Hearing none, all in favor say aye. [ayes around] Oppose, no. That motion passes. Move to Agenda Item No. 7 which is a quarterly report on the status of Project NEON.

Malfabon: Thank you Governor. Dale Keller, Project Manager for NEON will present this item.

Keller: Good morning Governor, good morning Members of the Board. My name is Dale Keller, NDOT Project Manager for Project NEON. It's been a fast and exciting first three months since this Board awarded the design-build contract to Kiewit Infrastructure West. Today's the first of many Project NEON quarterly updates to provide the Board with a summary of the latest activities, kind of status of costs and schedule, provide a construction look ahead and then also review CH2M's performance.

The project—I'm a big believer in learning through repetition, so quickly, Project NEON will improve safety and mobility of the busiest highway in the State of Nevada. This is two decades in the making. By far, this is the largest transportation project in United States history.

Here are some of the project highlights. Today, I want to bring your attention to the HOV system expansion. For the first time in the City's history, Project NEON will create a continuous high occupancy vehicle network in the Las Vegas Valley and Project NEON will be the keystone piece. By connecting the HOV lanes on US-95 to Express Lanes on I-15, with a mile long HOV flyover structure sweeping by the Spaghetti Bowl and creating 22 continuous miles of this HOV network.

We all know the benefits of Project NEON, but just to highlight; we're going to relieve congestion, provide transportation options, increase and enhance transit options as well, create jobs and introduce better accessibility for the downtown corridor for the Las Vegas Valley for years to come.

The first three months was really dedicated towards setting expectations and developing that partnership through coordination, open and honest communication and trust to kind of successfully deliver a safe and efficient project with the upmost quality. In addition, the design-builder Kiewit, with their lead designer Atkins have been working diligently for the first few months to deliver some of these early work items. These early work items include geotechnical borings for the design of the bridges and walls, utility potholing and

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utility relocation, coordination and also the construction of the project office and the integrated project office will all be together to help foster that environment of cooperation.

So, what's next? The first thing on board is the construction ATM system. ATM stands for Active Traffic Management. Late this spring, early in the summer, Kiewit will be installing these dynamic highway signage that allows motorists to understand upcoming and real time updates for lane closures and construction details.

Next is the drilled shaft load testing. The contractor is going to be performing this test in four different locations around the corridor. This test helps improve the functionality and efficiencies of our bridge design.

Lastly is the surface street improvements. As you see here in blue, on the west side of I-15 is the realignment of MLK. Also we'll be making the connection from Grand Central Parkway to Western. Once that connection is made, the Wall Street underpass will be closed.

For the overall schedule, we're still tracking the same thing we presented in November, starting with the design and demolition occurring now through this summer. Phase 1 will start with that local street network, with work on US-95 and in the off-system I-15 ramp rating. That work will continue all the way through 2018. Phase 2 will start in 2018 with continuous work on the I-15 Main Line and they'll wrap things up with the HOV flyover in late '18 and finish up summer 2018.

Here's a look at our right-of-way schedule. I liked to point out that our right-of-way group and our legal group has done an outstanding job at acquiring and relocation of the necessary parcels to build this project. As you see here in green, these are the parcels that are, I guess the Department has right for occupancy for and we're making tremendous improvements. Some of these areas in red, in the next coming months, or the next update for status in May here, you'll see a lot more green on this map.

The number of full time employees currently working on the project is 159. The Department has paid the contractor \$11M to date.

There are two major events that are coming up this spring. First, save the date for April 7<sup>th</sup>, don't miss your chance to join the groundbreaking celebration as we

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kick off Project NEON, which is 10:00 AM in Symphony Park in Downtown Las Vegas. The following month we'll have a public information meeting on May 12<sup>th</sup>, where we're going to be connecting with the community and outlining the construction phasing, e-tours and closures.

Connect with us through our website at [NDOTProjectNEON.com](http://NDOTProjectNEON.com), also through social media through Twitter, Facebook and Instagram.

We do have a very robust public information and public outreach program. This is anchored by our project information office that would be open in early March. This is the same location that will be located right behind [inaudible] off of Charleston and I-15.

Right now, we have a theme called Welcome to the Neighborhood, that we're going out there and connecting with community and introducing ourselves and building that relationship with our neighbors. Our continuous focus will be going out to them through various special events, other outreach opportunities, stakeholder meetings and day-to-day interactions.

Lastly, I'd like to end on CH2M's performance. Here is CH2M's scope of work. Right now, they've been focused on project management support, design, review and oversight, document control, as well as schedule analysis.

For project management scope, they help assist the Department to complete the Cost Risk Assessment or CRA Update. This update is a key component to our Project NEON initial financial plan that was recently submitted to the FHWA for approval. In addition, they've been expediting completion of an acceptable project schedule with Kiewit.

For public outreach support, the Community Liaison has developed this format, outreach calendar, really identifying the immediate goals as well as other opportunities for outreach. With utility coordination, CH is actually independently verifying each pothole that Kiewit is performing. To date, they've gone through 162 potholes and we have not identified any issues so far.

So, who is leading us through this effort and helping us out with contract compliance administration? First off is Mr. Kim Nokes. He is our Contract Compliance Manager. He has over 20 years' experience. This gentleman is the same person who drafted our technical provisions as we went through the procurement. Next is the engineering task leads. As you can see there's a lot of

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experience. I'll do the math for you, there's a total of 61 years on Project NEON with over 184 years of experience listed in this task leads list for CH2M.

So far, the team has completed reviews early and are providing constructive feedback to minimize formal review comments as shown.

This completes my update, I'm happy to answer any questions.

Sandoval: Mr. Keller, thank you. This is a great report. It's exactly what I was looking for. I would only add one thing and I would strongly encourage you and your team, if you haven't done it already, to ask for an Editorial Board, to meet with the Editorial Board at the Review Journal as well as the transportation reporters, so they know exactly what's happening and what's going on leading up to the groundbreaking there in April. I really think that might save the Department and everyone else a lot of questions in the future.

Keller: I agree with you Governor. We want to be calling them and not them calling us.

Sandoval: Exactly. If you could make that call today. As you know, there's new management, new leadership and a new publisher that some of who are not from Southern Nevada. I think an opportunity to sit down and take them through this, as you say, it is the single largest transportation project in Nevada history and it's very important that we inform and educate that newspaper as well as the Sun. If there's a Sun Reporter listening, we want the Sun too. To make sure that everybody has an opportunity to get in to know what's going on. There are going to be delays. There are going to be cones and kind of similar to what I talked about earlier in this meeting. It's really important that we get in front of this.

Keller: Agreed.

Sandoval: That's all I have. Other questions from Board Members? Member Savage.

Savage: Just a quick comment, follow-up. Mr. Keller, fantastic report. Very informative. A couple of highlights I'd like to make a comment on. The right-of-way, I want to compliment the Right-of-Way Division and yourself and your team. It's imperative that we get those behind us. I take it you are on track with your goals there, for right-of-way?

Keller: Yes sir, we are. Actually we are progressing ahead of schedule at this time. Knock on wood, we are moving forward and we're staying on top of it.

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Savage: Good, that's good to hear. Secondly, the community outreach, again, very, very important. The strong offensive is the best defense, like you said, make the call rather than take the call. I think those words are good wisdom, Mr. Keller, continue forward with that.

Lastly, on the CH individuals that were listed for the project team, have they committed to keeping those individuals consistent as best they can, I know there's a lot of moving parts out there, but do we have a commitment that those individuals will remain with this team throughout the project as long as possible?

Keller: Yes sir, we do. Personally we do. If you look at the number of years' experience, they've been with this project already. They want to see this project—these individuals want to see this project come to fruition as well. They have a vested interest to stay with this project and they're heavily engaged. They want, not only the Kiewit to succeed, but NDOT to succeed as well and seeing this complete.

Savage: That's good to hear. Thank you Mr. Keller. Thank you Governor.

Sandoval: Any questions or comments from Southern Nevada?

Hutchison: None here Governor.

Sandoval: Thank you. Anything else Mr. Keller?

Keller: No sir.

Sandoval: Thank you very much.

Keller: Thank you.

Sandoval: We already completed Agenda Item No. 8. We'll move to Agenda Item No. 9, Old Business.

Malfabon: Governor, you have the standard reports on Outside Counsel Costs on Open Matters, the Monthly Litigation Report, if there's any questions for Dennis Gallagher, our Chief Deputy Attorney General, we'll take this at this time, for legal.

Gallagher: Good morning Governor, Members of the Board. For the record, Dennis Gallagher, Counsel for the Board. I'd like to point out on Item A, the report of Outside Counsel Expenses that the Board may notice that there is no current agreement with Snell & Wilmer. Earlier, reference was made to that law firm. I

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thought with the Boards' indulgence, if I could have a couple of moments to provide some historical information, the Board may find it informative and provide some level of context.

Sandoval: Before you do that Mr. Gallagher, what are you about to get into here?

Gallagher: The Snell & Wilmer contract that it's not there. I thought there may be some question about that, given the earlier comments.

Sandoval: In all fairness, I didn't—said that, with regard to Mr. Jorgenson, I said we weren't going to have discussion on this and I don't think he's here anymore. I want to make sure that we're not talking about things that he may have had an interest in.

Gallagher: Yes, I understand that. I just wanted to point it out that we don't have a contract with them, given the earlier comments referencing that law firm.

Sandoval: I think that's as far as we should likely go, again in fairness. Anything else Mr. Gallagher?

Gallagher: Not unless the Board has any questions.

Sandoval: Rudy, anything else?

Malfabon: Moving on to the Fatality Report and the Annual—

Hutchison: Governor?

Sandoval: Mr. Lieutenant Governor.

Hutchison: I'm sorry, I just have a quick question for Mr. Gallagher on the Monthly Litigation Report. Dennis, I see that we've got two new matters, it looks like those were eminent domain matters. Are those matters that are in the AG's Office and the AG's Office is handling currently?

Gallagher: For the record, Dennis Gallagher. Lieutenant Governor, that is correct. When you look at that Attachment B, if you don't see any amounts listed under fees, those are being handled exclusively by the AG's Office.

Hutchison: Great, good. Congratulations. That's good progress then. Good to see. Thank you Mr. Gallagher.

Gallagher: Thank you Lieutenant Governor.

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Malfabon: Back to the Fatality Report. You can see that we had a tough year in 2015. So far as compared to this time last year, to the previous year, we're actually doing slightly better but we hope to do a lot more effort to reduce fatalities. We have our Strategic Highway Safety Plan, submitted in draft form to the Federal Highway Administration for their review and approval. That encompasses a lot of the strategies that we're using, working with our partners in law enforcement, education and emergency medical response.

Also, you have a very comprehensive and very good report on the Freeway Service Patrol statistics and our performance measures associated with that program. If there's any questions on any of those items, we have staff available to respond.

Sandoval: Member Savage.

Savage: Thank you Governor. Thank you Rudy, and Denise, the Freeway Service Patrol package was very informative. By all accounts, from what I've reviewed is that the United Towing has increased between 20-30% in every category, from clean-ups to disabled vehicles. I took interest in Page 20 because I know Denise has been kind, and Rudy for the last several years, this has been one of my concerns on the Freeway Service Patrol. I went to some of the testimonials on Page 20 and there were several. There were probably a dozen. The third one down caught my attention. The person said, "I would like to thank you for having this service in Nevada. I had a tire blow-out on I-15 northbound and the shoulder that I pulled over was not actually a shoulder. Thanks to your service, I was safely moved to an area where I could get a tow. I considered the gentleman my guardian angel today. The driver's name was Richard, #557."

There were many testimonials and Richard was mentioned in several of them on Page 2 as well. I just want to thank the Department and Freeway Service Patrol for making it a success. I know it's work every day and I know they have to justify their presence every day. To me, it looks like it's a success at this point.

A question would be, how does DPS feel about the Freeway Service Patrol at this point? The Department of Public Safety and the Highway Patrol, how are they working together with FSP?

Inda: Good morning Governor, Members of the Board. Denise Inda, Traffic Operations. To answer your question Member Savage, the Highway Patrol, DPS considers this group, the Freeway Service Patrol as partners. The Freeway

Transcript of Nevada Department of Transportation  
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Service Patrol assists them so that they can perform their duties and responsibilities in a more safe manner. It assists both the Highway Patrol as well as anyone else who happens to be out in that section or roadway where a situation is occurring by providing advance notice to drivers, getting them moved over into a through lane when they can. It assists because we get incidents cleaned up faster. It's really a valuable service, I guess you could say, to everyone who is out there on the road. All the emergency responders, as well as our own DOT staff who respond to incidents and every driver driving in those corridors every day. It's a huge value.

The way, as you know Member Savage, what we focus on is not that we're helping—it's a valuable service that we do this but not that we're helping an individual by getting them out of the roadway or giving them, if they inadvertently run out of gas, providing them with enough gas to get to a gas station where they can buy enough fuel to get where they need to. We look at this as a quick clearance tool. I'm going to see if I can get the statistic right, for every minute that a roadway is closed, traffic starts to back-up. Think about it, particularly in the Las Vegas area, if there is a crash that closes a lane, for that section of roadway to recover, that lane to recover once it's opened, it takes 15 minutes for all of that back-up and that delay to go away.

Absolutely, we're providing a huge service to the individuals involved, but we're also significantly benefiting everyone else who is driving through that area. It's a win-win. I do believe, and thank you for noting it Member Savage, we have worked very hard in this past year monitoring the performance, monitoring certain characteristics of the program and we keep tweaking it. That's why you see this improved service. UR Towing is doing a great job and they're working with us all the way to just keep that line moving up as we move forward.

Savage: Yes, it's a very positive result and it sounds like the Department is getting good feedback. Again, the question, the hand-in-hand work that we do with the Highway Patrol, is the Highway Patrol giving us positive feedback for this service, that's my question?

Inda: Oh yes, I'm sorry. I thought I said, yes to your question. Yes, absolutely. We do quarterly meetings, both in Southern Nevada and in Northern Nevada, with those key partners to make sure that we're all on the right page, doing the right thing.

Savage: That's good. Keep up the good work, thank you Ms. Inda, thank you Governor.

Transcript of Nevada Department of Transportation  
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- Inda: Thank you.
- Sandoval: Anything else Rudy?
- Malfabon: No, that concludes that item.
- Sandoval: Any other questions from Board Members on this Agenda Item? Agenda Item No. 9? Agenda Item No. 10, Public Comment. Is there any member of the public here in Carson City that would like to provide comment to the Board? Is there anyone present in Las Vegas that would like to provide comment to the Board?
- Hutchison: No one here Governor.
- Sandoval: And Rudy, I just thought of it and I guess I could've mentioned it offline but I'll say it here in Public Comment. I noticed driving through the valley that the sign for the Bellevue Exit is blown in half, do we have somebody—
- Malfabon: I noticed that coming from my sister's house yesterday. We'll work on that Governor. I know that the exit is closed and we have that signage. I noticed that the sign itself, half of it was blown off. Probably during the high wind event about a week ago. We'll fix that.
- Sandoval: All right, thank you. We'll move to Agenda Item No. 11, Adjournment. Is there a motion to adjourn? Oh, I'm sorry, Mr. Almberg.
- Almberg: Yeah, Governor, I'd just like to make a comment. I did have the pleasure of working with Sondra and the Freight Planning Committee. I sat in on one of their committee meetings a couple of weeks ago. I thought it was very successful. A lot of good things came out of it. I just wanted to mention that and thank her and her staff.
- Sandoval: Appreciate that. Do we have a motion to adjourn?
- Knecht: So moved.
- Sandoval: Controller has moved—
- Martin: Second.

Transcript of Nevada Department of Transportation  
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Sandoval: Member Martin has seconded, all in favor say aye. [ayes around] This is a record, we got done before lunch. Thank you everybody, this meeting is adjourned.

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Secretary to Board

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Preparer of Minutes

Draft



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

## **MEMORANDUM**

**March 7, 2016**

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, Director  
**SUBJECT:** March 14, 2016, Transportation Board of Directors Meeting  
**Item #4:** Approval of Agreements Over \$300,000 - For Possible Action

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### **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 January 15, 2016, through February 18, 2016.

### **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 new agreements and amendments which take the total agreement above \$300,000 during the period from January 15, 2016, through February 18, 2016.

### **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, January 15, 2016, through February 18, 2016.

### **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  
January 15, 2016, through February 18, 2016**

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	30211	02	STANTEC CONSULTING SERVICES, INC.	LANDSCAPE ARCHITECTURE	Y	198,832.00	175,040.00	424,672.00	-	9/12/2011	9/30/2020	3/14/2016	Service Provider	RICH SHOCK	AMD 2 03-14-16: INCREASE AUTHORITY \$175,040.00 FROM \$249,632.00 TO \$424,672.00 AND EXTEND TERMINATION DATE FROM 12-31-16 TO 09-30-20 DUE TO THE ADDITION OF FOUR MAJOR ELEMENTS TO THE PROJECT SCOPE. ELEMENTS INCLUDE: PARK AND RIDE, HOV EXIT RAMP, A NEW INTERSECTION, AND DECORATIVE ROCK SURFACES. AMD 1 12-31-14: INCREASE AUTHORITY \$50,800.00 FROM \$198,832.00 TO \$249,632.00, AND EXTEND TERMINATION DATE FROM 12-31-14 TO 12-31-16 DUE TO THE SPLIT OF THE ORIGINAL PLAN/BID SET FROM ONE TO TWO BID PACKAGES. 09-12-11: LANDSCAPE AND AESTHETICS DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR THE US 95 PACKAGE 2 AREA, TO INCLUDE THE RIGHT-OF-WAY AREAS ADJACENT TO THE INTERCHANGES, CLARK COUNTY. NV B/L#: NVF20101021081-R. PROPOSALS SUBMITTED: JW ZUNINO LANDSCAPE ARCHITECTURE, KIMLEY-HORN AND ASSOCIATES, INC., STANTEC CONSULTING SERVICES, INC.
2	40715	00	DYE MANAGEMENT GROUP, INC.	MAINTENANCE ACHIEVEMENT PROGRAM	N	531,152.00	-	531,152.00	-	3/14/2016	1/31/2018	-	Service Provider	FRED SHAKAL	03-14-16: VARIOUS SEGMENTS OF THE NEVADA HIGHWAY SYSTEM (INTERSTATES, US, AND STATE ROUTES) WILL BE SURVEYED TO COLLECT CONDITION ASSESSMENT LEVEL OF SERVICE DATA OF THE ROADWAY FEATURES MAINTAINED BY THE DEPARTMENT. THE CORRESPONDING SURVEY DATA WILL BE INPUT INTO THE DEPARTMENTS GEOGRAPHIC INFORMATION SYSTEM (GIS). STATEWIDE. NV B/L#: NVF20111623536-R. PROPOSALS SUBMITTED: DYE MANAGEMENT GROUP, INC.
3	42815	00	URS CORPORATION	ENGINEERING SERVICES	N	3,979,349.78	-	3,979,349.78	-	3/14/2016	6/30/2017	-	Service Provider	LISA SCHETTLER	03-14-16: CONSTRUCTION ENGINEERING SERVICES FOR ADMINISTRATION OF SR 604, LAS VEGAS BOULEVARD, FROM EAST CAREY AVENUE TO 0.24 MILES NORTH OF CRAIG ROAD. CLARK COUNTY. NV B/L#: NVD19701000792-R. PROPOSALS SUBMITTED: 4LEAF CONSULTING, LLC., SLATER HANIFAN GROUP, INC., URS CORPORATION, VTN NEVADA
4	43015	00	HDR ENGINEERING, INC.	ENGINEERING SERVICES	N	5,105,170.00	-	5,105,170.00	-	3/14/2016	6/30/2018	-	Service Provider	LISA SCHETTLER	03-14-16: CONSTRUCTION ENGINEERING SERVICES FOR AUGMENTATION SERVICES FOR CREW 905 FOR THE SR 439, USA PARKWAY DESIGN-BUILD PROJECT. LYON AND STOREY COUNTIES. NV B/L#: NVF19851010291-R. PROPOSALS SUBMITTED: CONSTRUCTION MATERIALS ENGINEERS, INC., HDR ENGINEERING, INC.

# Line Item 1

STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION

Request to Solicit Services and Budget Approval (2A)

Initial Budget Request or Request for X Amendment # 2 or Task Order #

If Amendment or Task Order, name of Company: Stantec Consulting, Inc.

Agreement #: P302-11-010

Project ID #(s): 73627

Type of Services: Landscape Architecture design and construction period support services

Originated by: Rich Shock

Division: Design

Date Originated: 12/31/2015

 Division Head/District Engineer: Kristena Shigenaga

Budget Category #: 06

Object #: 814D

Organization #: C010

Estimated Cost: amend - \$175,040.00

Type of Funding: Federal

% of Fund: 95%

Funding Notes:

State Fiscal Year(s): FY2016 - FY 2019

FY2016 - \$154,035.00 (88%); FY2017 - \$7002.00 (4%); FY2018 - \$5251.00 (3%); FY2019 - \$8752.00 (5%)

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

**Purpose of, and Justification for, Budget Request:**

see the attached Supplemental Information for Form 2A

**Scope of Services:**

see the attached Supplemental Information for Form 2A

**Additional Information Attached** X

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





STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION

# MEMORANDUM

January 5, 2016

**TO:** John Terry, Assistant Director  
**FROM:** Rich Shock, Project Manager  
**SUBJECT:** Negotiation Summary for P302-11-010 - Amendment 2

A negotiation meeting was held at NDOT Headquarters in Carson City on December 10, 2015 with Cary Baird, Stantec Senior Associate and Rich Shock, Senior Landscape Architect 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 the SERVICE PROVIDER was reaffirmed by both parties at the outset.

