



Department of Transportation  
Board of Directors  
Notice of Public Meeting  
1263 South Stewart Street  
Third Floor Conference Room  
Carson City, Nevada  
May 9, 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. April 11, 2016 Nevada Department of Transportation Board of Directors Meeting Minutes – *For possible action.*
4. Review and Ratify the Selection of the Contractor for the SR 28 Shared Used Path, Safety, and Water Quality (Federal Lands Access Program) Project, and Approve an Agreement with Granite Construction Company for Pre-Construction Services for this Project – *For possible action.*
5. Approval of Agreements over \$300,000 – *For possible action.*
6. Contracts, Agreements, and Settlements – *Informational item only.*
7. Direct Sale – *For possible action.*  
Disposal of a portion of NDOT right-of-way located at the northwest corner of Highway 50 and US-395 Freeway, Carson City, NV SUR 08-11
8. Direct Sale – *For possible action.*  
Disposal of NDOT right-of-way located along a portion of North Lompa Lane north of Dori Way, Carson City, NV SUR 09-09
9. Direct Sale – *For possible action.*  
Disposal of a portion of NDOT right-of-way located along US-395 Freeway between Hospitality Way and Monk Court, Carson City, NV SUR 09-21
10. Direct Sale – *For possible action.*  
Disposal of a portion of NDOT right-of-way located at the northeast corner of North Carson Street and Arrowhead Drive, Carson City, NV SUR 09-39
11. Direct Sale – *For possible action.*  
Disposal of a portion of NDOT right-of-way located at IR-80 between Vine Street and Washington Street on 6<sup>th</sup> Street in the City of Reno, County of Washoe, State of Nevada SUR 13-15

12. Resolution of Relinquishment – *For possible action.*  
  
Disposal of a portion of NDOT right-of-way, E.A. 73484, Spring Creek Roundabout Surplus Parcels in County of Elko, State of Nevada SUR 15-17
13. Request for the Department of Transportation Board Modify its Policy that it will Maintain a Certain Percentage of each Category of its Roadways with an IRI of less than 95 – *For possible action.*
14. Possible Approval of Raffle of Obsolete “Welcome to Nevada” Signs – *For possible action.*
15. Receive a Report on the Department’s Draft Transportation Asset Management Plan (TAMP) – *Informational item only.*
16. Old Business
  - a. Report of Outside Counsel Costs on Open Matters – *Informational item only.*
  - b. Monthly Litigation Report – *Informational item only.*
  - c. Fatality Report dated April 25, 2016 – *Informational item only.*
  - d. Receive a Report on the Status of Project NEON – *Informational item only.*
  - e. Receive a Report on the Status of the USA Parkway Project – *Informational item only.*
  - f. Receive a Report on the Status of I-11 – *Informational item only.*
  - g. Receive an Update on Pedestrian Safety Projects – *Informational item only.*
  - h. Photos of Landscape Art – *Informational item only.*
17. 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.*
18. 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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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

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Governor Brian Sandoval  
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, it's 9:00 AM. Can you hear us loud and clear in Southern Nevada?

Martin: Yes sir, we can.

Sandoval: I will call the Nevada Department of Transportation Board of Directors Meeting to order. I think everyone has noticed, we have a new and improved meeting environment. I'm excited. I want to make sure everybody knows that these microphones are very sensitive. There are even microphones in the back so we'll be able to hear all the nice things you say about the Board back there. I'm sure Rudy will fill us in on all of this. I hope everyone had a wonderful weekend. We do have a quorum that is present. I like this new set up. It kind of evens the odds here, between the staff and the Board. This is great. I'm looking forward to it.

So, why don't we move on to Agenda Item No. 1 which is the presentation of retirement plaques for 25 year plus employees.

Malfabon: Thank you Governor. Just to give a little update on the new audio/visual equipment. You will press the button at the bottom and you'll get a green light when your mic is on. You don't have to pull it towards you, in fact, that would—the base is a bit rigid, so don't try to pull the mic towards you, they're very sensitive and effective. I'll go over some more details later during the Director's Report.

For retirees, we have some folks we wanted to honor. Hopefully some are—I know that some are present today. Sydnie Platt-Schlachta, Transportation Planner Analyst III in Planning and Roadway Systems. Retired with 25 years of service.

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Todd Devito, IT Manager III, retired with 25 years of service. Todd and the next person, Michael Heit, IT Professional IV, worked in our Information Technology Section here in Carson City. Both had 25 years of service. On our maintenance side, Highway Maintenance Supervisor I in the Carson Landscape Maintenance Team, Dana Luterick, retired with 25 years of service on March 1<sup>st</sup>. Thomas Northouse, Highway Maintenance Worker III, Mount Charleston/Las Vegas, 27 years of service. Mike Vecchiarelli, Professional Engineer in Structures, retired with 30 years of service just recently. Let's get some of those folks up here. I know that I saw Mike. I think Dana—are there any present in Las Vegas? Is Tom there Mary? No? Okay. So, if Dana and Mike could come on up and we'll maybe do a photo op with the Board.

[pause for pictures, crosstalk while setting up, taking pictures]

We might as well stay up for the other awards. And, I wanted to mention, there are constantly retirees and some recently retired that might not—they might be confused why they're not on the list. It's a quarterly list. We'll get them next time if they were recent retirees.

Moving on to the Item on Awards. We have an Excellence in Partnering Award. I saw several of the folks in the audience. So, the Excellence in Partnering Award is something that's given annually statewide to recognize completed projects that optimize principles of partnering. With partnering, it's a more structure process of working with our contractors to make sure that we achieve all of our goals, collaboratively with the contractor. We celebrate success, share lessons learned and best practices and recognize all project stakeholders.

And the 2015 Excellence in Partnering Award recognizes the collaborative efforts between NDOT and Las Vegas Paving, to repair a section of I-15 that was washed away by extremely heavy rainfall in September of 2014. This project was eligible in 2015, because they finally completed it in 2015. The floods happened in September of '14. The project team coordinated the design, construction, administration of the repairs to open the road back to traffic within 72 hours, which is amazing if you had seen the damage. We applaud the excellent daily communication and solid partnerships between Las Vegas Paving and NDOT. I think Steven Conner, I saw Luke, in the audience, Luke Rollins, Steven Conner. Unfortunately Tommy Thompson wasn't able to make it, but I think Phil Andrews is there in Vegas?

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Martini: Tommy's here.

Malfabon: Oh, Tommy's there?

Martini: They're in Las Vegas.

Malfabon: Okay. Tommy Thompson, Phillip Andrews. Mary Martini, herself was an excellent leader during that emergency operation. She's part of the winning team as well. And, representing Las Vegas Paving, Jared Wagstaff is, I believe in Las Vegas. If those folks could come up, we'll take a photo opportunity.

[pause for pictures, crosstalk]

Malfabon: This next award is one that we're honoring a person, and as you saw with the last award, it was a huge team effort. Mary's folks in maintenance and the construction side were instrumental in working with our contractor on that project. Thanks to all the folks there. It was just a small section of the group that I'm sure worked on that project, Mary, so thank you for leading that effort down there.

The next award is the State of Nevada Aviation Achievement Award. This is one that we're actually recognizing someone that's put a lot of effort and contributed to the aviation program. The State of Nevada would like to recognize Bill Schroeder for his contribution to Aviation Safety for over 20 years. Bill serves as Civil Air Patrol Chief Check Pilot, Primary Pilot Instructor and Mission Search Pilot for the Nevada Civil Air Patrol. His proactive stance on increasing aviation safety in Northern Nevada has allowed him to effectively perform any outstanding and notable achievements, including successfully drafting and initiating changes incorporated into the FAA Regulations. Bill is an outstanding example of a pilot that inspires others to emulate his professionalism and ability. He is highly deserving of this recognition and it's my pleasure to present this award to him. Thank you for your significant contribution to aviation safety in Nevada and the United States. Bill? We have a really good aviation staff, Governor and Board Members.

[pause for pictures]

Speaker: This is from the FAA Safety Program, out of Reno. Bill is our lead representative and recruits a lot of the individuals to participate in that program. Really adds a lot to aviation safety in the State. [inaudible] We appreciate what you've done.

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[pause for pictures]

Malfabon: The last award is the Las Vegas Metro Chamber of Commerce and the Las Vegas Convention and Visitor's Authority, Customer Service Excellence Awards goes to Cory Holm, Ronald Scott, Aaron Collins and Simon Limho. The Customer Service Excellence Awards are designed to encourage above and beyond service in Las Vegas and inspire extraordinary customer care throughout Southern Nevada. These outstanding NDOT employees are recognized for their strong and positive service attitude and dedication to providing excellent customer service through quality control testing in the Las Vegas Materials Lab. Cory, Ronald Scott, Aaron and Simon, they're all from Vegas. How many were able to make it? I see the person, Jesse, that nominated them. Jesse worked in the Materials Division Lab down there in Las Vegas. Thank you Jesse for nominating them.

You've seen some of these Metro Chamber awards.

[pause for pictures]

Malfabon: We have one more. I'm sorry, I missed one. There's so many. We have the folks here and I definitely want to acknowledge the efforts, the partnership with several including the Department of Public Safety, Nevada Highway Patrol and I know that the Chief is here. This is for the Nevada Traffic Incident Management Award for Project of the Year from the Intelligent Transportation Society of Nevada, ITS Nevada for under \$2M category. We have what is called Traffic Incident Management to try to clear any crashes or incidents along the road. Definitely a huge partnership with local police, fire, ambulance services, medical services and the Nevada Highway Patrol. The statewide, Nevada Traffic Incident Management, or TIM Project has won the ITS Project of the Year. TIM uses a multifaceted approach to provide incident responders throughout Nevada with training, education, crash debriefings and joint operations policies. The project demonstrates how states and municipalities have maximized technology investments to improve safety and reduce traffic congestion. I'm looking for my list of participants. We have Seth Daniels, Juan Hernandez from NDOT and Christine Sylvester, I know that Chief Osbourne, Colonel Dennis Osbourne from DPS, is he present? If Seth, Juan, anyone representing Nevada Highway Patrol could come up?

[pause for pictures]

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Malfabon: That's it for the trophies.

Sandoval: We'll move on to the Director's Report.

Malfabon: Yes Governor.

Sandoval: Before we leave those agenda items, I'm not sure if the retirees are still here but I personally want to thank them for their service to the State. If you can imagine how much this state has changed over the past 25 years and their individual contributions through all of those times, it really is appreciated, so thank you very much. As well as the presentation of awards. Again, there are people out on the frontlines out there making things. Particularly with that flooding that happened last year and as you said Rudy, it was remarkable to get that road open in 72 hours. I was there a few weeks ago and the work continues to make that right, but to have that devastation and the way that it impedes commerce and people trying just to get home and all those things and be able to provide—to open that road within 72 hours, that was nothing short of a miracle. That really took a lot of time and effort to get that done.

Malfabon: Yes Governor, thank you.

Martin: Governor?

Sandoval: Yes sir, Frank?

Martin: Yes sir. I wanted to echo what you said. I traveled I-15 a number of times during that period of time. The progress that was made each week, even from day to day, was astonishing. My hat is off, certainly to Mary and her group and Las Vegas Paving. They all did a really great job getting I-15 back open again.

Malfabon: Yes, I know that Mary's maintenance folks are still repairing some sections of other lower volume roads. Definitely, I-15 was amazing, the effort there.

Martini: Excuse me, this is Mary Martini, in Las Vegas. I'd also like to add the Nevada Highway Patrol to it, because without Major Pat Gallagher and his troopers, we wouldn't have been able to do it as easily as we did. They were a lot of help and they were included in the presentation earlier, the awards. I just wanted to include them as well.

Malfabon: Thank you Mary. Moving on to the Director's Report. As the Governor noted, we have made some improvements in our audio/video capabilities here but it also

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supports the use of this particular room as the emergency operations center for NDOT. We do a lot of exercises in here with other agencies and just internally with NDOT to help prepare for any event that could occur, such as the one that we were talking about on I-15 and the flooding.

One of the concerns when we look at that is, wow that's a big screen there, but it does help. As you saw initially—we have a security alert already. As you saw initially, there was the side monitors could be used to look at traffic cameras, real time. You can look at maps of events. It's very—a much utility to us during an emergency and during emergency operations.

The other thing to mention is, just the configuration of the room that we can have during these exercises or during emergencies, the cords will be a lot more safer. They're out of the way of people that were walking around. That's what it looks like. You can bring up things online, real time. It's very effective, and multiple screens.

The cost, it was a little bit less than \$250,000 for the equipment and about \$30,000 or so for the installation. Very good. I think the microphones, obviously are very sensitive and much more—I think they work more effectively than the previous set up.

Sandoval: If I may, who was the contractor, do you recall?

Malfabon: Robert, what was the name of the contractor again? It was a local contractor.

Nellis: [inaudible]

Malfabon: Good question Governor, we'll get that for you later in the presentation.

Sandoval: The only reason I ask is, so far so good. This looks great and it's working well. We have some other improvements we need to make in other places. Perhaps we can look at that contractor. I apologize for interrupting.

Malfabon: No problem. We definitely want to eventually expand the improvements of our audio/visual to the district, and the video conferencing equipment because one of the problems that we have is audio tends to drop off if you're in one of the remote sites sometimes. We use this also for a lot of the outreach from the Director directly to all the employees statewide through video conferencing and through the intranet. It's very helpful for us to be a lot more stable of a system for the sound.

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The Carlin Tunnels Project was recently highlighted by the Discovery Channel. We're very proud to be picked up by a national TV show that was highlighting the improvements on the lighting. [pause] [video plays] So, very nice, national coverage of an improvement that we used recently with LED lighting to save us money and energy.

April has National Work Zone Safety Awareness Week. The theme this year is, Don't Be That Driver. It's a national theme. Recently our folks worked with one of the NHP Troopers that provides support on our construction projects to slow the traffic down in those construction work zones. They did a very good, short video that shows what to expect. You're going to have speed limits reduced when you're entering into work zones. Trooper Nick Nordyke was helpful in getting that message out there. Very good clip. We wanted to acknowledge, it's been about a year since we lost one of our own, Ron Rache, tragically in a work zone and this program, using the troopers on larger maintenance and construction work zones is very effective. It's slowing down the traffic.

An update on the two large federal grant opportunities, Tiger and Fastlane. Fastlane being the one for freight. We've hired our consultants. We're working with the Office of Energy on their application for the electric vehicle charging stations throughout the rest of the state. The due dates are there. We're working on I-15 and 215 interchange in North Las Vegas. Northwest 95 improvements. One up here, Lemon Drive and US-395 auxiliary lane, at the ramp there and ramp metering to more efficiently move traffic up there in one of the intersections of the North Valleys.

A little update on the Apex Design-Build Transportation Improvements. We provided the Board with supplemental information, last week in advance of this meeting. We're trying to fast track this contracting process as quickly as possible. We had a smaller contract to get them going on environmental work with the larger contract before you today for your approval. The negotiations summary and the scope of work were provided separately last week so you could review those in advance of today's meeting. When we put together the Board Packet, we didn't have all of that information but we didn't want to skip another month. It's such an important project to advance.

Huge day last Thursday with the Project NEON groundbreaking. Having Wayne Newton there was something that I never thought I'd see at one of our groundbreakings. It was awesome to meet Wayne Newton in person. He didn't

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sing. He sang the night before at the opening of the new arena. It was well wishes all around to the project team for a successful project. Mayor Goodman was there, as well as two members of our Congressional Delegation, Dr. Heck and Crescent Hardy. We had representatives from various public agencies there present as well. Great turnout. Typical Vegas flare with the confetti and show girls and we used that video wall behind there to show some of the aesthetics that are planned for the project and we'll have more public meetings for that project.

Sandoval: Rudy, before you move on. I want to publicly congratulate the team that was associated with putting that event together. It was extraordinary. It was important. You're right, we had the show girls and Wayne Newton and all of that. You don't want to lose perspective that this is the largest public works project in the history of our state. It is dramatically going to improve the infrastructure there in Southern Nevada. I want to make sure that doesn't get lost in the moment. Also, there was a lot of NDOT staff that was there that got us to that point. Cole Mortenson, Dale Keller, everyone associated with those teams in terms of getting us to that moment. There's a lot of work that went into that and obviously there's a lot of work that's going to happen afterwards. I thought the whole thing went incredibly well. It really hopefully punctuated the moment about how it is really going to change transportation in Southern Nevada.

Malfabon: And our communications team did a great job. Tony Illia and Adrienne Packer down in Las Vegas and the folks up there, awesome job in coordinating that event with the RTC of Southern Nevada and the City of Las Vegas. Well done. Thank you Governor, for your comments.

At the same time they were breaking ground on a major intersection improvement. This was Washoe RTC, has been leading the charge on this project with some funding from NDOT and in coordination with NDOT. Both of those roads, McCarran and Pyramid are NDOT State Highways. We appreciate Washoe RTC's efforts in improving that intersection. This one Governor, as you recall was one of the first uses of the advance buying of the right-of-way at risk that you authorized to streamline the project and get the right-of-way acquired as soon as possible so we could start construction on this intersection project through the RTC's contract. Thank you to Bill Hoffman for covering that for me since I was in Vegas that day.

A little update on USA Parkway. Groundbreaking is scheduled for June 7<sup>th</sup>. Right-of-way acquisitions are continuing. I know that when we take public

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comment today, I believe there will be some property owners that want to address the Board with some of their comments. As we always say, when there's a condemnation resolution before the Board for consideration, it doesn't mean that we stop negotiations, we want to continue. We just want to clearly stick to the project timeline and schedule to not miss any time and delay the construction phase of the project.

Down in the lower right of the graphic, you see the airport there. There is a public workshop coming up for the airport. I wanted to mention that. NDOT, just to clarify, we have coordination responsibilities for the rural airports in the state and then in the urban areas, it's not so much the State's responsibility, it's a local responsibility. We coordinate with those larger airports, but our responsibility really is to help and assist on the rural airports. There is a public workshop on their master plan for the Silver Springs Airport. They'll talk about airport management. Their consultant will present the master plan, look at traffic forecasts and some of the use of that airport. I know that it's anticipated that much development will occur as the USA Parkway connects to US-50. It's important to plan out what that airport is going to look like in the future. I wanted to mention, there is that public workshop coming up on April 15<sup>th</sup>.

Sandoval: Rudy, if I may ask a question. Part of the plan is to have an airport that can accommodate the UPS and the FedEx and those types of airplanes, that can accommodate the internet fulfillment that is going on out there? I think I talked about this last month, but at least some of the tenants out there foresee that instead of having to bring all those goods to Reno, that they would bring them to that Silver Springs Airport and it would save—they would be able to essentially continue to operate for an hour or two more which would make them more productive. As I said, maybe that's the airport's business, but I'm hopeful that that will be kept in mind as we continue—or, not we—but that Tahoe/Reno Industrial Center continues to be developed, because it's, I think one one-third full right now. There's going to be a tremendous amount of more development there.

Malfabon: Good points Governor. We have several public meetings coming up this month that I'll highlight very quickly. Cave Rock Tunnel Extension Project, Public Information Meeting on April 14<sup>th</sup>. This is going to let the public know what to expect when they go through that work zone with the crossover. We talked about the boulder that fell there in the project that will extend the tunnel, so we have more protection for motorists.

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On April 20<sup>th</sup>, we have a public information meeting on the Second Street and Arlington Safety Management Plan. Typically, our safety folks work with the local cities or the counties on safety management plans throughout the state, particularly in the urban areas. We look at all modes, pedestrians, bicyclists, motorists, all users of the system, transit, to make sure that we're providing and developing a plan that would address all the needs of the users for improved safety along that corridor.

April 21<sup>st</sup> is a public workshop. This is one that the Board has been apprised of before but it's a process of getting more public comments as we're wrapping up the draft regulations on that Commercial Electronic Variable Message Signs or digital billboards. That April 21<sup>st</sup> public workshop will be held and I believe it's video-conferenced to the other areas in the state so that public comment can be received throughout the state.

On April 26<sup>th</sup>, we have a public workshop on the State Route 28 Bikeway and Improvements Project. That's the project up in Lake Tahoe. It has some safety elements to it; some drainage and water quality elements to it, as well as the bikeway. It's a great project. Significant amount of investment up there near Incline Village.

The big Reno Spaghetti Bowl Charrette or brainstorming session, as I call it, is going to be held on April 28<sup>th</sup> at the Convention Center in Reno. We sent out an invitation, Save the Date mailer to lots of folks, getting a lot of interest built up in this brainstorming session. We'll present a lot of information about the process, about the interchange itself, so that people will have some information. Then they break out into little workgroups to brainstorm and multi-vote on some of the solutions that could be advanced through the environmental and eventually construction phases.

A little update on signs. That's the Electric Vehicle Charging Sign that was recently installed by Eddie World, in Beatty for the US-95 Electric Highway.

I really like this one. Governor, you had mentioned that it was really hard to see the existing signage for Miller Point. It's near Cathedral Gorge State Park. Very beautiful overlook there, that's probably missed by a lot of people that miss a little sign like that. We're going to put in the new sign. It's in production. I wanted to also mention that we were able to work in the Nevada State Parks logo into that. That will be more branding for people, as they're driving through

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Nevada and want to take advantage of that, they might not have known that there was a state park along there that they could rest, take some photos, even have a picnic there or whatever amenities that will be mentioned on a plaque, below those larger signs. I just wanted to highlight that.

Sandoval: Rudy, I personally want to thank you for getting that done. It was one of those things. I toured all 20 state parks in a year. There is the most phenomenal scenery that you could imagine. Frankly, people don't know it's there. With proper signage, I think we could get a lot more activity at some of those remote state parks. If you've never been to Cathedral Gorge, it really is something to see. It's like Nevada's little mini-Grand Canyon. Not very many people know what Miller's Point is. They don't know that it's connected to a State Park. At ground level, you can't tell that it's there because it dips down. It really is a beautiful opportunity. It's my understanding, Rudy, that we're going to sign all the State Parks, similar to this one. I'm hopeful that will increase the visitation at those State Parks as well. Thank you very much for getting that done.

Malfabon: Thank you Governor. Yes, we are doing the assessment of all the State Park signage to get it more uniform and larger so people can easily see that there is a State Park there. As you mentioned, you don't see them from the highway very well. You have to drive up a little ways or it's hidden. Anything that we can do to help tourism and usage of State Parks would be on our agenda.

I wanted to give an update, just very briefly and say that you will receive a more comprehensive presentation. We kind of took this item off the agenda because we're so chalked full today. The Transportation Asset Management Plan is under development at NDOT. We're just about done with the draft of our plan. We'll be presenting that to the Board. It is something that's required under the previous Surface Transportation Bill Map 21, from a few years ago. Then we will be asking for Board approval of eventually the actual system development of the Transportation Asset Management System. The plan will come first and then the system will be built and will collect a lot of the data, help us to manage our assets. Right now, we do a very good job with bridges and pavements, but we need to do better with some of our other assets such as guard rails, signs; the various assets along the roadway, infrastructure related to lighting and ITS devices, for instance. We can manage the whole system and system of assets better.

Recent settlements and verdicts. There is one smaller settlement relatively speaking, associated with Project NEON, going to the Board of Examiners this

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week. It's for Lisa Su, two residential parcels on that project. Additional \$190,000, roughly is being requested for a total of \$500,000 for those two parcels. There also will be some in the coming months, a smaller one for McCarran widening. A very small settlement that's coming in and then perhaps a larger one. Las Vegas Golf was recently settled. That will be in May, going to the Board of Examiners. And more information to come in May to this Board on those settlements.

I wanted to also mention that the Board will be asked to establish a policy or update a policy related to pavement smoothness. We have what's called the International Roughness Index or IRI. Federal standards have a number that roads are considered in good condition for that pavement smoothness factor if it's an IRI number of 95 or less. NDOT, years ago, established a threshold of 80 or less, more of a stretch goal, but it's time to be in alignment with the federal limits so that we're talking apples and apples here on comparisons of pavement smoothness. Pavement smoothness will feed into the pavement condition reports that we periodically hear from federal reports or other entities that may be get that data and compare states and rank states. You might hear that we're in the top five and IRI is one of the main measurements that feeds into that pavement condition report. We'll bring that to the Board next month for your approval of that policy change. Just wanted to give you a heads up that we will be asking for that.

That concludes the Director's Report. I'm available to answer any questions from the Board.

Sandoval: Thank you very much. Any questions or comments? Mr. Controller.

Knecht: Thank you Governor. Rudy, thank you for your report. I had an experience recently that caused me to ask you to add something to your next report or put it on the agenda. I was driving on Highway I-80, west of here, to a basketball game Thursday. There was a major accident this side of Sacramento, which took over an hour and 10 minutes to get passed. Just a few miles. While I was doing this, I noticed that at the beginning at least, the traffic in the HOV lane was whizzing by at 60 and 70 and the traffic in the lane right next to it was virtually stopped. Fortunately, at no time did I see anyone pull out into the HOV lane and suffer any kind of a problem, but it sure looked a few times like that might happen. It was certainly something very risky and difficult. I wondered, do we have statistics, do we have information on how often those kinds of accidents happen on Nevada roads where the difference in speed between the HOV lane at a given time and the

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lane or lanes next to it is a precipitating factor in an accident? If so, could you give us information on that? Thank you Governor.

Malfabon: I'll look into that Mr. Controller. It doesn't come to mind, but I think they're able to do a search of the data. Typically our data is kept—so our HOV lanes are in Las Vegas on US-95. They might have to do some digging to find out if that was the actual cause of the crash, but I'll check with our safety folks to see if they can collect that for a future update.

Sandoval: Member Skancke.

Skancke: Thank you Governor. This is kind of an unrelated topic but, how many people know where Miller's Point is? Exactly. This Governor has been in every corner of the state. So, where the hell is Miller's Point, that's the question I have.

Malfabon: It's on US-93. You're kind of going up from Vegas, past Alamo and on your way to Caliente. It's up, I think Panaca.

Skancke: I've never been out there. I just wanted to know. The item that I wanted to talk about actually was—

Sandoval: Just another infomercial there.

Skancke: I have no idea where that is.

Sandoval: I know we're at NDOT but there is a State Passport Program, where you can get a State Passport from our State Parks and you get a stamp for each State Park that you visit. If you visit 15 of them, you get a free annual pass for that. It is remarkable to be able to see these parts of Nevada. I'll make sure that somebody sends you a passport.

Skancke: Strong letter to follow. Okay, I'm going to hit every one of these parks. Actually, in all seriousness. I wanted to go back to last month's meeting and have a conversation about the report that Mr. Nellis made on the financial structure of where we are today and where the department is.

First of all, superb presentation. Again, I thought the information that was presented to us was very thorough and well presented. As I try to look out three to five years, I think it's really important for us to take a look at a couple of things. One, I've drilled down through that report and I've done my own research which is probably a little dangerous, but I'm very concerned as I always am about

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the federal government's reliability on getting things delivered to us. First of all, we robbed a bank to pay for the Fast Act. We don't have another bank to rob if the Fast Act dries up in three years; which is what the predictions are.

I think this Board has done such a superb job of making sure that we're fiscally responsible and solvent that we really should take a look at the what-if question. I don't think Congress is going to let the Fast Act die. I think we need to be prepared if there are any type of cuts or if there is no intestinal fortitude for any type of new revenue. I think we should take a look at what happens. Those what-if questions. We've made a lot of commitments to the public. We have a rather large project, the largest project in the history of our state in Clark County. I think we should take a look at those what-if questions around what if the Fast Act doesn't make it.

I think we personally should take a look at how many electric vehicles have been registered since 2000 in the state. I think that number is growing. And, what that impact that has on the trust fund. And if there's a way for us to take a look at hybrids, electric vehicles and those combinations and what those projections are, I think it would be important for us to take a look at that. Primarily, long term sustainability and predictability for the State Trust Fund.

I've mentioned before that Southern California has passed regulations that there is a cutoff and a timeline for when—I think it's by 2017 now, one in seven new cars in Southern California, south of Bakersfield, has to be electric. That's just a progression of when those cars have to be electric. California is probably going to say by 2030, every new car needs to be electric. We've started the Electric Highway, so at least we can charge those vehicles. But, what are the systemic impacts on the trust fund and what those impacts are for us.

Then I think there should be some type of a fallback position, Rudy, as to what the recommendation for the Board would be, in the event these certain circumstances occur. I'm not suggesting that they are. I just think as we look down the road, so to speak, we need to be prepared for what that could be.

I would just like to know what our numbers are as far as registrations on electric vehicles and hybrids are. I think it's only going to increase. I personally am in the process of looking at an electric vehicle. I want to know what those systemic impacts are to the trust fund, so that we can make sure that what was presented last month is real.

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And, if we could have that by May, that would be really good. Thank you.

Malfabon: We'll do our best to bring that and collect that information, present it to the Board. It might take longer than May but we'll do what we can.

Sandoval: Any other questions or comments? One other from me Rudy and not answer today or even next month, but as we proceed with the construction of Project NEON and this is something I was visiting with Member Skancke about is, there's some other large projects that are taking advantage of technology in terms of apps and traffic management so drivers can get immediate information to be able to alter their route and give them a suggested route to try to spread the traffic as we start to build that. We can provide you with that information or I'm sure Member Skancke can. I know we're taking some very advanced measures in terms of traffic management for this project, but there may be some others out there that we could use as well.

Malfabon: Tina will quickly speak about the Waze App that I mentioned last month to the Board. Specifically about what it means to Southern Nevada and try to get more people signed up to that application on their smart phones so they can have that information real time. Definitely, Project NEON with the impacts or changes in traffic control work zones being initially on the local streets and then eventually in a couple of years on I-15, people will want to know what's happening that day. Tina will give a good plug for the Waze App in her presentation on the business plan coming up.

Sandoval: Any further questions or comments with regards to the Director's Report. Frank, did you have anything?

Martin: No sir, thank you.