The proposed contract amendment is for the addition of four major elements to the project scope of work. These added elements include:

a.) The addition of the Park and Ride at Elkhorn Road. The LA consultant will provide design of new landscape and irrigation improvements to meet City of Las Vegas landscape code requirements.

b.) The addition of HOV exit ramp at the Elkhorn Bridge. The LA consultant will provide design for aesthetic treatment of ramp retaining walls and bridge support columns.

c.) The addition of the new Interchange @ Kyle Canyon Road/US 95 NW. The LA consultant will coordinate with NDOT staff, GC Wallace Engineering design team and the City of Las Vegas staff to provide L&A concept design, public input w/stakeholder meeting and public meeting presentations, prepare L&A design construction documents for intermediate, QA, PS&E and final submittals and construction period support services.

d.) The addition back into US 95 NW Ph 2B of the decorative rock surfaces and boulder ground plane elements that were previously deleted from the US 95 NW 2A and 3A construction contracts in 2015 due to NOA issue concerns. The LA consultant will add those additional plan sheets to his construction documents and coordinate specifications all of the rock materials to meet new NOA testing requirements.

The following schedule was agreed to by both parties:

September 2020 - Amendment #2 additional Scope of Service Items to be completed.

Key personnel dedicated to this project are as follows:

Cary Baird – Stantec Senior Associate

The SERVICE PROVIDER's original estimate was \$175,040.00, including direct labor (1361 man-hours of work by the SERVICE PROVIDER), overhead rate of 1.75%, a 8% fee, and direct expenses at \$6,522.00 (including sub-consultant expenses).

The overhead rate of 1.75% was provided by the Internal Audit Division.

The negotiations yielded the following:

1. There will be 1361 total man-hours allotted to Amendment 2 throughout the course of this agreement at a direct labor cost of \$56,740, including a prorated amount for anticipated raises, which will take effect over the term of the agreement.
2. Based upon the direct labor costs and an overhead rate of 1.75%, the overhead amount will be \$99,295.00
3. A fee of 8% was agreed to by both parties, and will be \$12,483 for this agreement based upon direct labor costs and an overhead rate of 1.75%.
4. The direct expenses agreed to total \$6,522 for sub-consultants, reproduction, communication, travel and per diem. There will be no direct compensation for computer time.
5. The total negotiated cost for this agreement, including direct labor, overhead, fee and direct expenses will be \$175,040.00.

Reviewed and Approved:

  
Assistant Director

## Supplemental Information Form US 95 NW Phase 2B/5 - L&A Contract Amendment Supplemental Information for Form 2A

1. With the implementation of the Landscape and Aesthetics Master Plan, landscape and aesthetics (L&A) are applied to every new construction or capacity improvement project. The Landscape Architecture (LA) Section has a staff of four people to manage projects, write agreements, review projects, design smaller projects and provide construction supervision/support. Additionally, the section reviews of encroachment permits that contain landscape improvements within NDOT right-of-way. Due to the current workload, outside resources are required to keep the projects on schedule. Length of time required will be from the beginning of design, including stakeholder meetings, to construction closeout. This is anticipated to take approximately 4 years, with proposed advertising to be 08/2016.
2. The proposed contract amendment is for the addition of four major elements to the project scope of work. These added elements include:
  - a.) The addition of the Park and Ride at Elkhorn Road. The LA consultant will provide design of new landscape and irrigation improvements to meet City of Las Vegas landscape code requirements.
  - b.) The addition of HOV exit ramp at the Elkhorn Bridge. The LA consultant will provide design for aesthetic treatment of ramp retaining walls and bridge support columns.
  - c.) The addition of the new Interchange @ Kyle Canyon Road/US 95 NW. The LA consultant will coordinate with NDOT staff, GC Wallace Engineering design team and the City of Las Vegas staff to provide L&A concept design, public input w/stakeholder meeting and public meeting presentations, prepare L&A design construction documents for intermediate, QA, PS&E and final submittals and construction period support services.
  - d.) The addition back into US 95 NW Ph 2B of the decorative rock surfaces and boulder ground plane elements that were previously deleted from the US 95 NW 2A and 3A construction contracts in 2015 due to NOA issue concerns. The LA consultant will add those additional plan sheets to his construction documents and coordinate specifications all of the rock materials to meet new NOA testing requirements.
3. This proposed contract amendment will be \$175,040, the total contract will be increase to \$424,672.00
4. Scope of services will include design services, stakeholder meetings, a public meeting, coordination with HQ and District personnel, including maintenance, to develop the L.A. design, as well as construction support for the L&A elements. The L.A. firm will refer to the appropriate L&A Corridor Plans, as well as research local heritage, culture and customs to accurately reflect the heritage, culture and values of the local community while developing the design.

# Line Item 2

STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION

Request to Solicit Services and Budget Approval (2A)

Initial Budget Request or Request for X Amendment # rev2 or Task Order #

If Amendment or Task Order, name of Company:

Agreement #: 407-15-050

Project ID #(s):

Type of Services: Misc Services

Originated by: Fred Shakal

Division: Maint/Asset Mgmt

Date Originated: 2/2/2016

Division Head/District Engineer: Anita Bush

Budget Category #: 06

Object #: 814L

Organization #: 050

Estimated Cost: \$531,152

Type of Funding: State

% of Fund: 100

Funding Notes:

State Fiscal Year(s): 2016 and 2017

50% in FY16 and 50 in FY17

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

**Purpose of, and Justification for, Budget Request:**

Due to the workload of the district maintenance and construction staff, it is not possible to perform statewide data collection using state forces.

Various segments of the Nevada highway system (Interstates, US and State Routes) will be surveyed to collect condition assessment Level of Service data of the roadway features maintained by NDOT. The surveys will be conducted in accordance with the MAP Manual. The corresponding survey data will be input into the Department's GIS.

The Service Agreement will be for a 2 year term to procure the lowest cost possible for collecting condition assessment data for FY 16 and FY 17.

Due to the than anticipated higher cost for services for the above mentioned project, the Maintenance and Asset Management Division will be contracting with Dye Management Inc. for services and would like to request approval to amend.

**Scope of Services:**

Collect Maintenance Achievement Program (MAP) condition assessment data for calendar years 2016 and 2017

**Additional Information Attached**

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



STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

February 12, 2016

**TO:** Reid Kaiser, Assistant Director  
**FROM:** Fred Shakal, Project Manager <sup>DS</sup> FS  
**SUBJECT:** Negotiation Summary for RFP 407-15-050 Maintenance Achievement Program Data Collection

Negotiations were held by phone conference and email January 15 – January 28, 2016, with Rob Zilay, Fred Shakal and David Partee 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 Dye Management Group, Inc was reaffirmed by both parties at the outset.

The scope of services includes statewide highway field surveys, data collection, report generation and presentation of findings to the DEPARTMENT's Maintenance and Asset Management Division and District Engineers. All materials developed in conjunction with this project will be the property of the DEPARTMENT.

The following schedule was agreed to by both parties:

Within 15 days after NTP	Project schedule due
Within 10 days prior to survey data collection	Schedule monthly Progress meeting
Within 2 months after survey are complete	Deliver MAP ESRI File Geodatabase

Key personnel dedicated to this project are as follows:

Rob Zilay	Project Director
Jeff Holabaugh	Senior Manager
Jason Puccinelli	Survey Lead Engineer

The DEPARTMENT's original estimate was \$450,000.00

The Service Provider's original estimate was \$569,527, including unit price per survey (includes all associated labor, equipment and overhead costs) at \$236.00 and meetings, presentations and reports at \$79,720.00.

The negotiations yielded the following:

1. There are four sub-tasks as part of TASK 1 with a total of 1000 field surveys and 248 total man-hours allotted for a total cost of \$449,480.

2. There are two sub-tasks as part of TASK 2 with 304 total man-hours allotted for a total cost of \$47,680.
3. There is one task as part of TASK 3 with 88 total man-hours allotted for a total cost of \$17,100.
4. The total negotiated cost for this agreement is \$531,152.

Reviewed and Approved:

DocuSigned by:  
  
0DD548160434471...  
Deputy Director

## Attachment A Scope of Services

The scope of services includes conducting statewide highway field surveys to collect condition assessment level of service of the roadway features that are maintained by highway maintenance activities. Provide electronic and written copies of the collected field survey data. , All survey data collected will be provided in a GIS and Excel format. All data collected and processed will be turned over to the DEPARTMENT's Maintenance and Asset Management Division. All materials developed in conjunction with this project will be the property of the DEPARTMENT.

### Task 1 - Data Collection

- a. Approximately 1000 surveys will be conducted statewide across Interstate, US and State Routes. Surveys are 0.1 miles in length the survey location information for FY 2016 and FY 2017 will be provided to the successful proposer. An ESRI Map Package and Excel Spreadsheet will be provided.
- b. Detailed Nevada Highway System information is contained in the *State Maintained Highways of Nevada, Descriptions and Maps* document located at [http://www.nevadadot.com/About\\_NDOT/NDOT\\_Divisions/Planning/Roadway\\_Systems/State\\_Maintained\\_Highways\\_Descriptions\\_Index\\_Maps.aspx](http://www.nevadadot.com/About_NDOT/NDOT_Divisions/Planning/Roadway_Systems/State_Maintained_Highways_Descriptions_Index_Maps.aspx).
- c. Attend a four (4) hour training session at the DEPARTMENT's Maintenance and Asset Management office in Carson City to acquaint staff with the MAP Manual and survey procedures. DEPARTMENT staff will demonstrate survey procedures in the classroom training and in the field to the successful proposer's survey personnel.
- d. Obtain a Right of Way Occupancy permit (no cost) from each DEPARTMENT District to operate within the corresponding Right of Way. Coordinate with the District Maintenance Engineers, Maintenance Managers and the HQ Maintenance and Asset Management Division two (2) weeks prior to surveying within each District.
- e. The MAP Manual (Attachment F) provides guidelines for performing field surveys, descriptions of the maintenance tasks to be surveyed, performance measures for each task and corresponding LOS values based on actual task performance.
- f. The MAP Survey Rating Form (Attachment G), or an alternative data collection form approved by the DEPARTMENT will be used for field data collection. The information to be collected at each survey location includes the unique survey ID, task specific performance measure data, task specific LOS values, survey notes and corresponding photograph image numbers.
- g. Within the 0.1 mile survey segment, all the DEPARTMENT's maintenance tasks outlined in the MAP Manual will be surveyed between the Right of Way boundaries.
- h. Photographs shall be taken periodically to aid in the documentation of maintenance task performance. The image number, description and GPS location will be documented for each photograph taken.
- i. GPS data shall be provided to the DEPARTMENT in NAD83 UTM (Zone 11, meters) projection in ESRI File Geodatabase format. GPS data should be collected with WAAS correction enabled and will contain appropriate metadata reflecting accuracy. Coordination with the DEPARTMENT's GIS division prior to actual data collection is required.
- j. It is the successful proposer's responsibility to ensure the safety of the survey personnel while working within the DEPARTMENT's Right of Way (ROW).
- k. Survey personnel must hold DEPARTMENT Traffic Control Flagger Certification or equivalent certification and have a minimum of two (2) years of data collection, maintenance or construction field experience.
- l. Personnel performing the field surveys and/or personnel working within DEPARTMENT ROW must utilize safety apparel of high-visibility fluorescent yellow-green, orange or a combination of these colors conforming to ANSI/ISEA 107-2004 "American National Standard for High-Visibility Safety Apparel." Signage stating "SURVEY CREW

AHEAD” shall be placed on the shoulder of both directions of travel ahead of the survey segment.

m. Field surveys shall be performed between March 1<sup>st</sup> and August 31<sup>st</sup> for calendar years 2016 and 2017 during the hours of 7:00 AM and 6:00 PM. Highway lighting related tasks may be performed after 6:00 pm. Surveys will not be conducted on snow covered ground or construction zones.

n. Surveys not performed on the scheduled date shall be rescheduled at no cost to the DEPARTMENT regardless of the cause of delay.

o. The successful proposer will develop a Quality Control plan for the project. DEPARTMENT staff will perform Quality Assurance.

p. Develop a schedule of work based on the information provided in this RFP.

**Deliverables:**

1. Provide a schedule of work.
2. Schedule a training session, held at the DEPARTMENT in Carson City, for MAP survey training.
3. Deliver all Survey rating forms used for field data collection to the DEPARTMENT.
4. Deliver survey data in an Excel sheet and ESRI File Geodatabase for inclusion into the DEPARTMENT’s GIS.

# Line Item 3

**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:

Agreement #: 428-15-040

Project ID #(s): 73781

Type of Services: Engineering Services to Provide Construction Management

Originated by: Lisa Schettler

Division: Construction

Date Originated: 2/16/2016

Division Head/District Engineer: Sharon Foerschler

Budget Category #: 06

Object #: 814B

Organization #: C040

Estimated Cost: \$3,979,409

Type of Funding: State

% of Fund: 100

Funding Notes:

State Fiscal Year(s): FY 2016-2018

\$20,000 in FY 16, \$1,979,705 in FY 17 and \$1,979,704 in FY 17

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

### **Purpose of, and Justification for, Budget Request:**

The Construction Division received approval for a budget of \$2,730,129 on 7/22/2015 to provide full administration services for Contract 3619, Project No SPSR-0604(029). This amendment adds \$1,249,280 for a new total budget amount of 3,979,409. This amendment also adjusts the amounts in each fiscal year to better reflect the new projected schedule for this project.

Subsequent to the original 2A and issuance of an RFP for these services, the project duration was increased from 220 to 300 working days. The increased duration and office lease rates in the vicinity of the project resulted in negotiations with URS Corporation in the amount of \$ 3,979,409.01.

Contract 3619, was canceled and will be re-bid pending assessment of potential scope changes. It is essential that URS participate in the scoping process. The agreement with URS will be structured so that we only pay for actual services needed and it is understood that the project scope and duration may be reduced.

### **Scope of Services:**

The scope of services include providing Construction Engineering Services for Full Administration for SR 604 Las Vegas Boulevard, Project ID 73781, Project No SPSR-0604(029). The estimated duration of this project is 300 working days.

### **Additional Information Attached**

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

**STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION**

**Signed:** DocuSigned by:  
Donna Spelts 2/16/2016 Approve  
0E3A12007A728831 Financial Management 6C14DA73AF7E40F Date

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

Financial Management Comments:

**Signed:** DocuSigned by:  
Norfa Lanuza 2/17/2016 Approve  
6C14DA73AF7E40F Project Accounting 6C14DA73AF7E40F Date

Project Accounting Comments:

Requires Scope budget change form to revise project consultant construction engineering amount. The current amount programmed for CE is \$843,858.00

**Signed:** DocuSigned by:  
Rudy Mayhew 2/17/2016 Approve  
C4C7CE8CD384443... Director 6C14DA73AF7E40F Date

Director Comments:

Requires Transportation Board presentation

Does not require Transportation Board presentation

Transportation Board approval is required for this substantial amendment. A formal presentation is not required, however, a summary should be prepared for the Board packet as to why the amendment was required (construction contract duration was increased and project re-advertised for bids). - RM

**STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION**

# MEMORANDUM

February 18, 2016

**TO:** Reid Kaiser, Assistant Director

**FROM:** Lisa Schettler, Project Manager

**SUBJECT:** Negotiation Summary for RFP P428-15-040: Construction Engineering Services for full construction administration of Project SPSR-0604(029) located on SR 604, Las Vegas Boulevard, from East Carey Avenue to 0.240 miles North of Craig Road.

A negotiation meeting was held at the NDOT Roop Street Annex in Carson City on January 13, 2016, with Tony Colagiovanni and Scott Heiny from URS Corporation and Sharon Foerschler, Jeff Freeman, Mario Gomez, Lisa Schettler, and Maria Maness of the Nevada Department of Transportation (DEPARTMENT) in attendance.

The DBE goal for this agreement has been established at two percent (2.0%).

The scope of services that are to be provided by the SERVICE PROVIDER was reaffirmed by both parties at the outset.

The SERVICE PROVIDER shall provide qualified personnel and equipment; including a Resident Engineer, Assistant Resident Engineer, Office Person, up to four (4) Inspectors level IV, three (3) Testers, and one (1) crew member capable of performing the both the duties of an Inspector level IV and a Tester, a fully equipped and furnished field office, a fully equipped Lab Trailer, nuclear gauges, trucks and cell phones.. The SERVICE PROVIDER also agrees to provide incidental equipment as may be required to successfully perform the services and requirements of the specific agreement.

Key Personnel dedicated to this project are as follows:

URS

Brian Norris, PE	Principal Engineer
Tony Colagiovanni, PE	Resident Engineer
Clint Shumaker	Assistant Resident Engineer
Wade Langsev	Office Person/Manager
Bryan Lange	Level IV Inspector
Lee Phelps	Level IV Inspector
Scott Heiny, PE	Level IV Inspector

CM Works

Gail Nickell	Level IV Inspector
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Diversified Consulting Services (DCS)

John Watson	NAQTC Inspector (tester)
Jordan Smith	NAQTC Inspector (tester)
Darren Ford	NAQTC Inspector (tester)

CEEC

Matt Williams, PE	Level IV Inspector/ NAQTC Inspector (tester)
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Additional backup inspectors and testers were identified in the proposal.

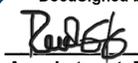
The DEPARTMENT's estimate was \$3,979,409 including direct labor, overhead rate, a 12% fee, and direct expenses (including sub-consultant expenses).

The SERVICE PROVIDER's original estimate was \$4,508,524.13 including direct labor, overhead rate of 138% for Office Staff and 111% for Field Staff, a 12% fee, and direct expenses (including sub-consultant expenses).

The negotiations yielded the following:

1. We agreed the fixed fee percentage was acceptable for full project administration services on an urban corridor.
2. We agreed the overhead rates were acceptable.
3. We provided clarification of the construction schedule, work areas and sequence of operations
4. The monthly rate for the Lab Trailer was reduced from \$4,000 to \$3,500 per month
5. The Office/safety supplies rate was reduced from \$700 to \$200 per month
6. We agreed the Service Provider would obtain quotes and provide a detailed Cost Analyses to support the monthly rates for the field office and vehicles in the cost proposal. If sub consultant rates differed separate justification would be required.
7. Included rates and hours for a Public Information Office and Scheduler to be used on a part-time, as-needed basis with Department approval due to the urban location and complicated sequencing of the project.
8. We clarified that cell phones and trucks would not be provided for the Office manager position.
9. We agreed to some reductions in staff hours during strategic time periods in the schedule.
10. Hours worked by the Service Provider are at the direction of the Service Provider's Resident Engineer in collaboration with the NDOT Assistant District Engineer.
11. The total negotiated cost for this agreement, including direct labor, overhead, fee and direct expenses will be \$3,979,349.78.

Reviewed and Approved:

DocuSigned by:  
  
Assistant Director

**RFP 428-15-040**  
**SECTION VIII - SCOPE OF SERVICES**

The SERVICE PROVIDER agrees to provide full construction administration services including professional and technical engineering services to ensure that the construction of Project SPSR-0604(029) located on SR 604, Las Vegas Boulevard, from East Carey Avenue to 0.240 miles North of Craig Road is accomplished in conformance with the plans, specifications, and all other contract documents.

The SERVICE PROVIDER shall provide a Resident Engineer, Assistant Resident Engineer, Office Person, up to four (4) Inspectors level IV, up to three (3) Testers, and one (1) crew member capable of performing both the duties of an Inspector level IV and a Tester, a fully equipped and furnished field office, a fully equipped Lab Trailer, nuclear gauges, and cell phones. The SERVICE PROVIDER also agrees to provide incidental equipment as may be required to successfully perform the services and requirements of the specific agreement. The SERVICE PROVIDER shall use its own, or lease, vehicles which shall be equipped with high intensity flashing yellow strobe lights.

The SERVICE PROVIDER shall provide a Principal Engineer as required who will act as the project manager. The Principal Engineer shall be limited to billing no more than eight (8) hours per month, unless SERVICE PROVIDER has obtained prior approval from the DEPARTMENT.

Both the Resident Engineer and Principal Engineer shall be certified by the Nevada State Board of Registered Professional Engineers and Land Surveyors, in accordance with Nevada Revised Statutes Chapter 625, as a licensed Civil Engineer.

The SERVICE PROVIDER will provide one (1) field office with equipment including, but not limited to computers, printers, copiers, scanners, desks and chairs. The SERVICE PROVIDER also agrees to provide incidental equipment as may be required by the DEPARTMENT.

The SERVICE PROVIDER shall provide sufficient personnel who possess the experience, knowledge and character to adequately perform the duties and meet the requirements of the specific agreement. The SERVICE PROVIDER shall provide all personnel assigned to this project the proper safety equipment, including but not limited to, soft caps, hard hats and vests meeting the current DEPARTMENT standards for Work Zone Apparel.

The SERVICE PROVIDER shall provide all personnel assigned to this project any specialized training or equipment necessary to perform the assigned duties, including but not limited to, Preventing Storm Water Pollution from Construction Activities, testing, and inspection. All testing personnel must meet and be certified under American Concrete Institute (ACI) as Concrete Field Testing Technician - Grade I; certified under Nevada Alliance for Quality Transportation Construction (NAQTC) or certification under Western Alliance for Quality Transportation Construction (WAQTC) will be accepted in lieu of NAQTC. Personnel provided for testing and inspection must be approved by the DEPARTMENT prior to performance of work on this project. In the event the SERVICE PROVIDER fails to provide the required experienced, trained and/or certified personnel, the SERVICE PROVIDER shall reimburse the DEPARTMENT for all delays caused by such failure.

The SERVICE PROVIDER shall provide testing personnel assigned to this project any specialized training or equipment necessary for the use of any hazardous materials required to perform testing on this project. The SERVICE PROVIDER shall have current licenses as required by the

appropriate regulatory agencies. All SERVICE PROVIDER personnel who will operate or transport any nuclear density gauge shall have in their possession evidence of current certification pertaining to the nuclear density gauges under their control. Nuclear density gauges provided by the SERVICE PROVIDER are not to be stored in any DEPARTMENT facility, or transported by DEPARTMENT personnel. The SERVICE PROVIDER is responsible to provide their own storage facility and transportation for nuclear density gauges during the duration of the project.