Sandoval: Okay. All right. We'll move to Agenda Item No. 4, which is—

Martin: Hold on.

Martini: I'm sorry Governor, this is Mary Marini in Las Vegas. Tony Illia was just letting me know that there is some additional information regarding what the Director was saying if you'd like to hear about what they're working on.

Illia: We're going to be installing ATM signs later this fall, Governor, prior to major construction, a dozen of them. That gives real time information to help mitigate those traffic impacts during the construction of Project NEON. In addition, our

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team is developing a free downloadable app this fall that will give live traffic updates that we look to connect with Waze as well. Just wanted to bring that up.

Sandoval: I appreciate you bringing that up because what I would envision is, before somebody leaves their house, that they can look at an app and see what the preferred route is. With those traffic management signs, when you see them, sometimes it's too late. If you can use a route as you leave, but that sounds like that could be really helpful.

Malfabon: Definitely. We're going to do both, the real time on highway messaging through the Active Traffic Management System, the ATM. That will be a series of overhead sign structures with video monitors. The speed limit can be changed if there's an incident ahead that requires us to lower the speed limit on the fly. Let people know when lane closures are happening in advance. Definitely, the type of application that people want before they leave work or leave for work or to the airport, whatever it is, that they know what is the best route to take and the Waze app will be very beneficial for that.

Sandoval: Thank you. We'll move to public comment. I know that I have several individuals that are signed up for public comment associated with Agenda Item No. 11. The first two, here in Carson City, Michael and Anne Watts.

Watts: Governor, Board, thank you for this opportunity to address you. My name is Michael Watts. I'm here to address the Agenda Item No. 11, the Condemnation Action 454. My wife and I, we are the owners of 3095 Opal Avenue, the property slated for condemnation. The USA Parkway Project has required us to tackle a project of our own. That project of our own is to reestablish a suitable home for our age in place plan—we're planners. I'm a project management professional and a metallurgical engineer. I've been planning a lot. We've put significant resource and thought into setting ourselves up. We're responsible. We wanted to take care of ourselves as we age. We set up a circumstance that would allow us to do that.

What we're looking for is a comparable, an honest comparable. Not a two to three year old comparable. DOT's current offer does not give us the resource, nor make us whole. We will be irreparably damaged. We've counteroffered a sum that would allow us to reestablish our home and our age in place strategy. We're getting too old and too unhealthy to be able to go and pour the concrete slabs and

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wreck the buildings and make the infrastructure changes that we would need to make to provide for ourselves.

I'm ready to sign today. We're here to negotiate. We're ready to go. I want to congratulate this Board on building an infrastructure that is going to take Nevada into the 21<sup>st</sup> Century. It is exciting, what's happening here. It's going to make this a whole new state. It's awesome.

This letter—I'm entering a letter—I would like to enter the package I gave to you into the record. One of the letters in there is from a friend of mine, Jerome George, professional engineer. He is a 36 year senior executive with DOT in Alaska and he has helped me review this material. His letter supports the counteroffer and provides a detailed risk assessment of NDOT's current offer. NDOT's current offer places all the burden and risk on our shoulders to be able to come out whole. We're not looking to win anything. What we want is just to be made whole. To be put in a place where our age in place strategy will be effective. Currently, NDOT's current offer doesn't do that.

It's not acceptable to us. We're contesting the project. This project is going to change Northern Nevada and we're excited about that. We're excited about what it's going to bring.

If I could direct your attention to the first blue tab in the items you have here. I'd like to show you what we're talking about here. The first blue tab, you'll see a page that says, 3095 Opal Avenue, five acre homestead. Okay. Got some pictures. I am—besides being a metallurgical engineer, I'm a secondary science teacher. I taught in Lyon County, in Fernley. I love the natural sciences. I teach math and science. What you see here is an amazing place where we could even bring students in to look at the wildlife and the flora in this area.

Turn the page please to where it says, handicap accessibility needs. My wife of many years, we're both veterans, US Air Force Veterans, but Annie was in a wheelchair for a number of years and these photographs show how long she was in that chair. Those children sitting there are all grown adults and she's still sitting in that wheelchair. It's a miracle she's walking around today at all, with a cane. We put a lot of work into the Opal Avenue place. I put in a well design that was the only well that didn't freeze in the Valley when we hit that minus 20 temperature and you see us pouring the slab for that. It's a design I used on the

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north slope of Alaska. It's a beautiful place. We love Nevada. We looked for years to find this home and this place.

Turn to the page that says, the Animals. We're here for the animals. That's our front yard with the mustangs in it. We have a special place on Opal Avenue. We searched long and hard for it. Spent a lot of our resources and gold to find it.

The other last bit I'd like to say is that, Annie's dad, his ashes are interred there. He never wanted to leave that place. He spent his last years there. The house is set up to accommodate handicapped. It's also got the ability to accommodate live-in care. It's special. It's not your standard home. It's stick built. It's well thought out. It's going to be hard to find a comparable that will meet that.

Anyhow, I want to thank you for the opportunity to speak to the Board today and thank you again.

Sandoval: Thank you Mr. Watts. One question just to make sure, are you represented by counsel as well?

Watts: Yes.

Sandoval: Okay. I think I saw a CC on here, Mr. Williamson.

Watts: Yes, Your Honor.

Sandoval: I just want to make sure, we have to be careful in terms of communication when you're represented by counsel, so I want to be sensitive to that.

Watts: I completely understand.

Sandoval: I appreciate your presentation today, this is very helpful for us. As you know, it's on our Agenda and as the Director said, we're going to be moving forward but that won't be the end of the opportunity to continue to speak with you and reach a mutually beneficial conclusion.

Watts: Well, we are—we've got our pants. We're ready to go.

Sandoval: Thank you sir.

Watts: Hi, I'm Annie Watts. I'm the other owner of the property. Michael and I have been married a long, long time. Our kids are in their mid-40s. So, I'm a 64 year old, 100% disabled Vietnam Vet. I suffer from a variety of diseases, including

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MS, lupus, rheumatoid arthritis. I'm also a cancer survivor and have progressive severe hearing loss. Over the last 40 years, I've been bedridden in a wheelchair and dependent on mobility aids like canes, crutches and walkers. There's no question that as I age, I'm going to be more and more dependent on mobility aids. Not many of you gentlemen are in your 20s, so you kind of understand the aging situation.

I know that I'll probably end up back in a wheelchair if the Lord decides I'm going to live that long. I have to have a home that accommodates my needs. My husband and I are both very well educated and we understand what planning is required in order to do things. That is what we did with this house.

Now, in the last year, Michael has had a stroke, five TIAs, which are mini-strokes. He's been cardioverted twice for A-fib and two days after we get back to Alaska, he's going to have heart surgery. So, we're not talking about him even being in very good health. Because of these medical conditions, Mike was on disability leave for 123 days last year. He also suffers from post-polio syndrome and he has brittle diabetes. He's been laid off from his job now, and his job will end in September.

So, as we were looking for this house, we went all over the country to find something that met our medical and our retirement needs. We decided that the house had to be handicap accessible or made accessible very easily. It needed to have appropriate living space for a medical caretaker to live in the home if necessary. It had to be stick built and well insulated. It needed to be quiet and have the capability to go off grid. It needed to be large enough to keep small food animals. It needed to have low light pollution. We love to sit out and watch the stars. We really like astronomy. It needed to be rural, close to good medical care, within 60 miles of an airport and near an institution of higher learning. We have all that and more at our house in Silver Springs.

After the economic collapse and the job layoffs, we had to go move temporarily to some place where there was a job. Silver Springs is still our home. That is where we decided we would live and we did live there for many years, until we had to leave. My dad moved in with us and continued to live with us until his death. He's still there. After he died, we had some real close friends, Bob and Bev, they moved in as caretakers of the house. We came to stay, at our house, even when Bob and Bev were the caretakers and we came to stay at our house for a minimum of two weeks a year—I'm sorry, a minimum of two times, at least two

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weeks each time. When we came down, we stay in our home. We stay in our bed, with our own furniture, our own kitchen and our own bath supplies. We've never considered it a rental. Not once have we considered it a rental, or we would've deducted it as a rental on our taxes. We never did. And, who buries their dad on a rental property? It just isn't done.

So, these are sure indications that we do consider ourselves to be members of the community and we've never considered our home a rental. We have deep and lasting relationships with the people in Silver Springs and we're emotionally and we're spiritually attached to the community. Our church is there, along with our dearest friends. The love we have for the people in this community can only be described as being close family.

We've put major improvements into the house. We planted trees in the desert and planned the rest of our lives in this home. We would never have sold it. We're at a retirement age and we expected to move back this year. Now, Mike is laid off and we have no place to go. No place to go.

The State of Nevada is taking our home, offering us less money than we bought it for and kicking us out. We're a couple in bad health and in our 60s. This is wrong on so many levels, I can't even begin to describe it. I appeal to you guys to do the right thing and make us whole. We don't have the time, the energy or the money to take on the burden that you guys are placing on us. We both served the nation in war time, raised four wonderful and productive children. We've volunteered to help others who have chronic or emergent needs whenever possible. We make a difference whenever we can, wherever we can. We worked hard and we planned for our retirement. If you must take the house, please don't make our old age miserable. It will kill us at a very young old age. We were responsible and we made plans for our old age and we've been placed in an untenable situation because the taking of our property and the lowball offer from NDOT. We know it will take more time, more effort and more money to be able to replicate what we have and to resettle. At our ages, and with our diminishing physical abilities, we stand here ready to settle for the amount of money that we believe is necessary to place us back in the same position we were in, as if the project never happened.

Thank you guys very much for listening to us.

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Sandoval: Mrs. Watts, thank you for being here. I should've said it previously, thank you for your service to our country.

Watts: Thank you.

Sandoval: To both of you. I would encourage, if there's an opportunity for NDOT staff to sit down with the Watts today while they're here. We can talk more about that during the Agenda Item, but while they're here, perhaps we can make some progress.

Malfabon: Yes Governor, we have folks from right-of-way that are involved in the process, so they can meet with the Watts.

Sandoval: Is there any other public comment? Yes sir.

Howle: Thank you Governor. My name is Earl Howle. I've known them since about 2007. I originally met them at the Silver Springs Church. They were both on the worship team. He was a teacher and she was a board member. They're very, very fine people. I hate to see them lose their home. I was involved in making a monument for her dad when he died. He was a guitar player, a very good one and very good singer. I made him a guitar and we hung it out on the tree closer to where his remains resides. Then the horses decided to use that as a rubbing stone and they broke it, so I had to go back and repair it, but anyway. These people are real good for the community and I'd hate to see them have to relocate anywhere, but unfortunately, I guess they're going to have to. Anything you can do to help them out, I would appreciate it. Thank you for your time.

Sandoval: Thank you Mr. Howle.

Schmidt: Hi there, my name is David Schmidt. I'm the Pastor of Lighthouse Assembly of God Church in Silver Springs. I'm also here on behalf of Annie and Mike Watts. They asked me to come and just communicate a couple of things. First off, they've kind of been characterized as absentee landlords, I guess, by NDOT and I just wanted to assure all of you here that that is not the case even though the term may apply. They have remained involved in the church, financially. As Annie said, when they visit their community several times a year, they always show up. We spend time together. They're very involved in the community and have many friends and so, I just wanted to bear witness to the fact that indeed, they are not— even though they may be living in Alaska, they had planned on coming back.

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Mike had told me a couple of years ago that his window of opportunity was shrinking to make some money. He was a junior high school teacher at the time and so they were moving to Alaska for a couple of years to make some money and then come back and retire in Silver Springs.

Basically, that's all I wanted to share with you today. Thank you for your time. I appreciate it.

Sandoval: Thank you Pastor.

Deetz-Clark: Thank you Governor, Board Members. My name is Vivian Deetz-Clark. I'm a right-of-way professional. I've been doing right-of-way work as a right-of-way section manager, project manager, program manager. I set up the right-of-way section, 10 years ago [inaudible] and then we set up the one in Washington and I set up the one in Oregon. Over the years, I'm kind of a dinosaur in this industry, I've dealt with hundreds of property owners and acquisitions and relocations and displacements and settlements. I have to say, in all these 35 years, I think I can count those that actually went to condemnation on one hand or maybe less. I'm sure that would be the case here too, I think we can reach an agreement.

I've worked with numerous clients, of course. I've worked for the Municipality in Anchorage for many years and when I did that, I did that during a time that we worked on the first ice peak projects and so we worked very closely with DOT who managed those federally funded programs for us. Clients have included Alaska DOT, Nevada—not DOT, this is the first time I've done anything with Nevada DOT. Oregon DOT, Washington DOT, cities throughout Alaska. Consult with other right-of-way people through our network at the company where I worked for 10 years.

I'm here helping the Watts with the acquisition and relocation of their Opal Street, Silver Springs home. [audio out, 01:12:30-01:13:51] –and State of Nevada requirements. Nevada's Revised Statutes 342.045 mandates the duty to adopt the policies to provide relocation assistance and make relocation payments in a manner substantially similar to and in amounts equal or greater to then provided by the Uniform Act. I've worked with the Uniform Act many times on many projects. It does tell us what we need to do to help purchase and then to relocate people and it does not set a limit on what the state can pay. This is, as I understand it, primarily a state funded project. I don't know if there are any federal funds involved in the right-of-way acquisition.

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To sum up, the Watts are contesting NDOT's offer as proposed, because it doesn't allow them to be adequately compensated and receive relocation benefits sufficient to make them whole. That is to put them back in the same position that they are now. They're willing to sign an administrative settlement today or any day soon for an amount that puts them back into a comparable replacement home.

We've been looking for replacement homes. Unfortunately, to find a five acre, four bedroom, two bath, two car garage, shade trees, all of the amenities that they have today, there's a very small number of those properties. There are four of them available today, or at least as of yesterday, that were finding and the price range for those properties is higher than what NDOT is offering them.

I know that you know even better than I do that Silver Springs is a small community. It does have a huge market of properties to purchase. We've been looking for properties that we found are in Dayton, Fallon, Stagecoach, nothing today in Silver Springs, but who knows what tomorrow will bring. It's a very unique market with all the exciting things that are happening in Nevada. We're being told by real estate people and information and articles that we're reading that many people who own properties are holding them right now, anticipating that Silver Springs will catch up with the boom that Reno and Sparks are starting to experience. It's a very dynamic, interesting market, making it more difficult for them to find that comparable property today when they need to vacate.

Their complex medical issues, their age, their age in place requirements and the scarcity of what's available as comparable replacement properties, all exceeding NDOT's current offer, necessitate their position of requiring an administrative settlement to allow them to reestablish their home. Again, as if the project had not occurred.

In conclusion, let's reach a win-win resolution that meets the age old standard of greatest public good for the least private harm. Thank you very much for listening to the Watts today and those of us that are supporting their effort. When you're driving by and looking at some of those parks [inaudible] and have some tea in their backyard when they have that new property that gives them what they have today. Nothing more, nothing less. Thank you very, very much.

Sandoval: Thank you very much. This has been very helpful. Thank you. Is there any other public comment here in Carson City? Is there any public comment in Southern Nevada?

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Martin: None here sir.

Sandoval: We'll move to Agenda Item No. 5 which is consideration of the March 14, 2016 Board of Directors Meeting Minutes. Have the Members have an opportunity to review the minutes and are there any changes? If there are none, the Chair will accept a motion for approval.

Knecht: So moved.

Sandoval: Controller 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 please say aye. [ayes around] Oppose, no. That motion passes unanimously. We'll move to Agenda Item No. 6 which is an update by the RTC of Southern Nevada regarding the TIBP.

Malfabon: Yes Governor, just as an introduction. Tina Quigley is the General Manager of the RTC of Southern Nevada. I wanted to remind the Board, we presented some of the elements in the Transportation Investment Business Plan that were associated with NDOT and HOV and freeway improvements. Tina and David Swallow from RTC of Southern Nevada will present more of the broader perspective of the business plan and what it means for Southern Nevada. Tina?

Quigley: I'm going to do the easy part and then I'm going to turn over the technical part to David. The TIBP, you guys have heard us talk about it before. Thank you, Rudy, for allowing us to come and also big thank you to NDOT for being such a great partner in this. I know we had a lot of meetings, a lot of technical discussion, a lot of financial discussion. I appreciate all that you put into it.

A lot of discussion in Southern Nevada regarding how are we going to continue to stay competitive, recognizing that other destinations are starting to market themselves as convention destinations where you can get around. Rossi Ralenkotter, President and CEO of the LVCVA first realized that his competitors were starting to target Nevada and specifically go after the fact that it is challenging to move around. We have a lot of stuff that we can market ourselves on, but the ability to move easily between the airport and the resorts and the convention center is not one of them.

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We pulled together a group of us at NDOT, RTC, LVCVA, the airport, the monorail, the taxis, limos, convention organizers, the Chamber, the City, the County, the resorts themselves, to start having a conversation about, in the next 10 years we know we're going to see another 25% in visitorship. We know we're going to see another 25% in residential growth. So, what are we going to do collectively? What is our plan collectively and collaboratively for making sure we can accommodate that.

We spent about two years coming up with the Transportation Investment Business Plan. I can tell you, there were times when it was really fun to work on and there were times when I think people went home and just hit their punching bag. In the end, we came up with a plan that collaboratively, everybody can agree on. There were 65 different recommendations that we can categorize into five different categories. High capacity transit, light rail is one of the things we talked about. Pedestrian improvements, surface streets and roadways and also with NDOT, freeway improvements.

With that, I'm going to turn it over to David Swallow who is going to go into a little bit more detail about the projects in each one of those categories.

Swallow: Good morning Governor, Members of the Board. We took the different project types here and we organized them on specific connections that we wanted to make throughout what we call the core area of the valley. These different groupings are called Suites, or Project Suites.

The first one was focused on the key linkage for our visitorship and that is getting from the airport to the strip and to downtown Las Vegas as quickly and efficiently as possible so they can enjoy their stay and have a positive experience. Going through this, I think this photo illustrates some of the challenges that we have with moving visitors when they're in Las Vegas, particularly on Las Vegas Boulevard. You can see here, we just have a lot of folks relying on our surface transportation network to get from their hotel to convention facilities to other destinations throughout the area.

One of the Waze that we're looking to add capacity is to implement what we call, Higher Capacity Transit, via light rail. This is a system that would extend from the airport and what you see with the blue asterisks, from a multi-mobile center that we would construct at the airport. Then looking on here, the dashed lines reflect a few different alternative alignments. Then of course, as we got this

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project in greater detail, other alignments may be considered. What you see here is a definite connection from the airport to the strip itself. Movement along the strip, along Las Vegas Boulevard, into and through downtown Las Vegas; where we would make those other connections, not only for visitors but also for our regional workforce and the mobility that they require.

Another concept was, given that over half the visitors arriving at McCarran airport take taxis to get from the airport to the strip, Clark County had proposed an elevated, express airport connector or couplet system that relies on using Swenson Avenue, going northbound, which is on the right side of the screen and then Koval Lane on the left side of the screen coming southbound, with segregated lanes along Tropicana Avenue; again, providing direct access. To further this access, they were talking about—initially we were talking about grade separations at Tropicana and Swenson, to really help move a lot of the cabs and other vehicles that are coming out of the airport. Clark County actually is proposing to come in with an elevated structure, limited access structure, from the airport all the way to the resort corridor, both northbound as well as southbound.

The second Project Suite was focused on pedestrian mobility, particularly along Las Vegas Boulevard. This is not only for the pedestrians themselves but also to help minimize the conflicts between pedestrians and vehicles, particularly at driveways to the major resorts that can really inhibit movement in and out of those properties. One of the concepts that was proposed was what you see here on the screen. That's a circular type pedestrian bridge. This was proposed at the Sahara Avenue/Las Vegas Boulevard intersection, to not only pull the pedestrians off the street level, enable more traffic movements but also to create something a little bit more iconic or a gateway between the strip itself and downtown Las Vegas. In addition to this, there were six other pedestrian bridge locations proposed along Las Vegas Boulevard.

The third Project Suite was looking at how do we better connect our convention facilities. Our convention market represents over 5,000,000 visitors a year to Las Vegas and it's a growing market and one that fortunately Southern Nevada is very well positioned, relative to the rest of the country, as far as convention destinations. We were looking at Waze, how do we better connected our facilities. In fact, we have three very large facilities between the Las Vegas Convention Center, the Sands Expo Center, as well as the Mandalay Bay

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Convention Center. All three are in the millions of square feet. I think they're within the Top 10 of Convention Facilities in the US.

What we're looking at is, how do we connect the hotels that visitors are staying to those properties, as well as providing a better connection between the major facilities, enabling Las Vegas to attract a different type of convention market. One that uses multiple venues for a single event. Even today there are large events that have what they call, sister shows. You might have a main event at the Las Vegas Convention Center and a sister show at Mandalay Bay. It's quite a challenge though, given the crush loads of people sometimes wanting to go from one venue to another. This Suite was really focused on that.

The Las Vegas Monorail, when it first proposed, it was meant to be that transportation solution for the resort corridor. I think given its location at the back of house along the east side of the strip, it was sometimes criticized for not providing that solution. It is very well located though, for connecting our convention facilities. In fact, it has a station at the main convention center. It literally goes right by the Sands Expo Center and with an extension, a relatively short extension, could connect to the Mandalay Bay Convention Center. With this Suite, we are proposing to extend it over to Mandalay Bay and add a station at the Sands Expo Center. Taking a system that can provide a ride within 10 minutes of any given venue to millions of square feet and tens of thousands of hotel rooms there.

The fourth Project Suite was focused on what we call our workforce mobility. This is meant to kind of bolster what we already have in Las Vegas. Particularly through more improved connections via the freeway express routes. We operate on a number of—we have four express routes today that use Boulder Highway, I-515, US-95 and I-15, so very successful. We are looking to expand that network to better connect the larger part of the valley to this main core area in the center.

In addition to the freeway based express routes, we're looking at either bus rapid transit or light rail type lines on Maryland Parkway and also one that was proposed by the City of Las Vegas on Charleston Boulevard. The Maryland Parkway study is actually underway. We are on the environmental assessment for that, so that is progressing.

In addition to that, we would like to implement more park and ride facilities. Many of these are where we've partnered with the private sector to locate, say at a

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hotel property or shopping center, that becomes an established Park and Ride, where we provide service, but also has the beneficial use to the property of having a lot more foot traffic come to their front door.

Another project that's underway thanks to our partnership with NDOT is the Flamingo Road corridor. That is actually under construction right now. Thanks to the Department for advancing some of the maintenance money that allowed us to compete for federal funds and bring that project to fruition. That project has been under construction since last year. It will be wrapped up later this fall.

Finally, working closely with the Governor's Office of Economic Development, Steve Hill has some very innovative ideas that he's bringing to this transit mobility solution. We're looking at maybe enabling testing of different technologies on some of our high capacity transit corridors where we have established lanes already, such as Sahara Avenue.

Going into the fifth Project Suite, I'm sure the Director has spoken about the Tropicana/I-15 interchange in the past and a number of these other efforts. I think what's important here to note is the importance of advancing the Department's HOV Master Plan on to I-15 and then further enabling connections from the freeway to the resort corridor at some of these secondary access points, such as at Hacienda Avenue or Harmon Avenue, where we have existing bridges but being able to tie into those bridges with the HOV lanes and have the secondary access points from the freeway, drawing traffic away from the major interchanges and diffusing it a little bit more on these other interchanges.

Of course, the other things we're looking at is possibly extending Martin Luther King Boulevard south ward to Mead Avenue. And, the County is looking to construct an interchange between Valley View and Harmon Avenue to go over the existing Union Pacific Railroad where today they both dead end.

Project Suite 6 is focused really on access to and through downtown Las Vegas. The City of Las Vegas has a number of proposals that we have included in the recommendations, including pedestrian bridges over the Union Pacific Railroad Mainline. Also, implementation of a downtown circulator trolley type service to connect some of the key destinations throughout downtown. From the Department's perspective, I know they are proposing a new interchange at either City Parkway and/or at Maryland Parkway. Something to be considered in further detail. Of course, we think it's really important with what is already going

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on through Project NEON with extending Grand Central Parkway across to Industrial Road and providing that connector.

The last Project Suite is focused on programs and policy actions that are not capital projects per se but can really leverage the assets that we have in place today and kind of turbo charge some of the recommendations that we are including here.

One is the Resort Corridor Mobility Association. Interestingly, as we started talking to the various stakeholders, particularly the event organizers, the hotel properties and the convention facilities, a number of them noted that there isn't a coordinated effort to really examine upcoming events and collaborative decide how you're going to—everybody wants to use the same infrastructure at the same time so, how do you balance those demands? And then also, keep away activities such as construction or maintenance activities that can stifle that access during really critical periods of time. What this Association would be is a group to actually consider these types of issues and coordinate on an ongoing basis, upcoming events and demands on the infrastructure assets.

The second one, regarding meeting demand for private transportation, it's more in the age of technology. We should be able to better anticipate when we're having kind of crush loads of demand. Whether it's taxis being available at the airport when a large number of flights come in at once. Same thing at a convention property. Really trying to leverage the existing private transportation services; whether it's the ride sharing to the shuttle services and charter buses, all to be available to meeting these demands.

The third is the parking management. The City of Las Vegas is already implemented a parking app where you can see where parking is available throughout downtown Las Vegas. Of course, as demands increase in the future, we think this needs to be expanded to other parts of the resort corridor.

Finally, looking at a transportation navigation or wayfinding program. One that includes everything from, putting signage on the strip, to direct visitors to key destinations and help them anticipate how far they might have to walk. Also, to use smart technology; whether it's on your mobile phone or other applications to plan your trip ahead of time, to figure let our visitors make informed decisions.

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Leveraging technology is an important point because as was eluded to earlier, the RTC, with the Department and others is looking to get the information out to the public about construction. We created what was called the Seeing Orange Campaign. I think—okay, go ahead. She does this so much better anyway.

Quigley: I like this part. This is a little story but I won't take too much time. The Legislature, when they enacted the Fuel Revenue Indexing Initiative, they were very clear with us. They said, you need to get this work out. We want to see you creating jobs. The County Commission, when they passed it at an ordinance level, they said, we want to see you get this work out. We want to know there are jobs being created.

We took that to heart and I tell you, we were like high-fiving ourselves, right, because we got the Public Works Directors out there, NDOT's out there, everybody is out there doing some work, right. Then one day, you're driving to work yourself and you realize, every road along your commute is torn up. Your friends and neighbors are calling you. So we said, we have got to create one central phone number, one central website that everybody can go to, to let us know what roads they're frustrated with, so they could also find out when those projects are going to be done and why they're there, who is in and just let them vent and share as much information as we can.

We create this one-stop-shop, you don't have to call the County or the City, you just call one number. What we learned was that most of the projects that were out there, that were frustrating people weren't even ours. It turns out that there's a lot of work out there. Water Reclamation has got a huge project out there. The Utilities have got projects out there. Master Developers are starting to develop again, which is great. They've got work out there.

We realized that we have got to convene everybody together to start creating a database, a master database of all the projects that are going on and we need to put it in a GIS Format, a map based format, so we can very visually see where all this work is going on. We've been working for a few months to collect all this data. In fact, we've been meeting on a bi-weekly basis. We meet with Utilities, the City, the County, barricade companies, inspectors, construction companies; on a bi-weekly basis, to be collecting and coordinating this data. Then what we were able to do is take that data and partner with an existing—well, first we thought, what do we do with this data? How do we get it out to the public? We thought, maybe we need to create an app. That's a lot of work. It's a lot of work to create

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an app and it's even more work to market that app and get it out to people and getting them using them.

We found an app, a crowd source app that America has already fallen in love with, Waze. If you haven't downloaded it, I encourage you to do it. It will help you find the most direct expeditious route from where you are to where you need to go. We are going to be feeding our data to Waze, so they put it in their foundational logistics software, which helps in calculating travel time. And likewise, they're going to be sharing their data with us. Waze is a crowd sourced application which means, when you are driving, if you are a passenger, or if you're using your voice activated system, when you see orange cones or if you see an accident or if you see a cop, you can share that information with other users. They will be sharing with us the data they're collecting from their users. What's particularly interesting and important to us is the collection of accidents. The more we can collect information on where accidents are occurring and when and tie it into our data, for planning purposes, we have data that very accurately helps us identify strengths and weaknesses in our roadway planning.

That is one of the things that came out of the recommendations as a result of the TIVB, for the Transportation Navigation and Wayfinding Initiative under the policies. I'll turn it over to David now.

Oh yeah, so we had, on Friday, we had our media event. This was really cute. This lady, do I have a pointer—Waze actually came out. The blond lady next to me, Paige Hamilton, came out from Waze in Silicon Valley for this very exciting partnership. They have got partnerships with about 60 different communities across the United States and we're the newest one. Although, I understand that CalTrans, the entire state has recently signed on with Waze as well. Which is really important because the more people who use Waze, the more accurate it becomes. It actually reads your travel time as your traveling and contributes that into its logistics software.

Swallow: Thanks to Director Malfabon for taking that picture. In the end, we were talking about some particularly large numbers. This reflects a 30-year outlook of not only what it would cost to construct the various recommendations but also to add in there the operations and maintenance costs, because often we tend to drill down on just the construction, but are these projects ones that we could support. We included that here. This is not to say it's all funded. There's a variety of funding

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sources that have been identified as potentially available for some of these recommendations, but definitely there is a gap there.

To put it in perspective, I think it's important to know, \$7B to \$12B over a 30-year period, if you looked at just the incremental growth between now and that 30-year period, it would reflect less than half of a percent of the annual GDP, \$56B to \$178B in other economic impacts and close to a 17% reduction in the costs of congestion.

Moving forward, we have a few steps that we'd like to highlight. One is to have the RTC Board adopt the final Transportation Investment Business Plan document. We are presenting it to them this week for adoption. More importantly, it's the collaboration that not only went into this document but also would be necessary going forward to see these projects come to realization. The lead agencies who are identified for specific projects would need to consider whether or not they could incorporate those into their respective and actually implement them.

From the RTC's side, we're looking really focusing on what is in with our purview. That being focused on the transit side. The different transit projects from flight rail connections from the airport to the strip to downtown to the Regional Workforce Express Connections and other modes.

We'd also like to partner with the LVCVA in helping to create this Resort Corridor Mobility Association. I think what we found with the Seeing Orange Campaign and what we heard throughout the development of the business plan was that we all need to be collaborating continuously to understand the different needs and anticipate those needs and develop plans around those.

With that, be happy to answer any questions.

Sandoval: Thank you. Great presentation. I understand it's the same presentation that you made to the Tourism and Infrastructure Committee? This is real helpful. It gives me some perspective and perhaps Ms. Quigley you can help me. That's a big number and I get it. That's the type of investment we have to make. My question is this, at some point in the future, will you be seeking a state contribution to the projects that you talk about?

Quigley: Yeah, absolutely. The projects—of all the projects that are listed there, actually only the transit recommendations and some of the policy recommendations fall

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underneath the RTC's purview. Each one of our other partners, so NDOT, the County and the City, the airport, have got pieces of this overall puzzle as well. Certainly, the projects that have been identified that are considered freeway are NDOT projects, will be under Rudy's, under this Board's prioritization. You will be working with Rudy in prioritizing those projects.

Sandoval: I just want to make sure that we don't have an awkward situation in the future that everything gets approved at your RTC level and then it comes over here and—

Quigley: No, we don't have any jurisdiction over that. It truly is just—this is a puzzle and each one of the agencies has got a responsibility piece. If those projects can come to fruition, they'll fit into the overall puzzle.

Sandoval: I just want to make sure I'm clear and again, I think this is great and we need this. I said the same words for Project NEON. We need this for Southern Nevada. You talk about 42 million visitors, set a record last year. 13<sup>th</sup> largest county in the country. I think Clark County is one of the Top 10 Fastest Growing Communities in the country.

Quigley: Is it again?

Sandoval: Yes. Things are moving. I just want to be sure that again, we're not put in an awkward situation where you said, well this has been decided, this has been approved, and State, if you don't do this—

Quigley: No. No, it truly is a guiding blueprint for prioritization and projects. It is by no way prescriptive.

Sandoval: I just—and it sounds like you're already doing it. I just want to make sure that NDOT is part of the beginning conversation so that this Board can be socialized with what's going on. As I said, I don't want this to be interpreted in any way that I'm not supportive. I just want to make sure that we're part of the discussion.

Quigley: That would not make you unlike any other Board that's participating in this as well. The City and the County have had similar conversations.

Sandoval: I mean, all of it. What you presented here is remarkable. The things that we're doing now in terms of that Seeing Orange and making sure all the stakeholders come together. I really like the point about using that information, not just for traffic management, but also for planning in the future where we can perhaps say, oh we didn't quite do that right. Let's do it in a different way. That's extremely

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helpful and that's the only way, frankly, this is going to work for all of us to come together and make that happen. The State wants to be a partner, I want to be a partner. I think I'm speaking for this entire Board. I want the best transportation infrastructure in the country. We're in a unique position to perhaps accomplish that. It will happen if we continue to work together.

Quigley: We recently toured Denver. We took a group of people to Denver to kind of learn about their economic successes they've seen, especially as it relates to transit and transportation. One of the lines that we heard that stuck with us is, never let a good crisis go to waste. Certainly the economic crisis that we had and the downturn that we had in Southern Nevada, I think has built a new—a different culture where you are seeing a lot more collaboration, recognizing that we really don't want to go back to where we were before.

Sandoval: An expression that I heard, we were fighting a war and then peace broke out. [laughter] I don't want to get—I want peace right away in terms of working together. I look at this little piece, speaking of Denver, they built that rail from the City all the way out to the airport, which is miles and miles and they got that done.

Quigley: And you should see the economic development that they're starting to see along that corridor.

Sandoval: Yes. And so, to me, what we're trying to accomplish here, although much more concentrated in terms of the strip and that tourism area, etc., and the airport, but it's a fraction of the size and the scope and the price. We can do this. Again, I appreciate this and look forward to continuing to work with you.

Quigley: Thanks.

Sandoval: Other questions or comments from Board Members? Mr. Skancke.

Skancke: Thank you Governor.

Quigley: I was hoping you'd have something.

Skancke: Well, you know, I couldn't let this go by without a comment or a question. First of all, superb presentation. Both you and David and I think David, the team that you assembled to put this presentation together for our community in Southern Nevada is outstanding work, so congratulations. It's a career changer for you because this is a legacy project for our community. This is something that our

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town has been talking about for the 27 years that I've lived there, about light rail connectivity in our community. You've elevated that conversation.

Quigley: He doesn't mean like, it's a career changer like you're going to leave. You're staying.

Skancke: No, no, no, no. Let me say, game changer. I think it's really important to point out a couple of things. If you look at what's happening with our competitive communities of Orlando and Chicago and now San Francisco and you look at what's happening in Shanghai and Beijing and other places in Hong Kong; with direct transit mobility from their airport to their convention districts, that's the new global competitiveness.

I appreciate whoever came up with an elevated expressway. I think that's 20<sup>th</sup> century thinking, in my opinion. 21<sup>st</sup> century thinking is being multimodal. I think the more we can convince the community in Southern Nevada that both in the tourism and business community the difficulty with elevated roadways is, once you're out of capacity on that roadway, you're out of capacity and to get back in there and widen lanes and make changes and maintain those things it's very difficult and very challenging. While I think it's good to look at those things, in my opinion as someone who has spent nearly 30 years in this industry, where we have to go is more light rail and more transit.

Tina and I put together a tour of Valley Metro in Phoenix. The CEO of the Convention and Visitors Bureau came in and made a presentation to us and said, just want you all to know from the LVCVA, we got two conventions of 50,000 delegates because we have transit and you didn't and it was part of the proposal. We lost 100,000 delegates in Las Vegas three years ago because we didn't have direct transit connectivity from our airport to our convention facility. We will continue to lose that market share to Orlando and San Francisco and other destinations around the world.

One of the first presentations I made when I was doing economic development was to a group of international travelers who were in town for CES. The first question I received was, why did I have to stand in a taxi line for two hours to get to the convention center, I could've walked there quicker than I could've taken a taxi. Nothing against the taxi industry or McCarran Airport, it's a cultural thing. People from around the world are used to getting on transit and trains, not getting in rental cars.

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I think we have to keep in mind that the rest of the world moves differently. I noticed this morning that LVCVA put out a tweet that we now have 33 international destinations that people can choose from, from the Las Vegas market. That means 33 different countries that we're reaching to and those people don't travel by rental car and they don't travel by taxi. They travel by transit.

In order for us to continue to be globally competitive and drive those 42 million visitors, Governor, and the goal is to get to 50 million, I—Rossi talks about 50 million. Jim Murrin, just last week talked about 50 million. That's the magic number. If we're going to do that and get there, then we need this. We need XpressWest. We need transit. And all of those things.

I think the work that you're doing and I see Lee Gibson here talking or here today and he's talked about transit in Reno, these things just have to happen. They fundamentally have to occur.

Congratulations for raising the conversation. I don't suggest we raise any more roads. I think we raise the conversation.

Quigley: I will share with you Member Skancke, there is certainly—shortly after that elevated roadway was unveiled by the County, there has been a lot of discussion by the community about, is this really the right infrastructure investment. It's been referred, exactly as you said, communities are tearing down elevating roadways and instead they're investing in at-grade because that's where the economic development comes. I'm sure it will be an ongoing conversation at the County as to whether or not that is the proper long-term investment and does what we need long-term in terms of economic development.

Sandoval: Any other questions or comments? Member Almberg.

Almberg: Does some of the RTC funding come from Room Tax?

Quigley: No. Sales Tax, Motor Vehicle Fuel Tax and grants, for the most part. Oh, and Fair Box Recovery.

Almberg: Okay, that's my question, thank you.

Quigley: But, if you are offering. Thank you.

Sandoval: Frank, did you have any questions?

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Martin: No sir, I don't, thank you.

Sandoval: All right, thank you very much. Agenda Item 7 is the XpressWest project report.

Malfabon: Thank you Governor. Staying on the same thing of some of the major transportation improvements coming to Southern Nevada. We have Andrew Mack, Chief Operating Officer from XpressWest to give a presentation and update to the Board on this project for high-speed rail in Southern Nevada and Southern California.

Mack: Thank you Governor, NDOT, Members of the Board for the opportunity to come here and brief you on the status and progress of the XpressWest Project. Just as a reminder of the need which probably the folks in this room don't need any reminder of the need, I'll take Member Skancke's forecast of 52 million for that first bullet of how many people visit Las Vegas annually and where we're headed. What's really interesting about that visitation, which probably also doesn't come as any surprise to folks in this room is, how much that visitation comes from Southern California. Either residents who live in Southern California or out-of-state visitors who come into, or international visitors who come into Southern California for vacation and then make their way up to Las Vegas or vice versa.

What's also very unique about this corridor is the split between air and driving. A vast majority of the visitation and the travel between Southern California and Las Vegas happens on the I-15, which makes it incredibly unique as compared to any other high-speed rail program and frankly, any other really city pair with this distance is the dominance of car travel.

We established XpressWest as a solution to aid in that problem. We were selected in November by the Nevada High-Speed Rail Authority as a franchisee to address this problem between Southern California and Las Vegas. Work has continued since that point. One of the most significant developments and I'll speak to it in a little bit more detail further in the presentation is the work that's happening in California as well. We've partnered with the High Desert Corridor Joint Powers Authority, the California High-Speed Rail Authority and the San Bernardino Association on Governments to fund an investment grade ridership study to look at the connectivity between LA Union Station, Anaheim, over the High Desert Corridor, through Palmdale, Victorville and into Las Vegas.

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It's a very unique opportunity that we have with public and private sector, really partnering at the outset of a project to look at what the financial economics of what this connection into California really looks like.

For those of you who aren't familiar with the High Desert Corridor, there is a Joint Powers Authority in the State of California. It's formed between the counties of Los Angeles and San Bernardino with representation from the cities, along the 60-mile corridor between Victorville and Palmdale. It was established as a highway corridor initially and with the development of XpressWest and the development of California High-Speed Rail, in 2010 they added rail, high-speed rail, into the purpose and need of their environmental document and are currently conducting an EIS/EIR for the project, as a multipurpose corridor including highway, portion of it to be potentially a toll road, high-speed rail, a green energy generation component and a bike path. It's quite a progressive project. Unique in the state to have all of those elements as a multipurpose corridor.

We've been supporting the EIS/EIR technically and we've established a working relationship with the High Desert Corridor Joint Powers Authority. LA Metro who is the Regional Planning and Operating Transit Agency in Southern California is managing the work and CalTrans is conducting the work for the EIS. We have in place now, memorandums of understanding with the High Desert Corridor, LA Metro, the High-Speed Rail Authority and Metro Link to all talk about and to work together, to facilitate this connection between Palmdale and Victorville which then connects us into the existing rail network, with the existing Metro Link Station at Palmdale.

To give you a bit of the orientation. We're looking at this as a phased approach where the first phase is between Las Vegas and Victorville which you're all familiar with and I think I briefed this Board before on, on our progress there. Looking them to the second phase is the 60-mile extension to Palmdale, which then connects us into the existing Metro Link system. In the outset, you would have existing rail-to-rail connection with a cross platform connection between the existing Metro Link Commuter Rail Service and the High-Speed Rail Service from Palmdale to Las Vegas.

Phase 3 looks at integrating with the proposed California High-Speed Rail Infrastructure, which in EIS is currently underway between Palmdale and LA Union Station, broken up into two phases. One between Palmdale and Burbank and the second between Burbank and Union Station. We've been coordinating

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and cooperating with California High-Speed Rail to ensure that our systems are fully interoperable. Both from a train technology perspective, from an infrastructure perspective, so that once these systems are built, trains can operate on either system and you would have what we call a one-seat ride, from LA Union Station all the way into Las Vegas. Meaning, you wouldn't have to transfer at any point along the route.

The Investment Grade Ridership and Revenue Study that I spoke of on the first slide is evaluating this phased implementation in the incremental additional ridership that each connection will bring. That will fuel into our financing program.

To talk briefly about the first phase. Las Vegas to Victorville, 185 miles. It's primarily within or adjacent to the I-15. It's all new, double track. No existing with the existing freight system. No other trains or systems would be on the system. There are no at-grade crossings either with vehicles or pedestrians. An end-to-end travel time of under 80 minutes from Victorville to Las Vegas. Going back to that first slide and the dominance of car traffic and the auto driver between Southern California and Las Vegas, we knew that in order to be competitive, we had to provide very frequent service.

All of our ridership studies and the current study that's ongoing now, they all point to the same thing. The primary reason people drive to Las Vegas isn't so that they can drive around the strip. It's because they want the flexibility and convenience to leave whenever they want, to come and go whenever they want. Not having to deal with the airport, airlines changing flights, change fees, that's the primary reason why they drive. We know that's our primary competition is the private car.

One of the key things to compete with that is to provide a level of frequency that's unlike any other long-distance inner-city passenger service and to be competitively priced. Roundtrip fare of under \$100 is competitive with driving. Then we do it with fully electric standard gauge, what are called multi-unit trains. Every car within a train consist has its own power. They're all electrically powered, so the EIS has proven tremendous environmental benefit to diverting the vehicles off of the highway and on to a fully electric train.

As I mentioned before, the trains would be fully interoperable with the California High-Speed Rail System and its infrastructure.

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And the status of that current project is that we are a fully federally entitled project. We're under the exclusive regulatory authority of the Surface Transportation Board. That's where we derive our authority to construct and operate. In order to get to that point, we had to complete an environmental impact statement. We completed that in 2011 with the Federal Railroad Administration as the lead agency. The BLM, Federal Highway Administration, Surface Transportation Board, National Park Service were all cooperating agencies with NDOT and CalTrans, both working through FHWA in providing comment and working with us on the project.

Then in October of 2011, the STB issued their certificate of public convenience and necessity which would be analogous to the Public Utilities Commission issuing a similar right to a utility company.

In December, we executed a lease with the BLM for all of the federal land required for the project. Which interestingly is a good portion of the I-15. Over 50% of it is actually federally managed BLM land, with FHWA easements for highway purpose. The lease that we have with the BLM is for a complimentary use within the transportation corridor that complements the use that's currently existing with the freeway. We achieved that through extension coordination with both State DOTs, that resulted in a Highway Interface Manual that was incorporated into our environmental document that really described each of the various different treatments of the rail within the existing freeway infrastructure. Whether we were right up against the travel lanes in some cases, like at State Line, where there's a 500 foot right-of-way, we're 200 feet away from the existing travel lanes. What that design treatment looks like, in some cases, in the urban areas, we're elevated. So, where are the columns located and how does that work from a safety and from a maintenance perspective? We were able to work out all of those details. Great thanks to NDOT for supporting us through that.

Then in September of 2012, the US Army Corp. of Engineers issued its nationwide 404 permits. Interestingly enough, although we're running through a desert, the US Army Corp. of Engineers does regulate the waters of the United States and all the drainage ways through the Mohave River. They were a significant part of the approval process.

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In summary, with respect to the first phase of the project between Las Vegas and Victorville, we have the federal environmental permits in place, our federal authority to construct and operate is in place. Along with that comes the power of eminent domain and condemnation through the STB, so to the extent that there is private property, which is a minority portion of the right-of-way, we'll be going through similar process that the State does in acquiring that right-of-way.

We've completed the Investment Grade Ridership and Revenue Studies for the first phase of the project between Victorville and Las Vegas. The second phase between Palmdale and Victorville and down is underway now. We've selected a joint venture partner, China Rail International, which you may have read some news reports on back in the fall, that has incredible experience, financing capacity and are equally as committed as we are to the success of the project.

Another interesting point is the Buy America Provisions. So, the FRA has a Buy America Policy, although it's not a statutory requirement, and that was one of the issues that came up through our loan application. Since that time, in fact in November, the FRA has issued waivers to Amtrak for their high-speed rail technology. California High-Speed Rail is currently applying for similar waivers and so there's been a realization at the federal level that there is no current domestic capacity to build these high-speed rail trains, while we all intend and would like to build that capacity over time, it's not reasonable in the short term. They've recognized that and so Buy America Waivers have been issued and we'll be looking potentially to that as well.

Going on then in a little more detail to the extension over to Palmdale. I talked about the High Desert Corridor. The project purpose and need specifically states, providing high-speed rail connectivity between Victorville and Palmdale, connecting into the California High-Speed Rail system which will have a stop in Palmdale, and initially, with the existing Metro Link system.

The final EIS/EIR is scheduled to be released very soon. In my 16 years working on this project, I've stopped forecasting when environmental documents will be released because I'm never right but it should be coming shortly. Work is under way with Metro Link, under our MOU to determine capacity and operational requirements for enhanced rail service.

As I mentioned before, that's conventional commuter rail service between LA and Palmdale. There are a number of infrastructure constraints in that corridor, it's

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called the Antelope Valley Line. You may be aware of Measure R in LA County, which has funded millions of dollars' worth of light-rail projects and other transportation improvements under the purview of LA Metro. There is a follow on tax measure that's being considered now and a lot of the work and connectivity to Palmdale and high-speed rail connectivity is a catalyst for earmarking or designating certain dollars to be committed to the Antelope Valley Line for infrastructure improvements in order to increase the speed and frequency of trains between LA Union Station and Palmdale.

Phase 3, again this connecting into Los Angeles and Anaheim on high-speed rail service. This is really dependent on California High-Speed Rails' progress. The Authority is completing an EIR/EIS for the dedicated high-speed rail service between Palmdale and Anaheim. Their current schedule is to complete those approvals by 2017. That's just next year. Then again, our Investment Grade Ridership and Revenue Study that's looking at the revenue that could be generated from that, will be complete in 2016. So, with those two elements in place, we'll have a full and complete picture of what the cost and revenue looks like in order to complete a financing plan that will take us all the way into LA Union Station.

Maps are always easier than words to explain. I don't have a pointer but I'll just go over here if you can hear me. So, this shows Las Vegas to Victorville is the first phase and then the extension is this 60 miles over to Palmdale. Palmdale is where the existing Metro Link service is. You can see, this rail service, we talked about Anaheim or LA to Palmdale, but in reality, it serves all the way down to San Diego, all into Orange County, Ventura County, San Bernardino County. Really, this Palmdale connection opens up a full and complete rail to rail connection between, really all points in Southern California and Las Vegas. Then it's improved by dedicated high-speed rail service, once California High-Speed Rail is built down into LA and Anaheim and over. It's also worth noting that a northern connection would be facilitated by this rail piece. Not only would the train be able to go south, but we'd be able to pick up Central Valley, Northern California, visitors as well by rail.

Project benefits are tremendous. It's a huge job generator. The train technology itself only makes up a small percentage of the total project cost. The majority of the project cost is in labor which is American and local labor. 88,000 direct and indirect jobs during the five-year construction/testing/commissioning period.

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2,100 long-term, permanent jobs. We've estimated with the help of UNLV \$7.8B in economic output associated with the project.

As I mentioned before, because the train diverts drivers, primarily drivers, there are huge environmental benefits. The carbon reduction is significant.

Of course, this is about commerce. At the end of the day, it's about connecting Southern Nevada with Southern California and where you have that connection, you have that connection by rail, it generates commerce. There's a huge economic benefit just in that, in facilitating that travel where somebody could actually live in Southern Nevada and work in Southern California or vice versa. With an 80 minute commute time from Victorville to Las Vegas, or two hours from downtown LA to Las Vegas, I mean, there's no reason—people drive two and a half, three hours to work now in Southern California. It opens up a complete, bidirectional easier way of traveling.

Then diversification of Southern Nevada economy, we're looking at building the capacity for domestically producing these trains. That will happen in Southern Nevada, as well as in Southern California.

Just in summary and as a reminder, no federal, state or local dollars have been spent to date to develop the XpressWest project. We've invested over \$60M to date to get the project to the point where it is. We're continuing to work with China Rail International to get to the implementation approach and to get to where we can break ground and start turning dirt on the project. It is subject to multiple—that relationship is subject to multiple levels of governmental approval. We're taking the project and the partnership through that process now. It's unclear how long that will take which is what makes forecasting construction start dates very difficult.

I'd also add to that, given where we are and all of the success and progress that's been made in California and the connectivity to Palmdale and LA, we've also tasked our financial advisor to confirm all other potential sources of funding that would be complimentary to our existing relationship. Both foreign and domestic, to make sure that we have a complete and thorough understanding of all the financing opportunities that are available to the project.

So, quick timeline. Don't hold me to it, but this presentation wouldn't be complete without some dates. Investment Grade Ridership and Revenue Study

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for—I call it the High Desert Corridor, but it's really that complete phased approach that includes LA, Anaheim, also connectivity to Northern California and Central California will be complete this summer. That I can say with confidence.

The High Desert Corridor EIS, we're anticipating summer/fall, that that document will be issued. The key there is that then gives us the design parameters that we can then put to cost, exactly what that Palmdale to Victorville segment will cost and how it will be designed and how it will function.

The California High-Speed EIS, Palmdale to Burbank and then on to LA is scheduled for completion in fall of 2017. California High-Speed Rail, the Board is meeting tomorrow in Anaheim, they'll get an update on the status of that project. By all accounts, it's currently on schedule still for a fall 2017 completion.

Then, project financing and implementation approvals for the Victorville to Vegas project, we're looking at early 2017.

With that, I'd be happy to take any questions.

Sandoval: Thank you. Another great presentation. In your perfect world, when would be the first time that somebody could step on a platform, step on a train and first go to Victorville, then Palmdale, then LA?

Mack: It will be 2022, because we're five years to design, build, test and commission. From 2017 to five years to opening for the first phase, Victorville to Palmdale. If the High Desert Corridor EIS stays on schedule and if the Investment Grade Ridership and Revenue Study demonstrates what we believe it will, then there's an opportunity there to have continuous construction, all the way on to Palmdale with our existing design-build team and financing team.

Our goal would be to try to package that together so we, getting all the economies of scale and efficiencies of having continuous construction. There's potential that the system to Palmdale could be built in that timeframe.

Sandoval: Where would the termination point in Las Vegas be?

Mack: The EIS approved two station locations in Southern Nevada, in Las Vegas. We looked at four total. The two approved stations are what we call the Southern Station, which is across—it's on the west side of the 15 at Russell Road on that approximately 60 acre parcel across from Mandalay Bay. The second is just

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south of the Rio, between the Rio and Panorama Towers, there's a 30 acre site there. So, those are the two approved station locations.

Sandoval: Great. That's all I had. Other questions, comments? Member Skancke.

Skancke: Thank you Governor. Andrew, thank you for a great presentation. Just by way of a little history here. Governor, you and I were 10 years old when high-speed rail discussions talked about connectivity between Las Vegas and Southern California. So, I hope I live long enough to actually see this completed, because it's been a long time coming.

Andrew touched on this but I think it's important for everyone to know that the High Desert Corridor and Measure R, through LAMTA, they've put as one of their top projects, \$123M in their next measure, should it pass, for acquiring rights-of-way along the High Desert Corridor for high-speed rail specifically. That's a bit deal for this project because that puts this project ahead of highways and everything else in the corridor. For the supervisor in that district and all the representatives on the MTA Board to see the need for this is a really big boom for this project as well as for our connectivity to Southern California.

I think it's also really important for us to understand that a road today, there's lots of talk about building a new highway or widening the highway between Las Vegas, or Primm and Barstow. I recently had some people look into the cost of that in today's dollars, it would be about \$900M. It will be 10-15 years for an EIS, at the cost of around \$100M plus for that EIS. You're looking at the earliest a new road could probably start between Primm and Barstow would be in 2030. At that time, the cost of the expansion and the widening of that road would be around \$1.8B, just to get started. The question that I think we have to ask as a region is more, not should we expand the road, but should we be making those investments when we have an alternative here to move people? We have to become a more multimodal society and multimodal economy in order for us to compete.

It's really important for us to support this project for Southern Nevada's economy. Creating a High-Speed Rail Authority, Governor, to actually have this conversation and elevate this to a level where we can have these types of conversations and have these presentations is really important. Thank you for doing that and Andrew, thank you for your perseverance and please tell Tony and that whole team that \$60M is a lot of private sector dough and we appreciate that.

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Because in my opinion, if this would've been driven by the public sector, we wouldn't be as far along as we are today. This is very, very encouraging and for the first time I see a light at the end of that tunnel and it's a train going in the right direction.

Finally, remember it took 50 years to build to the interstate highway system and people always say, and get this right, those of you that are writing this for a headline tomorrow: It's not a train from Vegas to Victorville. It's not. It never has been and it never was. It is a train connecting two global economies. The interstate highway system took 50 years to build. High-speed passenger rail has to be built in phases and segments just like the interstate highway. This is not going to be built overnight. Just like Project NEON will not be built overnight. It's going to take time to do. We have to have a little patience. This is very encouraging and thank you very much. Thank you Governor.

Sandoval: You're welcome. Any other questions or comments? I guess on a personal note Andrew, it sounds like—not sounds like, you have been working on this a long time.

Mack: I just graduated kindergarten when I started it.

Sandoval: I was wondering, yeah.

Mack: My parents are real proud.

Sandoval: You've always been ahead of your time. From a personal perspective, as Tom said, I've been following this discussion and this dialogue about high-speed rail and frankly, I was a little intimidated by it because I had never ridden one. I had the opportunity to ride one in China. I was chatting with a high government official in China saying I was going to go on my first ride on high-speed rail and said I was a little nervous about it and he laughed at me. When I got on that rail, now I know why. It was an amazing, pleasant experience. It was a smooth ride, an enjoyable one. For passengers to have that type of transportation experience, between Las Vegas and Southern California would be incredible. As I said, we don't have that here, in the US anywhere. It's just normal there, at least in the system I rode in China. Going on these platforms and these incredible stations. To think that we could have that type of infrastructure first, right here in Nevada really, again, fits in with this other conversation that we had with the RTC to have this amazing infrastructure unlike anywhere else in the nation. We've got

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catching up to do and that's one of my takeaways that I had when I was there is, what is normal over there seems like a fantasy for us and we've been working on this for years and years but we're getting close. That's why I asked you that question about 2022 is not that far away. We do have to build this incrementally and start to socialize this with people who will be the ridership on it. The day will be here when this will be normal for us. We have to keep those types of thoughts in perspective. It's just like everything else, 20 years ago we were holding cell phones, or 25 years ago and now we have these little computers in our pockets. This type of transportation will be standard. And, we need to be ready for that and we need to be able to not just accept the status quo and have that courage to really look into the future and see what it can do. I really appreciate this presentation because I've seen parts of it, not all of it, and I wasn't aware of your status, but I really want to congratulate you because I know this has taken a lot of hard work and it's hard to convince people because this is new. I just want to encourage you to keep it up and look forward to working with you on it.

Mack: Thank you, appreciate your comments.

Sandoval: Any other questions or comments with regard to this Agenda Item? Thank you again Andrew.

Mack: Thank you.

Sandoval: All right, let's move to Agenda Item No. 8 which is Approval of Contracts Over \$5M.

Malfabon: Robert Nellis will present this to the Board using this new format sitting at the table. He had to get the controller though.

Nellis: Thank you Governor, Members of the Board. For the record, Robert Nellis, Assistant Director for Administration. There's one contract under Agenda Item No. 8 on Page 3 of 10 for the Board's consideration. This project is located on US-50 from Cave Rock to State Route 28, Spooner Junction, Douglas County to construct water quality and erosion control improvements and extend the westbound tunnel. There were three bids and the Director recommends award to Q&D Construction in the amount of \$5,687,013. Governor, that concludes this Agenda Item.

Sandoval: Thank you Mr. Nellis. To the question I'm sure you anticipated is, the first being that the contract is \$1M above what the estimate was, but also noteworthy is that

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Q&D's bid is \$2M less than some of the other bids. If you could provide some background with regard to the bidding process.

Terry: John Terry, Assistant Director for Engineering. I guess the simple answer is, it's Lake Tahoe. Construction in Lake Tahoe is challenging and it's also somewhat unusual contract in that it has this cap over the tunnel, traffic control route through the tunnel. Frankly, we struggled to estimate the work, just because of the challenge of it. I guess all I can say is, our BRAT Team evaluated the bids and found it acceptable and we feel like we have the money to pay for the higher contract amount and are recommending award.

Sandoval: I just wanted that piece for the record. There's also a part of this contract that includes some improvements on the 50 by Glenbrook for environmental improvements. Could you chat a little about that as well?

Terry: We decided to add what really developed as two separate projects. One was kind of our ongoing water quality projects that we've done a number of at US-50, over the years and you've seen many of those. That is what that project is, kind of water quality and erosion control project on US-50, which we chose to combine with kind of the rock fall and other improvements that happened at the tunnels. Really, they were two projects that we added together and this is a continuation of the water quality projects that we've been doing in Lake Tahoe.

Sandoval: Finally for me, I'm sure the contractor understands and appreciates this, but Cave Rock is a very, very sacred place for the Native Americans. I just want to ensure that the Native American Tribes are included every step of the way in terms of what the construction process is and us being sensitive to those concerns.

Terry: Yes Governor, they have been involved to this point and the contract is set up in a way that they'll continue to be involved as the project develops.

Sandoval: Board Members, Mr. Controller.