The SERVICE PROVIDER will provide one (1) field laboratory of the minimum size as required by the DEPARTMENT and including any cabinets, shelves, sinks, counter space and filing cabinets needed. The laboratory must be wired for 220 volts and have the exhaust vent required for the testing equipment needed for the project. The laboratory will contain equipment needed to perform the testing on the project including but not limited to sieves, sieve shakers, scales, balances, sample splitters, drying devices such as ovens and burners, sand equivalent test set, specific gravity testing equipment, proctor compaction set, sand volume apparatus, nuclear testing devices, concrete testing equipment, density testing equipment, dry film thickness testing equipment, asphalt content tester and other miscellaneous equipment needed such as sampling devices, pans and tools. The SERVICE PROVIDER agrees that this is a minimum equipment list and additional equipment may be required. The SERVICE PROVIDER also agrees to provide incidental equipment as may be required by the DEPARTMENT.

The SERVICE PROVIDER shall be familiar with the standard practices of the DEPARTMENT and shall ensure all personnel provided to work on the project are familiar with the DEPARTMENT's contract documents, including the plans, specifications, special provisions, and any change orders thereto. The SERVICE PROVIDER shall perform the procedures for office management, field inspection, and field testing in accordance with the DEPARTMENT's specifications, documentation procedures, Construction Manual, and Documentation Manual.

# Line Item 4

STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION

Request to Solicit Services and Budget Approval (2A)

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

If Amendment or Task Order, name of Company:

Agreement #: Project ID #(s): 60660

Type of Services: Engineering Services - Construction Management

Originated by: Lisa Schettler Division: Construction Date Originated: 7/15/2015

Division Head/District Engineer: Sharon Foerschler

Budget Category #: 06 Object #: 814B Organization #: C040

Estimated Cost: \$6,405,210 Type of Funding: State % of Fund: 100

Funding Notes: State Fiscal Year(s): FY 16, FY 17, FY 18

\$844,515 in FY 16, \$3,084,060 in FY 17, \$2,476,635 in FY 18

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

**Purpose of, and Justification for, Budget Request:**

Request to solicit construction crew augmentation services for Crew 905 and obtain budget approval for a Request for Proposal (RFP)



As a result of the size and scope of the project and the crew workload, the Construction Division is requesting approval to proceed with a solicitation to provide construction crew augmentation services.

**Scope of Services:**

The scope of services include providing Construction Engineering Services for Augmentation of Crew 905 for SR 439 USA Parkway Design Build, Project ID 60660, Project No SPSR-0439(003). The estimated duration of this project is 520 working days.

**Additional Information Attached** X

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





STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

February 10, 2016

**TO:** Reid Kaiser, Assistant Director  
**FROM:** Lisa Schettler, Project Manager  
**SUBJECT:** Negotiation Summary for RFP P430-15-040: Construction Engineering Services for Augmentation of Crew 905 for USA Parkway Design Build Project, Project SPSR-0439(003).

A negotiation meeting was held at NDOT Roop Street Annex in Carson City on February 1, 2016, with Ruedy Edgington and Gary Selmi from HDR, Inc. and Lisa Schettler, Sharon Foerschler, Sam Lompa, Maria Maness and Stephen Lani of the Nevada Department of Transportation (DEPARTMENT) in attendance.

The DBE goal for this agreement has been established at one percent (1.0%).

The scope of services that are to be provided by the SERVICE PROVIDER was reaffirmed by both parties at the outset.

The SERVICE PROVIDER shall provide qualified personnel and equipment; including an Assistant Resident Engineer, Office Engineer, Document Control Person, up to four (4) Inspectors level IV, up to three (3) Testers, a fully equipped Lab Trailer, nuclear gauges, and cell phones. The SERVICE PROVIDER also agrees to provide incidental equipment as may be required to successfully perform the services and requirements of the specific agreement.

Key Personnel dedicated to this project are as follows:

HDR

Ruedy Edgington	Principal Engineer
Gary Selmi	Assistant Resident Engineer
Dean Weitzel	Document Control
Larry Westmoreland	Level IV Inspector
Alan Westmoreland	Level IV Inspector
Gary Sliger	Level IV Inspector
Dan Howerton	Level IV Inspector
Justin Watson	Geotech Engineer/Blasting (proposed optional resource if needed)
Laycee Kolkmand	Traffic/ITS Engineer (proposed optional resource if needed)

Diversified Consulting Services (DCS)

Mike Glock	Office Engineer
John Watson	NAQTC Inspector (tester)
Jordan Smith	NAQTC Inspector (tester)
Mel Ford	NAQTC Inspector (tester)

QCTS

Theresa Harrow	NAQTC Inspector (tester) (In estimate during FY16 only)
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The DEPARTMENT's original estimate was \$6,405,210 including direct labor, overhead rate, an 11% fee, and direct expenses (including sub-consultant expenses).

The SERVICE PROVIDER's original estimate was \$5,335,298 including direct labor, overhead rate of 156.8%, a 10% fee, and direct expenses (including sub-consultant expenses).

The negotiations yielded the following:

1. We agreed the overhead rate of 156.8% is acceptable.
2. We provided clarification of the construction schedule, work areas and sequence of operations and how that may differ from the entire design-build schedule.
3. Although he was not listed in the original proposal, we accepted Dean Weitzel to fill the Document Control position.
4. Removed the copier from the estimate as one will be available in the project office.
5. The Service Provider would obtain quotes and provide a detailed Cost Analyses to support the monthly rate for vehicles and cell phone in the cost proposal. If sub consultant rates differed separate justification would be required.
6. The monthly rate per cell phone for HDR and QCTS staff was reduced from \$100 to \$70.
7. The monthly rate per truck for HDR and QCTS staff was reduced from \$2,300 to \$1,450.
8. The monthly rate per truck for DCS staff was reduced from \$2,300 to \$2,000.
9. Removed the cell phones and trucks for the Document Control and Office Engineer positions.
10. Agreed to a reduction in the HDR main office controller/accounting/admin support hours from 5 hours per month to a maximum of 4 hours per month
11. Hours worked by the Service Provider are at the direction of the Resident Engineer.
12. Agreed with the estimated overtime for office staff at 10% and field staff at 20%
13. Notified HDR that we will provide computers and iPads for the use of the Field Manager program for documentation this project
14. The total negotiated cost for this agreement, including direct labor, overhead, fee and direct expenses will be \$5,105,170.

Reviewed and Approved:

DocuSigned by:



Assistant Director

## **SECTION VIII - SCOPE OF SERVICES**

The SERVICE PROVIDER shall perform professional and technical engineering services to ensure that the construction of USA Parkway, Project No. SPSR-0439-(003) is accomplished in conformance with the plans, specifications, and all other contract documents.

The SERVICE PROVIDER shall provide an Assistant Resident Engineer, Office Person, up to four (4) Inspectors level IV, up to three (3) Testers, a fully equipped Lab Trailer, nuclear gauges, and cell phones.

The SERVICE PROVIDER shall provide incidental equipment as may be required to successfully perform the services and requirements of the specific agreement.

The SERVICE PROVIDER shall use its own, or lease, vehicles which shall be equipped with high intensity flashing yellow strobe lights.

The SERVICE PROVIDER shall provide a principal engineer as required, who shall be certified by the Nevada State Board of Registered Professional Engineers and Land Surveyors, in accordance with Nevada Revised Statutes Chapter 625, as a licensed Civil Engineer. Principals shall be limited to billing no more than eight (8) hours per month, unless SERVICE PROVIDER has obtained prior approval from the DEPARTMENT.

The SERVICE PROVIDER shall provide sufficient personnel who possess the experience, knowledge and character to adequately perform the duties and meet the requirements of the specific agreement. The SERVICE PROVIDER shall provide all personnel assigned to this project the proper safety equipment, including but not limited to, soft caps, hard hats and vests meeting the current DEPARTMENT standards for Work Zone Apparel.

The SERVICE PROVIDER shall provide all personnel assigned to this project any specialized training or equipment necessary to perform the assigned duties, including but not limited to, Preventing Storm Water Pollution from Construction Activities, testing, and inspection. All testing personnel must meet and be certified under American Concrete Institute (ACI) as Concrete Field Testing Technician - Grade I; certified under Nevada Alliance for Quality Transportation Construction (NAQTC) or certification under Western Alliance for Quality Transportation Construction (WAQTC) will be accepted in lieu of NAQTC. Personnel provided for testing and inspection must be approved by the DEPARTMENT prior to performance of work on this project. In the event the SERVICE PROVIDER fails to provide the required experienced, trained and/or certified personnel, the SERVICE PROVIDER shall reimburse the DEPARTMENT for all delays caused by such failure.

The SERVICE PROVIDER shall provide testing personnel assigned to this project any specialized training or equipment necessary for the use of any hazardous materials required to perform testing on this project. The SERVICE PROVIDER shall have current licenses as required by the appropriate regulatory agencies. All SERVICE PROVIDER personnel who will operate or transport any nuclear density gauge shall have in their possession evidence of current certification pertaining to the nuclear density gauges under their control. Nuclear density gauges provided by the SERVICE PROVIDER are not to be stored in any DEPARTMENT facility, or transported by DEPARTMENT personnel. The SERVICE PROVIDER is responsible to provide their own storage facility and transportation for nuclear density gauges during the duration of the project.

The SERVICE PROVIDER will provide one (1) field laboratory trailer of an adequate size that

must accommodate any cabinets, shelves, sinks, counter space, testing equipment, and testing activates needed to perform the field testing required of the SERVICE PROVIDER on the project. The laboratory must be wired for 220 volts and have the exhaust vent required for the testing equipment needed for the project. The laboratory will contain equipment needed to perform the testing on the project including but not limited to sieves, sieve shakers, scales, balances, sample splitters, drying devices such as ovens and burners, sand equivalent test set, specific gravity testing equipment, proctor compaction set, sand volume apparatus, nuclear testing devices, concrete testing equipment, density testing equipment, dry film thickness testing equipment, asphalt content tester and other miscellaneous equipment needed such as sampling devices, pans and tools. The SERVICE PROVIDER shall provide the minimum equipment listed and additional equipment may be required. The SERVICE PROVIDER shall also provide incidental equipment as may be required by the DEPARTMENT.

The SERVICE PROVIDER shall be familiar with the standard practices of the DEPARTMENT and shall ensure all personnel provided to work on the project are familiar with the DEPARTMENT's contract documents, including the plans, specifications, special provisions, and any change orders thereto. The SERVICE PROVIDER shall perform the procedures for office management, field inspection, and field testing in accordance with the DEPARTMENT's specifications, documentation procedures, Construction Manual, and Documentation Manual.



## MEMORANDUM

March 7, 2016

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, Director  
**SUBJECT:** March 14, 2016, Transportation Board of Directors Meeting  
**Item #5:** Contracts, Agreements, and Settlements – Informational Item Only

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### **Summary:**

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

- Agreements under \$300,000 executed January 15, 2016, through February 18, 2016.

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 the agreements executed by the Department from January 15, 2016, through February 18, 2016. There were no contracts awarded or 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 Executed Agreements – Under \$300,000, January 15, 2016, through February 18, 2016

**Recommendation for Board Action:** Informational item only

**Prepared by:** Administrative Services Division

# Attachment

# A

State of Nevada Department of Transportation  
Executed Agreements - Informational  
January 15, 2016, through February 18, 2016

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	03116	00	BEKINS A-1 MOVERS	COMMERCIAL MOVER	Y	2,415.83	-	2,415.83	-	2/3/2016	12/31/2016	-	Acquisition	TINA KRAMER	02-10-16: COMMERCIAL MOVER FOR PARCEL I-015-CL-041.995 FOR PROJECT NEON, CLARK COUNTY. NV B/L# NVF20001188398
2	00516	00	AT&T	FACILITY RELOCATION	N	3,300.00	-	-	3,300.00	1/12/2016	5/30/2019	-	Facility	TINA KRAMER	01-15-16: THREE MANHOLE COVER ADJUSTMENTS, TO BE COMPLETED BY THE STATE'S CONTRACTOR AT AT&T'S REQUEST, FOR CONSTRUCTION OF A ROUNDABOUT LOCATED AT SR 372 AND BLAGG ROAD. THE DEPARTMENT WILL BE REIMBURSED FOR ANY NON-COMPENSABLE ADJUSTMENTS UP TO \$3,300.00. CLARK COUNTY. NV B/L#: NVF19711002665
3	01016	00	AT&T	FACILITY RELOCATION	N	1,100.00	-	-	1,100.00	1/25/2016	5/30/2019	-	Facility	TINA KRAMER	01-26-16: ONE MANHOLE ADJUSTMENT, TO BE COMPLETED BY THE STATE'S CONTRACTOR AT AT&T'S REQUEST, FOR A PEDESTRIAN IMPROVEMENTS PROJECT ON SR 447, SUN VALLEY BLVD. THE DEPARTMENT WILL BE REIMBURSED FOR ANY NON-COMPENSABLE ADJUSTMENTS UP TO \$1,100.00. WASHOE COUNTY. NV B/L#:NVD1913000017
4	00716	00	NV ENERGY	LINE EXTENSION	N	6,523.00	-	6,523.00	-	1/13/2016	1/31/2019	-	Facility	TINA KRAMER	01-13-16: LINE EXTENSION FOR THE KIETZKE PEDESTRIAN PROJECT, WASHOE COUNTY. NV B/L#: NVD19831015840
5	00816	00	NV ENERGY	LINE EXTENSION	N	6,523.00	-	6,523.00	-	1/13/2016	1/31/2019	-	Facility	TINA KRAMER	01-13-16: LINE EXTENSION FOR THE VIRGINIA STREET PEDESTRIAN PROJECT, WASHOE COUNTY. NV B/L#: NVD19831015840
6	01116	00	NV ENERGY	FACILITY RELOCATION	N	1,100.00	-	-	1,100.00	1/25/2016	5/30/2019	-	Facility	TINA KRAMER	01-26-16: ONE MANHOLE ADJUSTMENT, TO BE COMPLETED BY THE STATE'S CONTRACTOR AT NV ENERGY'S REQUEST, FOR A PEDESTRIAN IMPROVEMENTS PROJECT ON SR 447, SUN VALLEY BLVD. THE DEPARTMENT WILL BE REIMBURSED FOR ANY NON-COMPENSABLE ADJUSTMENTS UP TO \$1,100.00. WASHOE COUNTY. NV B/L#:NVD1913000017
7	01616	00	NV ENERGY	FACILITY RELOCATION	N	2,400.00	-	-	2,400.00	2/1/2016	5/30/2019	-	Facility	TINA KRAMER	02-01-16: THREE VALVE COVER ADJUSTMENTS, TO BE COMPLETED BY THE STATE'S CONTRACTOR AT NV ENERGY'S REQUEST, FOR A PEDESTRIAN IMPROVEMENTS PROJECT ON SR 447, SUN VALLEY BLVD. THE DEPARTMENT WILL BE REIMBURSED FOR ANY NON-COMPENSABLE ADJUSTMENTS UP TO \$2,400.00. WASHOE COUNTY. WASHOE COUNTY. NV B/L#: NVD19831015840
8	01816	00	SOUTHWEST GAS CORP.	FACILITY RELOCATION	Y	1,490.00	-	1,490.00	-	1/26/2016	5/30/2018	-	Facility	TINA KRAMER	01-26-16: RELOCATION OF GAS DISTRIBUTION FACILITIES AT 611 DESERT LANE, FOR PROJECT NEON, CLARK COUNTY. NV D/L#: NVF1571000091
9	01916	00	SOUTHWEST GAS CORP.	FACILITY RELOCATION	Y	3,876.00	-	3,876.00	-	1/26/2016	5/30/2018	-	Facility	TINA KRAMER	01-26-16: RELOCATION OF GAS DISTRIBUTION FACILITIES AT 1117 DESERT LANE, FOR PROJECT NEON, CLARK COUNTY. NV D/L#: NVF1571000091
10	02016	00	SOUTHWEST GAS CORP.	FACILITY RELOCATION	Y	3,361.00	-	3,361.00	-	1/26/2016	5/30/2018	-	Facility	TINA KRAMER	01-26-16: RELOCATION OF GAS DISTRIBUTION FACILITIES AT 1524 ELLIS AVENUE, FOR PROJECT NEON, CLARK COUNTY. NV D/L#: NVF1571000091
11	02216	00	SOUTHWEST GAS CORP.	FACILITY RELOCATION	Y	674.00	-	674.00	-	1/26/2016	5/30/2018	-	Facility	TINA KRAMER	01-26-16: RELOCATION OF GAS DISTRIBUTION FACILITIES AT 1126/1124 SOUTH MARTIN L. KING BOULEVARD, FOR PROJECT NEON, CLARK COUNTY. NV D/L#: NVF1571000091

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
12	02316	00	SOUTHWEST GAS CORP.	FACILITY RELOCATION	Y	2,179.00	-	2,179.00	-	1/26/2016	5/30/2018	-	Facility	TINA KRAMER	01-26-16: RELOCATION OF GAS DISTRIBUTION FACILITIES AT 1130 SOUTH MARTIN L. KING BOULEVARD, FOR PROJECT NEON, CLARK COUNTY. NV D/L#: NVF1571000091
13	02416	00	SOUTHWEST GAS CORP.	FACILITY RELOCATION	Y	783.00	-	783.00	-	1/26/2016	5/30/2018	-	Facility	TINA KRAMER	01-26-16: RELOCATION OF GAS DISTRIBUTION FACILITIES AT 1221 RICHARD COURT, FOR PROJECT NEON, CLARK COUNTY. NV D/L#: NVF1571000091
14	02516	00	SOUTHWEST GAS CORP.	FACILITY RELOCATION	Y	3,405.00	-	3,405.00	-	1/26/2016	5/30/2018	-	Facility	TINA KRAMER	01-26-16: RELOCATION OF GAS DISTRIBUTION FACILITIES AT 1309 RICHARD COURT, FOR PROJECT NEON, CLARK COUNTY. NV D/L#: NVF1571000091
15	02616	00	SOUTHWEST GAS CORP.	FACILITY RELOCATION	Y	2,062.00	-	2,062.00	-	1/26/2016	5/30/2018	-	Facility	TINA KRAMER	01-26-16: RELOCATION OF GAS DISTRIBUTION FACILITIES AT 1109 WESTERN AVENUE, FOR PROJECT NEON, CLARK COUNTY. NV D/L#: NVF1571000091
16	02716	00	SOUTHWEST GAS CORP.	FACILITY RELOCATION	Y	891.00	-	891.00	-	1/26/2016	5/30/2018	-	Facility	TINA KRAMER	01-26-16: RELOCATION OF GAS DISTRIBUTION FACILITIES AT 1115 WESTERN AVENUE, FOR PROJECT NEON, CLARK COUNTY. NV D/L#: NVF1571000091
17	02816	00	SOUTHWEST GAS CORP.	FACILITY RELOCATION	Y	6,495.00	-	6,495.00	-	1/26/2016	5/30/2018	-	Facility	TINA KRAMER	01-26-16: RELOCATION OF GAS DISTRIBUTION FACILITIES AT 1236/1230 WESTERN AVENUE, FOR PROJECT NEON, CLARK COUNTY. NV D/L#: NVF1571000091
18	02916	00	SOUTHWEST GAS CORP.	FACILITY RELOCATION	Y	4,591.00	-	4,591.00	-	1/26/2016	5/30/2018	-	Facility	TINA KRAMER	01-26-16: RELOCATION OF GAS DISTRIBUTION FACILITIES AT 1410 WESTERN AVENUE, FOR PROJECT NEON, CLARK COUNTY. NV D/L#: NVF1571000091
19	03016	00	SOUTHWEST GAS CORP.	FACILITY RELOCATION	Y	5,114.00	-	5,114.00	-	1/26/2016	5/30/2018	-	Facility	TINA KRAMER	01-26-16: RELOCATION OF GAS DISTRIBUTION FACILITIES FOR RICHARD COURT IN ITS ENTIRETY, FOR PROJECT NEON, CLARK COUNTY. NV D/L#: NVF1571000091
20	02116	00	SOUTHWEST GAS CORPORATION AC	FACILITY RELOCATION	Y	1,159.00	-	1,159.00	-	2/1/2016	5/30/2018	-	Facility	TINA KRAMER	02-01-16: GAS DISTRIBUTION FACILITY RELOCATION AGREEMENT, FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NVF19571000091
21	00916	00	SUN VALLEY GENERAL IMPROVEMENT	FACILITY RELOCATION	N	-	-	-	-	1/25/2016	5/30/2019	-	Facility	TINA KRAMER	01-26-16: NO COST AGREEMENT FOR MANHOLE AND VALVE COVER ADJUSTMENTS FOR A PEDESTRIAN IMPROVEMENTS PROJECT ON SR 447, SUN VALLEY BLVD. WASHOE COUNTY. NV B/L#:EXEMPT
22	01216	00	TRUCKEE MEADOWS WATER AUTHORITY	FACILITY RELOCATION	N	5,400.00	-	-	5,400.00	1/25/2016	1/20/2018	-	Facility	TINA KRAMER	01-26-16: ONE MANHOLE AND FOUR VALVE COVER ADJUSTMENTS, TO BE COMPLETED BY THE STATE'S CONTRACTOR AT TRUCKEE MEADOWS WATER AUTHORITY'S REQUEST, FOR A PEDESTRIAN IMPROVEMENTS PROJECT ON SR 447, SUN VALLEY BLVD. THE DEPARTMENT WILL BE REIMBURSED FOR ANY NON-COMPENSABLE ADJUSTMENTS UP TO \$5,400.00 WASHOE COUNTY. NV B/L#:EXEMPT
23	01316	00	UNION PACIFIC RAILROAD COMPANY	PRELIMINARY ENGINEERING	Y	25,000.00	-	25,000.00	-	2/1/2016	5/30/2019	-	Facility	TINA KRAMER	02-01-16: PRELIMINARY ENGINEERING COSTS FOR THE DEPARTMENT PROJECT OF SCOUR MITIGATION AND EROSION CONTROL ON AND UNDER STRUCTURES G-884 AND G-885 ALONG I-80, EUREKA COUNTY. NV B/L#: NVF19691003146