Knecht: Thank you Governor, Mr. Nellis and Mr. Terry for that presentation. I'm comfortable with this project as proposed, but looking at Page 10 of Item 8, the big spreadsheet, the last page there. When I tried to review these and analyze these projects and see how it is that we get a difference of over \$1M between the engineer's estimate and the low and another one and two-thirds between the low and the second. I have to say, frankly that the format of this table, the way it's presented right now isn't that helpful. We have the three columns there in yellow

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and I get the idea behind them, that we want to know what difference would it take to make a change in something. To me, the thing that would be most helpful and you could add this or you could substitute it for something would be, if we had a total dollar amount for each of the items over there in the left hand column, a total dollar amount in the engineer's estimate, a total amount in the low bid and a total dollar amount in the second bid. That way, you could go right away and see where the dollars are. With this current format, I'd almost have to plug this into a spreadsheet of my own and compute those things. As you all know, I just might do that but I prefer to have you do it. So, if in the future you could do so. I understand it's a busy chart, as is. There's a lot of information there. You could format this so that you make the columns narrower or something or do a substitute of one thing for another and give the total dollar amounts, that would be really helpful. Thank you Governor.

Malfabon: Mr. Controller, we do have a separate document that we will provide in the future that has that information on it. It's a lot easier to read. I think that we'll leave the price sensitivity analysis the same but give you that additional information so that you can see the extensions for those major bid items, for the first and second bidder.

Sandoval: Mr. Terry, I have another follow-up. The construction window on this is three months, four months, so are there some pretty strict guidelines in terms of making sure that the contractor finishes on time? Are there penalties for not finishing in a timely manner?

Terry: Governor, I'm almost sure that there are. I could follow up and answer that question. I'm sure there are. And yes, Tahoe has a tight construction window and we need to follow that window. I can respond later with the exact amount and how we structured any damages for non-completion.

Sandoval: Bottom line for me is to make sure it finishes on time. Obviously, that construction window is in the summer and that is the peak visitation. So, ensuring that everything goes smoothly is incredibly important.

Any other questions or comments? Any questions, Frank?

Martin: No sir, thank you.

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Sandoval: If there are no further questions or comments, the Chair will accept a motion for approval of the contract identified in Agenda Item No. 8, for construction associated with the westbound tunnel at Cave Rock on the US-50 at Lake Tahoe.

Martin: Move for approval.

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

Knecht: Second.

Sandoval: Second by the Controller. Any questions or discussion on the motion? Hearing none, all in favor please say aye. [ayes around] Oppose, no. That motion passes unanimously, thank you. Look forward to seeing that project happen.

Let's move to Agenda Item No. 9, Approval of Agreements over \$300,000.

Nellis: Thank you Governor. Again for the record, Robert Nellis. There are seven agreements under Agenda Item No. 9, they can be found on Pages 3-4 of 67 for the Board's consideration. The first item is with CA Group, Inc., in the amount of \$503,452. This is to provide project management, risk management, value engineering, constructability reviews, bid analysis, construction estimates and scheduling and public involvement for the widening of US-95 from Durango Drive to Kyle Canyon Road in Clark County.

The second item is for engineering services in the amount of \$5.1M. This is for Project NEON.

The next two items are both for engineering and design services. Both in the amount of \$456,000 to develop project alternatives, safety analysis, hold stakeholder meetings and presentations and design services through final design of future projects, improve traffic safety.

Item No. 5, with Atkins is in the amount of \$391,400. This is to provide appraisal, appraisal review acquisition and relocation services for easements and to obtain permission to construct agreements for ADA improvements along Tropicana Avenue in Clark County.

The final two items, Item No. 6 is Amendment No. 1 for legal services, to increase authority by \$1.4M and extend termination for complex litigation expected to last through June of 2017. This is also for Project NEON.

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Finally, Item No. 7 on the next page, this is for the record, since we had a to be determined amount in there before Governor. The actual amount is \$4,909,323. This is for project management scoping, environmental, public involvement, outreach, preliminary design, landscape and aesthetics, traffic analysis, right-of-way utilities and storm water services with the Garnet Interchange, I-15 north and US-93 in Clark County.

That concludes Agenda Item 9. We'd be happy to answer questions the Board may have.

Sandoval: Thank you. Lieutenant Governor isn't here so I'm going to bring up No. 6 for him. In any event, I'll be real brief with regard to that. This is to hire an outside law firm for litigation is, there is a huge potential exposure here. I think it is important that we have, not to suggest that the Attorney General's Office is otherwise, but we have to have the bandwidth and the expertise to be able to be adequately represented in that case because—no pressure, but if we have a bad outcome, it could really affect our numbers in terms of property acquisition. The Watts aren't here but we want to be fair and do what's right, but there is a really big number, I think a \$75M figure, if I remember seeing it. I'm in full support of that.

The last item with regard to this Agenda Item, is that associated with Apex and what we're doing there in terms of putting in the adequate infrastructure?

Malfabon: Yes Governor, it's for all the support that we need to develop the design-build package and procurement and then we'll hire a design-build team, a contractor and their designer eventually. This is the first large contract to develop that procurement.

Sandoval: That's important to note here, because that is something that was sorely lacking at that site in terms of economic development and getting Apex going. We're going to have a groundbreaking this week for Faraday. Things are going to start happening out there and we need to have the infrastructure to match. Not only what's happening but what will happen. I thought it was important to point that out. I have no further questions or comments. Board Members, we'll start over here. Mr. Almberg?

Almberg: Thank you Governor. No. 3 and No. 7, is that the same company, Parsons? Are they affiliated?

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Speaker: No.

Almberg: No. Another question that I have Governor, refers back to No. 2. I want to disclose something in there. One of the companies that are listed here, I am not a client of theirs but they are a client of mine occasionally. I just want to disclose that, what's going on.

One thing that did come across during my discussions, I did talk to Reid this weekend and so, I thank him for any information he provided back to me. I had some questions. He came back and assured me that any information or things that I had questions about would have no bearing on the selection of who they have chosen for this project.

Sandoval: All right. Member Savage.

Savage: Just real briefly, thank you Governor. Compliments to both the NDOT staff and the CA Group on Agenda Item No. 1, originally CA was \$938,000 and they arrived at a \$503,000 contract. I thank CA Group and the NDOT staff, that's all I have, thank you Governor.

Sandoval: Go to Las Vegas, Member Martin, any questions?

Martin: Yes sir. On the CA Group, there was an 8% DBE Goal, and according to the document, submitted information, they met that goal, can you tell me how they did that as an engineering firm?

Terry: This is John Terry, Assistant Director for Engineering. By their use of sub-consultants and I'm looking up which sub-consultants they actually used. If I can't find it, we can get back to you on who those are.

Martin: As a follow-up question, I thought I had seen other agenda items in previous meetings, that a DBE goal was not a part, or generally was not a part of engineering agreements. I was wondering why this was different.

Malfabon: I can respond to that John. They are part of the—under the federal program, which we have a state program for DBEs as well, we look at engineering and construction both as programs that are a significant size and provide opportunity to DBEs. They are part of that goal setting process Frank.

Terry: This is John Terry. Occasionally because of the specialized nature of a specialty smaller engineering contracts, the goal is set at zero because of the specialized

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nature, but other than that, we have had goals on all of our major engineering procurements.

Martin: Okay because when I take a look at the next one down, I didn't see one prepared. It said the DBE goal for this agreement has been established at zero.

Terry: Again, John Terry, for the record. That's what I was saying, on certain, especially the smaller or the ones where there isn't subcontracting opportunities, the goal is set at zero on engineering procurements. We still meet our overall goal. On those procurements, our DBE people set the goal at zero because of the nature of the contract.

Martin: If I remember correctly, this one was for like \$5.1M? Or am I mistaken? I've got to go back. Yeah, it's \$5.1M, that's not a smaller contract.

Malfabon: This one, the second contract that's over \$5M is for testing of materials. I think that they—usually the people that establish the DBE goals look at, is this specialized work. There possibly could've been subcontracting opportunities to another lab, but when we are doing materials testing, we typically have some specific requirements on that lab and certification of that lab has to meet national standards. They could've taken that into consideration. I can't speak for them on why they didn't have a significant goal on this one. I think they saw this inspection and testing services as specialized for Project NEON. This is a smaller—in terms of the magnitude of the project, it's just that it's a multiyear duration that it's significant in the consultant fee for those services. But it is sort of the same work. I think we can take those comments to heart, Member Martin, in establishing goals in the future to see if there's additional capacity for DBEs that provide materials testing services. I think Aztec is a woman owned firm. I don't know if they're a DBE, but they're a woman owned firm.

Martin: I've just been informed locally that they are a DBE. I stand corrected.

Malfabon: Okay, the entire contract went to a DBE firm, in this case, although we didn't have a goal. That's one of the good things that we see is, even when we have a zero percent goal or a relatively low goal, we do still see DBEs provided that exceed the goals we establish. That's good to know and congratulations to Aztec on that.

Martin: Thank you. No further questions.

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Sandoval: Member Skancke.

Skancke: Thank you Governor. Just a quick question. Last month you guys made a presentation on engineering firm backlog and I'm just trying to stay on top of that issue. All of these companies that are here, that have ongoing projects, we're confident and comfortable that they have the ability to do all this work that's outlined here. It's going to be my standard question so you can just say, this month is the same, but I want to make sure that as we commit all of these firms, that they actually have the wherewithal to do the work that we're putting out.

Terry: Yes and we continue to have that as part of the evaluation criteria. We make them commit to people that are on the project to doing that.

Skancke: Thank you and one final question. Are some of these on-calls or were these all bid contracts, for the engineering services? Did I miss that?

Terry: Nos. 3 and 4 are Master Service Agreements, which is really like an on-call format. The others are specific projects.

Skancke: Thank you very much. Thank you Governor.

Sandoval: Mr. Controller.

Knecht: Thank you Governor and thank you for pointing out the scope of dollars at issue in No. 6. What would be helpful to me is if Mr. Gallagher would give a short representation for the record detailing that just a little bit more in two or three sentences.

Gallagher: For the record, Dennis Gallagher, Counsel to the Board. Controller, I would like to think I could give a summary in two to three sentences but it's against my professional oath. [laughter]

Sandoval: Your lead in was longer than what he asked for. [laughter]

Gallagher: Very quickly. This matter involves a take of under two acres with the Walker Furniture property. It's a number of parcels that are needed. The State had valued the take at just over \$5M. The property owner has come back and indicated that they believe their losses are over \$75M. They also recently disclosed the number of expert witnesses that they intend to call at trial. Which is 10. Typically in a case like this, we would expect to see two, three, maybe four experts. In the next couple of months as this matter is set for trial in September,

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we've got a lot of work to do to peel away their claim damages and get it down to a more realistic figure.

I also would like to note, for the Board, to date, the Office of the Attorney General has spent over 760 hours on this case, working alongside with outside Counsel. I currently have six Deputies working on various facets of this case. I'm sorry those were long, run on sentences Controller.

Sandoval: If I may add or if you could add Mr. Gallagher, this isn't all attorney fees. This is costs associated with retaining our own experts.

Gallagher: Yes, thank you Governor. Approximately one-third of the amount requested is designated for experts for the State on this matter. About \$400,000 to \$600,000 is designated for expert fees.

Knecht: I'll just add one thing real briefly, when I was a consultant almost about 20 years ago, to the City of San Francisco, doing evaluation of the electrical system there because they were thinking about taking it over. We ran into a range of a factor of 10 or 11 so, at 15, from 5 to 75, you've now exceeded the largest factor I've ever seen in valuation difference. Thank you for that explanation Governor and Mr. Gallagher.

Sandoval: I don't want to bring up old memories, but what happened on 580, it's really important that we have equal experts in terms of presentation when we go into litigation. I think this is incredibly important given the spread. A positive example of in the past is associated with the Boulder City Bypass. The initial demand was \$100M and that case ultimately settled for \$3M if I recall.

Gallagher: I believe the ultimate settlement was \$4.5M, but you're absolutely correct. Their initial demand was well over \$100M. Then they came down to \$80M. Then \$30M something and ultimately \$4.5M.

Sandoval: It really is important, as the Controller talked about, when we have these huge gaps in terms of what's going on that we have the appropriate representation and expertise. All right. Any other questions, Board Members, associated with Agenda Item No. 9? Mr. Almberg.

Almberg: One of the things that Member Skancke just brought up was the workload. This is something that's been questioned quite regularly in these meetings and so I'm thinking maybe we could include this in the packet. If it's already brought up

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during the evaluation, what's going on, then maybe we can come in here and just have it inserted in the packet and say, hey this company is also working with us on this, this, and this project. That may avoid some questions. It may bring up some additional questions. I think it would be valuable information to put in while we're evaluating this. And, one last point is, and I've expressed this in the past. I think when we were looking at USA Parkway is, I believe if we can do this, as a part of our selection process, our qualification process, we definitely do this for contractors, preferential for being a Nevada company, I do believe that should be a part of our ranking as far as Nevada company because it's my belief that the reason Nevada allows that, or preferential status is, the belief that those people are located in Nevada, live in Nevada and by keeping them busy and working, that gives back to Nevada and so we make up for that difference. I believe that it should be a part of our evaluation process and as part of our scoring system that we support our local companies. That's it Governor, thanks.

Sandoval: Thank you. I don't deal with these entities like you do and we are on this construction process that is unlike any other in the history of the department. I think I can fairly say that. I see all the NDOT folks nodding their heads. As we see these same contractors, I just want to make sure that they're not, as Mr. AlMBERG said, they're not adding people from outside their offices to do the work to have them fly in and then we're suddenly paying transportation expenses associated. And/or answer the question, are we at capacity in terms of the amount of individuals that are able to do this. Then, I get it, we have to go look outside and get extra help. I just want to make sure that if we have qualified entities that can perform the work, that we ensure that their getting that work.

All right. If there are no other questions or comments, the Chair will accept a motion to approve the agreements over \$300,000 as described in Agenda Item No. 9.

Savage: Move to approve.

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

Martin: Second.

Sandoval: Second by Member Martin. Any questions or discussion? Hearing none, all in favor say aye. [ayes around] Oppose, no. That motion passes unanimously.

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We'll move on to Agenda Item No. 10, Contracts, Agreements and Settlements.  
Mr. Nellis.

Nellis: Thank you Governor. Again, for the record, Robert Nellis. A quick update on the Cave Rock Agenda Item. My understanding is there's both a carrot and a stick on that project, so there's a \$15,000 per day incentive, up to 20 days for the contractor, if they complete early, can earn up to \$300,000 for completing early, but if they go over, that's \$15,000 per day.

Picking back up on Agenda Item No. 10. Governor, there are two attachments under this Agenda Item for the Board's information. Beginning with Attachment A, there are four contracts that can be found on Pages 4 and 5 of 18, for the Board's review.

The first project is located on State Route 160, Blue Diamond Highway at Fort Apache Road and El Capitan Way in Clark County to install a signal system and pedestrian facilities. There were two bids and the Director awarded the contract to Las Vegas Paving in the amount of \$2,373,106.

The second item is a resurfacing project located on US-93, north of McGill in White Pine County. There were three bids and the Director awarded the contract to WW Clyde and Company in the amount of \$3,612,781.22.

A third project is at multiple intersections in the City of Las Vegas, for signal modification, flashing yellow arrows. There were two bids. The Director awarded the contract to Acme Electric in the amount of \$390,983.

Item No. 4 is located on State Route 431, Mount Rose Highway in Washoe County to construct a truck escape ramp. There were four bids and the Director awarded the contract to Q&D Construction in the amount of \$4,669,566.69.

Finally, an emergency contract for emergency stabilization and replacement of windows on Floors 2-4 in the NDOT Headquarters Building. The Director awarded the contract to Custom Glass in the amount of \$411,205.

With that, we'd be happy to answer any questions the Board may have.

Sandoval: Thank you Mr. Nellis. On the first one, is that associated with our safety efforts in Southern Nevada with regard to pedestrian crossings?

Speaker: Yes.

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Sandoval: That's good to see that that money is starting to hit the street. Then, I think it's important, Mr. Nellis, and perhaps I'll do it, but in terms of that last emergency contract, that is as a result of a window blowing in because of high winds. I can't imagine being in the middle of a work day and having shards of glass blow in.

Speaker: It fell out.

Sandoval: Oh, it fell out. Okay.

Speaker: [inaudible, off mic]

Sandoval: I think it raises the natural question without further investigation, but in terms of why this was an emergency and needed to be done is that you had a catastrophic incident happen that could've been deadly. I think that it's important to make a record as to why this is an emergency and why it needs to be done right away.

Questions from other Board Members? Mr. Controller.

Knecht: Thank you Governor. Looking at the fourth item, the truck ramp up there on 431, just happens that last evening, we were driving in the fog, that route from Reno to Incline Village and there's a truck ramp, almost down there at the roundabout already and there's signs there saying in two miles, in one mile, in half a mile, is this an additional earlier truck ramp? The reason I ask is, we were making little jokes about it that if you could just hang on for the next one mile, the next half mile, you can get to where you can get off, with the idea of careening madly down there without any brakes. Is this to supplement that? The existing ramp, or in addition to it or what?

Malfabon: Yes, it's to make some improvements to the existing ramp. I think that when we had a crash there before—the improvements that we're putting in are going to be more effective at stopping a vehicle. Also, if somebody gets in there, we have to go back in there and make some improvements, so we'll actually have the ability to look to their insurance to help pay for any damage that they caused to our truck ramp, escape ramp too. It's going to improve safety, make improvements to it and be more effective.

Knecht: Will it make the ramp longer?

Malfabon: Bill, do you know if it makes it longer?

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Hoffman: Hi, Bill Hoffman for the record. My understanding is that this is a replacement and what we're doing is putting in newer technology. We've looked at other states like Wyoming and Idaho and they have cable restraint systems that make them much safer and a lot more efficient.

Knecht: I can understand that. I just looked at that ramp and I said, it isn't really that long. It will probably do the job, I guess, depending on the exit velocity of the truck, but the other thing you might focus on as you finish this project or replace it is that to a car coming down that roadway, toward that ramp, it almost looks like the natural continuation of the roadway is on to the ramp. It could in fact mislead a driver and you could have a problem there. If you could make it clearer to the drivers who don't want to get off the rocks on the ramp, that would be helpful, I think.

Hoffman: All right. So, Bill Hoffman, Deputy Director for the record, we'll make sure to look at that Mr. Controller. Sure.

Sandoval: Other questions from Board Members on these agreements?

Malfabon: Our District Engineer wants to make a comment on the Controller's question.

Dyson: Yeah, thanks. Thor Dyson, District Engineer. Members of the Board, Governor, this truck ramp is a very critical component. Like Deputy Director Bill Hoffman stated, it's a replacement. This particular truck ramp has had various people, trucks, that have lost their brakes for one reason or another and it has failed in one or two cases where the truck went all the way through the truck ramp. It uses old technology. It's a very special type of rock that's in that truck ramp. The theory is that the truck comes in, hits the gravel and the gravel gets deeper and deeper and it slows them down. It has worked. It has worked effectively. There have been other times where it's gone all the way through and hit the house at the bottom of the truck ramp and caused a fire to the house and a lot of issues. I want to add that the house was built after the truck ramp was constructed.

That being said, this new system, there's been a lot of effort put into the safety and the technology and it's kind of like an aircraft carrier in a way where the truck will come down in and will in between two different types of barrier rail. It will come right on in and starting hitting these different types of restraints. Not one, not two, not three. I've watched video of it. It's very effective. It's state-of-the-art technology. We think it's going to work really well. It's not the same. It's

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going to be different. It's going to be in that location. It will be far, far better for the citizens of Nevada and truck drivers that are going down there.

Sandoval: Just one question. Obviously I'm naïve to this, but that's a road that is used by the locals a lot. As the Controller said, sometimes if there is—locals and visitors. If there's a visitor and that looks like an exit to them, is that cable system further down the line so that if you're in a passenger vehicle, that's a little different than being up in a truck. If there's a cable system, I'd hate to see somebody in a passenger vehicle hit that at eye level, versus a truck that would hit it in a way that wouldn't be a risk to the driver.

Dyson: Governor, this new system will very well delineated through signage and then physical barrier. You're not going to go in there thinking that it's an off-ramp or another road. You're going to go in there with the full intention of it being a runaway truck ramp, secure place. Hopefully a functional and survivable situation for a truck that's going through there.

Sandoval: I'm thinking like a lawyer, sorry, but if it's a passenger vehicle that is a runaway vehicle and not a truck, there's no risk to a restraint system harming the driver in a passenger vehicle versus a commercial vehicle?

Dyson: It's for all vehicles, trucks and cars. It's a metal tennis court net. It essentially will catch these vehicles, bread trucks, delivery trucks, large semis, passenger trucks and—there could still be a lawsuit.

Sandoval: That's fine. When I listened to Mr. Hoffman, I envisioned this cable across—

Dyson: It's a mesh net. We can provide you information and show you how this thing has worked. I have watched it on YouTube and it's pretty incredible.

Sandoval: It's fine. I probably talked way more than I should have already. I just was curious because I had never seen a system like that before. Usually, you just see that deep gravel and that's it. That's good that we're going to be contemporary in terms of the technology used with this.

Dyson: We're going to be not only contemporary but in the forefront. Nevada has four truck ramps, of which three of them reside in District 2, the one I'm responsible for. If this goes really well, we look forward to some other options or putting this option on US-50, coming down off of Spooner's Summit, out of Tahoe. I think

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you'll be very pleased once this thing goes in. It's actually very exciting. We're very excited to have this. It needs to be done.

Sandoval: The only other thing while we're talking is, \$4.6M seems high, but that's what it costs to put one of those in?

Dyson: Yes. Again, there aren't very many systems out there. We looked, like Deputy Director Hoffman stated, and other parts of the country, Wyoming and Idaho and other parts where we feel this is the best system to put in there. It's very—once a truck goes through there, hits it, whatever vehicle, we can get—it's very imperative to NDOT maintenance to get that truck out and the system back up and running because trucks are coming all the time. Not just locally, Governor, but also from out of state. One of the last horrible horrific accidents that occurred there on that runaway truck ramp was an out-of-state driver.

Sandoval: Thank you very much Mr. Dyson. Any questions? All right, let's move on Mr. Nellis.

Nellis: Thank you Governor. Again for the record, Robert Nellis. There are 50 executed agreements that can be found under Attachment B on Pages 12-18, for the Board's information. Items 1-15 are acquisitions and appraisals. 16-18 are cooperative agreements and an event. 19-32 are facility and an interlocal agreement. 33-37 are leases and a property transfer. Lastly, 38-50 are service provider agreements. Just a couple of things for the record, Item 40, we'd actually like to remove that item for this meeting and then bring it back next month with a corrected amount and termination date. That's one item to remove from this Agenda. Also, Item 45 is for the system—the new system in here. The name confused me because it's DSI, they were recently bought out by Delta Fire Systems, but we've got both Patrick and Aaron from DSI helping us making sure everything runs smoothly on our first meeting. Appreciate them. With that, we'd be happy to answer any questions.

Sandoval: Thank you very much Mr. Nellis. 32, the research. Can you just help me with structural design procedures for cold-in-place recycling is? Is that useful research?

Kaiser: This is Reid Kaiser, Assistant Director for Operations. What we're doing with that is we're using a new material for our slurry seals here in Nevada. This is an engineered emulsion so it has some history, some additional additives from what

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we've used in the past. What we want to do is, we want to create a mix design, so we'll know how much asphalt or how much oil to put in it with how much rock. If you get too much oil in it then it bleeds and tends to present a slick surface that could cause some safety issues and if there's not enough asphalt in it, then it will just rattle off and end up in the shoulder in a matter of about six months. We create a mix design to make sure it gives us the best combination of asphalt and aggregate.

Sandoval: Thank you. That's very helpful. Move to 37 and the Sculpture Donation. I've never seen anything—we receive donations before. I was just curious what type of art that is that we're accepting.

Malfabon: I don't know if we were able to get a photo. I asked for one but I don't think we received it in time. We will show you next month Governor, and the Board Members. A lot of folks are admiring what we're doing along our corridors and I think they see an opportunity to donate, give to the community some of their sculptures and public art. We definitely would support that, as well as the Board would. It helps us save money but it also gets some good looking public art out there in our corridors.

Sandoval: I'm strong supporter of public art. I just want to make sure that it's consistent with what we have out there.

Malfabon: Yes, that would be one of the requirements to even accept it in our master plan. A lot of aesthetics have to follow a certain theme of wildlife or what's native for that area.

Sandoval: All right. I have nothing further. Board Members? Why don't I start with Frank, Frank, if you have any questions?

Martin: No sir. They all seem to be pretty straight up.

Sandoval: Wow. Okay.

Martin: Sorry to disappoint you. [laughter]

Sandoval: Mr. Almborg?

Almborg: I got a couple of quick questions here. On 33-35, that's a lease to our employees. Long-term leases, those are obviously located in areas that are probably very hard to staff, being in the middle of nowhere. I guess my question is, why can't we

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incorporate this as a part of their compensation package that's provided as far as taking on a job in the middle of nowhere?

Malfabon: I might need some help on this one but usually we go for what's reasonable. As you see, some leases are a lot less in value than others. For instance, one at Mount Charleston is a little higher than the others. As far as that, I think I would kind of—I might need some help from Ruth on that. Typically we see it as an additional benefit. Obviously, it's a win-win for both of us. We have our maintainers that are watching the site and providing additional security, if you will. Also, being more responsive and able to get in the equipment and get out there and plow snow. It is a benefit that could be considered as part of the negotiations. It's getting more and more difficult, as we get retirements, to attract someone to live in some of these remote locations where our maintenance stations are located that, that could be something we could consider.

Almberg: I just believe that we should consider it. I mean, when you look at the long-term lease on there, it's a very, very low monthly lease in the first place. Is it worth the trouble where it might be just a benefit to our employees.

Another question. On 7 and 8, those Commercial Movers, what exactly—is that a part of properties that we have obtained and were assisting these people in moving?

Malfabon: That is correct.

Almberg: On No. 6, those are the gentleman and his wife that spoke earlier this morning. As a part of that condemnation that is coming up, is a part of that price—will we still assist in their movement, so that will be above and beyond the price that we've currently offered them?

Malfabon: Definitely. This is a separate issue, so they don't lease out their property. We've done these protective rent agreements for Project NEON as well in the South, so say an apartment owner, we're acquiring their apartment building, we don't want them to lease out and then have just a constant influx of new residents that we have to relocate. We enter into these lease agreements to lower our costs and help offset the costs of rentals, lost rental revenue to the owners.

Almberg: My question wasn't so much specific about the rental agreement, it was about the moving of them. If in fact we can move them.

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Malfabon: It's a separate issue.

Almberg: Will we be back here in the future paying for a mover for them? That will be above and beyond our initial offer for their property?

Malfabon: The offer included relocation expenses, so the mover and all that are trying to—so, there's the acquisition of the property and the valuation of all the associated elements of that, but there's also relocation expenses which is a separate, in this case, what was before you was, we had combined it altogether, I believe. Ruth, you can correct me if I'm wrong.

Borrelli: Ruth Borrelli, Chief Right-of-Way Agent. What you saw, the offer, the original offer to them was for the real estate only. The relocation benefits are separate. It's a spend to get program. We do estimate and try to give them some idea of what they'd be getting for relocation. These individuals, although they state they are not landlords, we did enter into a rent-to-hold vacant agreement, that's what you have there, because there was a tenant living there. We did pay for the relocation of the tenant.

Sandoval: Let me be careful because we're going to be going into that Agenda Item next.

Borrelli: All right. Did that answer your question?

Almberg: You did.

Borrelli: Thank you.

Almberg: Thank you very much. Thank you Governor.

Sandoval: Member Savage.

Savage: Thank you Governor. Just one brief question. Item No. 47, for the charrette that's coming up April 28<sup>th</sup>, which I'm very happy about and I'm looking forward to attending briefly during that day myself. I really commend the Department for having this charrette. I know the CA Group, I believe, is doing a traffic study through the Spaghetti Bowl, which is in progress. I'm just wondering—and I hope we get this back 100x, but \$180,000 for the cost of this charrette seems a little excessive. Maybe I'm not reading this correctly, but again, I hope we get it back 10x, because I think it may be very worthwhile. Please try to explain the cost of the high...

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- Malfabon: In order to communicate a lot of the specifics about the process, what we can get out of the charrette, there's a lot of advanced work in developing some concepts to show people that are from elected to public works engineers and just the general public has been invited in some instances for the charrette. To develop those concepts, put them in graphic form and presentation format, a lot of lead in time is needed to prepare for the charrette. It's not just the effort of putting on the one day charrette, but it's all the advanced work. After the charrette, they have to look into those, what's been voted and supported by the group, develop some final reports so the Department can hand off that stuff and integrate it into the traffic study recommendations for the interim improvements in the same area on our freeway system in Washoe County.
- Savage: Thank you Rudy. Has the Department done charrettes in the past, on other projects?
- Malfabon: We've participated in them, but this is the first that I know where we've held one ourselves. As we developed our landscape and aesthetics master plan, they were somewhat a brainstorming format but this is the first one of more recent years that I'm aware of.
- Savage: That's good to hear. Again, I'm looking forward to attending and time is of the essence on the Spaghetti Bowl Project. I'm glad to see the Department moving forward. I know the CA Group's traffic study is due here this fall. Some of the response, so time is of the essence. Thank you Governor.
- Sandoval: Before I move, traffic was backed up from the Spaghetti Bowl all the way to Virginia Street over the weekend. I've seen a couple of rear enders on the way there because of the traffic patterns there. I appreciate that we're moving on this charrette and going forward with the process. No further questions. Mr. Nellis, does that complete your presentation?
- Nellis: Yes sir, it does.
- Sandoval: This is an informational item only. We will then move on to Agenda Item No. 11 which is Condemnation Resolution No. 454.
- Malfabon: Thank you Governor. As you saw, the property owners definitely have some great substantiation on their side, some points that they made. As Ruth Borrelli had mentioned, our offer was for acquisition of the property but they made a counteroffer that included the relocation expenses in that. There are some things

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that we normally want to see from the property owner, as justification which we're not provided. Comparable sales. They mentioned that they're looking for comparable properties to show us that information.

In this case, there's just a desire to maintain the schedule. As I committed to the Board, we will continue negotiations with the property owners. I think you get more of a sense of where they're coming from. We just need more back-up so that we can reach a reasonable settlement with them. If they're struggling with getting comparable sales, I think we need to get out there.

The other thing is the data valuation is based on a certain process. If they're looking at rising property values, that's something that we look at the appraisal at that date of evaluation. They're looking at it, what's it going to be worth today or in the future and we have to take that into consideration. We are restricted by following a certain process. It's just that now as we're negotiating, we can take that into account and into consideration.

Definitely we want to—we prefer a settlement with them as well. I think that they definitely have made some compelling points today in addressing the Board with their representatives and supporters. We'll continue to work towards a reasonable settlement with them.

Sandoval: Communication is key. I don't know how much communication has gone on between the Department and the Watts, but I have the impression that they got this cold offer—I shouldn't call it cold, but an offer and really didn't get any back-up in terms of what it included or what it was not including. They're not here now but—I see someone nodding their head. In any event, just so we keep those lines of communication. A perfect example was the lady that appeared in Southern Nevada. I recall there was some issues associated with her property acquisition and it ended up a great resolution. It was just a matter of sitting down and communicating with them.

I do have a question though. Perhaps this is for Mr. Gallagher, or you Mr. Malfabon. We announce a project and suddenly property values soar. Where do we find that balance where there was a property value, but those property values increase as a result of what we're installing? How do you take all those issues into consideration?

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- Gallagher: For the record, Dennis Gallagher, Counsel to the Board. That's the reality of the world. The appraisers have to deal with that because under Nevada law, the impact of a project shouldn't favor or disfavor the property owner. The appraisers try to strike that balance of, this is what the property is worth. It's not reduced in value, because now there will be this project, or we can't on the other side, increase its value because of its proximity now to the project. They try to neutralize the effect of the project when they come up with their appraised value. And, appraisals, so the Board knows, are always furnished to the property owners. They get a full copy of the appraisal report and all the exhibits et cetera. Often times, they're encouraged, if they don't like the number, which some don't, they're encouraged to get their own appraiser. Certainly staff will take into consideration if the property owner delivers their own appraisal and it's different.
- Sandoval: I will say this, I was incredibly impressed by the testimony that Mr. and Mrs. Watts gave. He even said, he understands that this is progress and development. He just—they want what they, in their hearts, is fair and that should be what we want as well. I think it is what we want. Just to work with them. I was really impressed, I'm not sure staff had seen this. In defense of staff, this was something that was presented today. They also said that they had a realtor out there that I think will provide those comps and things that will be necessary in order for us to reach a resolution. I would hope that we could find one sooner or later to give them a little bit of peace of mind.
- Malfabon: We respectfully request approval of the Condemnation Resolution No. 454 and then with the acknowledgement that we are going to continue to try to find a reasonable settlement with them.
- Sandoval: The Controller had a question.
- Knecht: Thank you Governor. Mr. Gallagher, I appreciate your explanation there about the timing, the need to essentially isolate a point in time where the valuation is made and to make the valuation in a way that doesn't reflect any change in the value of the property due gains or losses due to what the State is doing. My only question in this, just so I understand it better, under Nevada law, is the valuation one that reflects only a kind of original cost idea of existing investment in the property or past investment in the property or does it also reflect essentially the efforts, the expenses that they will have to incur to replace that property. To essentially restore them to—in a different location to their status ex-ante.

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- Gallagher: For the record, Dennis Gallagher. Mr. Controller, it really depends on the nature of the property. If it's, let's say residential, as the case before the Board now. In addition to compensating the property owners for the property, a good portion, if not all of their relocation expenses are paid separately. If it's a business, the same thing, if they move, sometimes there are no relocation expenses because the property owner chooses to take the money and invest it somewhere else. It's really property specific, to answer your question.
- Knecht: It does and it helps. The essence is that, if a market type valuation will cover the circumstances, fine. If there are specific investments that they've made or are going to have to make as a consequence of being required to move when they've already, as the Watts have suggested, made a long-term plan and long-term investment in the property, then that can be recognized. Thank you, that's very helpful.
- Sandoval: Member Savage has a question.
- Savage: Thank you Governor. Briefly, is the Department in other negotiations for right-of-way, specifically to USA Parkway?
- Speaker: Yes.
- Savage: And how many do we have in progress at this time?
- Borrelli: Ruth Borrelli, Chief Right-of-Way Agent, for the record. We have one other property owner that we are negotiating with currently, in addition to the Watts.
- Savage: So, other than that, everything is on schedule as far as right-of-way acquisition?
- Borrelli: We are just entering into a settlement with another property owner, just came to mind, but it's settled. We just have to have the signatures.
- Savage: So we're on schedule for right-of-way acquisition?
- Borrelli: Yes. Yes.
- Savage: Thank you Ruth.
- Borrelli: Thank you.
- Sandoval: I'm going to drift a little bit. Are we good with the BLM as well, Rudy?

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[crosstalk off mic]

Sandoval: Okay. One point, I don't want to go too much, but that the Watts made is, we're all going to be there not long from now. If you've made an investment and in order to—the cost of replacing that exceeds what you have and you can't get into another place, that's something I'm sure we will take into consideration as well.

Gallagher: For the record, Dennis Gallagher. Yes, the Department takes into consideration when it's valuating what it refers to as an Administrative Settlement. So, an amount above let's say the appraised value but they take into consideration various factors such as those that were raised by the Watts today.

Sandoval: Mr. AlMBERG.

AlMBERG: Just reiterating back—thank you Governor. Just reiterating back to the point that you just made, when we appraised this property, did we in fact enter that property? Are we just going and making comparables? I don't want to put them in a situation that there is handicapped or accessible items built within that home that we may not have been aware of. If now we're coming back and making them an offer that's saying, hey we can get a comparable home, same acreage, half a mile down the road for this price, but we are excluding the fact that now they need to come in here and make improvements to that home for their accessibility.

Borrelli: Once again, Ruth Borrelli, Chief Right-of-Way Agent. Yes, the improvements are considered in the appraisal. Yes, there was an inspection. I've been told that there aren't ADA access points now, they did have a ramp but they took it with them to Alaska. If changes need to be made to a replacement house, the Department will get bids for the cost of that work to be done and that will be part of the compensation. We need to put them back in the same position they were in.

Sandoval: I think you just said it all right there, thank you. All right, if there are no further questions or comments, the Chair will accept a motion to approve Condemnation Resolution No. 454, as described in Agenda Item No. 11.

SkAncke: So moved.

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

AlMBERG: Second.

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- Sandoval: Second by Member Almberg. Any questions or discussion? Mr. Controller.
- Knecht: Thank you Governor. My only question is, we would be approving this subject to seeing further compensation proposals or settlements coming from the Department, right?
- Malfabon: Yes, this gives us the authority, if we need to, if we're at an impasse still after further negotiations, we could file it with the court. This just gives us the opportunity but as was illustrated with a previous example, we were able to settle before we even had to go through those expenses of filing with the court. It's just in case.
- Knecht: So, we're expediting this, we're not closing off the valuation.
- Malfabon: Right, we're going to continue negotiations, for them to look into all those factors that they raised.
- Knecht: Thank you.
- Sandoval: Any other questions or discussion?
- Knecht: Move for approval.
- Sandoval: No, we were in questions. We already got the motion and the second. If there are no further questions or discussion, all in favor say aye. [ayes around] Oppose, no. That motion passes unanimously. Let's move to Agenda Item No. 12, Direct Sale.
- Malfabon: Governor, this is for direct sale of a parcel off of I-580, US-395, east of Emerson Drive in Carson City. It's irregular in shape at about 3.64 acres. You have the sketch maps available. I wanted to also mentioned that in the Old Business Item, we had a summary that we'll get to later, but on Item 18, Attachment E, the Board had requested information on, how did we do on some of these sales. As you can see, there's several that sometimes we receive no bids on them. We request Board approval to proceed with the sale of this parcel.
- Sandoval: Board Members, any questions with regard to Agenda Item No. 12? Hearing none the Chair will accept a motion for approval.
- Savage: Move to approve.
- Sandoval: Member Savage has moved for approval, is there a second?

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Skancke: Second.

Sandoval: Second by Member Skancke. Any question or discussion on the motion? Hearing none all in favor say aye. [ayes around] Oppose, no. That motion passes unanimously. Let's move to Agenda Item No. 13, Resolution of Relinquishment.

Malfabon: Governor and Board Members, this is more of a housekeeping. As you saw last year, I think the agreement to relinquish it was brought before the Board. It's something that's been in the works for several years. This is the final culmination of that, with the legal descriptions of all the parcels between Second Street and Seventh Street, that the City of Reno is taking from NDOT. This formalizes that process by Board action.

Sandoval: It's too bad Tom's not here.

Skancke: I was going to make a motion just to hold for another month just for fun.

Sandoval: We're good on this, right Rudy? All right. I have no further questions. The Chair will accept a motion to approve the resolution of relinquishment as described in Agenda Item No. 13.

Martin: So moved.

[crosstalk]

Sandoval: I'll give that one to Frank. Member Martin has moved for approval, Controller has seconded the motion. Any questions or discussion? Hearing none, all in favor say aye. [ayes around] Oppose, no. That motion passes unanimously. We'll move to Agenda Item No. 14, another resolution of relinquishment.

Malfabon: Thank you Governor. The City of Las Vegas has requested that NDOT dispose of a portion of our right-of-way next to I-15 between Owens Avenue and Bonanza Road. I know the portion that's next to D Street is delineated on Exhibit A and then there's more of a linear, kind of park area that the City maintains currently, James Gate Park and it makes sense for us to not have any further liabilities in ownership and relinquish those to the City. I believe they want to do some things that will be a nice gateway to the West Side, there at D Street and develop those plans for more landscape and aesthetics in that area.

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- Sandoval: It sounds like a win-win. I have no questions. Board Members? Hearing no questions, the Chair will accept a motion for approval of the resolution of relinquishment as described in Agenda Item No. 14.
- Skancke: So moved.
- Sandoval: Member Skancke 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, please say aye. [ayes around] Oppose, no. That motion passes unanimously. We'll move to Agenda Item No. 15 which are amendments and administrative modifications to the STIP.
- Malfabon: I'll hand this over to Sondra Rosenberg and Joseph Spencer.
- Rosenberg: Good afternoon, Members of the Board. For the record, Sondra Rosenberg, Assistant Director for Planning. This is our quarterly update of amendments and administrative modifications to the 2016-2019 STIP. As you recall, this Board accepted that document back in September and we provide quarterly updates on changes to those projects. Typically it's an adjustment in schedule, moving from one year to another, changes in funding. There's a lengthy change in there for Project NEON. It's really just lining up our bond repayment schedules to the latest information. With that, I'd be happy to take any questions.
- Sandoval: Questions from Board Members? Anything else that is significant that we should be aware of, Ms. Rosenberg?
- Rosenberg: Mostly it's just our ongoing changes, changes at the MPOs request, with the use of the e-STIP everything is much more easy to understand, transparent. Everyone is aware of the changes that are going on. We really don't anticipate much discussion on this item.
- Sandoval: Thank you. If there are no further questions or comments, the Chair will accept a motion for approval of the amendments and administrative modifications to the FFY 2016-2019 STIP as described in Agenda Item No. 15.
- Knecht: So moved.
- Sandoval: The Controller has moved for approval, is there a second?

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- Almberg: Second.
- Sandoval: Second by Member Almberg. Any questions or discussion? Hearing none, all in favor please say aye. [ayes around] Oppose, no. That motion passes unanimously. We'll move to Agenda Item 16, Equipment Purchase.
- Malfabon: Thank you Governor. Kevin Lee, District Engineer for District III will present the item to the Board.
- Lee: Governor and Board, I'm Kevin Lee. I'm District Engineer for District III. Here today to request Transportation Board approval to purchase water trucks for the Department's Environmental Program. It's a total purchase of vehicles is approximately \$570,000 from the FY 2016 budget. This was part of our biennial legislative budget for the environmental program. We're talking about two water trucks. One for District I and one for District II. One truck that I'm going to call a hook lift truck because it's sort of a more utility truck for District III so we can use this truck all year round with a water tank.
- Then, Attachment B in your handout is the cost benefit analysis that we did actually, probably a year ago with a higher estimate. These water trucks range from anywhere from around \$180,000 for the water truck, to around \$210,000 for the utilitarian, hook lift truck for the water tank. Any questions?
- Sandoval: I got to figure this button process. Anyway, it seems like we could get a lot more use of those multi-utilitarian trucks than you could exclusively a water truck.
- Lee: And we are looking at that, more often throughout all the districts. In this particular one, they were wanting theirs for some of the flushing needs, where they have the water up front and the utilitarian hook lift truck doesn't have that. We're both looking at our various needs and trying to make those decisions.
- Sandoval: Any further questions, Board Members, with regard to this Agenda Item? Thank you, if there are none, the Chair will accept a motion to approve the equipment purchase described in Agenda Item No. 16.
- Skanche: So moved.
- Sandoval: Member Skanche has moved for approval. Is there a second?
- Martin: Second.

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- Speaker: Second.
- Sandoval: Second by Member Martin. Any questions or discussion? Hearing none, all in favor, please say aye. [ayes around]
- Martin: Governor, I do have one question on something we approved in February of 2015. We approved about \$5M purchase of equipment. I need to know, have we taken delivery on any of that yet?
- Sandoval: Before you answer Mr. Martin's question, I just want to say for the record, motion passes unanimously. And, if you could respond to Member Martin's question please.
- Lee: If the—I'm trying to remember which one that was Frank, or Mr. Martin. Was that for the storm water or was that for—
- Malfabon: Kevin, that was the normal heavy fleet replacement, I believe it was.
- Lee: Okay, I'll let Kenny respond to that, sorry.
- Lee, Kenny: For the record, Kenny Lee, Equipment Superintendent. A good portion of that equipment has been delivered. The dump trucks are in the process of being built right now in Sacramento and Salt Lake. We should take the delivery of the first truck from Sacramento within six weeks. We also have a number of grooms coming in or street sweepers starting May. We also have the culvert cleaners coming in starting in June. Most all of that has been here, other than the very large pieces of equipment.
- Martin: Is the delay in the delivery—I mean, it's been a year, over a year now, almost 15 months, is the delay just in the fabrication or is it in our purchasing system, what's the—
- Lee, Kenny: The delay is in the fabrication. What it is, the bodybuilder will not start putting that together until he has all the components so he can get the truck situated the way it should be so that they're not doing things two and three times. When the truck has a sander mounted in the body, they have to have the sander there when they mount the body so they get the spacing right, so everything fits the first time.
- Martin: Okay, thank you. No further questions.

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Sandoval: Thank you very much. Agenda Item No. 17, Update on NDOT's Storm Water Program.

Malfabon: Thank you Governor. Deputy Director, Dave Gaskin will present this item to the Board.

Gaskin: Good afternoon Governor and Members of the Board. First of all, I wanted to thank you Governor, for the book you gave me last week on the Civil War. Unfortunately, noticed a lot of frightening similarities in trying to build a new program at NDOT with the Civil War, in terms of conflict and logistics and communications. Hopefully, as I get through it, I'll learn some good solutions.

Sandoval: There's some good strategy tips in there.

Gaskin: A lot of strategy involved.

Sandoval: Always have the high ground.

Gaskin: Just a little background, not so much for you that are familiar with the program, but some of the legislators and others that I give presentations to, need to be reminded a little bit how we got here, just with the EPA Audit in 2011 and the Senate Bill, budget amendment and now working forward to build the program and get it implemented.

Speaking of conflict and pain of suffering at the USEPA. Parties have reached conceptual agreement on the settlement terms. That's sort of general but I think we all agree to the technical details in there and the arrangements now, we're just waiting for the attorneys and others to get everything wrapped up. Those legal steps are ongoing. We do have a meeting next week to discuss that in further detail. Not with the EPA but with all the state parties. We're hopeful, I hate to put out a date, but I've heard maybe June or July for signing of the consent decrement. Don't hold me to it.

Just a general status update. We've got the basic managers hired and in place now. We did lose some of our IT folks for various reasons in turnover but now we're getting those hired back. Hiring of the additional staff under the managers is ongoing, including a lot of the compliance and maintenance personnel out of the districts. As you know, about half of the positions are out in the field. Tracy Larkin has been helping very much, coordinating with the District Engineers and getting those positions filled.

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As you heard from Kenny, the major equipment from FY '16 is on order and we've already been receiving some pick-ups and sedans and then the major equipment, we hope to come in, in the next few weeks and months.

Program Development, you've heard that general term but I just wanted to show you some of the subprograms that go into storm water. It's got a lot of different pieces to it. It is fairly complicated, putting it together and so that's a lot of what we're working on now is refining those plans and programs that make up the overall storm water program.

Maintenance yards are a big part of our image. We really want to show our employees and the public that NDOT is being very responsive to storm water, as well as showing NDEP and EPA. If we were able to go out the backyard here, you'd see a lot of improvements continuing to be made on the Carson City Yard, the Reno Yard is an excellent example, some of the improvements up there. We're continuing to look there. A lot of yards out there in Nevada, something very old and most of them in need of help in terms of overall condition, but in storm water in particular. We're continuing to really be aggressive in addressing those.

Next, just a part of a lot of my workload is meetings and presentations. We're working with a lot of different parties in the storm water world. The Advisory Committee that was set up by SB 324. Interim Finance Committee, I go before on Thursday, to give them an update. SQMC, Storm Water Quality Management Committee, the jurisdiction down in Southern Nevada, we are coordinating with them. Associate General Contractors have frequent meetings to communicate what our program is doing, what it will do and how we can work better together, as well as Nevada Contractors Association. A lot of different parties we're talking with.

As well as internally, the resident engineers, the ones that are out making the construction projects go for NDOT, we had an RE meeting in Elko in March and Wednesday of this week, we'll be talking at the RE Academy, up in Reno. Just to make sure they're familiar with storm water and the detailed requirements for that.

Now I'd like to ask Kim Smith, our Storm Water PIO to give you a little update on public outreach and social media.

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Smith: Hi there, and thank you. Kim Smith, NDOT, Public Information Officer with the Storm Water Division. We've been pretty busy with the communications team, building our outreach program. One of the platforms that we're really focusing on is social media. As you can see, we're doing weekly posts and between January and March, we've done Twitter and Facebook; we've done storm water focused posts. 63,000 plus impressions on Twitter and over 9,000 people reached on Facebook, which is pretty great.

Also, with the help of our Digital Media Specialist, Chalay, we've been producing NDOT Storm Water News Videos and the one that we're going to watch right now is the latest update from Deputy Director Gaskin. [video plays] The videos are posted on our YouTube channel and also on social media. They're open to the public as well as employees. The goal is, internal and external communication, back and forth so we can get some feedback as well.

In your packet, you should have some facts sheets, on the left hand side. What you see here. These fact sheets were created by our Program Manager, James Murphy, along with Stantech, our consultants. These are available on our website. They're sent to business owners or home owners who may have had an illicit discharge issue reported on their property. The purpose of these fact sheets is to provide tools and education to help the business owners or home owners correct the illicit discharge issue with best management practices. We provide them tools, education and the goal is so that we can focus on utilizing compliance steps and measures. These again are available on our site.

On the right side of the slide that you see here, we created a new storm water brochure geared towards kids. We wanted to present storm water education in an informative yet fun and engaging way. Barron in our media department with his NDOT team, he created our Clean and Happy Water Drought character named Drip. You can see him featured here in our brochure, he's also on our website. Drip is a Nevada Water Drop and you can see that he has a Nevada watermark stamped on him. As one student said to us at a recent outreach event, he looks so happy because he's clean. We don't want Drip to be sad, so we have to make sure that we don't pollute our waters. It's kind of a neat way for kids to kind of engage with us and understand clean water but in a fun way. In the inside of the brochure, we have a fun interactive map, with kind of a game that we call, Name the Hydro Regions. Carl Yonkers, who is in our mapping and cartography Department, he created this map along with Barron and our Media Department, it

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includes the Nevada State Map, all the of the Hydro Regions. Then we have some cartoons in there that have some fun and educational storm water lessons.

We've been busy doing some public outreach and meetings. I recently went to the STEM Steam night and this is the Science, Technology, Engineering Arts and Math event at Eagle Valley Middle School here in Carson City. We had a little storm water display and the Program Manager and myself and our training department went and talked to the kids about the careers in sciences and also storm water information. We just did the Nevada Environmental Association Conference that was here at the Nugget in Reno. The I-15 Project in Las Vegas, we attended the public meeting there. We'll be attending the K-Rock Meeting as well as SR 28 and partnering with other NDOT groups at different events in all of the districts.

The website updates, you heard about those updates from Deputy Director Gaskin in the video. We've included quite a few things here so we can make the information really easy for the public to get. We have educational information, illicit discharge reporting form and a comments form. Frequently asked questions, emergency contacts, public involvement information, educational materials, resources and documents for consultants and contractors if they need them. We plan to continuously add and promote all of this information and add new media items as well.

Gaskin: Thank you Kim. This is Dave Gaskin again. I don't want to dwell on Lake Tahoe but I did want to let everybody know that we're really using Lake Tahoe as sort of an experimental ground for storm water to see what new technologies and modern methods really work and are most effective. We're pushing really hard to get storm water out to the rest of the State, not to the same level as at Tahoe, but using those lessons we've learned on what really works well, we can get that to the important parts of the rest of the State.

As I'm sure you know and I managed the Lake Tahoe programs when I was at NDEP and I come over here to deal with Lake Tahoe issues, it's hard to get away from, but a lot of great success stories up there and a lot we can do, just as a Department of Transportation, on our own and working collaboratively with the other jurisdictions up in the Tahoe Basin. It's a lot of effort, but there's a lot of benefit as well. A lot of current projects continuing to go on.

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Asset management, you heard a little bit about from Rudy before. The consent decree with EPA requires quite a bit of modern automated inventory and mapping capabilities. We really are required to be able to locate and track all of our storm water components, all the culverts, all the ponds. Everything out there, throughout the state and in an integrated fashion address those. Make sure that they are inspected. Make sure they are maintained at an appropriate interval. Make sure that they are repaired. It takes a lot of IT horse power to do that. I think this is really good timing for us to come in, kind of at the ground level with what is really needed. Right now, NDOT has a lot of standalone inventory systems that don't really work with each other, but an integrated asset management system can really help pull it all together throughout the Department.

I mentioned, unfortunately we don't have that today but we are working jointly with all the other divisions and particularly with our IT group to develop the enterprise asset management system, which pulls together all the assets of the whole department and allows them all to be automated and integrated so we can work a lot more efficiently and effectively and work with each other. So that storm water can work with maintenance that can work with construction, inspectors. Everybody works together with the same information and it's all in one place and well organized.

In the short term, to meet the consent decree, we're going to have to develop or borrow a number of interim asset management strategies but hopefully, as I said, this is good timing for us because we can be in on the ground floor. Storm water can be part of that overall asset management system for the Department. You'll be hearing about the [inaudible] System in the upcoming meetings in the very near future.

Just to summarize. We are building a dedicated storm water division. We really focus on meeting and exceeding all the requirements. It's been a great experience working with all the divisions at NDOT and we're making a lot of good progress and look forward to continuing that in the future.

Sandoval: I appreciate your report. I was just thinking to myself, I want to thank you and your team and everybody at NDOT. Where we were when that inspection happened and where we are now is light years. I want to pass on a really kind complement that I received from EPA in terms of your leadership and what NDOT has done and what the state has done in terms of turning this whole storm water issue around. Essentially, they hadn't seen anything like it in such a short

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amount of time. We really have done well. We'll get this case resolved, hopefully in the very near future. Frankly, what I know about it, it's a very good result for everybody. This is something to be proud of, really proud of and it's Tahoe-centric in terms of what's happening here, but we're making improvements throughout the State. It is the right thing to do. When it comes to drinking water and water quality, at all levels. I'm really impressed.

In terms of the media presentation, it really is great to have professionals in terms of the presentation and the camera work. It really is good. That is something else that I think is really going to help the messaging in terms of what we're accomplishing.

With another hat that I wear, in terms of up at Tahoe, we've improved water quality dramatically up there. This really continues that momentum. Maybe it will be back to that day like Mark Twain talked about it. You have that 100 feet of clarity. We're what, at 70 feet now? Four or five years ago, it was only 60 feet. We're seeing some really incredible improvements. I really think it's going to improve even more dramatically given the storm water projects that are included as part of the construction. Really good stuff, thank you Mr. Gaskin.

Any other questions or comments from Board Members? Frank, anything from you?

Martin: No sir, thank you.

Sandoval: All right. Thank you very much.

Malfabon: Home stretch.

Sandoval: I'm going to lose my bet. I said 1:00, but—

Malfabon: You might still win. Who bet against you is going to ask questions. [laughter]

Skancke: I would like to state for the record that Member Savage said 11:30.

[crosstalk and laughter]

Sandoval: I've got a little bit of an advantage though because I get to run it. Let's move on to the next Agenda Item. Rudy?

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Malfabon: Thank you Governor. It's under the Old Business. We have the Outside Counsel Costs and Open Matters Monthly Litigation Report. Dennis Gallagher is prepared to answer any questions from the Board Members.

The Fatality Report, unfortunately shows a trend in the wrong direction for motorcyclists. It really pops out at us with the nine additional fatalities compared to this time last year in Clark County. Pedestrians also, and as you noted Governor, we had that project on Blue Diamond Road that provides a couple more traffic signals which will help pedestrians crossing that arterial road in Las Vegas.

The other thing is we have an update on Naturally Occurring Asbestos and one of the key takeaways is that we're deferring the testing outside of the Southern Nevada area until after we do the geological mapping. So we're not doing a lot of extra effort that's unnecessary until it's appropriate, after we do the mapping, we'll do some additional testing. We wanted to make that point clear and give you an update on where we're at with that statewide study.

As well as providing the summary of the Auction Information. You see there, 15 properties, eight didn't receive bids, but we are going to have some interaction with some real estate brokers and put some for sale signs up there because often, if we don't put that notification up there, people that are driving in those neighborhoods might have an interest in that property and they'll see that sign and know who to contact. Hopefully we'll continue with those eight that did not sell. Six of them sold and one also had a future sale, after the auction. At least nearly half of them were on the right track of getting the offers made and getting those parcels sold.

Any questions for the Board, on these items that are Old Business?

Sandoval: Just on this asbestos testing, so I'm still not clear. I thought we were going to limit the scope of that contract to down there and I see in here that testing in Northern Nevada commences.

Malfabon: Go ahead John.

Terry: Once again, John Terry, Assistant Director for Engineering. At the Board Meeting we asked that you approve the study so we can start on our critical projects in Las Vegas, specifically the material sources that were being used on other projects down there. And, we went ahead with that, with the expectation we would come back this month, to say where we're going before we move forward

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with testing in the North. What we're saying now is, there is not going to be any testing in the North until this geologic mapping as well as the stuff in Northern Nevada continues. We will come back before any testing in the North happens, if it does need to happen, with a full presentation from our consultant group on the results of the geologic mapping as well as what's happened in Southern Nevada. I feel like, we're doing what we said, we're not doing any testing up in the North. That part of the scope has just been set aside. We won't do it until a presentation has been made to this Board on the overall results of the NOA. We just are making that presentation a little later than I had anticipated when we sat at this meeting.

Sandoval: Okay, I just want to make sure that we all have a mutual understanding with regard to the scope. I'm curious what we're finding down South, because RTC's piece of this is much larger. Ms. Quigley is not here but I did read her quote that said they found more desert tortoise than they have asbestos fibers. I just am curious about what we're—

Terry: I would like for our consultants to give a more detailed examination, but as you said, we're not finding the naturally occurring asbestos outside of the Boulder City Project, the pits that we have tested in the area for the most part have been clear of it. The findings in the Boulder City Projects have been at or below what was anticipated to be found out there.

Sandoval: So this is important. We didn't know this but I want to make it crystal clear for the record, what we know as we sit here today, there is no public safety, health and safety risk or hazard out there.

Terry: We believe we are dealing with it with the Boulder City projects and we believe that we are being proactive and looking at other material sources, before we clear them for use on our project specifically putting landscaping rock. We're not finding it, but we think it's due diligence to be out there testing for it before we bring it into the City.

Sandoval: I'm not questioning that, but at this moment in time, there's no risk. There's no public safety hazard out there.

Terry: I believe that's true, yes.

Sandoval: Any other questions or comments, Board Members, with regard to Agenda Item No. 18?

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Martin: I have one sir.

Sandoval: Member Savage. Oh, let me go with Frank and then Member Savage.

Martin: Back in the Monthly Litigation Report, you have got listed AdAmerica under Inverse Condemnations, I thought that we had settled that case, or that it came to some kind of a fruition, didn't it?

Gallagher: For the record, Dennis Gallagher. Board Member Martin, at one time we had three separate litigations involving AdAmerica. We have resolved one, the other two are proceeding.

Martin: Okay, I guess I missed that piece, thank you.

Sandoval: Member Savage.

Savage: Thank you Governor and Mr. Director and Ruth, I want to thank you for the summary on the auction unsold items. I thought that was very beneficial. It looks like there's about a \$3.9M unsold properties within the last year. I'm glad to see the Department is being aggressively marketing, in these economic times that we're in. I would think that we'd be able to sell that property and use that \$4M for some roads or some safety equipment. Again, I thank you for the summary and I look forward to selling that property. Thank you Governor.

Sandoval: Any other questions on this Agenda Item? Let's move to Agenda Item No. 19, Public Comment. Is there any member of the public here in Carson City that would like to provide comment to the Board? Any public comment from Las Vegas?

Martin: None here sir.

Sandoval: Is there a motion to adjourn?

Skanccke: So moved.

Sandoval: Member Skanccke has moved, is there a second?

Martin: Second.