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
24	74915	00	UNION PACIFIC RAILROAD COMPANY	PRELIMINARY ENGINEERING	N	5,000.00	-	5,000.00	500.00	1/18/2016	6/30/2017	-	Facility	TINA KRAMER	01-18-16: THE RAILROAD IS AUTHORIZED AND REQUESTED TO INCUR PRELIMINARY ENGINEERING COSTS FOR THE PURPOSE OF CONDUCTING FIELD STUDIES, DEVELOPING AND SUBMITTING ITEMIZED COST ESTIMATES, DETAILED PLANS, AND OTHER ASSOCIATED WORK IN PREPARATION FOR ENTERING INTO A FORMAL AGREEMENT REGARDING THE PROJECT TO REMOVE EXISTING CROSSING SURFACE AND REPLACE WITH CONCRETE CROSSING SURFACE AT DONOVAN WAY CROSSING. THE RAILROAD HAS AGREED TO PAY THE 10% MATCH FOR ALL DOCUMENTED COSTS AND EXPENSES. CLARK COUNTY. NV B/L#: EXEMPT
25	75115	00	UNION PACIFIC RAILROAD COMPANY	PRELIMINARY ENGINEERING	N	7,000.00	-	7,000.00	700.00	1/18/2016	6/30/2017	-	Facility	TINA KRAMER	01-18-16: RAILROAD IS AUTHORIZED AND REQUESTED TO INCUR PRELIMINARY ENGINEERING COSTS FOR THE PURPOSE OF CONDUCTING FIELD STUDIES, DEVELOPING AND SUBMITTING ITEMIZED COST ESTIMATES, DETAILED PLANS, AND OTHER ASSOCIATED WORK IN PREPARATION FOR ENTERING INTO A FORMAL AGREEMENT REGARDING THE PROJECT TO REMOVE EXISTING CROSSING SURFACE AND REPLACE WITH CONCRETE CROSSING SURFACE AT NORTH CITY PARKWAY. THE RAILROAD HAS AGREED TO PAY THE 10% MATCH FOR ALL DOCUMENTED COSTS AND EXPENSES. CLARK COUNTY. NV B/L#: EXEMPT
26	41514	01	UNION PACIFIC RAILROAD COMPANY	PRELIMINARY ENGINEERING	Y	10,000.00	125,692.00	135,692.00	-	10/28/2014	10/31/2018	2/2/2016	Facility	TINA KRAMER	02-09-16: INCREASE AUTHORITY BY \$125,692.00 FROM \$10,000.00 TO \$135,692.00 FOR CONSTRUCTION COST OF THE PROJECT. 10-28-14: PRELIMINARY ENGINEERING TO INSTALL CONCRETE SURFACE AT US 50 SILVER SPRINGS CROSSING (DOT#740-912C), LYON COUNTY. NV B/L#: NV19691003146
27	05516	00	NEVADA DIVISION OF STATE LANDS	LAKE TAHOE WATER QUALITY	N	2,000,000.00	-	-	2,000,000.00	1/7/2016	12/31/2017	-	Grantee	MATT NUSSBAUMER	01-07-16: NEVADA DIVISION OF STATE LANDS TO PROVIDE FUNDING FOR LAKE TAHOE WATER QUALITY AND EROSION CONTROL PROJECT SOUTH OF LOGAN HOUSE CREEK, EAST ALONG US 50, DOUGLAS COUNTY. NV B/L#: EXEMPT
28	08716	00	GREAT BASIN COLLEGE	ELECTRICAL SAFETY TRAINING	N	300.00	-	300.00	-	2/17/2016	6/30/2016	-	Interlocal	CRAIG CRICK	02-17-16: ELECTRICAL SAFETY TRAINING FOR DISTRICT II SIGN CREW, ELKO COUNTY. NV B/L#: EXEMPT
29	09216	00	DEPARTMENT OF PUBLIC SAFETY OFFICE OF TRAFFIC SAFETY	SAFETY AWARENESS CAMPAIGNS	N	2,859,242.00	-	2,859,242.00	-	2/11/2016	9/30/2023	-	Interlocal	JAIME TUDDAO	02-11-16: STATEWIDE ROAD USERS' BEHAVIORAL CAMPAIGN THAT PROMOTES AWARENESS, AND EDUCATES THE PUBLIC ON HIGHWAY SAFETY MATTERS CONSISTENT WITH THE STATE STRATEGIC HIGHWAY SAFETY PLAN (SHSP), STATEWIDE. NV B/L#: EXEMPT
30	09616	00	LAS VEGAS VALLEY WATER	DESIGNATE RESPONSIBILITIES	N	-	-	-	-	1/28/2016	1/28/2026	-	Interlocal	LUIS GARAY	01-28-16: NO COST AGREEMENT FOR THE DESIGNATION OF RESPONSIBILITIES BETWEEN THE DEPARTMENT AND THE LAS VEGAS VALLEY WATER DISTRICT REGARDING THE CONSTRUCTION PROJECT REPLACING SIXTEEN ESCALATORS ON TROPICANA AVENUE AND LAS VEGAS BOULEVARD SOUTH, CLARK COUNTY. NV B/L#: EXEMPT

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Notes
31	05416	00	JACOB STRITENBERGER	LEASE HOUSE	N	2,900.00	-	-	2,900.00	1/25/2016	1/4/2020	-	Lease	PAULINE BEIGEL	01-25-16: LEASE OF MAINTENANCE STATION HOUSE, #1, AT THE BLUE JAY MAINTENANCE STATION, TO A DEPARTMENT EMPLOYEE. NYE COUNTY. NV B/L#: EXEMPT
32	73715	00	DONALD GRAY	LEASE HOUSE	N	12,000.00	-	-	12,000.00	2/4/2016	11/30/2019	-	Lease	PAULINE BEIGEL	02-04-16: LEASE OF MAINTENANCE STATION HOUSE, #102, AT THE MT. CHARLESTON MAINTENANCE STATION, TO A DEPARTMENT EMPLOYEE. CLARK COUNTY. NV B/L#: EXEMPT
33	00616	00	NV ENERGY	ROW ACCESS	N	-	-	-	-	1/12/2016	5/30/2026	-	ROW Access	TINA KRAMER	01-12-16: NO COST COMMON USE AGREEMENT FOR PROJECT I-015-1(7)43 INTERSTATE AT CAREY AVENUE, CLARK COUNTY. NV B/L#: EXEMPT
34	37315	00	ATKINS NORTH AMERICA, INC.	CONSULTANT SERVICES	N	296,081.50	-	296,081.50	-	12/30/2015	6/30/2019	-	Service Provider	LISA SCHESSLER	12-30-2015: ASSIST THE CONSTRUCTION DIVISION IN DEVELOPING, ORGANIZING, AND HOSTING THE ANNUAL RESIDENT ENGINEER ACADEMY, APPROXIMATELY 40 HOUR CLASS, THROUGH 2019. ACADEMIES ARE NECESSARY TO PROVIDE RESIDENT ENGINEERS WITH THE TOOLS AND TRAINING THEY NEED TO SUCCESSFULLY ADMINISTER THE DEPARTMENT'S CONSTRUCTION PROJECTS, ENSURE COMPLIANCE WITH FEDERAL AND STATE REQUIREMENTS, FOLLOW THE DEPARTMENT'S MANUALS AND TO REDUCE THE NUMBER OF CLAIMS FILED AGAINST THE DEPARTMENT. STATEWIDE. NV B/L#: NVF19981347315-R
35	62715	01	BATTLE BORN TREE SERVICE	SNOW REMOVAL SERVICES	N	24,000.00	24,000.00	48,000.00	-	11/1/2015	11/1/2017	2/9/2016	Service Provider	JIM PRENTICE	AMD 1 02-09-16: INCREASE AUTHORITY \$24,000.00 FROM \$24,000.00 TO \$48,000.00 DUE TO THE ADDITIONAL SNOW REMOVAL NEEDED BECAUSE OF THE INCREASED SNOWFALL THIS SEASON. 10-02-15: SNOW REMOVAL SERVICES FOR HEADQUARTERS CAMPUS, CARSON CITY. NV B/L#: NVD20131580674-Q
36	29113	03	CHAPMAN LAW FIRM	LEGAL SERVICES	Y	200,000.00	269,575.00	719,575.00	-	7/25/2013	7/30/2017	2/8/2016	Service Provider	DENNIS GALLAGHER	AMD 3 02-08-16: INCREASE AUTHORITY \$269,575.00 FROM \$450,000.00 TO \$719,575.00 TO CONTINUE LEGAL SERVICES. AMD 2 06-01-15: EXTEND TERMINATION DATE FROM 07-30-15 TO 07-30-17 TO ALLOW TIME TO RESOLVE LEGAL MATTERS. AMD 1 04-28-14: INCREASE AUTHORITY BY \$250,000.00 FROM \$200,000.00 TO \$450,000.00 TO CONTINUE LITIGATION. 07-25-13: LEGAL REPRESENTATION BY CHAPMAN LAW FIRM RE AD AMERICA (NEON) INVERSE CONDEMNATION CASE, CLARK COUNTY. NV B/L#: NV20011462722-S
37	78015	00	EQUILIBRIUM-MBSR, LLC	TRAINING	N	36,448.00	-	36,448.00	-	1/22/2016	6/30/2017	-	Service Provider	MARK EVANS	01-22-16: PROVIDE FOUR, 14 TO 16 HOUR TRAINING SESSIONS OF MINDFUL LEADERSHIP TO DEPARTMENT EMPLOYEES, CARSON CITY, CLARK, AND ELKO COUNTIES. NV B/L#: NVD20081045520-S
38	07216	00	H2O ENVIRONMENTAL	CLEAN UP	N	250,000.00	-	250,000.00	-	2/1/2016	12/31/2017	-	Service Provider	MARLENE REVERA	02-01-16: TO PROVIDE SITE CLEAN UP SERVICES IN AREAS PREVIOUSLY OCCUPIED BY A HOMELESS POPULATION, PERSHING, LYON, CHURCHILL, DOUGLAS, CARSON CITY, STOREY AND MINERAL COUNTIES. NV B/L#: NV19961214703-Q
39	65515	00	J&L JANITORIAL SERVICES	JANITORIAL SERVICES	N	294,960.40	-	294,960.40	-	2/1/2016	2/1/2018	-	Service Provider	JIM PRENTICE	01-28-16: PROVIDE DAILY JANITORIAL SERVICES OF THE DEPARTMENT'S HEADQUARTERS CAMPUS, INCLUDING OFFICE SPACE LOCATED AT AIRPORT HANGER, CARSON CITY. NV B/L#: NVD20101116972-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
40	06616	00	LERCH BATES, INC.	QUALITY ASSURANCE	N	36,600.00	-	36,600.00	-	2/8/2016	6/30/2018	-	Service Provider	JENNIFER MANUBAY	02-08-16: QUALITY ASSURANCE SERVICES TO OVERSEE THE NEW ESCALATOR CONSTRUCTION ON THE TROPICANA PEDESTRIAN BRIDGE. CLARK COUNTY. NV B/L#: NV20061820488-Q
41	05616	00	LIVE YOUR PASSIONATE LIFE, INC.	TRAINING	N	13,000.00	-	13,000.00	-	1/27/2016	6/30/2017	-	Service Provider	MARK EVANS	01-28-16: PROVIDE UP TO 2 SESSIONS OF ASSESSMENT, COACHING, AND TRAINING ON EMOTIONAL INTELLIGENCE TO FACILITATE BETTER WORKING RELATIONSHIPS, CARSON CITY. NV B/L#: NVD20101134549-S
42	13215	00	LOGAN SIMPSON DESIGN, INC.	LPA CERTIFICATION PROGRAM	Y	132,869.00	-	132,869.00	-	1/25/2016	8/31/2016	-	Service Provider	KRISTENA SHIGENAGA	01-25-16: DEVELOPMENT OF IMPLEMENTATION PLAN FOR THE LOCAL PUBLIC AGENCY CERTIFICATION PROGRAM, STATEWIDE. NV B/L#: NVF20101023481-R
43	66515	00	NICHOLS CONSULTING ENGINEERS	RESEARCH	N	45,017.00	-	45,017.00	-	1/28/2016	2/28/2017	-	Service Provider	MANJU KUMAR	01-28-16: CONDUCT RESEARCH STUDY TITLED: "PHASE 1: EVALUATION OF LOW FLEXURAL STRENGTH FOR NORTH NEVADA CONCRETE PAVING MIXTURE," STATEWIDE. NV B/L#: NVD19891040686-R
44	34114	02	PARSONS BRINCKERHOFF	PROJECT SCOPING	Y	1,963,133.00	-	2,058,667.00	-	2/12/2015	3/31/2017	2/17/2016	Service Provider	DWAYNE WILKINSON	AMD 2 02-17-16: EXTEND TERMINATION DATE FROM 03-31-16 TO 03-31-17 TO ALLOW FOR ADDITIONAL TIME TO COMPLETE SERVICES. AMD 1 05-29-15: INCREASE AUTHORITY BY \$95,534.00 FROM \$1,963,133.00 TO \$2,058,667.00 DUE TO THE NEED FOR ADDITIONAL TRAFFIC ENGINEERING SERVICES. 02-12-15: PROJECT SCOPING AND PROJECT MANAGEMENT SERVICES FOR THE I-15 NORTH, PHASE 4, SYSTEM TO SYSTEM INTERCHANGE, CLARK COUNTY. NV B/L#: NV19911025871-R
45	63515	00	RENO FLYING SERVICE	CONTRACT PILOTS	N	150,000.00	-	150,000.00	-	1/25/2016	7/31/2016	-	Service Provider	LINDA HEEG	01-25-16: AIRCRAFT PILOT SERVICES AS NEEDED WHEN THE DEPARTMENTS PILOTS ARE UNAVAILABLE, STATEWIDE. NV B/L#: NVD19911036635-S
46	29215	02	RICKS FLOOR COVERING	REPLACE CARPET	N	34,995.00	3,565.00	44,943.00	-	6/8/2015	7/31/2016	2/3/2016	Service Provider	ANNETTE BALLEW	AMD 2 02-03-16: INCREASE AUTHORITY \$3,565.00 FROM \$44,943.00 TO \$48,508.00 FOR ADDITIONAL CARPET REPLACEMENT OF ROOM 14, MULTI-MEDIA. AMD 1 11-19-15: INCREASE AUTHORITY \$9,948.00 FROM \$34,995.00 TO \$44,943.00 AND CHANGE TERMINATION DATE FROM 12-31-15 TO 7-31-16 FOR CARPET REPLACEMENT IN ROOMS 2, 3, 13, OF THE EAST ANNEX BUILDING. 06-09-15: TO REMOVE AND REPLACE CARPET SQUARES AT HEADQUARTERS BUILDING, CARSON CITY. NV B/L#: NV20001249736-Q
47	05316	00	TITAN ELECTRICAL CONTRACTING	DYNAMIC MESSAGE SIGNS	N	240,106.00	-	240,106.00	-	1/25/2016	12/31/2016	-	Service Provider	ROD SCHILLING	01-25-16: INSTALLATION OF TWO DYNAMIC MESSAGE SIGNS (DMS) SIGNS ON US-95 IN WINNEMUCCA, HUMBOLDT COUNTY. NV B/L#: NV20071408571-Q
48	07416	00	VISION TECHNOLOGY SOLUTIONS	WEBSITE REPLACEMENT	N	17,500.00	-	17,500.00	-	2/17/2016	6/30/2016	-	Service Provider	KAYLA SNEED	02-17-16: WEBSITE CONSULTATION AND ASSESSMENT TO ASSIST WITH WEBSITE REPLACEMENT ACTIVITIES, CARSON CITY. NV B/L#: NV20141287604-D
49	06514	01	XCEL MAINTENANCE SERVICES INC.	JANITORIAL SVCS DIST. YARD	N	188,052.40	42,763.10	230,815.50	-	2/26/2014	2/28/2017	2/1/2016	Service Provider	PAULINE BEIGEL	AMD1 01-01-16: INCREASE AUTHORITY \$42,763.10 FROM \$188,052.40 TO \$230,815.50 AND EXTEND TERMINATION DATE FROM 8-31-16 TO 2-28-17 TO PROVIDE AN ADDITIONAL SIX MONTHS OF SERVICE. 02-26-14: TO PROVIDE JANITORIAL SERVICES FOR DISTRICT 1 YARD, CLARK COUNTY. NV B/L#: 20021426879-Q



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

## MEMORANDUM

March 14, 2016

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, Director  
**SUBJECT:** March 14, 2016 Transportation Board of Directors Meeting  
**Item # 6 :** Disposal of NDOT right-of-way located at IR-15, in the City of Mesquite, County of Clark, State of Nevada (Central Mesquite Overpass, Grapevine Rd.)

*SUR 14-16 – For Board Approval*

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### **Summary:**

Approval is requested from the Department of Transportation Board of Directors to dispose of the above referenced right-of-way by Resolution of Relinquishment. The right-of-way parcel to be relinquished is located at IR-15, in the City of Mesquite, County of Clark, State of Nevada (Central Mesquite Overpass, Grapevine Rd.). The parcels are partially improved with roadways, sidewalks and slopes and consist of 2.05 acres (89,478 square feet) as depicted on the attached sketch map marked Exhibit "A".

### **Background:**

In April, 2004, the Department acquired the property rights by easement deed for the construction of project STP-015-2(031)120.

On April 21, 2004 the Department entered into an interlocal agreement with the City of Mesquite to transfer the Department's ownership, including improvements and maintenance responsibilities of the State's roadway known as IR-15. This transfer will be a benefit to the Department with the elimination of all liability and future maintenance responsibilities. Since this project is completed, this action is part of the Department's efforts to relinquish local roads.

On February 24, 2015, the Surplus Committee determined the easement interest is no longer required for highway purposes.

### **Analysis:**

On September 8, 2015, the City of Mesquite signed a Resolution Consenting to Relinquishment and Land Transfer Agreement accepting the relinquishment of the parcels. The relinquishment of NDOT's interest in the parcels is being made in accordance with NRS 408.527. The Department currently holds an easement interest in the parcels.

**Department of Transportation Board of Directors  
March 14, 2016**

**List of Attachments:**

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

**Recommendation for Board Action:**

Approval of disposal of NDOT right-of-way located at IR-15, in the City of Mesquite, County of Clark, State of Nevada (Central Mesquite Overpass, Grapevine Rd.)

**Prepared by: Ruth Borrelli, Chief R/W Agent** 

rb/dtc/jm

# LOCATION MAP



**SUR 14-16**  
**DESCRIPTION: IR-15, in the City of Mesquite, County of Clark,**  
**State of Nevada**  
**(CENTRAL MESQUITE OVERPASS, GRAPEVINE RD.)**

**EXHIBIT "A"**

**ATTACHMENT 1**

301

Route: IR-15

Control Section: CL-88

E.A.: 72642

Project: STP-015-2(031)120

Ptn. of APNs: 001-17-103-002

001-17-113-001

001-17-202-004

001-17-502-005

001-17-601-001

All of Parcels: I-015-CL-122.205PE

I-015-CL-122.242PE

I-015-CL-122.244PE

I-015-CL-122.245PE

Surplus No.: SUR 14-16

Surplus Parcels: I-015-CL-122.205PE XS1

I-015-CL-122.242PE XS1

I-015-CL-122.244PE XS1

I-015-CL-122.245PE XS1

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

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

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

WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, presently holds an easement interest in that certain right-of-way for portions of IR-15, extending from Highway Engineer's Station "PEe" 126+15.09 P.O.C., to Highway Engineer's Station "PEe" 130+97.97 P.O.C; and

WHEREAS, said right-of-way is delineated and identified as Parcels I-015-CL-122.205PE XS1, I-015-CL-122.242PE XS1, I-015-CL-122.244PE XS1 and I-015-CL-122.245PE XS1 on EXHIBITS "A" and "B", attached hereto and made a part hereof; and

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

WHEREAS, said right-of-way is of no further contemplated use by the Department due to those portions of IR-15 being in excess of its needs; and

WHEREAS, the City of Mesquite has requested the relinquishment of aforesaid portions of highway for the purpose of roadway, drainage and slope maintenance of Grapevine Road; and

WHEREAS, the City of Mesquite has agreed to accept the relinquishment of said right-of-way for the aforesaid portions of IR-15 together with any and all revocable leases and licenses entered into between the Department and the adjoining owners for the multiple use of the right-of-way; and

WHEREAS, the City of Mesquite entered into an agreement with the Department on April 21, 2004, to accept the hereinafter described portions of right-of-way as a part of the City of Mesquite road system; and

WHEREAS, the City Council of the City of Mesquite, State of Nevada, consented by resolution passed and adopted on September 8, 2015, to the Department relinquishing the aforesaid portions of said right-of-way to the City of Mesquite; and

WHEREAS, NRS 408.527 provides that the Department of Transportation may relinquish any portion of a state highway which has been superseded by relocation or which the

Department determines exceeds its needs after the Department and the city or county have entered into an agreement and the city or county legislative body has adopted a resolution consenting thereto.

THEREFORE, it is hereby determined by the Board of Directors of the Nevada Department of Transportation, State of Nevada, that the following described right-of-way and incidents thereto, being all that land, delineated and identified as Parcels I-015-CL-122.205PE XS1, I-015-CL-122.242PE XS1, I-015-CL-122.244PE XS1 and I-015-CL-122.245PE XS1 on EXHIBITS "A" and "B", attached hereto and made a part hereof, is hereby relinquished to the City of Mesquite of the State of Nevada. Said right-of-way is described as follows:

Parcel: I-015-CL-122.205PE XS1

Situate, lying and being in the City of Mesquite, County of Clark, State of Nevada, and more particularly described as being a portion of Government Tract 41 of Section 17, T. 13 S., R. 71 E., M.D.M., and further described as being a portion of Parcel 1 as shown on that certain FINAL MAP OF PIONEER COMMERCIAL SUBDIVISION AT MESQUITE VISTAS PLANNED UNIT DEVELOPMENT, Map No. 1222, filed for record on June 27, 2002, in Book 105, Page 49 of Plats, Official Records Book 20020627, Clark County, Nevada and being more fully described by metes and bounds as follows:

BEGINNING at a point on the left or northerly right-of-way line of IR-15 Freeway, 200.00 feet left of and measured radially from Highway Engineer's Station "PWe" 126+15.09 P.O.C., said point of beginning further described as bearing S. 71°09'58" W. a distance of 752.07 feet from the north quarter corner of said Section 17, described as being a .035m brass cap stamped "1/4 S8/17 1934", shown as a FOUND GLO BRASS CAP on that certain AMENDED PARCEL MAP FOR MESQUITE VISTAS L.L.C. AND THE WILLIAM S. REDD FAMILY TRUST, Map No. 01769, filed for record on February 3, 1999, as File 94, Page 14 of Parcel Maps, Official Records Book 990203, Clark County, Nevada; thence N. 7°48'42" W. a distance of 179.73 feet to the easterly boundary line of said Parcel 1; thence S. 26°48'16" E., along said easterly boundary line, a distance of 185.97 feet to said left or northerly right-of-way line; thence from a tangent which bears S. 78°51'13" W., curving to the left along said northerly right-of-way line, with a radius of 5,284.00 feet, through an angle of 0°39'27", an arc distance of 60.65 feet to the point of beginning; said parcel contains an area of 5,435 square feet.

**Parcel: I-015-CL-122.242PE XS1**

Situate, lying and being in the City of Mesquite, County of Clark, State of Nevada, and more particularly described as being a portion of Government Tract 41 and Government Tract 42, all within Section 17, T. 13 S., R. 71 E., M.D.M., and further described as being a portion of Parcel 1 and Parcel 4 as shown on that certain PARCEL MAP for Bryan K. Hafen & Dawn N. Hafen, Map No. 01161, filed for record on March 5, 1996, as File 84, Page 88 of Parcel Maps, Official Records Book No. 960305, Clark County, Nevada, and being more fully described by metes and bounds as follows:

BEGINNING at a point on the right or southerly right-of-way line of IR-15 Freeway and the westerly boundary line of said Parcel 4, 246.94 feet right of and measured radially from Highway Engineer's Station "PEe" 129+10.51 P.O.C., said point of beginning further described as bearing S. 22°54'00" W. a distance of 769.94 feet from the north quarter corner of said Section 17, said corner further described as being a .035m brass cap stamped "1/4 S8/17 1934", shown as a FOUND GLO BRASS CAP on that certain AMENDED PARCEL MAP FOR MESQUITE VISTAS L.L.C. AND THE WILLIAM S. REDD FAMILY TRUST, Map No. 01769, filed for record on February 3, 1999, as File 94, Page 14 of Parcel Maps, Official Records Book 990203, Clark County, Nevada; thence N. 81°45'14" E., along said right or southerly right-of-way line, a distance of 102.43 feet to the former westerly right-of-way line of Grapevine Road as described in that certain DEED OF DEDICATION filed for record on June 7, 2000, in Official Records Book 20000607, as Instrument 01474, Clark County, Nevada on June 7, 2000; thence S. 1°09'29" E., along said former westerly right-of-way line, a distance of 1,053.38 feet to the westerly right-of-way line of said Grapevine Road; thence along said westerly right-of-way line of Grapevine Road the following five (5) courses and distances:

- 1) S. 88°51'01" W. – 24.85 feet;
- 2) N. 0°21'12" W. – 215.84 feet;
- 3) N. 4°44'04" W. – 351.87 feet;
- 4) N. 8°51'24" W. – 327.91 feet;
- 5) N. 37°20'29" W. – 22.92 feet to said westerly boundary line of Parcel 4;

thence N. 1°20'38" W., along said westerly boundary line and said westerly right-of-way line of Grapevine Road, a distance of 130.28 feet to the point of beginning; said parcel contains an area of 53,518 square feet.

Parcel: I-015-CL-122.244PE XS1

Situate, lying and being in the City of Mesquite, County of Clark, State of Nevada, and more particularly described as being a portion of Government Tract 41 and Government Tract 42, all within Section 17, T. 13 S., R. 71 E., M.D.M., and further described as being a portion of Parcel 3 and Parcel 4 as shown on that certain PARCEL MAP for Bryan K. Hafen & Dawn N. Hafen, Map No. 01161, filed for record on March 5, 1996, as File 84, Page 88 of Parcel Maps, Official Records Book No. 960305, Clark County, Nevada, and being more fully described by metes and bounds as follows:

BEGINNING at a point on the easterly right-of-way line of Grapevine Road as described in that certain DEED OF DEDICATION filed for record on June 7, 2000, in Official Records Book 20000607, as Instrument 01474, Clark County, Nevada, 279.52 feet right of and measured radially from the centerline of IR-15 Freeway at Highway Engineer's Station "PEe" 131+05.96 P.O.C., said point of beginning further described as bearing S. 8°50'31" W. a distance of 727.78 feet from the north quarter corner of said Section 17, said corner further described as being a .035m brass cap stamped "1/4 S8/17 1934", shown as a FOUND GLO BRASS CAP on that certain AMENDED PARCEL MAP FOR MESQUITE VISTAS L.L.C. AND THE WILLIAM S. REDD FAMILY TRUST, Map No. 01769, filed for record on February 3, 1999, as File 94, Page 14 of Parcel Maps, Official Records Book 990203, Clark County, Nevada; thence along said easterly right-of-way line of Grapevine Road the following eight (8) courses and distances:

- 1) S. 32°17'01" E. – 21.77 feet;
- 2) from a tangent which bears S. 21°13'05" E., curving to the right with a radius of 650.00 feet, through an angle of 24°57'36", an arc distance of 283.16 feet;
- 3) S. 4°23'24" W. – 330.53 feet;
- 4) S. 1°08'59" E. – 149.90 feet;
- 5) N. 88°51'01" E. – 41.00 feet;
- 6) S. 1°08'59" E. – 60.00 feet;
- 7) S. 88°51'01" W. – 37.00 feet;
- 8) S. 2°16'58" W. – 85.21 feet to the southerly boundary line of said Parcel 4;

thence S. 88°31'23" W., along said southerly boundary line, a distance of 15.21 feet to the former easterly right-of-way line of said Grapevine Road; thence N. 1°09'29" W., along said former easterly right-of-way line, a distance of 921.13 feet to the point of beginning; said parcel contains an area of 29,320 square feet.

**Parcel: I-015-CL-122.245PE XS1**

Situate, lying and being in the City of Mesquite, County of Clark, State of Nevada, and more particularly described as being a portion of Government Tract 42, of Section 17, T. 13 S., R. 71 E., M.D.M., and further described as being a portion of Parcel 3 shown on that certain PARCEL MAP for Bryan K. Hafen & Dawn N. Hafen, Map No. 01161, filed for record on March 5, 1996, as File 84, Page 88 of Parcel Maps, Official Records Book No. 960305, Clark County, Nevada, and being more fully described by metes and bounds as follows:

BEGINNING at a point on the former easterly right-of-way line of Grapevine Road as described in that certain DEED OF DEDICATION, filed for record on June 7, 2000, in Official Records Book No. 20000607, as Instrument 01474, Clark County, Nevada, 1,196.82 feet right of and measured radially from the centerline of IR-15 Freeway at Highway Engineer's Station "PEe" 130+06.94 P.O.C., said point of beginning further described as bearing S. 3°15'15" W. a distance of 1,642.72 feet from the north quarter corner of said Section 17, said corner further described as being a .035m brass cap stamped "1/4 S8/17 1934", shown as a FOUND GLO BRASS CAP on that certain AMENDED PARCEL MAP FOR MESQUITE VISTAS L.L.C. AND THE WILLIAM S. REDD FAMILY TRUST, Map No. 01769, filed for record on February 3, 1999, as File 94, Page 14 of Parcel Maps, Official Records Book 990203, Clark County, Nevada; thence N. 88°31'23" E., along the northerly boundary line of said Parcel 3, a distance of 15.21 feet to the easterly right-of-way line of Grapevine Road; thence S. 2°16'58" W., along said easterly right-of-way line, a distance of 98.51 feet; thence S. 88°31'23" W., continuing along said right-of-way line, a distance of 9.30 feet to said former easterly right-of-way line of Grapevine Road; thence N. 1°09'29" W., along said former easterly right-of-way line, a distance of 98.30 feet to the point of beginning; said parcel contains an area of 1,205 square feet.

Said parcels are identified as I-015-CL-122.205PE XS1, I-015-CL-122.242PE XS1, I-015-CL-122.244PE XS1, and I-015-CL-122.245PE XS1 on EXHIBITS "A" and "B", attached hereto and made a part hereof.

SUBJECT TO any and all existing easements, whether of record or not.

Said parcels shall have no access in and to IR-15.

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

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

DATED this \_\_\_ day of \_\_\_\_\_, 20\_\_.

APPROVED AS TO LEGALITY AND FORM:

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

\_\_\_\_\_  
Dennis Gallagher, Deputy Attorney General

\_\_\_\_\_  
Brian Sandoval, Chairman

ATTEST:

\_\_\_\_\_  
William H. Hoffman, Secretary to the Board

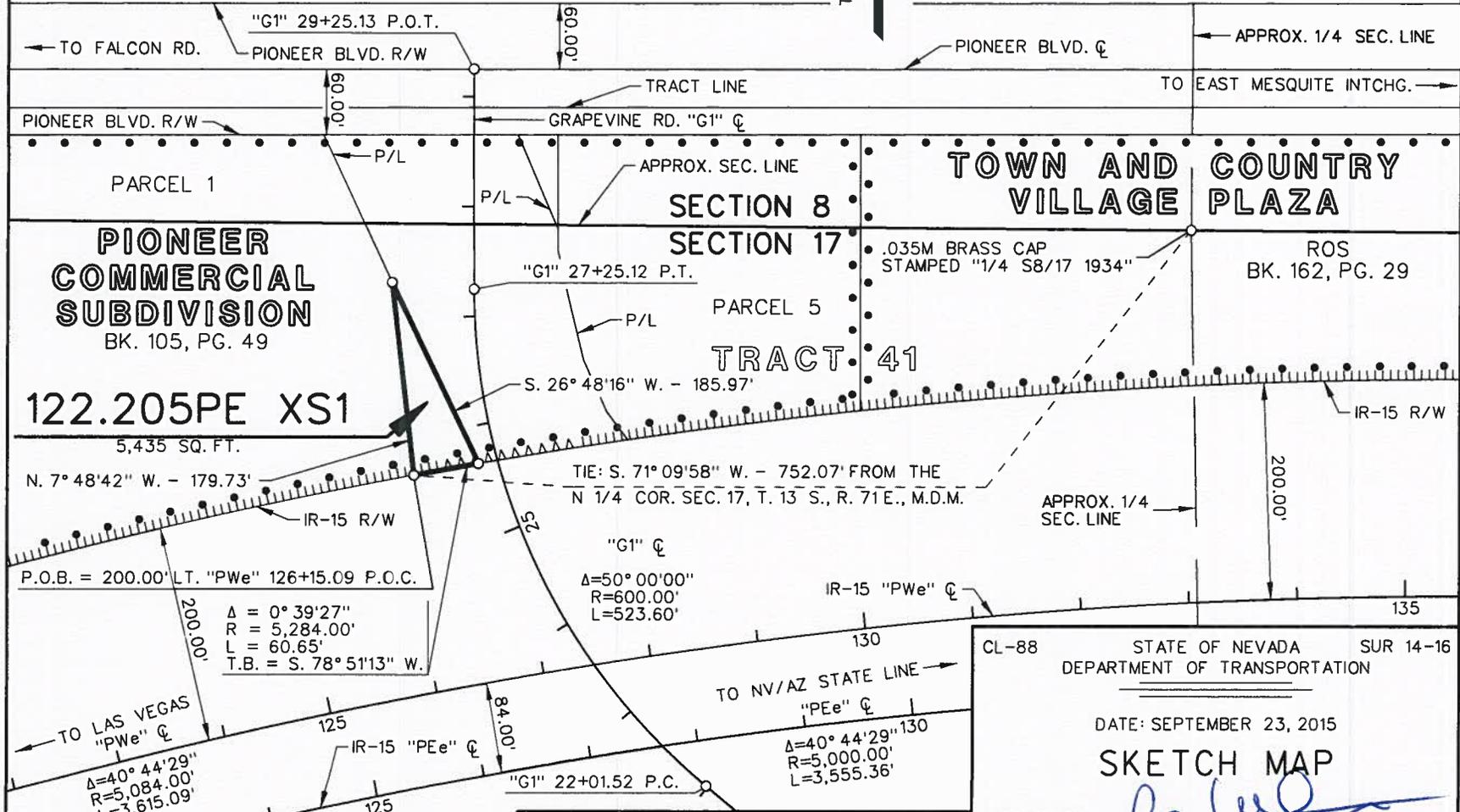
PARCEL NO. PREFIX: I-015-CL-

PROJECT: STP-015-2(031)120  
E.A.: 72642

- ||||| C/A WITH FENCE OR BARRIER
- ▲▲▲▲ C/A W/O FENCE OR BARRIER
- SUBDIV. BOUNDARY

# CITY OF MESQUITE

# EXHIBIT "A" COUNTY OF CLARK



MAP ID NO. 56168  
\\037\_RightOfWay\SURPLUS\SUR\_14-16\_122.205XS1.dgn



TRACED	AKR
CHECKED	JPK
DATE OF LAST REVISION:	

CL-88 STATE OF NEVADA SUR 14-16  
DEPARTMENT OF TRANSPORTATION

DATE: SEPTEMBER 23, 2015

**SKETCH MAP**

APPROVED: *[Signature]*  
MANAGER, R/W ENGINEERING

SCALE 1" = 150' SHEET 1 OF 2

PARCEL NO. PREFIX: I-015-CL- CITY OF EXHIBIT "B"  
 PROJECT: STP-015-2(031)120  
 E.A.: 72642

# MESQUITE

**122.242PE XS1**

P.O.B. = 246.94' RT. "PEe" 129+10.51 P.O.C.  
 TIE: S. 22° 54' 00" W. - 769.94' FROM THE  
 N 1/4 COR. SEC. 17, T. 13 S., R. 71 E., M.D.M.

**122.245PE XS1**

P.O.B. = 1,196.82' RT. "PEe" 130+06.94 P.O.C.  
 TIE: S. 3° 15' 15" W. - 1,642.72' FROM THE  
 N 1/4 COR. SEC. 17, T. 13 S., R. 71 E., M.D.M.

**122.244PE XS1**

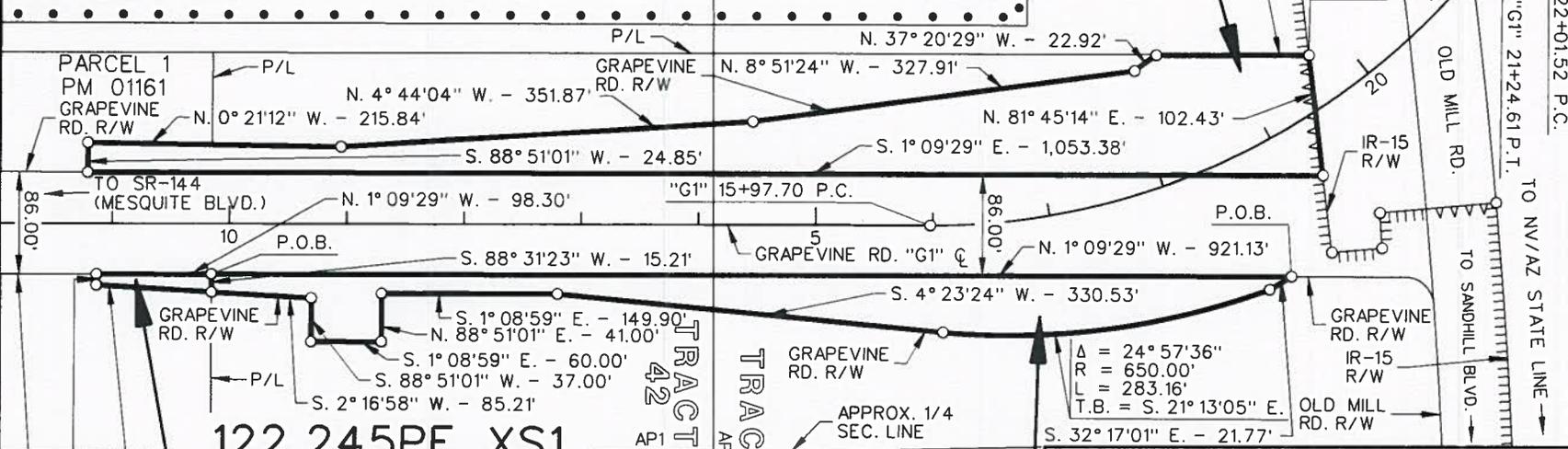
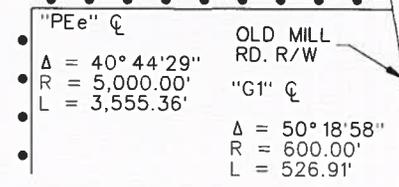
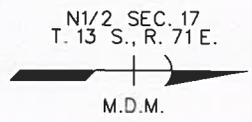
P.O.B. = 279.52' RT. "PEe" 131+05.96 P.O.C. =  
 112.73' RT. "G1" 18+66.18 P.O.C.  
 TIE: S. 8° 50' 31" W. - 727.78' FROM THE  
 N 1/4 COR. SEC. 17, T. 13 S., R. 71 E., M.D.M.

# COUNTY OF CLARK

**122.242PE XS1**

53,518 SQ. FT.

**DESERT ROSE SUBDIVISION**  
 BK. 83, PG. 51



CL-88 STATE OF NEVADA SUR 14-16  
 DEPARTMENT OF TRANSPORTATION

DATE: SEPTEMBER 23, 2015

**SKETCH MAP**

APPROVED:

MANAGER, R/W ENGINEERING

SCALE 1" = 150' SHEET 2 OF 2

MAP ID NO. 56169  
 \037\_RightOfWay\SURPLUS\SUR\_14-16\_122.242XS1.dgn

C/A WITH FENCE OR BARRIER  
 C/A W/O FENCE OR BARRIER  
 SUBDIVISION BOUNDARY

TRACED	AKR
CHECKED	JPK
DATE OF LAST REVISION:	

Control Section: CL-88  
Route: IR-15  
Surplus No.: SUR 14-16  
Project: STP-015-2(031)120  
E.A.: 72642  
Parcels: I-015-CL-122.205PE XS1  
I-015-CL-122.242PE XS1  
I-015-CL-122.244PE XS1  
I-015-CL-122.245PE XS1

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

WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, desires to relinquish portions of IR-15 lying within the City of Mesquite, State of Nevada, extending from Highway Engineer's Station "PEe" 126+15.09 P.O.C. to Highway Engineer's Station "PEe" 130+97.97 P.O.C., a distance of approximately 0.06 of a mile, said right-of-way is delineated and identified as Parcels I-015-CL-122.205PE XS1, I-015-CL-122.242PE XS1, I-015-CL-122.244PE XS1 and I-015-CL-122.245PE XS1 on EXHIBIT "A" attached hereto and made a part hereof; and

WHEREAS, the City Council of the City of Mesquite, State of Nevada, desires that the aforesaid portions of said highway be relinquished to the City of Mesquite; and

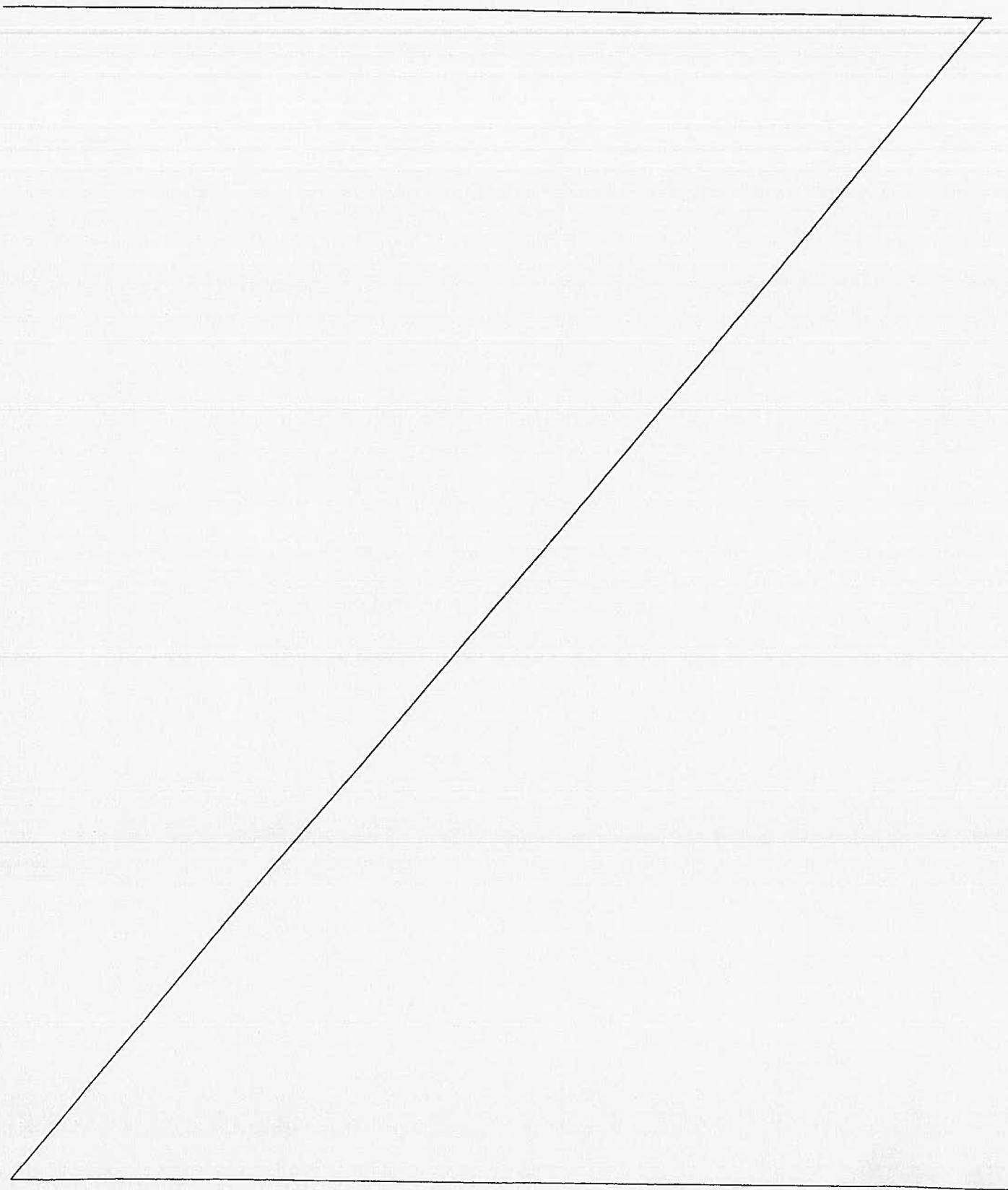
WHEREAS, the City of Mesquite has requested the relinquishment of aforesaid portions of highway for the purpose of roadway, drainage and slope maintenance of Grapevine Road; and

WHEREAS, the City of Mesquite has agreed to accept the relinquishment of said right-of-way for the aforesaid portions of IR-15 together with any and all revocable leases and licenses entered into between the Department and the adjoining owners for the multiple use of the right-of-way.