Sandoval: Second by Member Martin, all in favor say aye. [ayes around] That motion passes unanimously, this meeting is adjourned. Thank you.

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Secretary to Board

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Preparer of Minutes

DRAFT



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## MEMORANDUM

April 27, 2016

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, Director  
**SUBJECT:** May 9, 2016 Transportation Board of Directors Meeting  
**Item #4:** Review and Ratify the Selection of the Contractor for the SR 28 Shared Used Path, Safety, and Water Quality (Federal Lands Access Program) Project, and Approve an Agreement with Granite Construction Company for Pre-Construction Services for this Project – *For Possible Action*

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### **Summary:**

The Department of Transportation is seeking approval of the selection of the Construction Manager to perform pre-construction services for the SR 28 Shared Used Path, Safety, and Water Quality (Federal Lands Access Program) Project Construction Manager at Risk (CMAR) Project. Granite Construction Company was selected as the Construction Manager for this CMAR Project. The selection was made after a Request for Proposals (RFP) was issued, proposals were received and evaluated to determine a short list of best qualified firms, an Invitation to Interview was issued to short listed firms, and an interview of these firms was conducted to determine the most qualified. The procurement process was in accordance with the Department's Pioneer Program Process for CMAR as approved by the Board on December 12, 2011 (Attachment A); a confidential evaluation and selection plan; and in accordance with applicable sections of Nevada Revised Statute 338.

### **Background:**

This Project is a portion of the larger Nevada Stateline to Stateline Bikeway project, a joint proposal of local, State, and federal agencies with responsibilities on the Nevada side of the Lake Tahoe Basin. The Nevada Stateline to Stateline Bikeway project is to be constructed in multiple phases. The North Demonstration project (Phases 1 and 2) is within the larger project that proposes to ultimately construct a thirty (30) mile premier shared-use bike facility along the east side of Lake Tahoe between the Nevada state line in Crystal Bay and the casino core in Stateline, Nevada.

The partnering agencies are Washoe County, Incline Village General Improvement District, Tahoe Transportation District (TTD), Nevada Division of State Parks (NDSP), Nevada Division of State Lands (NDSL), Tahoe Regional Planning Agency (TRPA), Federal Highway Administration (FHWA), Central Federal Lands Division (CFLD), and the U.S. Forest Service (USFS). The Department and the Washoe Tribe are partnering entities.

The need for the North Demonstration Project Phases 1 and 2 is to provide a premier separated, shared-use path that offers safe pedestrian and bicycle access and links to recreation areas from Incline Village, Nevada to Lake Tahoe Nevada State Park's Sand Harbor Management Area. Currently, these popular recreational areas are generally accessed by automobile resulting in parking on the narrow shoulders of SR 28 creating pedestrian and motorist related safety issues. Providing pedestrian and bicycle links to recreation areas is an

integral part of reducing vehicle-related impacts, improving safety for pedestrians and motorists, and improving the multi-modal options available to residents and visitors while providing a high-value recreation experience.

In addition to the North Demonstration Project, the Department has identified a number of additional improvements along 11 mile stretch of the SR 28 corridor from Incline Village to US 50 that will improve the safety and mobility of motorists, as well as, providing long term erosion control and water quality management measures that will reduce sediment and pollutants that are discharged into Lake Tahoe. These identified improvements have been combined with the North Demonstration Project to make up the scope of work of this project. The project includes the following elements;

- Three (3+) miles of shared-use path from the south end of Incline Village to Sand Harbor, relocating and organizing shoulder-parking to new parking areas near Ponderosa Ranch and Tunnel Creek Café. The path includes an undercrossing of SR-28 near Tunnel Creek, multiple bridges, and retaining walls.
- Safety and operational improvements, including installation of centerline rumble strips, guardrail and/or barrier on the Lake side of SR 28 in select locations, and modifications to emergency/maintenance turnouts.
- Water quality and erosion control improvements along SR 28 approximately from Sand Harbor to the Washoe County Line that includes source control and treatment facilities.

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

In an effort to continue to be open and transparent, partnering agencies were invited to observe NDOT's procurement process in the selection of the CMAR for the project. The following representatives observed the process:

- Tahoe Transportation District – Russ Nygaard
- FHWA – Jin Zhen

### **Analysis:**

The Department issued a RFP for CMAR Pre-Construction Services on February 19, 2016 for this project. Proposals were evaluated by a panel consisting of Department and Washoe County Public Works staff. Two (2) firms responded with proposals and are listed below in alphabetical order as follows:

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

Both proposers were short listed based on their qualifications. The Selection Official approved the Evaluation Panel's recommendation on March 21, 2016 (Attachment B). Listed below, in alphabetical order, are the firms selected for the short list from the proposals.

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

The Department released an Invitation to Interview to the short listed firms on March 21, 2016. These firms were interviewed on April 4, 2016. The evaluation panel for the interview included the same individuals that served as evaluators on the proposal. As specified in the RFP and in accordance with the NRS, final selection of the most qualified firm was based 100% on scoring of the interview process. Evaluations of the proposals and interviews were conducted in strict adherence to detailed and confidential evaluation and selection criteria. During the solicitation process and prior to the interview, proposers were afforded the opportunity to submit written questions to the Department and responses were provided.

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

The Selection Official approved the Evaluation Panel's recommendation on April 6 2016 (Attachment C) and a Notification of Intent to Award to Granite Construction Company was provided to all proposers on April 6, 2016. Pursuant to the Board approved Pioneer Program CMAR process, FHWA has reviewed the selection as well and issued their concurrence on April 22, 2015 (Attachment D).

The Department has followed all requirements of NRS 338.169 to 388.16985, inclusive and has successfully negotiated an Agreement for the CMAR Pre-Construction Services with Granite Construction Company in the amount of \$586,205.00 which will be executed based upon approval of the Transportation Board. Please refer to the Summary of Contract Terms & Conditions (Attachment E). The conformed contract will be available for your review and approval at the Board meeting on May 9, 2016.

The construction cost for the project is estimated to be \$23,500,000 to \$34,000,000. In addition to the CMAR pre-construction services cost of \$586,205.00.

**List of Attachments:**

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

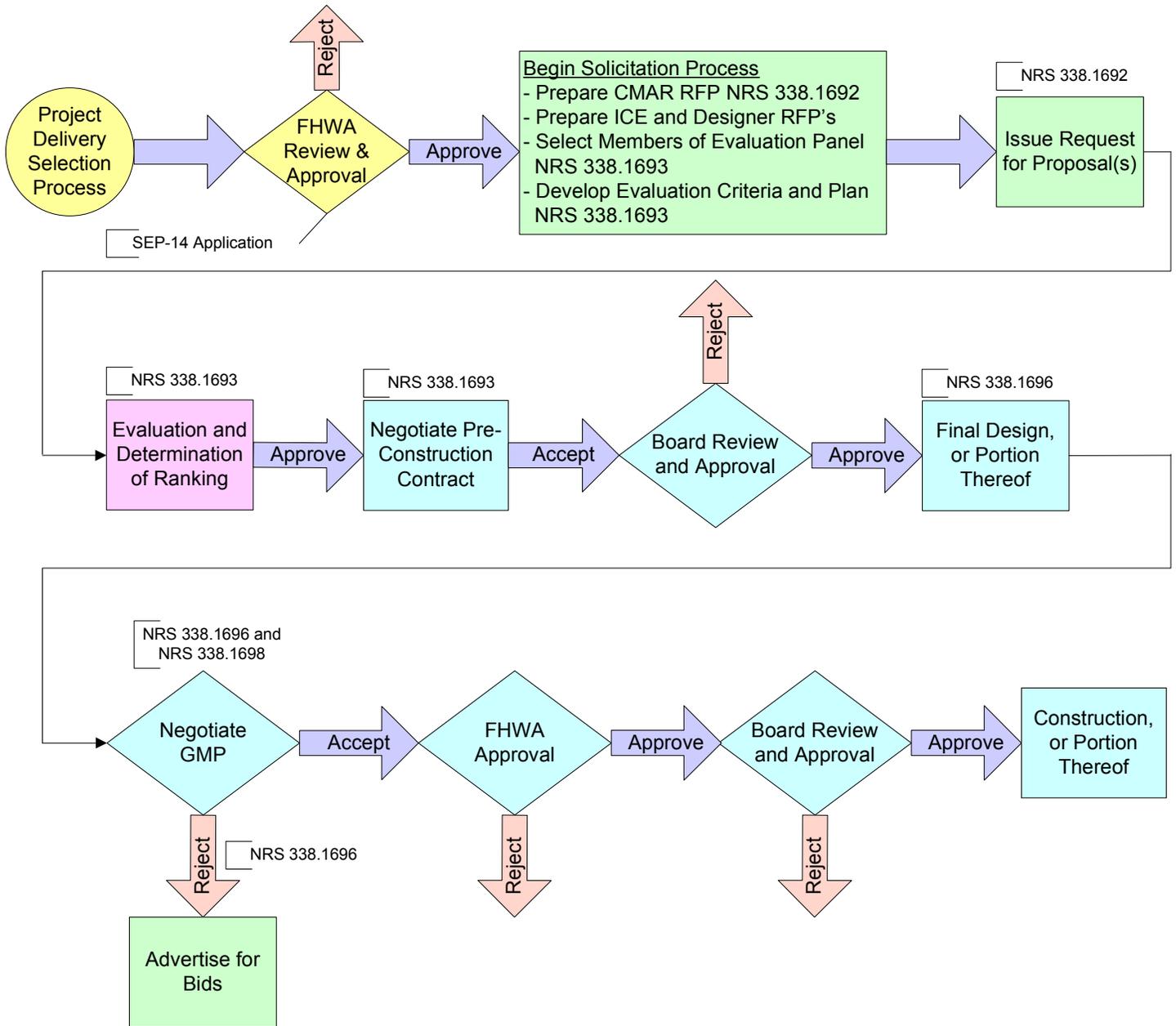
**Recommendation for Board Action:**

1. Ratify the Selection of Granite Construction Company as CMAR provider for the SR 28 Shared Used Path, Safety, and Water Quality (Federal Lands Access Program (FLAP) Project).
2. Approve a Pre-Construction Services Agreement with Granite Construction Company.

**Prepared by:**

Nick Johnson, Project Manager

**NDOT CMAR Process**  
November 7, 2011



**Legend**

- = Identification Phase
- = Solicitation Phase
- = Evaluation Phase
- = Award/Implementation Phase

**Terminology**

- RFP = Request for Proposal
- GMP = Guaranteed Maximum Price

# ITEM #4 ATTACHMENT B

**CONFIDENTIAL**

**ITEM #4 ATTACHMENT C**

**CONFIDENTIAL**

**ITEM #4 ATTACHMENT D**

**CONFIDENTIAL**

## **Summary of Contract Terms & Conditions SR 28 Shared Used Path, Water Quality, and Safety Improvements; Federal Lands Access Program Project – Preconstruction Services**

### **Scope of Work:**

The scope of work is for preconstruction services in development of the subject project. These improvements include constructing three miles of shared-use path from the south end of Incline Village to Sand Harbor, relocating and organizing shoulder-parking to new parking areas near Ponderosa Ranch and Tunnel Creek Café, safety and water quality improvements along SR 28. Major project elements during preconstruction include full and active collaboration with the Department's design team on the following items:

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

### **Schedule:**

The schedule for these preconstruction services as estimated by the Department includes a two GMPs, one in late summer 2016, and one in early 2017. The Construction Manager will participate in milestones, such as plan reviews and Opinion of Probable Construction Costs (OPCC) meetings, with the Department to develop the final plans and GMPs. The anticipated start of construction is late summer 2016.

### **Price:**

The negotiated agreement price for preconstruction services is \$586,205.00.

### **Major Terms & Conditions:**

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

**Prepared by: Nick Johnson, Project Manager**



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

## MEMORANDUM

May 2, 2016

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, Director  
**SUBJECT:** May 9, 2016, Transportation Board of Directors Meeting  
**Item #5:** Approval of Agreements Over \$300,000 - For Possible Action

---

### **Summary:**

The purpose of this item is to provide the Board a list of agreements over \$300,000 for discussion and approval following the process approved at the July 11, 2011 Transportation Board meeting. This list consists of any design build contracts and all agreements (and amendments) for non-construction matters, such as consultants, service providers, etc. that obligate total funds of over \$300,000, during the period from March 18, 2016, through April 14, 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 March 18, 2016, through April 14, 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, March 18, 2016, through April 14, 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  
March 18, 2016, through April 14, 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	07016	00	STANLEY CONSULTANTS, INC.	INDEPENDENT COST ESTIMATOR (ICE) SERVICES	N	338,686.00	-	338,686.00	-	5/9/2016	2/28/2017	-	Service Provider	NICK JOHNSON	05-09-16: INDEPENDENT COST ESTIMATING AND SCHEDULING SERVICES, SUPPORTING THE DEPARTMENT THROUGH INTERMEDIATE AND FINAL DESIGN AND INTO CONSTRUCTION FOR THE SR 28 FEDERAL LANDS ACCESS PROGRAM (FLAP) PROJECT. CARSON CITY, WASHOE, AND DOUGLAS COUNTIES. NV B/L#: NVF19931032584-R SUBMITTED PROPOSALS: STANLEY CONSULTANTS, INC., AMERICOST INFRASTRUCTURE ESTIMATORS, INC.
2	07116	00	GRANITE CONSTRUCTION COMPANY	CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES	N	586,205.00	-	586,205.00	-	5/9/2016	12/30/2018	-	Service Provider	NICK JOHNSON	05-09-16: CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES FOR THE PRE-CONSTRUCTION PHASE OF THE SR 28 FEDERAL LANDS ACCESS PROGRAM (FLAP) PROJECT WILL INCLUDE BUT ARE NOT LIMITED TO DESIGN OVERSIGHT, CONSTRUCTABILITY REVIEWS, OPINIONS OF PROBABLE CONSTRUCTION COSTS (OPCCs), GEOTECHNICAL, UTILITY INVESTIGATIONS, AND PUBLIC OUTREACH. CARSON CITY, WASHOE, AND DOUGLAS COUNTIES. NV B/L#: NVF19631001612-R SUBMITTED PROPOSALS: GRANITE CONSTRUCTION COMPANY, Q&D CONSTRUCTION, INC.
3	07313	02	SYLVESTER & POLEDNAK, LTD.	LEGAL SERVICES	Y	275,000.00	325,000.00	600,000.00	-	10/13/2014	6/30/2017	5/9/2016	Service Provider	DENNIS GALLAGHER	AMD 2 05-09-16: INCREASE AUTHORITY \$325,000.00 FROM \$275,000.00 TO \$600,000.00 FOR IMPENDING COMPLEX LITIGATION. AMD 1 01-23-15: EXTEND TERMINATION DATE FROM 01-31-15 TO 01-31-17 TO ALLOW TIME FOR RESOLUTION OF THE LAWSUIT. 03-08-13: LEGAL SUPPORT SERVICES FOR CONDEMNATION ACTION STATE V K&L DIRT FOR THE BOULDER CITY BYPASS PROJECT, CLARK COUNTY. NV B/L#: NVD19981131366-S
4	43715	00	ATKINS NORTH AMERICA, INC.	CONSULTANT SERVICES	N	661,951.94	-	661,951.94	-	5/9/2016	6/30/2018	-	Service Provider	ERIC MACGILL	05-09-16: PROVIDE A DETAILED REVIEW AND UPDATE OF THE 623 SECTION OF THE NEVADA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION SILVER BOOK. THIS WILL ENSURE THE DEPARTMENT IS CONFORMING TO THE REQUIREMENTS OF THE LATEST EDITION OF THE NATIONAL ELECTRIC CODE, INSTITUTE OF ELECTRICAL ENGINEERS, AND VARIOUS ELECTRICAL STANDARDS. CARSON CITY. NV B/L#: NVF19981347315-R SUBMITTED PROPOSALS: ATKINS NORTH AMERICA, INC., GCW, INC., KIMLEY-HORN AND ASSOCIATES, INC.

# Line Item 1

STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION

Request to Solicit Services and Budget Approval (2A)

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

If Amendment or Task Order, name of Company:

Agreement #: Project ID #(s):

Type of Services: Independent Cost Estimator (ICE) services for CMAR delivery for SR 28 FLAP project.

Originated by: Angela Tanner Division: Project Mgmt Date Originated: 1/25/2016

Division Head/District Engineer: Amir Soltani

Budget Category #: 466006 Object #: 8142 Organization #: C015

Estimated Cost: \$350,000 Type of Funding: State % of Fund: 100

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

\$100,000 in FFY 2016, \$250,000 in FFY 2017

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

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

The Department has developed a process to identify delivery methods through the Project Delivery Selection Approach (PDSA) as defined by the Pioneer Program Guidelines. In accordance with this process, the SR 28 FLAP project in Washoe, Carson, and Douglas counties has been selected to be delivered via CMAR. the project delivery selection memo is attached. This request is to hire ICE to perform the pre-construction services for this project.



Please note that separate requests have been submitted to procure service providers for engineering and environmental services as well as CMAR services.

**Scope of Services:**

The scope of services will include, but not limited to, independent cost estimating and scheduling services, supporting the Department through intermediate and final design and into construction.

**Additional Information Attached** X

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





**STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION**

# MEMORANDUM

April 15, 2016

**TO:** John Terry, Assistant Director

**FROM:** Nick Johnson, Project Manager

**SUBJECT:** Negotiation Summary for RFP 070-16-015 Independent Cost Estimator Services for the SR 28 Federal Lands Access Program (FLAP) Project

A negotiation meeting was held via conference call on April 7, 2016, with Dan Bender from Stanley Consultants Inc. and Nick Johnson 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. Stanley Consultants will perform the Independent Cost Estimating Services for the Construction Manager @ Risk delivery process for SR 28 FLAP Project that include:

- Opinion of Probable Construction Cost Estimates
- Guaranteed Maximum Price (GMP) Preparation
- Project Meetings
- Risk Workshops
- Constructability Design Reviews
- Scheduling
- Project Management
- Construction Support Services.

The following schedule was agreed to by both parties:

May 2016	Project Kickoff Meeting
May 2016	Partnering Meeting
May 2016	Initial Approach to Cost Meeting
Bi-monthly	Regular progress meeting/discipline workshops
May 2016	Design Milestone #1
May 2016	Risk/Schedule/OPCC #1

**Guaranteed Maximum Price (GMP) #1:**

June 2016	Design Milestone #2
June 2016	Risk/Schedule/OPCC #2
July 2016	Design Milestone #3
July 2016	Risk/Schedule/OPCC #3
August 2016	GMP#1 / Construction Contract Award

**Guaranteed Maximum Price (GMP) #2:**

October 2016	Design Milestone #2
October 2016	Risk/Schedule/OPCC #2
December 2016	Design Milestone #3

The DEPARTMENT's original estimate was \$353,349.00 including direct labor (2544 man-hours of work by the SERVICE PROVIDER), overhead rate of 175.00%, a 9% fee, and direct expenses at \$30,428.

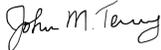
The SERVICE PROVIDER's original estimate was \$364,252.00 including direct labor (1975 man-hours of work by the SERVICE PROVIDER), overhead rate of 168.320%, a 11% fee, and direct expenses at \$36,342 (including sub-consultant expenses).

The negotiations yielded the following:

1. There will be 1921 total man-hours allotted to the ICE services throughout the course of this agreement at a direct labor cost of \$106,683.00.
2. Based upon the direct labor costs and an overhead rate of 168.320%, the overhead amount will be \$179,569.00.
3. A fee of 9% was agreed to by both parties, and will be \$25,763.00 for this agreement based upon direct labor costs and an overhead rate of 9%.
4. The direct expenses agreed to total \$26,672 for 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 \$338,686.00, a reduction in \$25,566

Reviewed and Approved:

DocuSigned by:



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Assistant Director

In Process

## **Attachment A Scope of Services**

The ICE shall work with and become a part of the Project Team, which also consists of the DEPARTMENT's Program and Project Managers, the DEPARTMENT's Design Service Provider(s), the Construction Manager, and the DEPARTMENT's Construction Engineering Service Provider(s) (if applicable). The scope of services for this Project that is to be provided by the ICE shall include, but is not limited to, the following items.

### **A. CONSTRUCTION COST ESTIMATING**

1. Provide independent cost estimates advancing through intermediate and final design and into construction. Utilize contractor-style (production-based) methodologies and production-based heavy civil estimating software platforms and assist in line item quantity verification.
2. Provide negotiation and conflict management support, including the ability to confer with others to reach an agreement on terms, conditions, and costs.
3. Provide risk management support to the DEPARTMENT, including risk identification, assessment, and cost quantification together with assignment of the probability of occurrence of each identified risk.
4. Provide summary and detailed cost breakdowns, translate production-based estimates into the DEPARTMENT's unit price estimate format, and submit independent bids. Utilize DEPARTMENT standards with a demonstrated familiarity of Nevada labor laws and the local labor union environment.
5. Provide assistance to the Project Team with respect to determining cost impacts of package breakdown (project phasing), risk, labor availability, mobilization, site access, sequence of design and construction, availability and procurement of equipment and materials, and maintainability.

### **B. SCHEDULING**

1. Prepare an independent construction schedule identifying the sequence of construction, major tasks and durations, high-risk activities, interdependencies between such tasks, risks, and the critical path. This construction schedule shall form the approach to preparation of the ICE's first independent cost estimate.
2. Following review of the Construction Manager's initial construction schedule, review subsequent construction schedules provided by the Construction Manager and provide written analysis and recommendations to improve their usefulness to the Project Team. Demonstrate practicality in approach and concentrate remarks and discussions on critical path and high-risk activities.

### **C. PROJECT MANAGEMENT**

1. Participate in development and improvement of a Project Management Plan for the assigned Project following the DEPARTMENT's Project Management Guidelines. A working draft of the guidelines can be found at: [www.nevadadot.com/Documents/Doing\\_Business/RFP/RFQ/RFI\\_Opportunities.aspx](http://www.nevadadot.com/Documents/Doing_Business/RFP/RFQ/RFI_Opportunities.aspx)
2. Provide financial management and accounting experience to prepare Project costs and bids as well as the ability to develop and track scope, schedule, and budget.
3. Interact with members of the Project Team as well as other utilities, regulatory agencies, and local governments associated with the Project. Utilize an understanding and familiarity with partnering on the Project and facilitate constructive dialogue within the Project Team.

4. Assist in administering value engineering and probabilistic cost estimating processes to create alternate methods of delivering on Project goals and applying construction methods/approaches to improve design, manage and mitigate risk, lower Project construction cost, and/or reduce Project delivery schedule.

#### **D. CONSTRUCTABILITY REVIEW**

1. Review Construction Contract documents for adequate quality for bidding and construction purposes and to eliminate conflicts and ambiguities in the documents that could lead to change orders or disputes.
2. Integrate construction scheduling knowledge and experience into the pre-construction (design) process.

#### **E. PARTNERING**

Actively participate in the partnering process alongside all members of the Project Team. The ICE is required to participate in all scheduled partnering meetings, which is anticipated to be three (3) meetings. The partnering process will commence during the pre-construction phase and continue throughout the construction phase. A partnering facilitator will be selected by the DEPARTMENT.

#### **F. PROJECT TEAM KICKOFF WORKSHOP**

Actively participate as a member of the Project Team kickoff meeting to be led by the DEPARTMENT. The Project Team kickoff workshop may include discussion of the following topics:

1. Introduction to the Project, the CMAR project delivery method, the partnering process, and the Project stakeholders
2. Presentation of Project elements and the Project scope
  - a. Project status, goals, objectives, etc.
  - b. Project information, including relevant plans, specifications, studies, and reports
3. Project schedule and major milestones
  - a. Project Team meetings
  - b. Major Project activities
4. Identification of roles and responsibilities for the Project Team
  - a. Owner(s)
  - b. Designer
  - c. Construction Manager
  - d. ICE
5. Process for design input
  - a. Innovation
  - b. Alternative design analysis
  - c. Designer's needs
6. Communications protocol and plan
7. Identification of change management process
8. Initial discussions on
  - a. Cost/pricing development
  - b. Project risks identification
9. Questions / Answers
10. Project Tour/Field Visits

#### **G. OTHER PROJECT MEETINGS AND TASKS**

Attend, actively participate in, and provide written comments related to the items listed above at the following milestone meetings:

1. Initial Approach to Cost Meeting
2. Preliminary Design Review Meeting (Design Milestone No. 1)
3. Intermediate Design Review Meeting (Design Milestone No. 2)
4. Final Design Review Meeting (Design Review No. 3)
5. Risk identification and resolution meetings: These meetings focus on identifying and documenting Project-specific risk, which includes risk definition, probability of occurrence, potential mitigation strategies (including consideration of NEPA issues and mitigation strategies with the goal of an improved FHWA NEPA document), magnitude of cost and quantity impacts, and schedule impacts. This meeting(s) shall assign risk ownership and document resolution. The ICE shall attend all formal risk analysis meetings.
6. Project cost model and schedule development meeting(s): This meeting(s) focuses on establishing, modifying, and maintaining the production-based cost model so that assumptions, contingency, risk, and approach to the estimate are fully understood by the Project Team. The ICE shall plan to develop Opinion of Probable Construction Cost (OPCC) estimates and attend up to all corresponding resolution meetings.

The ICE may be given Project assignments and tasks for follow-up during the workshops and/or meetings, as well as a schedule for performing and completing such assignments and tasks. The ICE shall be responsible to timely meet the commitments for response in a format acceptable to the DEPARTMENT and within the time period directed by the DEPARTMENT, which, in determining such schedule, shall consider a deliverable's size and complexity. The Project Team shall establish these expectations, assignments, and commitments at the Project Team kickoff workshop and shall update and discuss the same regularly during Project meetings.

# Line Item 2

**STATE OF NEVADA**  
**DEPARTMENT OF TRANSPORTATION**

## Request to Solicit Services and Budget Approval (2A)

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

If Amendment or Task Order, name of Company:

Agreement #: Project ID #(s):

Type of Services: Construction Manager at Risks pre-construction services for SR 28 FLAP project.

Originated by: Angela Tanner Division: Project Mgmt Date Originated: 1/25/2016

Division Head/District Engineer: Amir Soltani

Budget Category #: 466006 Object #: 8143 Organization #: C015

Estimated Cost: \$600.00 Type of Funding: State % of Fund: 100

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

\$150,000 in FFY 2016, \$450,000 in FFY 2017

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

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

The Department has developed a process to identify delivery methods through the Project Delivery Selection Approach (PDSA) as defined by the Pioneer Program Guidelines. In accordance with this process, the SR 28 FLAP project in Washoe, Carson, and Douglas Counties has been selected to be delivered via CMAR. The project delivery selection memo is attached. This request is to hire a CMAR to perform the pre-construction services for this project.



Please note that separate requests have been submitted to procure service providers for engineering and environmental services as well as ICE services.

### **Scope of Services:**

The CMAR scope of services for the pre-construction phase includes, but not limited to design oversight, constructability reviews, opinions of probable construction costs (OPCCs), geotechnical, utility investigations, and public outreach. Once the Department has accepted the CMAR's Guaranteed Maximum Price (GMP), the Contractor may start the construction phase of the project, and the pre-construction services agreement may be terminated.

**Additional Information Attached** X

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





**STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION**

# MEMORANDUM

April 20, 2016

**TO:** John Terry, Assistant Director

**FROM:** Nick Johnson, Project Manager

**SUBJECT:** Negotiation Summary for RFP 071-16-015 Construction Manager at Risk (CMAR) for the SR 28 Federal Lands Access Program (FLAP) Project

A negotiation meeting was held via conference call on April 18, 2016, with John O 'Daye from Granite Construction and Nick Johnson of the Nevada Department of Transportation (DEPARTMENT) in attendance.

The DBE goal for this agreement has been established at zero percent (0%). A DBE goal will be request for the construction phase at a later date.

The scope of services that are to be provided by Granite was reaffirmed by both parties at the outset. This scope provides CMAR services including:

- Project Management
- Project Meetings and Document Review
- Partnering
- Initial Approach to Cost
- Risk Management
- Project Construction Schedule
- Project Construction Cost Estimate Development
- Innovation Management
- Development of DBE Performance Plan
- Development of Subcontracting Plan
- Construction GMP
- Public Outreach

Sub-consultants Identified for this project include:

Public Outreach	Weidinger Public Relations
Accelerated Bridge Construction (ABC)	H. Boyle Engineering Inc.

The following schedule was agreed to by both parties:

May 2016	Project Kickoff Meeting
May 2016	Partnering Meeting
May 2016	Initial Approach to Cost Meeting
Bi-monthly	Regular progress meeting/discipline workshops
May 2016	Design Milestone #1
May 2016	Risk/Schedule/OPCC #1

**Guaranteed Maximum Price (GMP) #1:**

June 2016	Design Milestone #2
June 2016	Risk/Schedule/OPCC #2
July 2016	Design Milestone #3
July 2016	Risk/Schedule/OPCC #3

Guaranteed Maximum Price (GMP) #2:

October 2016	Design Milestone #2
October 2016	Risk/Schedule/OPCC #2
December 2016	Design Milestone #3
December 2016	Risk/Schedule/OPCC #3
February 2017	GMP#2 / Construction Contract Award

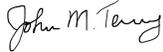
The DEPARTMENT's original estimate was \$600,000 which included 4050 man-hours of work by the CMAR. The CMAR's original estimate was \$712,647 including 4708 total man-hours of work by the CMAR.

The negotiations yielded the following:

1. There will be 4,206 total man-hours allotted to Granite throughout the course of this agreement at a direct labor cost of \$562,555. In addition to the CMARs man-hours and costs, another \$22,150 for sub-consultant expenses including Public Outreach and Accelerated Bridge Construction sub consultants.
2. The total negotiated cost for this agreement, including all costs and fees associated with the work, through construction will be \$586,205.

Reviewed and Approved:

DocuSigned by:



Assistant Director

## **Construction Manager at Risk (CMAR) Scope of Services SR 28 FLAP Project**

### **SCOPE OF SERVICES SUMMARY**

The Construction Manager shall work with and become part of the Project Team, which also consists of the Department's Program and Project Managers, the Department's Design Service Provider(s), the Independent Cost Estimator (ICE), and the Department's Construction Engineering Service Provider(s), to accomplish the following tasks. In addition, the Construction Manager shall work with other key stakeholders and/or third parties identified by the Department.

### **TASKS**

The Construction Manager's tasks shall include the following items.

#### **Task 1.0: Project Team Kickoff Workshop**

The Construction Manager shall collaboratively work with the Department Project Manager to plan, attend, and actively participate as a member of the Project Team in the Project Team kickoff workshop to be led by the Department.

**Deliverable:** The Construction Manager shall participate in the workshop.

#### **Task 2.0: Initial Approach to Cost Meeting**

The Construction Manager shall participate in a meeting with the Department and the ICE to establish baseline production rate assumptions and various other input standards for formulation of future cost and schedule estimates. The purpose of this meeting will be to establish like assumptions for construction means and methods as well as to establish the plan to communicate changes in scope, quantity, and phasing between the Construction Manager and the ICE in order to affirm a consistent foundation for estimation.

The Construction Manager shall attend and actively participate in this meeting by:

- Directing an open discussion with the Department and the ICE regarding specific assumptions and
- Discussing cost/pricing development and process for design input, analysis, evaluation, and resolution of the Construction Manager's input into the design and specification development process.

**Deliverable:** The Construction Manager shall document the description and assumptions for the work elements that communicate the open-book estimating practices for the Project, including production rate assumptions.

#### **Task 3.0: Partnering**

The Construction Manager shall participate in a partnering process among all members of the Project Team. The partnering process shall take place during the entire length of this Pre-Construction Services Agreement. A facilitator shall be chosen by the Department.

**Deliverable:** The Construction Manager shall participate in all meetings as noted above.

#### Task 4.0: Project Meetings and Document Review

The Construction Manager will provide written documentation as required, and advise and assist relative to the following items.

- Plan and specification clarifications
- Schedule analysis, including acceleration opportunities
- Phasing or sequencing
- Constructability and bidability
- Availability of materials
- Cost/benefit analysis
- Maintenance of traffic
- Staging needs
- Third-party impact avoidance and reduction strategies
- Value analysis and innovation
- Risk identification and mitigation
- NEPA

The Construction Manager shall attend, participate in, and provide input in the form of written comments at the milestone meetings.

The Construction Manager shall be given assignments and tasks for follow-up during the meetings, as well as a schedule for performing and completing such assignments and tasks. The Construction Manager shall be responsible to timely meet the commitments for response in a format acceptable to the Department (e.g., comment and resolution form, redlined drawings, written report, and electronic track changes) and within the time period directed by the Department, which, in determining such schedule, shall consider a deliverable's size and complexity. The Project Team shall establish these expectations, assignments, and commitments at the Project Team kickoff workshop and shall regularly update and discuss the same items during Project meetings. Table 2 lists the review response period for the specified document types, measured from receipt by the Construction Manager of the applicable documents.

**Table 2: Review Response Periods**

Document	Review Response Period
Plan Sets	<i>Not to exceed five (5) business days</i>
Documents 10 pages or less	<i>Not to exceed forty-eight (48) hours</i>
Documents 11 pages or more	<i>Not to exceed five (5) business days</i>
Verify meeting minutes	<i>Not to exceed twenty-four (24) hours</i>

**Deliverable:** The Construction Manager shall provide input and participate in each meeting/workshop noted above. The Construction Manager shall follow up on assigned tasks from each meeting/workshop, as appropriate.

### **Task 5.0: Risk Management**

The Construction Manager shall identify, quantify, document, and implement Project and construction risks and risk avoidance, reduction, and mitigation strategies, as well as monitor and provide written input into a Project risk register. The risk register will be maintained by the Department. The Construction Manager shall participate in the preparation, modifications, and maintenance of a risk register, and the Construction Manager shall continuously communicate its assumptions regarding impacts to risk as the design progresses.

**Deliverable:** The Construction Manager shall submit written documentation for the risk register, specifying the associated value, savings, and cost of risk avoidance, reduction, and mitigation strategies during each design milestone meeting, at a minimum.

The Construction Manager shall also submit, at the time of the Construction GMP bid or fixed price bid, a report that summarizes the decisions for risk elimination or reduction and the associated value of each decision in terms of cost and savings in direct relationship with its bid.

### **Task 6.0: Innovation Management**

The Construction Manager shall develop, propose, and track challenges and quantify benefits of innovations throughout the pre-construction phase, including proposing criteria to evaluate suggestions and to select improvements that will offer the most value in terms of cost, schedule, and quality. The Construction Manager shall prepare, modify, and maintain an innovation register, which identifies the person and/or entity that proposed the idea, the value of the idea (in terms of cost, savings, risk reduction/mitigation, and schedule impact), and which ideas were incorporated by the Project Team into the final design and construction documents.

**Deliverable:** The Construction Manager shall submit written documentation for the innovation register of all suggested innovations during each design milestone meeting, at a minimum.

The Construction Manager shall also submit, at the time of the Construction GMP bid or fixed price bid, a report that summarizes both the innovations considered and the innovations implemented.

### **Task 7.0: Project Pre-Construction and Construction Schedule Development**

The Construction Manager shall create and update Project pre-construction and construction schedules. The Project Team will work together to create a baseline construction schedule, which will be updated, at a minimum, at major design milestones designated by the Department. The schedule shall include each Project phase and identify key milestones, deliverables, and dependencies, along with durations for design, pre-construction, procurement, construction management, and construction work.

The Construction Manager shall also identify roles and responsibilities for each item of work represented in the schedule.

**Deliverable:** The Construction Manager shall provide a detailed schedule(s), which will be updated, at a minimum, at major design milestones designated by the Department

monthly thereafter. The schedule shall include a narrative report documenting key critical path elements of the schedule and the critical assumptions and/or decisions that may impact schedule adherence. The Construction Manager shall also include in the report any acceleration opportunities, the cost (or savings) of the opportunities, prerequisites thereof, and the extent of the potential schedule acceleration.

The Construction Manager shall provide a finalized construction schedule with its Construction GMP bid or fixed price bid, which will be part of the Construction Contract and adhered to by the Construction Manager for the duration of the construction phase.

### **Task 8.0: Project Construction Cost Estimate Development**

The Construction Manager shall develop and provide open-book, production-based cost estimates for the Project Team's examination so that assumptions, contingency, risk, and approach to the estimate are fully identified, delineated, and understood by the Project Team. The Construction Manager shall be responsible for verifying the quantities and methods of measurement and payment for all Project work items.

**Deliverable:** The Construction Manager shall provide a construction cost estimate for the Project during each design milestone meeting, at a minimum. The construction estimate shall be provided in two separate formats, one that is consistent with the production-based cost model and one that is consistent with the engineer's estimate (formatted in an Excel spreadsheet with bid item descriptions, quantities, and units). The estimate shall reflect and be consistent with the agreed upon methods and measurements of payment anticipated for each bid item and in accordance with the requirements established during the Initial Approach to Cost Meeting. The Construction Manager shall also provide a narrative report documenting the summary of markups, escalation, overhead, profit, and contingency. The report shall document critical assumptions, clarifications, and/or decisions of costing that may impact the fluctuations in pricing adherence and a description of allowances and exclusions.

The Department will review the submitted estimates and identify items not in agreement among the CMAR, ICE, and Department. The Construction Manager will be required to attend construction estimate review meetings as necessary to discuss assumptions and allocations associated with unit prices that are not in agreement. The construction schedule submitted under task 7.0 shall coincide with the production and phasing assumptions used in the development of the cost estimates.

### **Task 9.0: Development of Subcontracting Plan**

The Construction Manager shall develop its subcontracting plan in accordance with all requirements listed below as well as all applicable NRS requirements, including, without limitation, NRS Chapter 338.

Prior to both i) soliciting any qualifications, proposals, or bids for subcontracts, and ii) submitting a bid for a Construction Contract for the Project, or a portion thereof, the Construction Manager shall submit to the Department for its review and approval a reasonable procedure for conducting procurement and approval processes applicable to subcontracts. Such procedures shall include time for each step of the qualification and proposal processes, with qualification

determinations and selections to be made in accordance with NRS 338.16991 and 338.16995 and related regulations. The subcontracting plan shall be subject to the approval of the Department, in its sole discretion, and adhere to the following conditions.

- The Construction Manager shall recommend a division of the work to facilitate the bidding and award of trade contracts.
- The Construction Manager shall provide for involvement by the Department in subcontractor solicitation, bidding, and selection as set forth in NRS 338.16995.
- The Construction Manager will recommend which work, if any, should be procured through value-based competitive selection, in lieu of low bid selection. All subcontracts for which the estimated value is at least 1 percent (1%) of the total cost of the public work or \$50,000, whichever is greater, whether the selection is value-based or low bid, shall comply with NRS 338.16991 through NRS 338.16995.
- The Construction Manager shall identify work that the Construction Manager proposes to self-perform (which must be no less than fifty-one percent (51%) of the work, measured on a dollar value basis, excluding any specialty items of work as specified by the Department in this RFP), as well as how the Construction Manager will ensure that the pricing of self-performed work will be most advantageous to the Department.

The subcontracting plan shall include provisions implementing the following requirements.

- The Construction Manager must determine that at least three (3) subcontractors in each trade or scope of work necessary to provide labor, materials, and equipment for the Project are qualified to submit a proposal for the Project. This is unless the Construction Manager has received written approval of the Department to qualify fewer than three (3) subcontractors in a particular trade or scope of work.
- If the Construction Manager has qualified three (3) or more subcontractors to submit proposals for a trade or scope of work and has received fewer than three (3) proposals for that trade or scope of work by the time set for the opening of such proposals, the Construction Manager may not open any proposal for that trade or scope of work until it receives written instructions from the Department on how to proceed. If the Department directs the Construction Manager to solicit additional proposals for that trade or scope of work, a subcontractor that has submitted a proposal for such trade or scope of work may withdraw its proposal and resubmit at the time set for soliciting additional proposals.
- The Construction Manager shall time stamp all envelopes containing proposals to provide labor, materials, or equipment for the Project upon receipt of each proposal. Before opening the proposals at the predetermined time, the Construction Manager shall confirm that the subcontractor submitting a given proposal was i) qualified by the Construction Manager, ii) attended the preproposal meeting (if applicable), and iii) was timely received by the Construction Manager. The Construction Manager shall not open and shall return all proposals not meeting these three (3) requirements.
- At the time subcontractor proposals are opened, the Construction Manager shall compile and provide to the Department or its authorized representative a list that includes, without limitation, the name and contact information of each subcontractor who submits a timely proposal.
- Prior to entering into a subcontract, the Construction Manager shall inform the Department or its authorized representative which subcontractor has been selected and provide the Department with access to the proposals, bids, and evaluation materials.

- The Construction Manager shall make available to the public the name of each subcontractor who submits a proposal.
- If the Construction Manager receives a written protest from a subcontractor proposer no later than three (3) full business days following the Construction Manager's selection of a subcontractor, the Construction Manager shall not execute a contract for that subcontract package without first providing at least two (2) full business days written notice to all proposers of the Construction Manager's intent to execute a contract for the subcontract package. Construction Manager's protest procedures shall be subject to the prior written approval of the Department.
- The Construction Manager shall enter into a subcontract with a subcontractor selected pursuant to the approved subcontracting plan and this Attachment A, and the Construction Manager shall not have the right to make any substitution of any such subcontractor except in accordance with the provisions of NRS 338.16995.
- If, prior to award and execution of a Construction Contract, the Department objects to the use of a subcontractor for subcontracted work on such Construction Contract and such subcontractor has been properly selected by the Construction Manager in accordance with the requirements of the approved subcontracting plan and this Attachment A, the Department shall issue a written request to the Construction Manager to change the subcontractor, and the Department shall pay any actual and direct increase in the Construction Manager's costs, including an adjustment to the Construction GMP or fixed price resulting from the change. The increase shall be based solely on, and be limited to, the direct cost differential between the initial subcontract cost of the original subcontractor and the initial subcontract cost of the changed subcontractor. The increase shall exclude any additional mark-up, profit, and overhead by the Construction Manager. Other than providing such compensation, if any, the Department shall have no further responsibilities, liabilities, or obligations arising out of such objection and change of subcontractors. Replacement of subcontractors after award and execution of the Construction Contract, including, without limitation, in connection with unsatisfactory performance, shall be governed by the terms of the Construction Contract.

**Deliverable:** The Construction Manager shall provide a subcontracting plan no later than the intermediate design milestone (Design Milestone Meeting #1). The Construction Manager shall update this plan as of the final design milestone and submit an approved final subcontracting plan prior to its submittal of its Construction GMP bid or fixed price bid. All documentation necessary to support adherence to the requirements of NRS 338.16991 and NRS 338.16995 and the regulations related thereto shall be included in the subcontracting plan update. If the Department elects to consider a Construction Contract for only a portion of the Project, the subcontracting plan must be submitted and approved prior to submittal of any Construction GMP or fixed price related thereto.

### **Task 10.0 Development of a DBE Performance Plan**

The Construction Manager shall work with the Department's Contract Compliance Division to draft and finalize a Disadvantaged Business Enterprise (DBE) performance plan to apply during the Construction Contract and for accomplishment of all construction activities. The DBE performance plan shall address the manner in which the Construction Manager is to document its efforts to meet the DBE goals and requirements, as well as address the monitoring and reporting requirements. The DBE performance plan shall be subject to the approval of the Department's Contract Compliance Division, in its sole discretion.

**Deliverable:** The Construction Manager shall provide an approved DBE performance plan that documents the DBE percentage goal. The Construction Manager is responsible to obtain approval of the DBE performance plan from the Department's Contract Compliance Division prior to submittal to the Department Project Manager. The Construction Manager shall submit the required DBE documentation per the approved DBE performance plan prior to submittal of its Construction GMP bid or fixed price bid. If the Department elects to consider a Construction Contract for a portion of the Project, the DBE performance plan must be submitted and approved prior to submittal of any Construction GMP or fixed price related thereto.

**Task 11.0: Pre-Construction Work (as applicable)**

The pre-construction work, if any, shall be at the direction of the Department, in its sole discretion, and may include, without limitation, design and/or Project-related activities, such as:

*Note:*

- *Geotechnical, as needed;*
- *Public outreach, as needed;*
- *Survey, as needed; or*
- *Other design-related activities, as needed.>*

All such activities shall be consistent with the NEPA process.

**Task 12.0: Construction GMP Bid(s) or Fixed Price Bid**

At the time that the Department determines that the design for the Project, or any portion thereof, has been finalized to a level sufficient to determine the provable cost of that portion, and provided that 1) the other conditions set forth in the Pre-Construction Services Agreement, including, without limitation, those set forth in Paragraph 1 of Article VI of the Pre-Construction Services Agreement and 2) Tasks 1.0 through Task 11.0 above have been satisfied (as determined by the Department), the Construction Manager shall prepare and submit a bid as a cost of the work, plus a fee, with a guaranteed maximum price (GMP) (Construction GMP bid) or as a fixed price. A GMP is the guarantee of the prices submitted by the Construction Manager in its Construction GMP bid. Whether the prices include some or all of the lump sum items, unit-based items, quantity-based items, contingency, or allowances, the individual prices are guaranteed in accordance with the requirements of the construction documents and the Construction Contract. A fixed price includes all costs related to labor, equipment, overhead, and profit

**Task 12.1 Construction GMP Bids or Fixed Price Bids for a Construction Contract for the Project, or Any Portion Thereof**

The Construction GMP bid or fixed price bid for a Construction Contract may be for the Project as a whole, or the Construction Manager may be asked to prepare a Construction GMP bid or fixed price bid to construct a portion of the Project, if the Department, in its sole discretion, determines significant construction time, money, risk, or potential delay can be reduced by allowing the Construction Manager to start initial work prior to the completion of the overall Project final design package. A Construction Contract for a portion of the Project may also include early procurement of long-lead items that may be in short supply or require longer than desired lead times from purchase to delivery.

In both instances, the Construction GMP bid or fixed price bid for a Construction Contract shall be developed and evaluated in accordance with the following process.

- The Designer shall produce a set of plans and specifications for performance of the construction work.
- The Department will evaluate the Construction Contract bid documents for compliance with DBE requirements and goal. This goal shall have already been incorporated into the Construction Contract bid documents, the Construction GMP bid or fixed price bid, the Construction Manager's DBE performance plan, and the Construction Manager's subcontracting plan. No Construction Contract may be entered into and no Construction GMP bid or fixed price bid may be submitted by the Construction Manager until i) the determination of any applicable DBE goal has occurred; ii) the Department has approved the Construction Manager's subcontracting plan; and iii) the Department has approved the Construction Manager's DBE performance plan.
- If the DBE goal is greater than zero percent (0%), the Construction Manager will be required to submit commitments from DBE participants sufficient to meet the goal and/or execute an affidavit regarding good faith efforts to meet the DBE goal, each as required by the Pre-Construction Services Agreement, in the form appearing in Form GF and Goals and Good Faith Efforts Affidavit attached to the Pre-Construction Services Agreement as Appendices A and B, and otherwise in substance satisfactory to the Department, in its sole discretion.
- The Construction Manager shall submit, with its Construction GMP bid or fixed price bid, a subcontracting plan and a finalized construction schedule that has been approved by the Department.
- Solicitations for subcontractors and award of subcontracts shall be made pursuant to NRS 338.16991 and 338.16995, regulations adopted by the Nevada State Public Works Division, and the Construction Manager's approved subcontracting plan. Concurrently with its Construction GMP bid or fixed price bid, the Construction Manager shall provide a list of all subcontractors that it has procured and intends to use.
- The Construction Manager will prepare and submit a Construction GMP bid or fixed price bid through the Department's Electronic Bidding System (EBS) and in accordance with the Department's bidding requirements under the Pre-Construction Services Agreement and for the EBS. In addition to the scope of work, risk, and quantities, the Construction GMP bid or fixed price bid shall reflect the pricing as defined in the subcontracts and include all information required by the Department, including applicable DBE commitments as provided herein. The Construction Manager shall include, with its Construction GMP bid or fixed price bid, a bid bond in such form and amount as directed by the Department, along with such other documents and certifications as directed by the Department. The form of the Construction GMP bid or fixed price bid shall be in such format as the Department, in its sole discretion, determines and may include quantity-based items, unit-priced based items, lump sum items, contingency, and allowances.
- The Department will have an independent cost estimate prepared and submitted into the Department's EBS for the items. Upon opening the Construction GMP bid or fixed price bid, the Department will determine the acceptability of the Construction GMP bid or fixed price bid, in its sole discretion. In assessing the Construction GMP bid or fixed price bid, the Department may compare the Construction GMP bid or fixed price bid to one or all of the following: State averages, similar projects, the independent cost estimate, and/or the engineer's estimate. The Department will use such other information that the Department determines relevant and useful. The Department is under no obligation to

accept the Construction GMP bid or fixed price bid, even if it compares favorably to the foregoing data, averages, and estimates.

- Department personnel reviewing the Construction GMP bid or fixed price bid and other data, averages, and estimates may include the Department's Project Manager, Resident Engineer, members of the Design Service Provider team, the ICE, FHWA representatives, and other internal Department staff and/or outside advisors deemed necessary or desirable by the Department's Project Manager.
- If the Construction GMP bid or fixed price bid is acceptable, the Department will prepare a Construction Contract or the work may be added to an existing Construction Contract with the Construction Manager by amendment at the sole discretion of the Department, if applicable.
- If the Construction GMP bid or fixed price bid is not acceptable, the Department may enter into a process of risk identification that identifies price, quantity, assumption, and other differences. Following the successful resolution of the risk issues associated with such differences, the Department, in its sole discretion, may ask the Construction Manager to re-bid the Construction GMP bid or fixed price bid for the Project. If this re-bid of the Construction GMP bid or fixed price bid does not result in a Construction GMP or a fixed price that is acceptable to the Department, the Department reserves the right, in its sole discretion, to terminate the Construction GMP or fixed price bidding process and undertake such other actions relating to the Project as the Department determines, including, without limitation, the right to procure the Construction Contract scope of work by some other delivery method. The Construction Manager is not excused from completion of the Scope of Services required under this Pre-Construction Services Agreement, if such Services have not been fully performed.

**Deliverable:** The Construction Manager shall submit the Construction GMP bid or fixed price bid in accordance with the requirements delineated herein, utilizing the same production-based cost model as was used to develop the previous OPCCs along with a narrative report documenting critical assumptions and/or decisions of costing that may impact the fluctuations in pricing adherence (on an open-book basis) and through the Department's EBS for a Construction Contract.

## Open-Book Estimating Requirements

### Requirements

The following are minimum requirements for the Construction Manager when communicating cost via the open-book estimating process.

- The Construction Manager shall clearly delineate any services to be self-performed and any services to be subcontracted.
  - For self-performed work, overhead and profit percentages are to be identified, agreed upon, and applied to the total self-performed cost “below the line.” This is opposed to allocating overhead and profit into individual direct cost items.
  - For work to be subcontracted, the subcontractor’s overhead, profit, and indirect costs are to be included within the pricing of that individual direct cost item.
- Indirect costs are to be scoped, quantified, and priced as a separate division of cost and are not to be allocated under direct costs, except as stated above for work performed by subcontractors.
- Mobilization/demobilization of temporary jobsite offices is to be a detailed item, and the Construction Manager shall include this under indirect costs.
- Mobilization/demobilization of construction equipment is to be an individually detailed item for each piece of equipment, all of which is to be included under direct costs.
- Overhead and profit is to be applied as follows.
  - Overhead is to be priced as a percentage of the total of indirect costs and direct costs.
  - Profit is to be divided and identified into two categories:
    - A percentage applied to self-performed work, and
    - A percentage applied to subcontracts.

The percentage applied to subcontracted costs is to be relatively low compared to the self-performed work.

- After all indirect, contingencies, escalation, overhead, and profit costs have been estimated and individually identified, each cost is to be allocated into pay items to establish the “all in” unit costs. Indirect costs, overhead, and profit are then to be distributed evenly into each pay item. Contingencies shall be specifically identified and allocated depending on risks associated with each pay item.

### Definitions

The following definitions are provided to establish expectations regarding categorization and accounting to be represented in the open-book estimating process for the Project.

- Direct costs (construction) include:

- Self-performed work based on construction labor (e.g., craft wage rates burdened with fringe benefits only), equipment rental, equipment fuel/maintenance, and purchased materials;
- Mobilization/demobilization of self-performed construction equipment; and
- Subcontracted work, including each subcontractor's direct and indirect costs, overhead, profit, and bonds.
- Indirect costs (construction) include:
  - Field supervision based on bare wages plus salary-related expenses for the project manager, superintendents, project engineer/project controls, and document control/administrator;
  - Jobsite office facilities, temporary utilities, and jobsite vehicles, including mobilization/demobilization of temporary facilities as separately-estimated items;
  - General field labor, clean-up requirements, dumpsters, dump fees, temporary toilets, etc.;
  - Temporary construction facilities or work;
  - Yard support for construction equipment; and
  - Surveys, layout, permits, testing, inspection, and insurance.
- Contingency that is applied to an estimate during the pre-construction phase is based on an assessment of risk at each design phase, and it may be divided into several categories.
  - Design development to cover relatively minor changes in details, specifications, quantities, etc. from early design to 100 percent construction documents
  - Estimate contingency to cover potential variances from what was estimated for materials and subcontracts compared to what was the actual cost of said materials and subcontracts
  - Allowances for known items that cannot specifically be quantified and/or priced until further progress in design
  - Construction phase contingency for variations related to crew productivity, schedule impacts, etc. from what was originally estimated
- Mobilization/demobilization costs are allocated as follows:
  - Mobilization/demobilization of self-performed construction equipment is considered a direct cost.
  - Mobilization/demobilization of jobsite office trailers, furniture, equipment, and personnel is considered an indirect cost. This also includes temporary utilities and elements required to begin construction, such as permits.

- Home-office overhead is defined as home-office company overhead, including office facilities, management, subsidized insurance programs, paid vacation, etc.
- Field-office overhead is defined as items including jobsite office facilities, temporary utilities, and jobsite vehicles, including mobilization/demobilization of temporary facilities as separately-estimated items
- Profit is defined as the operating margin or the dollars remaining after all direct and overhead costs are paid.
- The Construction Management Fee percentage is defined as profit and home office overhead (all auditable costs that are allocated to all projects) but not field office overhead or field office direct expenses.
- Escalation shall be dealt with as follows:
  - Estimates will be based on wage rates and material costs that are current year at the time of pricing. Cost is added to cover normal expected increases for expenditures beyond the pricing baseline.
  - There are various methods for calculating escalation. The most accurate for labor increases is to manpower-load the construction schedule for all labor types and add agreed upon dollar increases for each calendar period in which each apply.
- Exclusions are defined as items that are associated with the Project but provided by others. This may include items provided by:
  - The Department
  - Utility companies
  - Work done by adjacent contractors

# Line Item 3

**STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION**

**MEMORANDUM**

**DATE:** April 15, 2016

**TO:** 1. Donna Spelts, Budget Section  
2. Norfa Lanuza, Project Accounting *N. Lanuza* 4/19/16  
3. Rudy Malfabon, P.E., Director 

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

**SUBJECT:** REQUEST APPROVAL TO OBTAIN BUDGET APPROVAL  
AMENDMENT NO. ~~1~~ TO AGREEMENT NO. P073-13-004  
FOR SYLVESTER & POLEDNAK, LTD. (Jeffery R. Sylvester, Esq.)  
IN THE MATTER OF *NDOT vs. K & L DIRT*  
REGARDING E.A. NO. 73527 AND  
PROJECT IDENTIFICATION NO. DE-NH-MG-093-1(010)

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Sylvester & Polednak, Ltd. is under contract to provide outside legal counsel representing and advising the Nevada Department of Transportation in the Boulder City Bypass eminent domain condemnation matter of *State of Nevada, ex rel., Department of Transportation vs. K & L Dirt, et al.* in the Eighth Judicial District Court of the State of Nevada, Case No. A-12-666050-C.

The original agreement for the services at inception of the eminent domain condemnation complaint in February of 2013 was \$275,000. Amendment No. 1 allows for an additional \$325,000. The \$325,000 amendment for this complex litigation is anticipated to be used between the fiscal year ending June 30, 2016 and fiscal year ending June 30, 2017. This project is eligible for 95% Federal reimbursement.

The estimated cost allocation for this amendment is \$125,000 for fiscal year 2016 and \$200,000 for fiscal year 2017. The exact amount to be spent each fiscal year has yet to be determined.

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

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

Approved:

  
\_\_\_\_\_  
Director

Approved

  
\_\_\_\_\_  
Budget Section

Requires Transportation Board Presentation

Requires IT Review

COMMENTS:

Board approval is required, but not a formal  
presentation. - R

# Line Item 4

STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION

Request to Solicit Services and Budget Approval (2A)

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

If Amendment or Task Order, name of Company: Atkins North America, Inc.

Agreement #: 437-15-016

Project ID #(s):

Type of Services: Consultant Services

Originated by: Rodney D Schilling

Division: Traffic Ops

Date Originated: 4/4/2016

Division Head/District Engineer: Denise M Inda

Budget Category #: 06

Object #: 814E

Organization #: C016

Estimated Cost: \$675,000.00

Type of Funding: State

% of Fund: 100

Funding Notes:

State Fiscal Year(s): 2016-2018

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

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

See attached

**Scope of Services:**

See original 2A attached

**Additional Information Attached**

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





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

We are requesting an additional \$275,000 for additional work identified during agreement negotiations with Atkins North America, Inc. It was determined the scope required for the update of the 623 section of the Standard Specifications for Road and Bridge Construction was more complex than originally anticipated, and multi-day work sessions would be held at the NDOT offices, on a monthly basis throughout the project to enable the consultant to interact with key divisions within the department, such as Specifications, Structures, Materials and Testing, etc., to ensure the update aligns with the specifications affecting these areas. In addition, there will be external interactions with FHWA and the construction industry to solicit feedback from these stakeholders. The consultant will host a SharePoint site for the online document repository through the duration of the project. The original 2A was approved for \$400,000 and we are requesting an increase of \$275,000 for this additional work (see attached "Cost Summary" breakdown). The anticipated expenditures for FY16 are in the amount of \$125,000.00, for FY17 and FY18 in the amount of \$275,000.00 each. Actual availability of funds and the monitoring of actual expenditures will be determined by the Chief Traffic Operations Engineer.

STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION

# MEMORANDUM

April 19, 2016

**TO:** Reid G. Kaiser, P.E., Assistant Director, Operations

**FROM:** Eric MacGill, Project Manager, Traffic Operations Division

**SUBJECT:** Negotiation Summary for RFP 437-15-016 - Review and Update of Section 623 "Signals, Lighting, and Intelligent Traffic Systems" of the NDOT Standard Specifications for Road and Bridge Construction

A negotiation meeting was held at NDOT's Hot Springs facility in Carson City, NV on March 17, 2016, with SERVICE PROVIDER MEMBERS: Jim Hanson, Will Johnson, and Ron Meyer and DEPARTMENT MEMBERS: Rod Schilling, Eric MacGill, and Jon Dickinson 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 SERVICE PROVIDER was reaffirmed by both parties at the outset.

The schedule was agreed to by both parties in accordance with the scope of services described in the RFP 437-15-016

Key personnel dedicated to this project are as follows:

Will Johnson	Project Manager
Ron Meyer	Deputy/Technical Advisor
David Bremer	Core Delivery Team
Brian Ritchson	Core Delivery Team
Armelle Burleson	Core Delivery Team
PK Electrical	Lighting and Power Technical Review

PK Electrical is an electrical engineering firm and will be a sub-consultant to the SERVICE PROVIDER completing a technical review of the lighting and power segments of the 623 specification section. The fee for their service is \$12,000 and is included in the direct expenses of the SERVICE PROVIDER's cost proposal.