NOW THEREFORE be it resolved that the City Council of the City of Mesquite, does in consideration of the actions of the Department as set forth herein, hereby consent to the State of Nevada, Department of Transportation, Board of Directors, relinquishing to the City of Mesquite, those portions of IR-15 lying within the City of Mesquite, State of Nevada, extending from Highway Engineer's Station "PEe" 126+15.09 P.O.C. to Highway Engineer's Station "PEe" 130+97.97 P.O.C., a distance of approximately 0.06 of a mile, being all that right-of-way delineated and identified as Parcels I-015-CL-122.205PE XS1, I-015-CL-122.242PE XS1, I-015-CL-122.244PE XS1, and I-015-CL-122.245PE XS1 on EXHIBIT "A" attached hereto and made a part

hereof.

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



IN WITNESS WHEREOF the parties hereto have executed this agreement dated this \_\_\_\_\_ day of September 8, 2015.

ATTEST:

[CITY COUNCIL/BOARD OF SUPERVISORS]

[Signature]  
City Clerk

[Signature]  
Mayor

REVIEWED AND RECOMMENDED BY:

APPROVED AS TO LEGALITY AND FORM:

[Signature]  
Chief Right-of-Way Agent

[Signature]  
Chief Deputy Attorney General  
Chief Counsel, Department of Transportation

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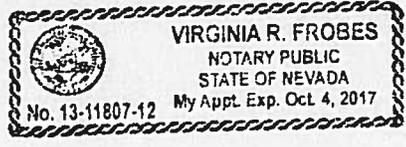
STATE OF NEVADA acting by and through its  
Department of Transportation

[Signature]  
Asst. Director

STATE OF NEVADA  
CARSON CITY

On this 16<sup>th</sup> day of September, 2015, personally appeared before me, the undersigned, a Notary Public in and for Carson City, State of Nevada, John M. Terry personally known (or proved) to me to be the Assistant Director of the Department of Transportation of the State of Nevada who subscribed to the above instrument for the Nevada Department of Transportation under authorization of Nevada Revised Statutes, Chapter 408.205; that he/she affirms that the seal affixed to said instrument is the seal of said Department; and that said instrument was executed for the Nevada Department of Transportation freely and voluntarily and for the uses and purposes therein mentioned.

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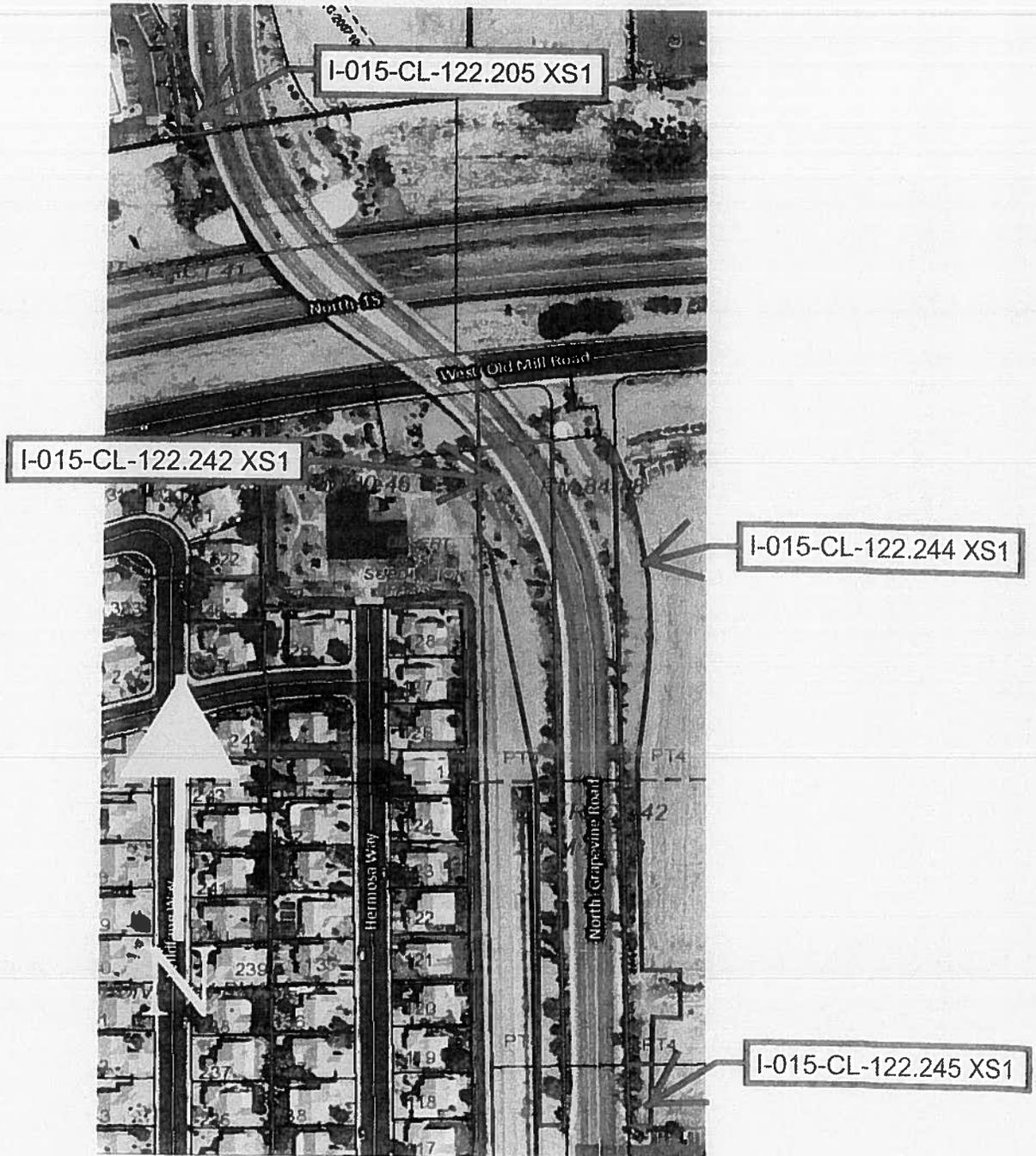


IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]

R15-13

# LOCATION MAP



**SUR 14-16**

**DESCRIPTION: IR-15, in the City of Mesquite, County of Clark,  
State of Nevada  
(CENTRAL MESQUITE OVERPASS, GRAPEVINE RD.)**

**EXHIBIT "A"**



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

## MEMORANDUM

Environmental Services Division

April 14, 2015

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

**From:** Steve M. Cooke, Environmental Services *SMC*

**Subject:** Environmental Clearance for Transportation Board  
Surplus No.: SUR 14-16  
Project: STP-015-2(031)120  
EA: 72642  
IR15 CL 122.62, Grapevine Rd  
Parcels: 122.205XS1, 122.242XS1, 122.244XS1, 122.245XS1  
Surplus Property – Disposal

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The Environmental Services Division reviewed the requested action and found it clear of any documented environmental concern. The Categorical Exclusion for disposal was approved by the Federal Highway Administration on April 14, 2015.

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

ATTACHMENT 4

**NRS 408.527 Procedure for relinquishment of roadways; regulations.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**ATTACHMENT 5**



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

## **MEMORANDUM**

**March 01, 2016**

**TO: Department of Transportation Board of Directors**  
**FROM: Len Savage, Chairman Construction Working Group**  
**Reid Kaiser, P.E., Assistant Director - Operations**  
**SUBJECT: March 14, 2016 Transportation Board of Directors Meeting**  
**Item #7: Construction Working Group Semi-Annual Report – *Informational Item Only***

---

The Construction Working Group (CWG) is a subcommittee of the Transportation Board. CWG members include Member Len Savage (Chair), Member Frank Martin and Controller Ron Knecht. This Report covers the activities of the CWG from January through December 2015 and the annual report of construction contracts that have been completed and closed during calendar year 2015.

### **Construction Working Group Activities**

During this reporting period the CWG scheduled four meetings.

- March 8, 2015
- June 8, 2015
- September 14, 2015
- December 14, 2015

The meeting agendas are Attachment A.

Important activities discussed during this reporting period include:

1. The roles of NDOT Divisions during Design-Build and CMAR projects.
2. NDOT's outreach through the Public Information Office (PIO).
3. NDOT's Alternative Design/Alternative Bid process that was used in the bidding the Boulder City Project, Phase 1.
4. NDOT's Bid Review and Analysis (BRAT) process. This process analyzes a contractors bid and assures NDOT receives the lowest respective bid at the end of the project by making sure the contractors bid was not unbalanced. Attachment B.
5. NDOT's Agreement Process.
6. Construction and Project Management Divisions Agreements for the past 10 years.
7. NDOT's Landscape and Aesthetics program.

Standing items for each CWG meeting include:

1. Status of modifying NDOT's Prequalification Program.
2. Status of active CMAR Projects including change orders and agreements.
3. Review of all consultant agreements for Construction Crew Augmentations/Full Administration and Project Management.
4. The status of active construction projects with emphasis on budget and schedule
5. The progress made in closing out construction projects
6. Update on NDOT's BRAT Committee and unbalanced bidding
7. A closed executive session is held to receive information from our legal counsel regarding the status of potential or existing litigation on construction projects.

**Annual Construction Project Closeout Performance**

During calendar year 2015 a total of 36 construction contracts were awarded and 39 construction contracts were closed. The CWG reviews a summary of every project closed out including the total project costs. Summaries of the projects closed out in 2015 are attached in Attachment C. It should be noted that the number of contracts closed annually has significantly increased each year since the inception of the CWG due to the members emphasis and direction to the Department on timely contract closeout. Prior to 2011 the average annual contracts closed out was 12 – 14 per year. In 2011 and 2012 the Department closed out 27 and 37 contracts, respectively.

<b><i>Closed Contract Statistics</i></b>			
	CY 2015	CY 2014	CY 2013
Number of Contracts Closed	39	27	35
Bid Value	\$270,027,463.79	\$153,081,419.72	\$259,215,181.59
Budgeted Amount (Programmed Budget)	\$292,233,697.00	\$163,562,304.00	\$274,885,056.45
Contract Change Order Total	\$ 11,649,510.95	\$ 6,248,139.89	\$ 9,867,520.88
Costs due to bid item quantity adjustments	\$ 9,827,721.33	\$ 5,917,932.95	\$ 5,598,798.59
Total Paid	\$291,504,696.07	\$165,247,492.56	\$274,681,501.06
Change Order Rate	4.3%	4.1%	3.8%
Quantity Adjustment Rate	3.6%	3.9%	2.2%
Total Contract Increase	8.0%	7.9%	6.0%

Figure 1: Closed Contract Statistics by Calendar Year

### **Future Activities**

Quarterly meetings following the Transportation Board will be scheduled to discuss various issues related to delivery of the construction program and any other item as the Transportation Board directs.

There are several activities that have a high potential to improve the delivery of our construction program that will further increase our efficiency as we strive to better serve other divisions within NDOT and the people of Nevada. They include:

1. Rewrite of the Construction Manual incorporating more efficient processes due to electronic documentation implementation.
2. Reinstatement of yearly Resident Engineer Academy Training – a week of contract administration training for Resident Engineer's, Assistant Resident Engineer's, NDOT staff and Consultants (last training held in 2012).
3. Continued improvements in training on the development of Contract Change Orders to include ongoing monitoring of the process to ensure policies and procedures are followed.
4. Implementation of improved construction scheduling specification.
5. Increased participation from the Construction Crews and Construction Division's Constructability Section during plan and specification development to assist in improving the quality of contract documents.



Department of Transportation  
Board of Directors - Construction Working Group  
Notice of Public Meeting  
1263 South Stewart Street Third  
Floor Conference Room Carson  
City, Nevada  
March 09, 2015 – Upon Transportation Board  
Adjournment

1. Call to Order
2. Public Comment (Discussion Only) - No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. Public comments are limited to 3 minutes unless the Committee elects to extend the comments for purposes of further discussion. Comments will not be restricted based on viewpoint.
3. Comments from Working Group (Discussion Only)
4. Approval of November 10, 2014 Nevada Department of Transportation Board of Directors Construction Working Group Meeting minutes (Discussion/For Possible Action)
5. Update on the Disadvantaged Business Enterprise (DBE) Program (Discussion only). *This item was presented at the NDOT Board Meeting in November of 2014 and some changes have been incorporated since that presentation.*
6. Discussion regarding the columns on the Construction Contract Closeout Status document (Discussion Only).  
*Explanation as to what these columns require.*
7. Discussion of NDOT's outreach efforts through the Public Information Office to the public. (Discussion only).
8. Discussion on the roles of the NDOT Division's during Design-Build and CMAR projects. (Discussion only).  
*The roles of Project Management is different when comparing a typical design-bid-build project verses a design-build and CMAR project.*
9. Old Business (Discussion Only)
  - A. Update on eDocumentation
  - B. CWG Task List
  - C. Requested Reports and Documents
  - D. Contractor Prequalification
10. Briefing on Status of Projects in Development (Discussion only)
  - A. Projects Under Development (5-year Project Plan)
11. Briefing on Status of Projects under Construction (Discussion only)
  - A. Project Closeout Status
  - B. Summary of Projects Closed
  - C. Projects Closed, Detail Sheets
  - D. Status of Active Projects
  - E. Partnering Update (Verbal)
    - a) RFP
    - b) Steering Committee
    - c) DRFB Agreement

12. Public Comment (Discussion Only) - No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. Public comments are limited to 3 minutes unless the Committee elects to extend the comments for purposes of further discussion. Comments will not be restricted based on viewpoint.
13. Closed session to receive information from counsel regarding potential or existing litigation (Discussion Only)
14. Adjournment (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.
- Copies of non-confidential supporting materials provided to the Board are available upon request.

This agenda is posted at [www.nevadadot.com](http://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



Department of Transportation  
Board of Directors - Construction Working Group  
Notice of Public Meeting  
1263 South Stewart Street  
Third Floor Conference Room  
Carson City, Nevada  
June 8, 2015 – Upon Transportation Board  
Adjournment

1. Call to Order
2. Public Comment (Discussion Only) - No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. Public comments are limited to 3 minutes unless the Committee elects to extend the comments for purposes of further discussion. Comments will not be restricted based on viewpoint.
3. Comments from Working Group (Discussion Only)
4. Approval of March 9, 2015 Nevada Department of Transportation Board of Directors Construction Working Group Meeting minutes (Discussion/For Possible Action)
5. Discussion on the process of using Alternate Design/Alternate Bid in NDOT construction and design build contracts (Discussion Only). *This item will go over NDOT's process for allowing a contractor to select and bid the roadway structural section they would like to place in their bid (asphalt or concrete).*
6. Discussion regarding the Bid Review Analysis Team (BRAT)(Discussion Only). *This item will explain the purpose and process of the BRAT.*
7. Old Business (Discussion Only)
  - A. Update on eDocumentation
  - B. CWG Task List
  - C. Requested Reports and Documents
8. Briefing on Status of Projects in Development (Discussion only)
  - A. Projects Under Development (5-year Project Plan)
9. Briefing on Status of Projects under Construction (Discussion only)
  - A. Project Closeout Status
  - B. Summary of Projects Closed
  - C. Projects Closed, Detail Sheets
  - D. Status of Active Projects
  - E. Partnering Update (Verbal)
    - a) DRT Training
    - b) Steering Committee
10. Public Comment (Discussion Only) - No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. Public comments are limited to 3 minutes unless the Committee elects to extend the comments for purposes of further discussion. Comments will not be restricted based on viewpoint.
11. Closed session to receive information from counsel regarding potential or existing litigation (Discussion Only)
12. Adjournment (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.
- Copies of non-confidential supporting materials provided to the Board are available upon request.

This agenda is posted at [www.nevadadot.com](http://www.nevadadot.com) and at the following locations:

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Sparks, Nevada

Nevada Dept. of Transportation  
1951 Idaho Street  
Elko, Nevada

Governor's Office  
Capitol Building  
Carson City, Nevada



Department of Transportation  
Board of Directors - Construction Working Group  
Notice of Public Meeting  
1263 South Stewart Street  
Third Floor Conference Room  
Carson City, Nevada  
September 14, 2015 – Upon Transportation Board  
Adjournment

1. Call to Order
2. Public Comment (Discussion Only) - No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. Public comments are limited to 3 minutes unless the Committee elects to extend the comments for purposes of further discussion. Comments will not be restricted based on viewpoint.
3. Comments from Working Group (Discussion Only)
4. Approval of June 8, 2015 Nevada Department of Transportation Board of Directors Construction Working Group Meeting minutes (Discussion/For Possible Action)
5. NDOT's Agreement Process – informational item only. (Jenni Eyerly)
6. Discussion related to Construction Crew Augmentation/Full Administration/Project Management agreements entered into by NDOT in the last 10 years (Discussion Only). (Reid)  
*Review number of firms and number of agreements, amount contracted, timelines for services, etc.*
7. Old Business (Discussion Only)
  - A. Update on eDocumentation (Megan)
  - B. CWG Task List (Reid)
  - C. Requested Reports and Documents (Reid)
8. Briefing on Status of Projects in Development (Discussion only)
  - A. Projects Under Development (5-year Project Plan) (John Terry)
9. Briefing on Status of Projects under Construction (Discussion only)
  - A. Project Closeout Status (Reid)
  - B. Summary of Projects Closed (Reid)
  - C. Projects Closed, Detail Sheets (Reid)
  - D. Status of Active Projects (Reid)
  - E. Partnering/Dispute Process Update (Verbal) (Lisa Schettler)
    - a) Steering Committee
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Department of Transportation  
Board of Directors - Construction Working Group  
Notice of Public Meeting  
1263 South Stewart Street  
Third Floor Conference Room  
Carson City, Nevada  
December 14, 2015 – 30 Minutes after the close of  
the Transportation Board Adjournment

1. Call to Order
2. Public Comment (Discussion Only) - No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. Public comments are limited to 3 minutes unless the Committee elects to extend the comments for purposes of further discussion. Comments will not be restricted based on viewpoint.
3. Comments from Working Group (Discussion Only)
4. Approval of September 14, 2015 Nevada Department of Transportation Board of Directors Construction Working Group Meeting minutes (Discussion/For Possible Action)
5. Update on Communications Plan (informational Item) – *This item was covered in the March 9, 2015 Construction Working Group meeting, this is an update to that item.*
6. Presentation on NDOT's Landscape and Aesthetics Program (informational Item only) – *In June of 2002, the Transportation Board approved NDOT's Landscape and Aesthetics Program, this presentation will update the CWG on this program.*
7. Update on 3389, Meadowood Mall Way Interchange project, claim negotiations (informational item only).
8. Old Business (Discussion Only)
  - A. CWG Task List
    - Item 2 - Construction and Project Management Agreements since June of 2015
    - Item 3 - NDOT Disadvantaged Business Process
    - Item 4 - CMAR Change Orders
    - Item 5 - As-Builts
    - Item 6 - Unbalanced bidding
  - B. Requested Reports and Documents
9. Briefing on Status of Projects under Construction (Discussion only)
  - A. Project Closeout Status
  - B. Summary of Projects Closed
  - C. Projects Closed, Detail Sheets
  - D. Status of Active Projects
  - E. Partnering/Dispute Process Update (Verbal)
    - a) Steering Committee
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Carson City, Nevada



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

## MEMORANDUM

May 29, 2015

**TO:** Department of Transportation Board of Directors,  
Construction Working Group

**FROM:** Rudy Malfabon, P.E., Director

**SUBJECT:** June 8, 2015 Construction Working Group Meeting

**Item #6:** Explanation of the columns on the Construction Contract Closeout Status Document – Discussion Only

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### **Summary:**

The Department has assembled an interdisciplinary team, the Bid Review and Analysis Team (BRAT), to develop procedures and guidelines to evaluate bid proposals for unbalanced bids or irregularities. Unbalanced bids have the potential to create administrative and enforcement issues in the field, which could result in additional cost to the state or an inferior product in the field. Considering the results of the evaluation, the BRAT makes a recommendation to the Department Director on whether or not to award the contract in the best interest of the State. The BRAT performs bid reviews on all our standard contracts advertised for construction (some contracts less than \$250,000 do not go through this review).

Attached is the Bid Review and Analysis Procedure memo that provides a summary of the bid review process.

### **Background:**

Title 23 Code of Federal Regulations (CFR) § 635.114 requires that State Transportation Departments examine unit bid prices submitted to determine reasonable conformance to the engineer's estimated prices and to thoroughly evaluate bids with extreme variations from the engineer's estimate or where obvious unbalancing of unit prices have occurred. Nevada Revised Statute (NRS) 408.343 gives the Department legal authority to reject bids if they are unbalanced, incomplete or contain irregularities. Section 102.07 of NDOT's Standard Specifications for Road and Bridge Construction also describes situations where unbalanced or irregular bids may be rejected by the Department.

### **Analysis:**

The BRAT goes through a thorough review of accepted bid proposals, as described in

the attached BRAT Procedures memorandum.

**List of Attachments:**

1. BRAT Procedures
2. Sample BRAT Summary Memo
3. Sample BRAT Sensitivity Analysis

**Recommendation:**

Informational item only.

**Prepared by:**

Paul Frost, Chief Roadway Design Engineer, BRAT Co-Chair



1263 South Stewart Street  
Carson City, Nevada 89712  
Phone: (775) 888-7581  
Fax: (775) 888-7401

STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION  
CONSTRUCTION/DESIGN DIVISIONS

MEMORANDUM

June 20, 2012

TO: Christi Thompson, Chief, Administrative Services

FROM: Paul Frost, P.E., Chief Roadway Design Engineer  
Jeff Shapiro, P.E., Chief Construction Engineer

SUBJECT: Bid Review and Analysis Procedures

**Background:**

Title 23 Code of Federal Regulations (CFR) § 635.114 requires that State Transportation Departments examine unit bid prices submitted to determine reasonable conformance to the engineer's estimated prices and to thoroughly evaluate bids with extreme variations from the engineer's estimate or where obvious unbalancing of unit prices have occurred. Nevada Revised Statute (NRS) 408.343 gives the Department legal authority to reject bids if they are unbalanced, incomplete or contain irregularities. The purpose of this Memorandum is to formalize the Bid Review and Analysis procedures to comply with 23 CFR § 635.114 and to assist the Department with the award process under NRS 408.343 and Subsection 102.07 of the Standard Specifications.

**Definitions:**

**Mathematically Unbalanced Bid:** A bid is mathematically unbalanced if the bid contains lump sum or unit bid items that do not reflect reasonable actual costs plus a reasonable proportionate share of the bidder's anticipated profit, overhead costs and other indirect costs.

**Materially Unbalanced Bids:** A bid is materially unbalanced if there is a reasonable doubt that award to the bidder submitting a mathematically unbalanced bid will result in the lowest ultimate cost to the Department.

**Significant Item of Work:** An individual item of work that exceeds \$50,000.00 in value of either the Engineer's estimate or the apparent low bid.

**Significantly Unbalanced Bid Price:** Where the apparent low bidder's unit price differs

from the engineer's estimate, expressed as a percent of the estimate, by more than 150% or less than 75%.

**Bid Review and Analysis Team (BRAT):** The BRAT will be comprised of following:

- **Primary BRAT Members**
  - Chief Road Design Engineer (Chair)
  - Chief Construction Engineer (Co-Chair)
  - Specifications Engineer
  - Roadway Design Principal Engineer
  - Constructability Section Manager
  - FHWA Operations Team Representative (on Full Oversight Federal Aid Projects only)
- **As-Needed BRAT Members**
  - Contract Services Section Manager
  - Attorney General's Office Representative
  - Contract Compliance Section Manager
  - Technical Division Representative
    - Project Manager / Coordinator
    - Lead Designer
    - Price Checker
    - Resident Engineer

**Bid Review and Analysis Procedures**

1. After bid opening Administrative Services will provide to the BRAT members a complete bid tab comparing all bidders as well as a price sensitivity report. The report will contain all significant items of work and identify those with significantly unbalanced bid prices. The price sensitivity report will identify the amount a quantity of work must vary to change the order of the two low bidders. These reports will typically be provided within a few working days after bid opening. Administrative Services will also notify the BRAT as soon as possible, of any defects or challenges that would or may render any of the bids "nonresponsive" or otherwise affect the award of the contract.
2. The BRAT members will perform an analysis of the items on the bid tab and price sensitivity report. The analysis will include items that could have considerable quantity variability, items that raise concerns of risk of material unbalancing, or

any other item that has high potential for changing the order of the bidders if the bid quantity is incorrect.

3. The BRAT will typically meet on a weekly basis to review and discuss the analysis of all bids. The meeting, either in person or by teleconference, will be comprised of a minimum of 3 Primary BRAT Members with at least one member each from the Design Division and the Construction Division. As-Needed BRAT Members may also be invited to participate to address specific project needs or issues.
4. An unbalanced bid analysis will be performed if:
  - a. The BRAT becomes aware of an error in a quantity of an item in the bid proposal.
  - b. An individual item of work is found to be significant to the contract and significantly unbalanced.
5. An unbalanced bid analysis shall consist of the following steps:
  - a. The unit prices in the engineer's estimate for all items identified as being significantly unbalanced will be reviewed for correctness. Corrections will be made as needed and the low bidder's unit prices will be reevaluated against the corrected engineer's estimate to determine if the item remains significantly unbalanced.
  - b. Quantities for all items found to be significant to the contract will be checked and verified. Quantities will be determined based upon the bidding documents and the construction methodologies depicted in the plans. These quantities will be used only for the purpose of performing the unbalanced bid analysis.
  - c. Quantities with known errors will be corrected, and the gross sum for the contract for each bidder will be recalculated.
  - d. A comparison of the calculated gross sum totals will be made. If the calculated gross sum for the apparent low bid is found to be higher than the calculated gross sum of another bidder, the low contract bid proposal

shall be determined to be materially unbalanced. If the calculated gross sum of the apparent low bid is found to be less than the calculated gross sum of all other bidders, that bid shall be determined to be not materially unbalanced.

- e. Repeat item 5.d. as necessary using the next low contract bid proposal until a contract bid is found to be not materially unbalanced.
6. The BRAT will meet to discuss the results of the unbalanced bid analysis.
    - a. If the apparent low bid is found to be not materially unbalanced (mathematically unbalanced), the contract will be considered for award at the bid amount in accordance with the Standard Specifications. The contract will be based upon the bid amount and the quantities shown in the bidding documents.
    - b. If the apparent low bid is found to be materially unbalanced, it will be considered irregular as reasonable doubt exists that the bid does not represent the lowest cost to the Department.
  7. The BRAT will document all meetings and discussions of each bid analysis. The bid analysis for each project will culminate with written recommendation, subject to the Standard Specifications as modified by the Special Provisions, of one of the following actions to the Chief, Administrative Services, and subsequent submittal to the Director's Office for action:
    - a. Award the contract to the low bidder.
    - b. Reject the low bid and award the contract to the next responsive low bid that is not materially unbalanced.<sup>1</sup>
    - c. Reject all bids and re-advertise.<sup>1</sup>

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<sup>1</sup> – Recommendation for rejection requires written explanation and justification. May also require FHWA approval.

**Bid Review and Analysis Procedures**

**June 20, 2012  
Page 5 of 5**

8. If the awarded project has mathematically unbalanced items of concern, the BRAT will identify those items and notify the Resident Engineer identifying the unbalanced items.

**Please contact the Chief Roadway Design Engineer at (775) 888-7490 or the Chief Construction Engineer at (775) 888-7460 if you have any questions.**

**cc: Division Administrator, FHWA  
Assistant Director – Operations  
Assistant Director - Engineering  
Assistant Construction Engineers  
File**

NDOT Construction Contracts Closed Out  
January 2015 thru December 2015

Item #7 Attachment C

Contract	Resident Engineer	Project Manager NDOT/Consultant	Original Bid	CCO Amount	% CCO	Qty Adjustments (Tot Pd - (Bid+CCO))	% Adjustments	Total Paid	Total Amount Over/Under Bid Amount	% of Bid Amount	Agreement Estimate (budget)	Total Amount Over/Under Budgeted Amount	% of Budget
3465	CREW 904 - BOGE	KEVIN MAXWELL	\$ 6,969,007.00	\$ 292,445.59	4.2%	\$ 839,357.56	12.0%	\$ 8,100,810.15	\$ 1,131,803.15	116%	\$ 7,339,877.00	\$ 760,933.15	110%
3468	CREW 912 - KILLIAN	VICTOR PETERS	\$ 7,263,806.50	\$ 321,108.84	4.4%	\$ (117,761.12)	-1.6%	\$ 7,467,154.22	\$ 203,347.72	103%	\$ 7,791,069.00	\$ (323,914.78)	96%
3401	CREW 913 - COCKING	ATKINS AMIR/ SOLTANI	\$ 31,495,495.00	\$ 2,199,444.39	7.0%	\$ 2,812,503.92	8.9%	\$ 36,507,443.31	\$ 5,011,948.31	116%	\$ 35,127,922.00	\$ 1,379,521.31	104%
3466	CREW 922 - CHRISTIANSEN	CHRISTOPHER PETERSEN	\$ 18,006,000.00	\$ (516,804.28)	-2.9%	\$ 398,941.37	2.2%	\$ 17,888,137.09	\$ (117,862.91)	99%	\$ 19,343,626.00	\$ (1,455,488.91)	92%
3510	CREW 907 - LANI	ANITA BUSH	\$ 1,772,007.00	\$ -	0.0%	\$ 24,359.51	1.4%	\$ 1,796,366.51	\$ 24,359.51	101%	\$ 1,896,048.00	\$ (99,681.49)	95%
3526	CREW 915 - STRGANAC	LUIS GARAY/KIMLEY-HORN & ASSOC.	\$ 4,850,856.00	\$ (119,837.00)	-2.5%	\$ 5,272.26	0.1%	\$ 4,736,291.26	\$ (114,564.74)	98%	\$ 6,764,790.00	\$ (2,028,498.74)	70%
3454	CREW 916 - RUGULEISKI	LUIS GARAY	\$ 5,995,000.00	\$ -	0.0%	\$ 1,022,507.53	17.1%	\$ 7,017,507.53	\$ 1,022,507.53	117%	\$ 7,422,149.00	\$ (404,641.47)	95%
3456	CREW 918 - KELLY	STEVE BIRD	\$ 1,832,222.00	\$ (0.40)	0.0%	\$ (31,882.06)	-1.7%	\$ 1,800,339.54	\$ (31,882.46)	98%	\$ 2,015,478.00	\$ (215,138.46)	89%
3471	CREW 911 - ANGEL	STEVE BIRD	\$ 2,414,236.00	\$ 410,674.37	17.0%	\$ (61,539.89)	-2.5%	\$ 2,763,370.48	\$ 349,134.48	114%	\$ 2,647,363.00	\$ 116,007.48	104%
3536	CREW 904 - BOGE	ANITA BUSH	\$ 369,007.00	\$ -	0.0%	\$ 29,069.66	7.9%	\$ 398,076.66	\$ 29,069.66	108%	\$ 394,837.00	\$ 3,239.66	101%
3440	CREW 911 - ANGEL	M. NUSSBAUMER/R. WOOD	\$ 5,613,054.00	\$ 243,859.86	4.3%	\$ (13,907.91)	-0.2%	\$ 5,843,005.95	\$ 229,951.95	104%	\$ 5,989,778.00	\$ (146,772.05)	98%
3535	CREW 922 - CHRISTIANSEN	JIM CERAGIOLI	\$ 3,966,996.00	\$ 80,139.39	2.0%	\$ 57,818.50	1.5%	\$ 4,104,953.89	\$ 137,957.89	103%	\$ 4,484,856.00	\$ (379,902.11)	92%
3565	CREW 915 - STRGANAC	PHILIP KANEGSBERG	\$ 4,114,893.06	\$ -	0.0%	\$ 111,274.09	2.7%	\$ 4,226,167.15	\$ 111,274.09	103%	\$ 4,616,843.00	\$ (390,675.85)	92%
3421	CREW 916 - RUGULEISKI	JOHN TERRY/ATKINS	\$ 26,080,589.00	\$ 83,078.91	0.3%	\$ 913,653.78	3.5%	\$ 27,077,321.69	\$ 996,732.69	104%	\$ 27,325,505.00	\$ (248,183.31)	99%
3568	CREW 905 - LOMPA	JEFFREY LERUD	\$ 214,246.00	\$ -	0.0%	\$ (4,389.40)	-2.0%	\$ 209,856.60	\$ (4,389.40)	98%	\$ 260,673.00	\$ (50,816.40)	81%
3433	CREW 911 - ANGEL	M. NUSSBAUMER/R. WOOD	\$ 3,661,661.00	\$ 2,494,996.90	68.1%	\$ 295,425.86	8.1%	\$ 6,452,083.76	\$ 2,790,422.76	176%	\$ 4,113,346.00	\$ 2,338,737.76	157%
3555	CREW 910 - DURSKI	CHRISTOPHER PETERSEN	\$ 479,629.79	\$ 31,499.30	6.6%	\$ (1,571.45)	-0.3%	\$ 509,557.64	\$ 29,927.85	106%	\$ 534,018.00	\$ (24,460.36)	95%
3548	CREW 901 - ALHWAYEK	ANITA BUSH	\$ 1,174,007.00	\$ -	0.0%	\$ 14,862.09	1.3%	\$ 1,188,869.09	\$ 14,862.09	101%	\$ 1,277,928.00	\$ (89,058.91)	93%
3509	CREW 904 - BOGE	ANITA BUSH	\$ 2,094,000.00	\$ 7,784.50	0.4%	\$ (16,569.93)	-0.8%	\$ 2,085,214.57	\$ (8,785.43)	100%	\$ 2,331,480.00	\$ (246,265.43)	89%
3547	CREW 904 - BOGE	ANITA BUSH	\$ 558,007.00	\$ 19,958.00	3.6%	\$ 4,633.68	0.8%	\$ 582,598.68	\$ 24,591.68	104%	\$ 607,648.00	\$ (25,049.32)	96%
3562	CREW 922 - CHRISTIANSEN	PHILIP KANEGSBERG	\$ 2,886,886.00	\$ (92,222.50)	-3.2%	\$ (99,443.91)	-3.4%	\$ 2,695,219.59	\$ (191,666.41)	93%	\$ 3,157,837.00	\$ (462,617.41)	85%
3435	CREW 908 - RUPINSKI	STEVE BIRD	\$ 33,699,999.00	\$ 324,632.66	1.0%	\$ 1,943,441.31	5.8%	\$ 35,968,072.97	\$ 2,268,073.97	107%	\$ 35,482,218.00	\$ 485,854.97	101%
3570	CREW 910 - DURSKI	PHILIP KANEGSBERG	\$ 4,784,000.00	\$ -	0.0%	\$ 206,874.47	4.3%	\$ 4,990,874.47	\$ 206,874.47	104%	\$ 5,227,258.00	\$ (236,383.53)	95%
3575	CREW 910 - DURSKI	ANITA BUSH	\$ 316,000.00	\$ -	0.0%	\$ 17,594.86	5.6%	\$ 333,594.86	\$ 17,594.86	106%	\$ 381,092.00	\$ (47,497.14)	88%
3451	D2 - JORDY (CONSULTANT)	VICTOR PETERS	\$ 10,799,999.00	\$ (61,652.07)	-0.6%	\$ 138,441.75	1.3%	\$ 10,876,788.68	\$ 76,789.68	101%	\$ 11,562,099.00	\$ (685,310.32)	94%
3572	CREW 906 - FREE	RICHARD FILBERT	\$ 1,390,000.00	\$ -	0.0%	\$ (3,948.39)	-0.3%	\$ 1,386,051.61	\$ (3,948.39)	100%	\$ 1,544,246.00	\$ (158,194.39)	90%
3529	CREW 903 - VOIGHT	JOHN BRADSHAW	\$ 1,753,671.20	\$ (44,653.68)	-2.5%	\$ (323,814.65)	-18.5%	\$ 1,385,202.87	\$ (368,468.33)	79%	\$ 2,074,259.00	\$ (689,056.13)	67%
3461	CREW 918 - KELLY	JOHN BRADSHAW	\$ 31,000,000.00	\$ 1,430,559.58	4.6%	\$ 656,981.75	2.1%	\$ 33,087,541.33	\$ 2,087,541.33	107%	\$ 32,539,538.00	\$ 548,003.33	102%
3571	CREW 907 - LANI	JIM CERAGIOLI	\$ 795,007.00	\$ 34,580.70	4.3%	\$ 121,773.84	15.3%	\$ 951,361.54	\$ 156,354.54	120%	\$ 898,608.00	\$ 52,753.54	106%
3569	CREW 905 - LOMPA	PHILIP KANEGSBERG	\$ 2,404,007.00	\$ 55,484.68	2.3%	\$ 108,077.51	4.5%	\$ 2,567,569.19	\$ 163,562.19	107%	\$ 2,636,328.00	\$ (68,758.81)	97%
3552	CREW 915 - STRGANAC	JIM CERAGIOLI	\$ 441,763.58	\$ 957.35	0.2%	\$ (4,979.39)	-1.1%	\$ 437,741.54	\$ (4,022.04)	99%	\$ 508,269.00	\$ (70,527.46)	86%
3537	CREW 908 - RUPINSKI	DALE KELLER	\$ 2,818,944.00	\$ -	0.0%	\$ (1,528.37)	-0.1%	\$ 2,817,415.63	\$ (1,528.37)	100%	\$ 2,847,133.00	\$ (29,717.37)	99%
3539	CREW 920 - SCHWARTZ	STEVE BIRD	\$ 7,616,616.00	\$ 3,155.95	0.0%	\$ 173,139.43	2.3%	\$ 7,792,911.38	\$ 176,295.38	102%	\$ 8,157,766.00	\$ (364,854.62)	96%
3533	CREW 912 - SIMMONS	KEVIN MAXWELL	\$ 14,283,000.01	\$ 196,438.31	1.4%	\$ 480,071.88	3.4%	\$ 14,959,510.20	\$ 676,510.19	105%	\$ 15,357,027.00	\$ (397,516.80)	97%
3573	CREW 915 - STRGANAC	STEVE BIRD	\$ 1,390,312.98	\$ 36,290.76	2.6%	\$ (194,758.76)	-14.0%	\$ 1,231,844.98	\$ (158,468.00)	89%	\$ 1,513,732.00	\$ (281,887.02)	81%
3543	CREW 905 - LOMPA	ANITA BUSH	\$ 1,496,496.00	\$ 27,751.76	1.9%	\$ 39,871.06	2.7%	\$ 1,564,118.82	\$ 67,622.82	105%	\$ 1,659,849.00	\$ (95,730.18)	94%
3389	CREW 913 - COCKING	AMIR SOLTANI/CH2M HILL	\$ 21,827,613.92	\$ 4,189,839.08	19.2%	\$ 319,046.05	1.5%	\$ 26,336,499.05	\$ 4,508,885.13	121%	\$ 22,845,305.00	\$ 3,491,194.05	115%
3545	CREW 905 - LOMPA	DOUGLAS FROMM	\$ 792,459.75	\$ -	0.0%	\$ (33,468.16)	-4.2%	\$ 758,991.59	\$ (33,468.16)	96%	\$ 879,631.00	\$ (120,639.41)	86%
3567	CREW 915 - STRGANAC	JIM CERAGIOLI	\$ 605,969.00	\$ -	0.0%	\$ 2,291.00	0.4%	\$ 608,260.00	\$ 2,291.00	100%	\$ 676,268.00	\$ (68,008.00)	90%
<b>Totals</b>			\$ 270,027,463.79	\$ 11,649,510.95	4.3%	\$ 9,827,721.33	3.6%	\$ 291,504,696.07	\$ 21,477,232.28	108.0%	\$ 292,233,697.00	\$ (729,000.93)	99.8%
<b>Number of Projects Over/ Under Agr. Estimate (Budget)</b>									<b>Projects Over Budget</b>	<b>9</b>	<b>Projects Equal to or Under Budget</b>		<b>30</b>

<b>Total Bid Amount</b>	\$ 270,027,463.79
<b>Total CCO Amount</b>	\$ 11,649,510.95
<b>Change Order Rate</b>	4.3%
<b>Total Quantity Adjustments</b>	\$ 9,827,721.33
<b>Quantity Adjustment Rate</b>	3.6%
<b>Total Amount Paid</b>	\$ 291,504,696.07
<b>Total Amount Over/Under Original Bid Amount</b>	\$ 21,477,232.28
<b>Percent of Original Bid</b>	108.0%
<b>Total Agreement Estimate (Budget)</b>	\$ 292,233,697.00
<b>Percent Agreement Estimate</b>	99.8%
<b>Number Projects with Total Amount Paid Over Agreement Estimate (Budget)</b>	9
<b>Number Projects with Total Amount Paid Under or Equal to Agreement Estimate (Budget)</b>	30

**Construction Terms:**

**Contract Change Order:** Written modification to the contract covering changes in the plans or specifications, establishes basis for payment & time adjustments.

**Quantity Adjustments:** The difference between the price of the estimated quantities at bid time and the cost of the actual quantities placed.

**Agreement Estimate (Budgeted):** Actual unit bid item prices and estimated quantities and generally includes other estimated ancillary costs such as contingencies, asphalt or fuel escalation.

**Notice To Proceed:** A written notice to the Contractor to proceed with the contract work.

**Construction Complete:** All construction activity completed including final punch list items.

**Project Closed Out:** All certifications, clearances, as-built plans, and reports processed, final pay quantities audited and agreed to, and retention released.



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## MEMORANDUM

February 19, 2016

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, Director  
**SUBJECT:** March 14, 2016 Transportation board of Directors Meeting  
**Item #8:** Receive Report on Consultant Utilization and Backlog – *Informational Item Only*

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### **Summary:**

At the January 11, 2016 Transportation Board meeting Member Skancke requested a presentation on the use of consultants and consultant backlog. Also at other board meetings questions have been asked on consultant usage, the agreement process, and the NDOT process for utilizing consultants on projects. A presentation will be made to the Transportation Board on the use of consultants and the NDOT resources to deliver projects, the historical use of consultants by NDOT, the current backlog of major consultants working for NDOT, and projected consultant for the design and construction program.

### **Background:**

NDOT is a centralized DOT that designs and delivers construction projects from the Carson City Headquarters office. NDOT does not have the resources to deliver all of the projects in the current program and, therefore, NDOT relies on consultants for delivery of projects and for assistance in administration of construction projects. NDOT does use consultants for other functions such as planning, IT, and Research but this memo and presentation only addresses delivery of projects (Design, ROW, Environmental, Project Management) and consultant support for construction contract administration (Full Administration, and Crew Augmentation). NDOT has used consultants for design services and for conduction management for many years but the volume of contracts and dollar value of work has gone up and down due to peaks in the program.

### **Analysis:**

NDOT delivers projects mostly by the Divisions under the Asst. Director Engineering, but also involving other divisions such as Architectural, Traffic Safety and Traffic Operations. Construction administration is performed by NDOT Resident Engineers and crews under the Districts. NDOT considers consultant workload and backlog in the selection process. The presentation will provide information on the consultant program through recent years, the current backlog of the major consultants working for NDOT, and a discussion of upcoming workload and consultant needs.

### **Recommendation for Board Action:**

For information only.

### **Prepared by:**

John Terry, Asst. Director – Engineering



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## MEMORANDUM

March 3, 2016

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, Director  
**SUBJECT:** March 14, 2016 Transportation Board of Directors Meeting  
**ITEM #9:** Presentation Regarding the Cost to Administer the Federal Highway Program in Nevada – *Informational Item Only*

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### **Summary:**

The purpose of this agenda item is to address questions posed by Board Member, Tom Skancke, to the Nevada Department of Transportation (NDOT) concerning the cost(s) to NDOT to administer the funds apportioned to Nevada by the federal government for federally eligible highway programs and projects.

### **Background:**

The Fixing America's Surface Transportation (FAST) Act became law on December 4, 2015 and provides funding reliability through FFY2020. Nevada received an annual apportionment from the federal government of approximately \$350M in FFY2015 and, under the provisions of the FAST Act, is estimated to receive an apportionment of \$368M in FFY2016 and \$376M in FFY2017. The Act provides for \$1.9 billion in total apportionments to Nevada during FFY2016-2020.

NDOT prioritizes the obligation of federal funds in order to receive funds that other states are unable to obligate. In the last twelve years alone, NDOT has received over \$161M of additional obligation authority that was redistributed to Nevada from other states or through program management, an average of \$13.4 M per year.

Nevada is also considered a "donee" state, meaning that for every dollar of federal gas taxes paid into the federal highway trust fund (HTF) Nevada receives an average of \$1.32 back from the HTF. This has amounted in \$1.8 Billion to Nevada from 1956 through 2013. In FFY2013, Nevada received \$112 million more in federal aid from the HTF than payments into the HTF; this amounts to \$1.44, received from the HTF for every dollar paid into the HTF.

Nevada is the only state eligible to receive up to 95% federal funding on federally-eligible projects due to the large amount of federally-owned land in Nevada. Other states typically have to provide up to 20% matching state dollars on federal projects while Nevada provides a 5% match for most programs. This is an estimated value of over \$34M per year that Nevada does not have to contribute to its federal jobs, freeing up these funds to be utilized on other state projects.

**Analysis:**

NDOT typically follows very similar processes on its construction projects regardless of funding source, making it difficult to quantify what the added costs may be to administer federal projects. Consequential costs fall into categories such as meeting environmental requirements, Davis-Bacon rules, Buy America provisions, developing financial and project management plans, and any time delays that may result from meeting these requirements.

It should also be recognized that although US Department of Transportation (USDOT) and Federal Highways Administration (FHWA) requires several processes or procedures, the initial requirement is typically required in federal transportation authorization bills, appropriations bills, or other legislation passed by Congress and signed by the President. A few significant examples are the Americans with Disabilities Act, the Clean Water Act, the National Environmental Policy Act (NEPA), and the Civil Rights Act. Many acts apply only to federal aid recipients while other laws are broader in applicability. Like other federal agencies, USDOT and FHWA implements new requirements through a public rule-making process so affected parties can provide feedback.

Careful consideration is taken when federal vs. state funding decisions are made in order to maximize taxpayer benefits. As noted previously, NDOT has been very effective at obligating every federal dollar it receives. NDOT's position is that any costs incurred as a result of administering the federal program are more than offset from the combined benefits of Nevada's apportionment of federal transportation funds. More detailed information will be provided in the presentation to the Transportation Board.

**List of Attachments:**

None

**Recommendation for Board Action:**

Informational Item Only

**Prepared by:**

Robert C. Nellis, CPM, Assistant Director for Administration



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## MEMORANDUM

February 16, 2016

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, Director  
**SUBJECT:** March 14, 2016 Transportation Board of Directors Meeting  
**Item #10:** Receive Report on the Nevada Department of Transportation (NDOT) Americans with Disabilities Act (ADA) Draft Transition Plan – Informational item only

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### **Summary:**

Presentation on the Status of NDOT's ADA Transition Plan

### **Background:**

In 1990, the Americans with Disabilities Act (ADA) was adopted. This was the latest civil rights legislation that prohibited discrimination against people with disabilities. This act ensures that people with disabilities are afforded the same rights and opportunities as people without disabilities. It is comprised of five titles that cover different aspects of public life. Title II covers state and local governments.

In compliance with requirements under Title II of the ADA, NDOT has recently developed an ADA Transition Plan. The ADA Transition Plan documents NDOT's policy and process for addressing identified accessibility issues in its public rights-of-way. This plan is a living document that looks to develop accessible transportation by bringing NDOT facilities into compliance and to provide for continuity and consistency throughout NDOT's system.

NDOT's Transition Plan includes a self-assessment in the form of a GIS database and interactive map; an evaluation of compliance with the 1991 Public Right-of-Way Accessibility Guidelines (PROWAG) standards; a project prioritization process for compliance; list of proposed projects, including cost and timing; and continual analysis of NDOT's progress.

### **Recommendation for Board Action:**

Informational Only

### **Prepared by:**

Kristena Shigenaga, P.E.  
Assistant Chief Road Design Engineer  
Design Services



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## MEMORANDUM

March 3, 2016

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, Director  
**SUBJECT:** March 14, 2016 Transportation Board of Directors Meeting  
**Item #11:** Old Business

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### **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 March 1, 2016 - *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 March 1, 2016 - *Informational item only.*

### **Recommendation for Board Action:**

Informational item only.

OPEN NDOT - OUTSIDE COUNSEL CONTRACTS AS OF FEBRUARY 18, 2016						
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 Amendment #2	3/11/13 1/14/14 12/15/15	\$ 1,400,000.00 \$ 2,000,000.00 \$ 300,000.00	\$ 3,700,000.00	\$ 316,243.47
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 Amendment #2	10/23/12 9/12/14 8/12/14	475725 Extension of Time Expansion of Scope	\$ 475,725.00	\$ 243,192.97
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	\$ 469,286.08
Sylvester & Polednak, Ltd.	NDOT vs. Wykoff 8th JD - A-12-656578-C Warm Springs Project - Las Vegas NDOT Agmt No. P071-13-004	2/27/13 - 1/31/17 Amendment #1 Amendment #2	2/27/13 1/23/15 5/13/15	\$275,000.00 Extension of Time \$ 150,000.00	\$ 425,000.00	\$ 20,692.61
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	\$ 88,139.46
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	\$ 15,191.24
** 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
Kemp, Jones, Coulthard	Nassiri vs. NDOT 8th JD A672841 NDOT Agmt No. P290-13-004	7/17/13 - 2/28/17 Amendment #1 Amendment #2	7/17/13 2/12/15 8/12/15	\$ 280,000.00 \$ 475,000.00 \$ 375,000.00	\$ 1,130,000.00	\$ 155,815.99
Chapman Law Firm	Ad America vs. NDOT (Project Neon) 8th JD A640157 NDOT Agmt No. P291-13-004	7/25/13 - 7/30/17 Amendment #1 Amendment #2 Amendment #3	7/25/13 4/28/14 5/15/15 2/8/16	\$ 200,000.00 \$ 250,000.00 \$ 269,575.00	\$ 719,575.00	\$ 215,982.67
Chapman Law Firm	McCarran Widening 2nd JD - Various Temporary Easements NDOT Agmt No. P142-14-004	5/14/14 - 5/30/16 Amendment #1	5/14/14 12/8/15	\$ 200,000.00 \$ 30,000.00	\$ 230,000.00	\$ 4,848.65
*** 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	\$ 212,431.73
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 - 8/30/16	9/8/14	\$ 375,000.00	\$ 375,000.00	\$ 302,707.86

OPEN NDOT - OUTSIDE COUNSEL CONTRACTS AS OF FEBRUARY 18, 2016						
Vendor	Case/Project Name	Contract Period	Contract and Amendment Date	Contract and Amendment Amount	Total Contract Authority	Contract Authority Remaining
Kemp, Jones & Coulthard	Custom Landco. (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	\$ 27,092.68
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	\$ 256,752.79
Lambrose Brown	Sharples Project Neon NDOT Agmt No. P434-14-004	10/16/14 - 10/30/16	10/16/14	\$ 275,000.00	\$ 275,000.00	\$ 259,056.00
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	\$ 250,000.00	\$ 70,400.39
Carbajal & McNutt, LLP	John J. Charleston Trust Project Neon NDOT Agmt No. P374-15-004	07/17/15 - 10/31/18	7/17/15	\$ 400,000.00	\$ 400,000.00	\$ 389,206.25
* BH Consulting Agreement	<i>Management assistance, policy recommendations, negotiation support and advice regarding NEXTEL and Re-channeling of NDOT's 800 Mhz frequencies.</i>	6/30/12 - 6/30/16	6/30/12	\$ 77,750.00	\$ 77,750.00	\$ 76,340.00

\* Pass Through - Federally mandated 800 MHz rebanding project fully reimbursed by Sprint Nextel.

\*\* The firm of Varela, Lee, Metz & Guarino, LLP took over representing the Department in the matter of Pacific Coast Steel vs. NDOT Case as of 2/28/14 from the firm of Watt, Tieder, Hoffar & Fitzgerald.

\*\*\* The firm of Downey Brand, LLP took over representing the Department on 2/12/15 in utility matters relating to condemnation actions and acquisitions from the firm of Armstrong Teasdale, LLP.

**Contracts Closed Or Expired Since Last Report:**

Lemons, Grundy, Eisenberg	NDOT vs. Ad America (Appeal) 8th JD - A-11-640157-C Project Neon - Las Vegas	1/22/13 - 1/31/16	1/22/13	\$205,250.00		
Expired	NDOT Agmt No. P037-13-004	Amendment #1	1/22/15	Extension of Time	\$ 205,250.00	\$ 41,197.82

Monthly Litigation Report to the Nevada Department of Transportation - February 18, 2016				
Case Name	Nature of Case	Outside Counsel to Date		
		Fees	Costs	Total
<b>Condemnations</b>				
NDOT vs. Ad America, Inc. (Neon-Silver Ave.)	Eminent domain - Project Neon	\$ -	\$ -	\$ -
NDOT vs. John J. Charleston Trust of 1998	Eminent domain - Project Neon	\$ 10,764.25	\$ 29.50	\$ 10,793.75
NDOT vs. Custom Landco. (Walker Furniture)	Eminent domain - Project Neon	\$ 316,030.66	\$ 6,876.66	\$ 322,907.32
NDOT vs. Danisi, Vicent, J. III	Eminent domain - Project Neon	\$ -	\$ -	\$ -
NDOT vs. I-15 and Cactus, LLC	Eminent domain - I-15 Cactus	\$ 162,852.68	\$ 21,956.08	\$ 184,808.76
<b>NDOT vs. Jackson, Darrell, et al.</b>	<b>Eminent domain - Project Neon</b>			
NDOT vs. K & L Dirt Company, LLC	Eminent domain - Boulder City Bypass	\$ 154,000.00	\$ 32,860.54	\$ 186,860.54
NDOT vs. Las Vegas Golf & Country Club	Eminent domain - Project Neon	\$ 68,631.50	\$ 3,660.64	\$ 72,292.14
NDOT vs. Loch Lomond Trust, et al.	Eminent domain - Project Neon	\$ -	\$ -	\$ -
NDOT vs. Ranch Properties	Eminent domain - Project Neon	\$ -	\$ -	\$ -
NDOT vs. Reich Series, LLC, et al.	Eminent domain - Project Neon	\$ -	\$ -	\$ -
NDOT vs. Roberts 1981 Trust, et al.	Eminent domain - Project Neon	\$ -	\$ -	\$ -
NDOT vs. Su, Lisa	Eminent domain - Project Neon	\$ -	\$ -	\$ -
NDOT vs. Sharples, John; Sharples, Bonnie	Eminent domain - Project Neon	\$ 15,944.00	\$ -	\$ 15,944.00
NDOT vs. Wykoff Newberg Corporation	Eminent domain - I-15 and Warm Springs	\$ 348,775.78	\$ 55,531.61	\$ 404,307.39
<b>McCarran Widening - Condemnations</b>				
NDOT vs. Manois, Randy M.	Eminent domain - McCarran Widening *	\$ 24,745.61	\$ 6,921.88	\$ 31,667.49
NDOT vs. Marsh, Nita, et al.	Eminent domain - McCarran Widening *	\$ 24,745.61	\$ 6,921.88	\$ 31,667.49
		\$ 1,115,725.84	\$ 134,729.29	\$ 1,250,455.13
<b>Inverse Condemnations</b>				
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			
Nassiri, Fred vs. NDOT	Inverse condemnation	\$ 766,471.92	\$ 149,554.39	\$ 916,026.31
Robarts 1981 Decedents Trust vs. NDOT	Inverse Condemnation - Project Neon	\$ 219,514.83	\$ 13,017.20	\$ 232,532.03
		\$ 1,499,734.81	\$ 276,430.29	\$ 1,776,165.10
<b>Cases Closed and Removed from Last Report:</b>				
None				
* McCarran Widening fees and costs are under one contract with each reflecting a pro-rata share for the open cases.				
<b>New cases appear in red.</b>				

## Monthly Litigation Report to the Nevada Department of Transportation - February 18, 2016

Case Name	Nature of Case	Outside Counsel to		
		Fees	Costs	Total
<b>Torts</b>		\$ -	\$ -	\$ -
Ariza, Ana, et al. vs. Wulfenstein, NDOT	Plaintiff alleges wrongful death	\$ -	\$ -	\$ -
<b>Darling, Dion Dean vs. NDOT, et al.</b>	<b>Plaintiff alleges negligence and property damage</b>	\$ -	\$ -	\$ -
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 vs. NDOT, et al.	Plaintiff alleges negligence causing property damage	\$ -	\$ -	\$ -
King-Schmidt, Barbara vs. NDOT	Plaintiff alleges negligence and personal injury	\$ -	\$ -	\$ -
Knowlton, Jane vs. NDOT	Plaintiff alleges personal injury and property damage	\$ -	\$ -	\$ -
Liu, Hui vs. Clark County and NDOT	Plaintiff alleges negligence and wrongful death	\$ -	\$ -	\$ -
Mezzano, Rochelle vs. Bicycle Ride Directors, NDOT, et al.	Plaintiff alleges negligence and personal injury	\$ -	\$ -	\$ -
NDOT vs. Tamietti	NDOT seeks injunct. relief to prevent closing access	\$ -	\$ -	\$ -
Pyjas, Estate of Robert Charles	Plaintiff alleges wrongful death	\$ -	\$ -	\$ -
Semmens, Cynthia & Trevor vs. NDOT, et al.	Plaintiff alleges negligence causing personal injury	\$ -	\$ -	\$ -
Windrum, Richard & Michelle vs. NDOT	Plaintiff alleges negligence and personal injury	\$ -	\$ -	\$ -
Zito, Adam vs. NDOT	Plaintiff alleges negligence and property damage	\$ -	\$ -	\$ -
<b>Contract Disputes</b>				
AVAR Construction Systems, Inc. vs.	Breach of contract re I-580	\$ -	\$ -	\$ -
<b>Miscellaneous</b>				
Nevada Power Co., Inc. vs. KAG Development; NDOT	Plaintiff seeking quiet title	\$ -	\$ -	\$ -
Road & Highway Builders vs. NDOT	Petition for Judicial Review of Prevailing Wage	\$ -	\$ -	\$ -
Road & Highway Builders vs. Labor Commissioner; NDOT	Petition for Judicial Review of Decision of Labor Commissioner	\$ -	\$ -	\$ -
<b>Personnel Matters</b>				
Akinola, Ayodele vs. State, NDOT	Plaintiff alleges 14th Amendment - discrimination	\$ -	\$ -	\$ -
Cerini, Cheri	Petition for Judicial Review	\$ -	\$ -	\$ -
<b>Cases Removed from Last Report:</b>				
Perkins, Troy, et al. vs. City of Las Vegas, NDOT, et al.	Plaintiff alleges wrongful death	\$ -	\$ -	\$ -

New cases appear in red.

Outside Counsel  
Fees and Costs of Open Cases  
as of February 18, 2016

<u>Category</u>	<u>Fees</u>	<u>Costs</u>	<u>Total</u>
Condemnation Litigation	\$ 1,115,725.84	\$ 134,729.29	\$ 1,250,455.13
Inverse Condemnation Litigation	\$ 1,499,734.81	\$ 276,430.29	\$ 1,776,165.10
Construction Litigation	0	0	0
Personnel Litigation	0	0	0
Tort Claim Litigation	0	0	0
	<u>\$ 2,615,460.65</u>	<u>\$ 411,159.58</u>	<u>\$ 3,026,620.23</u>

3/1/2016

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	
2/26/2016	2	2	2/26/2015	1	1	1	1
MONTH	21	22	MONTH	20	22	1	0
YEAR	45	49	YEAR	47	49	-2	0

CRASH AND FATAL COMPARISON BETWEEN 2015 AND 2016, AS OF CURRENT DATE.

COUNTY	2015 Crashes	2016 Crashes	% CHANGE	2015 Fatalities	2016 Fatalities	% Change	2015 Alcohol Crashes	2016 Alcohol Crashes	% Change	2015 Alcohol Fatalities	2016 Alcohol Fatalities	% Change
CARSON		4	400.00%		4	400.00%			0.00%			0.00%
CHURCHILL	1	1	0.00%	1	1	0.00%			0.00%			0.00%
CLARK	30	32	6.67%	30	36	20.00%	4	4	0.00%	4	5	25.00%
DOUGLAS	1	1	0.00%	1	1	0.00%	1		-100.00%	1		-100.00%
ELKO		1	100.00%		1	100.00%			0.00%			0.00%
ESMERALDA			0.00%			0.00%			0.00%			0.00%
EUREKA	2		-100.00%	2		-100.00%			0.00%			0.00%
HUMBOLDT			0.00%			0.00%			0.00%			0.00%
LANDER	1		-100.00%	1		-100.00%			0.00%			0.00%
LINCOLN	1		-100.00%	1		-100.00%			0.00%			0.00%
LYON	1		-100.00%	1		-100.00%			0.00%			0.00%
MINERAL	1		-100.00%	2		-100.00%			0.00%			0.00%
NYE	2	1	-50.00%	2	1	-50.00%	2		-100.00%	2		-100.00%
PERSHING			0.00%			0.00%			0.00%			0.00%
STOREY			0.00%			0.00%			0.00%			0.00%
WASHOE	7	5	-28.57%	8	5	-37.50%	4		-100.00%	4		-100.00%
WHITE PINE			0.00%			0.00%			0.00%			0.00%
YTD	47	45	-4.26%	49	49	0.00%	11	4	-63.64%	11	5	-54.55%
TOTAL 15	297	----	-84.8%	326	----	-85.0%		----	#DIV/0!		----	#DIV/0!

2015 AND 2016 ALCOHOL CRASHES AND FATALITIES ARE BASED ON VERY PRELIMINARY DATA.

COMPARISON OF FATALITIES BY PERSON TYPE BETWEEN 2015 AND 2016, AS OF CURRENT DATE.

COUNTY	2015 Vehicle Occupants	2016 Vehicle Occupants	% Change	2015 Peds	2016 Peds	% Change	2015 Motor-Cyclist	2016 Motor-Cyclist	% Change	2015 Bike	2016 Bike	% Change	2015 Other moped,at v	2016 Other moped,at v
CARSON		2	200.00%		2	200.00%			0.00%			0.00%		
CHURCHILL	1		-100.00%		1	100.00%			0.00%			0.00%		
CLARK	9	15	66.67%	12	12	0.00%	3	8	166.67%	4	1	-75.00%	2	
DOUGLAS	1	1	0.00%			0.00%			0.00%			0.00%		
ELKO		1	100.00%			0.00%			0.00%			0.00%		
ESMERALDA			0.00%			0.00%			0.00%			0.00%		
EUREKA	2		-100.00%			0.00%			0.00%			0.00%		
HUMBOLDT			0.00%			0.00%			0.00%			0.00%		
LANDER	1		-100.00%			0.00%			0.00%			0.00%		
LINCOLN	1		-100.00%			0.00%			0.00%			0.00%		
LYON	1		-100.00%			0.00%			0.00%			0.00%		
MINERAL	2		-100.00%			0.00%			0.00%			0.00%		
NYE	2	1	-50.00%			0.00%			0.00%			0.00%		
PERSHING			0.00%			0.00%			0.00%			0.00%		
STOREY			0.00%			0.00%			0.00%			0.00%		
WASHOE	6	1	-83.33%	1	4	300.00%	1		-100.00%			0.00%		
WHITE PINE			0.00%			0.00%			0.00%			0.00%		
YTD	26	21	-19.23%	13	19	46.15%	4	8	100.00%	4	1	-75.00%	2	0
TOTAL 15	186	----	-88.71%	73	----	-73.97%	43	----	-81.40%	10	----	-90.00%	14	----

PRELIMINARY DATA REVEALS 60 UNRESTRAINED FATALITIES FOR 2015