The DEPARTMENT's original estimate was \$400,000 including direct labor, overhead, fixed fee, and direct expenses (including sub-consultant expenses). This is a lump sum method of compensation.

The Service Provider's original estimate was \$651,826, including direct labor, overhead rate of 152.36%, a 10% fixed fee, and direct expenses at \$50,400 (including sub-consultant expenses). The total negotiated cost for this agreement, including direct labor, overhead, fixed fee and direct expenses will be \$661,951.94. (See Attachment A for Final Cost Summary)

The overhead rate of 152.36% was provided by the Internal Audit Division.

The negotiations yielded the following:

1. During the negotiation meeting, it was determined the scope required for the update of the 623 section of the Standard Specifications for Road and Bridge Construction was more complex than originally anticipated, and multi-day work sessions would be held at the NDOT offices, on a monthly basis throughout the project to enable the consultant to interact with key divisions within the department, such as Specifications, Structures, Materials and Testing, etc., to ensure the update aligns with the specifications affecting these areas. In addition, there will be external interactions with FHWA and the construction industry to solicit feedback from these stakeholders.
2. The SERVICE PROVIDER originally had 505 hours dedicated for project management. During the negotiation meeting, this was reduced to 212 hours for a cost savings of \$30,911. This cost savings helped offset the increased scope of work of the project, the additional man-hours required for multi-day work sessions at NDOT, external interaction with other stakeholders, and the consultant hosting of the SharePoint site that will be used for the project.
3. During the negotiation meeting, upper management hours were redistributed to development hours for core team members. This allocated more hours for specification development.
4. There will be 4,724 total man-hours allotted to review and update the 623 section of the NDOT Standard Specifications throughout the course of this agreement at a direct labor cost of \$205,994.46. Based upon the direct labor costs and an overhead rate of 152.36%, the overhead amount will be \$313,853.16. A fixed fee of 10% was agreed to by both parties, and will be \$51,984.76 for this agreement based upon direct labor costs and an overhead rate of 152.36%. The direct expenses agreed to total \$90,119.56 for sub-consultants, reproduction, communication, travel, per diem and SharePoint Hosting Services. There will be no direct compensation for computer time.

Reviewed and Approved:



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Assistant Director

**SCOPE OF WORK AND FEE ESTIMATE FOR:**  
**REVIEW AND UPDATE OF SECTION 623 “SIGNALS, LIGHTING, AND  
INTELLIGENT TRAFFIC SYSTEMS” OF THE NDOT STANDARD SPECIFICATIONS  
FOR ROAD AND BRIDGE CONSTRUCTION**

**NDOT PROJECT MANAGER:**  
**ATKINS PROJECT MANAGER:**

**Eric MacGill**  
**Will Johnson**

**1. BACKGROUND**

The purpose of this project is to provide technical staff and services to work with the NDOT Traffic Operations and Specifications Divisions to review and update Section 623 of the NDOT Standard Specifications for Road and Bridge Construction. Atkins will work with NDOT to remove unnecessary requirements, update relevant specifications, add new specifications, and verify that the complete document follows current applicable standards.

This project is expected to include, but is not limited to, content updates and development of new materials for publication in the *NDOT Standard Specifications for Road and Bridge Construction*, *NDOT Standard Plans*, and other relevant documents such as guides and Bid-Item Number information.

**2. TASK DESCRIPTIONS**

The primary tasks of this assignment relate to the development, refinement, review, routing, and publication of updated and new standards and specifications for signalization, lighting and intelligent transportation system (ITS) equipment. These activities will be coordinated with NDOT Traffic Operations, Specifications, as well as other internal and external stakeholders whose input and participation may be desired or necessary during the course of requirements development on behalf of NDOT and eventual publication of documents developed. The following sections describe the general nature of planned activities:

**Task 1 - Project Management:** Atkins staff will perform project management activities throughout the entire duration of the project. This will include participation in weekly status meetings, progress teleconferences, face-to-face meetings, as well as administrative activities such as preparation of meeting minutes, project invoicing, schedule and task management, and other project management activities.

- **Deliverable:** *Meeting Minutes, Coordination Items, Invoices and Progress Reports*
- **Schedule:** *On Going*

**Task 2 - Project Meetings and Work Sessions:** Atkins staff will coordinate, schedule and participate in on-site work sessions with NDOT staff as required during the course of the project. It is anticipated that these work sessions will range between two day (Wednesday and Thursday) and three day (Tuesday, Wednesday and Thursday) works sessions held at the NDOT office and include both traffic operations staff and NDOT specifications staff. It is anticipated that from notice to proceed through the 60% review that three day work sessions will be held monthly to facilitate the initial development of the updated specifications package. After the 60% review it is anticipated that the work sessions will be reduced to two day work sessions held monthly for the remainder of the project. Attendees at the work sessions include the following Atkins staff:

- Jim Hanson - As the Project Principal, Jim will limit his attendance to a single day of any work session and is anticipated to attend the kickoff, 60%, 90% and final project meeting. Jim will work with NDOT at these milestones to make sure that the team is meeting all client expectations and to provide additional resources when and where required.
- Will Johnson – As the Project Manager, Will will limit his attendance to a single day of each of the monthly work sessions in order to provide continuity throughout the project and ensure that project needs, schedule and deadlines are being met by the project team.
- Ron Meyer – As the Deputy Project Manager and the technical lead for the modification and development of specifications, Ron will attend all monthly work sessions throughout the duration of the project to assist with the overall formatting and technical content of the specifications.
- David Bremer - As the deputy technical lead for the modification and development of specifications, David will attend approximately half of the monthly work sessions throughout the duration of the project to facilitate the transfer of knowledge regarding specific technical topics and concepts within the specifications document.

An ongoing task will be to participate in as-needed outreach activities, coordination activities, and stakeholder meetings regarding lighting, signalization, and ITS specification development. This includes, but is not limited to, the production of meeting materials, presentations, and attendance/presentation of those materials to various individuals and groups with NDOT staff or on behalf of NDOT.

- **Deliverable:** Meeting Minutes, Coordination Items, and Progress Reports
- **Schedule:** On Going

**Task 3 - Review of Existing Materials:** Atkins staff will review the current technical content of Section 623 in the standard specifications and other sections that are referenced or otherwise associated with content contained therein. Atkins will identify and recommend areas for updating, removal, and expansion. This includes making recommendations on new items and areas for NDOT consideration that are not currently addressed.

- **Deliverable:** Technical Memorandum of recommended modifications to the existing technical materials. Mark-ups of the existing technical materials

**Task 4 - Development of Online Document Repository:** Atkins staff will investigate and identify the current means and methods used by NDOT for electronic document storage and revision control. Atkins staff will work with NDOT's IT department to identify and leverage any existing NDOT systems, such as the existing NDOT SharePoint site, that can support the document repository and revision control needs of this project. If necessary, Atkins will document and refine requirements; research, select, install, and configure software; and generally implement, manage, and maintain a document repository and revision control system to support this project. The goal is to establish a system to serve as a controlled documents repository for all materials created as part of this project. The system is expected to also including remote access for authorized project contributors, reviewers, and approvers and be capable of sending automatic notifications of task assignments for document review and approval.

Atkins will provide hosting services for the SharePoint online document repository during the duration of the project.

- **Deliverable:** *Share Point Document Repository System/Revision Control System hosted independently by Atkins and coordinated with NDOT IT.*

**Task 5 - Revise and Update Existing Specifications (60% DRAFT):** Atkins will review and update existing content within Section 623 (Signals, Lighting and ITS) of the NDOT *Standard Specifications for Road and Bridge Construction* as well as other documents related to the selection, procurement, and installation of lighting, signalization, and ITS devices on the streets and highways of Nevada. The goal of this activity is to ensure that existing content meets current applicable standards and policies and reflects the current needs of NDOT. Atkins will regularly coordinate updates with NDOT staff to produce accurate and properly formatted documents that can be directly incorporated into a future publication of NDOT's *Standard Specifications for Road and Bridge Construction*. Tasks will include, but not be limited to, technical writing to update and modify existing content related to electrical, lighting, and traffic control device requirements (including ITS products), document quality control, and other documentation/meetings/efforts as necessary and directed by the NDOT project manager.

- **Deliverable:** *DRAFT (60%) Revised/updated Signal, Lighting and ITS specifications and bid item number documentation in WORD and PDF format.*

**Task 6 – Development of New DRAFT Specifications (60% DRAFT):** Atkins will identify and propose new elements for inclusion in the NDOT *Standard Specifications for Road and Bridge Construction* as well as other documents related to the selection, procurement, and installation of lighting, signalization, and ITS devices on the streets and highways of Nevada. This will include:

- Identifying common device types used in existing NDOT projects that are not covered by statewide specifications
- Maintaining knowledge of current products and technology available for use within transportation systems
- Identifying and sharing information regarding products and technologies that may be applicable to or complement NDOT's transportation systems
- Monitoring and reporting on transportation industry trends

This task will also involve coordination with various NDOT offices to solicit input and assistance in creating new elements to ensure they meet the current needs of NDOT. Tasks will include, but not be limited to, technical writing to create new content, inclusion of additional electrical, lighting, and traffic control device requirements (including ITS products) within the NDOT *Standard Specifications for Road and Bridge Construction*, document quality control, and other documentation/meetings/efforts as necessary and directed by the NDOT project manager.

- **Deliverable:** *DRAFT (60%) New Signal, Lighting and ITS specification sections and bid item number documentation in WORD and PDF format.*

**Task 7- Review of Standard Plans:** This project is expected to include updates to existing NDOT Standard Plans associated with specification content as necessary and directed by the NDOT project manager. Atkins will review and make comments and redlines to existing standard NDOT plans. These redlines will be provided to NDOT for modification and incorporation by NDOT staff.

Once completed Atkins will review the revised standard plans to make sure that the comments were incorporated correctly.

- **Deliverable:** *Comments and redlines to Standard Signal, Lighting and ITS design plans*

**Task 8- Review of Qualified Product List (QPL):** This project is expected to include updates to the existing NDOT QPL associated with modified specification content as necessary and directed by the NDOT project manager. Atkins will review and make comments and suggestions for modifications to the existing QPL. These comments and modifications will be provided to NDOT for modification and incorporation by NDOT staff. Once completed Atkins will review the revised QPL to make sure that the comments were incorporated correctly.

- **Deliverable:** *Comments and suggested modifications to the existing Qualified Product List*

**Task 9 - Revise and Update Existing Specifications (WORKING FINAL):** Atkins will revise the 60% Draft Section 623 (Signals, Lighting and ITS) of the NDOT *Standard Specifications for Road and Bridge Construction* based upon comments received from the 60% review meeting. In addition to the incorporation of all 60% comments this WORKING DRAFT will include the addition of all required elements including updated bid number documentation.

- **Deliverable:** *WORKING FINAL Revised/updated Signal, Lighting and ITS specifications and bid item number documentation in WORD and PDF format.*

**Task 10 – Industry Review (WORKING FINAL):** Atkins will provide the WORKING FINAL version of Section 623 for an informal review prior to the official 90% NDOT submittal in the form of an industry review. At this time it is assumed that the industry review will occur over a ten calendar day period. Any comments from the industry review will be reviewed with NDOT prior to incorporation into the FINAL specifications document.

- **Deliverable:** *WORKING FINAL Revised/updated Signal, Lighting and ITS specifications and bid item number documentation in WORD and PDF format.*

**Task 11 - Revise and Update New Specifications (FINAL):** Atkins will revise the new technical content added to the 60% Draft and WORKING FINAL Draft Section 623 (Signals, Lighting and ITS) of the NDOT *Standard Specifications for Road and Bridge Construction* based upon comments received from the 60% review meeting and the industry review.

- **Deliverable:** *FINAL Revised/updated Signal, Lighting and ITS specifications and bid item number documentation in WORD and PDF format.*

**Task 12 - Special Optional Services:** Staff utilized for this project will be expected to support future tasks that may be requested and authorized by the NDOT project manager relating to the NDOT Specifications and Requirements. These tasks and items may include, but are not limited to the following:

- Attendance at additional meetings to facilitate the development of the specifications not specifically included within this scope of work and fee estimate.
- Providing assistance with the revisions to the Qualified Products List (QPL).
- Providing assistance with the revisions to the Standard Plans

- Additional Share Point hosting fee if users exceed the assumed 50 users.
- Additional Share Point hosting fee if the data storage requirements exceeds 10 GB.
- Additional Share Point hosting fee if the site is required beyond the assumed 24 month period.
  
- **Deliverable:** To Be Determined As Needed
- **Schedule:** On Going and As Needed

### 3. DELIVERABLES AND SCHEDULE

The following lists the deliverables expected:

- Document Repository/Revision Control System
- Specifications
- Bid-Item Number documentation
- Standard Plan Sheets
- Other Supporting Documents

A detailed schedule is provided in Appendix 1. At this time the following milestone completion dates are suggested:

Notice To Proceed: .....	June 2016
Review of Existing Materials: .....	June 2016 thru July 2016
Development of On-Line Document Repository System.....	June 2016 thru July 2016
Revision/update of existing Signal, Lighting & ITS Specs.....	August 2016 thru December 2016
Development of content for Signal, Lighting & ITS Specs .....	August 2016 thru December 2016
60% DRAFT Signal, Lighting & ITS Specs NDOT Review .....	January 2017
60% DRAFT Signal, Lighting & ITS Specs Review Meeting ...	February 2017
Review of Standard Plans .....	January 2017
Review of Qualified Products List.....	January 2017
Revisions and Updates based up 60% DRAFT comments.....	February 2017 thru April 2017
Industry Review .....	April 2017 thru May 2017
Revisions and Updates based up Industry Review.....	May 2017 thru June 2017
90% DRAFT Signal, Lighting & ITS Specs NDOT Review .....	July 2017
90% DRAFT Signal, Lighting & ITS Specs Review Meeting ...	August 2017
Revisions and Updates based up 90% DRAFT comments.....	August 2017 thru September 2017
FINAL Signal, Lighting & ITS Specs.....	September 2017

### 4. BILLING AND REIMBURSEMENT METHOD

Atkins will invoice for services performed under this agreement by individual staff hours for approved staff and authorized expenses. An estimate of the work effort and fee for this project is provided in Appendix 2.

### 5. STAFFING

Atkins plans to staff this project using personnel identified in this section. The project is expected to include a combination of on-site and off-site work at both NDOT provided work space and at Atkins offices. Atkins will adjust team members as necessary to perform the work using qualified personnel and at the request of NDOT. Will Johnson will serve as the Atkins Project Manager.



## MEMORANDUM

May 2, 2016

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, Director  
**SUBJECT:** May 9, 2016, Transportation Board of Directors Meeting  
**Item #6:** 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:

- Construction contracts under \$5,000,000 awarded March 18, 2016, through April 14, 2016
- Agreements under \$300,000 executed March 18, 2016, through April 14, 2016
- Settlements entered into by the Department which were presented for approval to the Board of Examiners March 18, 2016, through April 14, 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 that were awarded for construction from February 19, 2016, through March 17, 2016, and agreements executed by the Department from February 19, 2016, through March 17, 2016. There was one (1) settlement during the reporting period.

**Analysis:**

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

**List of Attachments:**

- A) State of Nevada Department of Transportation Contracts Awarded - Under \$5,000,000, March 18, 2016, through April 14, 2016
- B) State of Nevada Department of Transportation Executed Agreements – Under \$300,000, March 18, 2016, through April 14, 2016
- C) State of Nevada Department of Transportation Settlements - Informational, March 18, 2016, through April 14, 2016

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

**Prepared by:** Administrative Services Division

# Attachment

# A

**STATE OF NEVADA DEPARTMENT OF TRANSPORTATION  
 CONTRACTS AWARDED - INFORMATIONAL  
 March 18, 2016, to April 14, 2016**

1. February 25, 2016, at 1:30 PM the following bids were opened for Contract 3616-READV, Project No. STP-095-3(009), US 95 in Goldfield from 1st Street to 2nd Street, in Esmeralda County, to construct the Goldfield Visitor Center.

Trade West Construction, Inc. ....	\$712,369.19
Building Solutions, Inc. ....	\$735,453.85
M G M Construction, Inc.....	\$746,906.00
Schell Creek Construction, Inc. ....	\$778,926.95
Road and Highway Builders LLC.....	\$1,222,222.00

**Engineer's Estimate**..... \$726,923.16

The Director awarded the contract, March 22, 2016, to Trade West Construction, Inc. for \$712,369.19.

2. March 3, 2016, at 1:30 PM the following bids were opened for Contract 3626, Project No. SPSR-0447(002), SR 447, Gerlach Road, in Pershing and Washoe Counties, to provide ½ inch chip seal with fog seal.

Intermountain Slurry Seal, Inc. ....	\$888,498.00
Sierra Nevada Construction, Inc.....	\$894,007.00
VSS International, Inc.....	\$906,000.00
MKD Construction, Inc.....	\$1,298,560.55

**Engineer's Estimate**..... \$1,071,740.29

The Director awarded the contract March 22, 2016, to Intermountain Slurry Seal, Inc., for \$888,498.00.

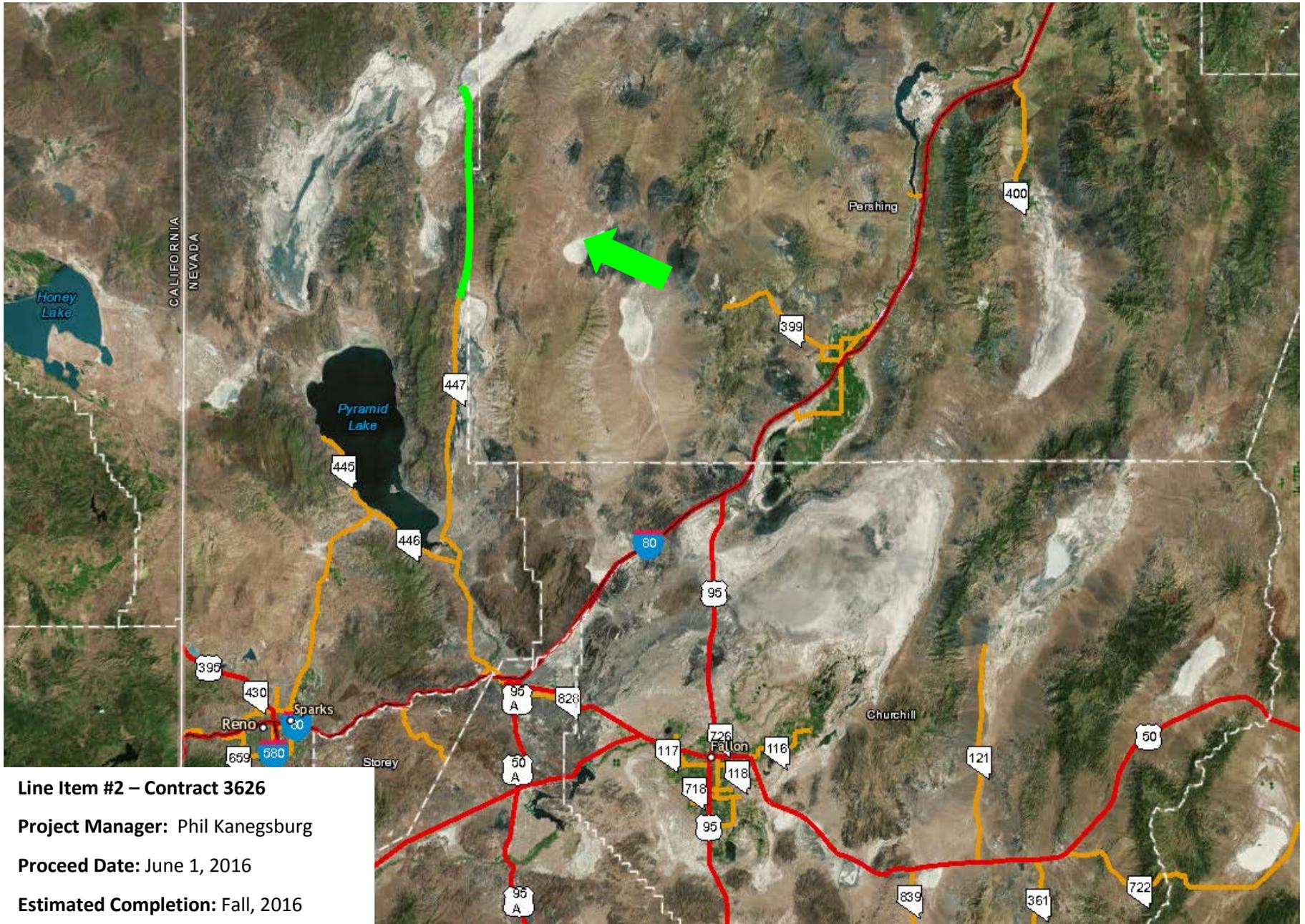


**Line Item #1 – Contract 3616-READV**

**Project Manager:** Kevin Maxwell

**Proceed Date:** April 25, 2016

**Estimated Completion:** Fall, 2016



**Line Item #2 – Contract 3626**  
**Project Manager:** Phil Kanegsburg  
**Proceed Date:** June 1, 2016  
**Estimated Completion:** Fall, 2016

# Attachment B

**State of Nevada Department of Transportation  
Executed Agreements - Informational  
March 18, 2016, through April 14, 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	15516	00	DAVID C. & CHARLENE L. FOLEY	LAND SALE AGREEMENT	N	36,567.35	-	-	36,567.35	4/1/2016	7/31/2016	-	Acquisition	TINA KRAMER	04-01-16: SALE OF SURPLUS PROPERTY PARCEL U-395-CC-008.087XS1 SUR 09-13 TO PRIVATE PARTY, CARSON COUNTY. NV B/L#: EXEMPT
2	15016	00	HCB MPB, LLC	LAND SALE AGREEMENT	N	27,130.30	-	-	27,130.30	3/29/2016	5/30/2017	-	Acquisition	TINA KRAMER	03-29-16: SALE OF SURPLUS PROPERTY PARCEL U-395-CC-008.139 XS1 TO PRIVATE PARTY, CARSON COUNTY. NV B/L#: EXEMPT
3	14916	00	MARK AND DOROTHY PALMER	LAND SALE AGREEMENT	N	30,745.90	-	-	30,745.90	3/29/2016	5/30/2017	-	Acquisition	TINA KRAMER	03-29-16: SALE OF SURPLUS PROPERTY PARCEL U-395-CC-008.139 XS1 TO PRIVATE PARTY, CARSON COUNTY. NV B/L#: EXEMPT
4	14716	00	SIERRA INVESTMENT TRUST	LAND SALE AGREEMENT	N	27,130.30	-	-	27,130.30	4/4/2016	5/30/2017	-	Acquisition	TINA KRAMER	04-04-16: SALE OF SURPLUS PROPERTY PARCEL U-395-CC005.995 XS1 TO PRIVATE PARTY, CARSON COUNTY. NV B/L#: EXEMPT
5	14416	00	LAMAR CENTRAL OUTDOOR, LLC	PROPERTY ACQUISITION	Y	448,000.00	-	448,000.00	-	3/18/2016	5/30/2017	-	Acquisition	TINA KRAMER	03-18-16: ACQUISITION OF PARCEL I-015-CL-042.340, 351 S MARTIN LUTHER KING BLVD FOR PROJECT NEON, CLARK COUNTY. NV B/L:#NVF20051485593
6	15616	00	REBEL ROCK RANCH, LLC	TEMPORARY EASEMENT	N	1,000.00	-	1,000.00	-	4/1/2016	5/30/2019	-	Acquisition	TINA KRAMER	04-01-16: TEMPORARY EASEMENTS OF PARCELS S-317-LN-046.999TE AND S-317-LN-047.038TE FOR REPAIR OF ROADWAY DAMAGE AND DRAINAGE STRUCTURES, LINCOLN COUNTY. NV B/L#: EXEMPT
7	14116	00	LEE B. SMITH & ASSOCIATES	APPRAISAL SERVICES	N	15,000.00	-	15,000.00	-	3/18/2016	7/31/2016	-	Appraisal	TINA KRAMER	03-18-16: APPRAISAL SERVICES OF TWELVE (12) PARCELS FOR SAFETY PROJECT AT US 395 AND AIRPORT ROAD, JOHNSON LANE, AND STEPHANIE WAY TO MOVE DECELERATION LANE AND TO CONSTRUCT AND LENGTHEN ACCELERATION LANE, DOUGLAS COUNTY. NV B/L#: NVD20101536474-S
8	14216	00	LYN NORBERG REAL ESTATE APPRAISER	APPRAISAL SERVICES	N	10,000.00	-	10,000.00	-	3/18/2016	7/31/2016	-	Appraisal	TINA KRAMER	03-18-16: APPRAISAL SERVICES OF TWO (2) PARCELS FOR SAFETY PROJECT AT US 395 AND AIRPORT ROAD, JOHNSON LANE, AND STEPHANIE WAY TO MOVE DECELERATION LANE AND TO CONSTRUCT AND LENGTHEN ACCELERATION LANE, DOUGLAS COUNTY. NV B/L#: NVD20101027385-S
9	14816	00	TIMOTHY R. MORSE & ASSOCIATES	APPRAISAL SERVICES	Y	40,000.00	-	40,000.00	-	3/25/2016	1/31/2018	-	Appraisal	TINA KRAMER	03-25-16: APPRAISAL SERVICES OF ONE (1) CLARK COUNTY, ONE (1) GOLD STAR, AND ONE (1) AMALGAMATED INVESTMENTS TRUST PARCELS ALONG DESERT LANE FOR THE PROJECT NEON DESIGN-BUILD PROJECT, CLARK COUNTY. NV B/L#: NVD20101119562

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Notes
10	07516	00	CITY OF FERNLEY	SAGE ST LIGHTING	N	-	-	-	-	3/28/2016	12/31/2029	-	Cooperative	MARLENE REVERA	03-28-16: NO COST AGREEMENT TO DETERMINE MAINTENANCE RESPONSIBILITIES FOR LIGHTING AT SAGE STREET AND US-95A, LYON COUNTY. NV B/L#: EXEMPT
11	10816	00	RTC SOUTHERN NEVADA	2017 UPWP	Y	4,765,000.00	-	4,765,000.00	226,900.00	3/24/2016	6/30/2017	-	Cooperative	KEVIN VERRE	03-24-16: FUNDING ALLOCATION FOR 2017 UNIFIED PLANNING WORK PROGRAM (UPWP). CLARK COUNTY. NV B/L#: EXEMPT
12	11216	00	RTC SOUTHERN NEVADA	2017 UPWP	N	-	-	-	-	3/24/2016	9/30/2020	-	Cooperative	KEVIN VERRE	03-24-16: NO COST AGREEMENT IDENTIFYING ROLES AND RESPONSIBILITIES FOR THE 2017 UNIFIED PLANNING WORK PROGRAM (UPWP). CLARK COUNTY. NV B/L#: EXEMPT
13	10616	00	TAHOE METRO PLANNING ORGANIZATION	2017 UPWP	Y	489,000.00	-	489,000.00	23,300.00	3/18/2016	6/30/2017	-	Cooperative	KEVIN VERRE	03-18-16: FUNDING ALLOCATION FOR 2017 UNIFIED PLANNING WORK PROGRAM (UPWP), DOUGLAS, AND WASHOE COUNTY. NV B/L#: EXEMPT
14	12216	00	ELKO MOTORCYCLE JAMBOREE INC.	ELKO JAMBOREE	N	2,250.00	-	1,500.00	2,250.00	4/11/2016	6/19/2016	-	Event	SANDY SPENCER	4-11-16: PERMIT TO HOLD ELKO MOTORCYCLE JAMBOREE ON SR 227, JUNE 16-19, 2016. \$750.00 TO COVER EXPENSES OF THE DEPARTMENT'S EQUIPMENT AND PERSONNEL RELATED TO THE EVENT AND A \$1,500.00 DEPOSIT FOR ANY DAMAGES TO DEPARTMENT FACILITIES DURING THE EVENT. ELKO COUNTY. NV B/L#: NV20011300791
15	13116	00	NV ENERGY	LINE EXTENSION	N	29,062.00	-	29,062.00	-	3/11/2016	1/31/2019	-	Facility	TINA KRAMER	03-11-16: LINE EXTENSION OF EXISTING FACILITIES LOCATED AT MOUNT ROSE HIGHWAY FOR RECONSTRUCTION OF TRUCK ESCAPE RAMP, WASHOE COUNTY. NV B/L#: NVD19831015840
16	13316	00	NV ENERGY	LINE EXTENSION	N	976.00	-	976.00	-	3/11/2016	1/31/2019	-	Facility	TINA KRAMER	03-11-16: LINE EXTENSION OF EXISTING FACILITIES LOCATED AT W 6TH AVENUE FOR A PEDESTRIAN LIGHTING AND AMERICANS WITH DISABILITIES ACT (ADA) IMPROVEMENTS PROJECT, WASHOE COUNTY. NV B/L#: NVD19831015840
17	15216	00	NV ENERGY	LINE EXTENSION	N	8,065.00	-	8,065.00	-	4/4/2016	1/31/2019	-	Facility	TINA KRAMER	04-04-16: LINE EXTENSION OF EXISTING FACILITIES LOCATED AT HWY 265 AND HWY 6 FOR A PEDESTRIAN LIGHTING AND AMERICANS WITH DISABILITIES ACT (ADA) IMPROVEMENTS PROJECT, ESMEERLDA COUNTY. NV B/L#: NVD19831015840
18	15316	00	NV ENERGY	LINE EXTENSION	N	3,876.00	-	3,876.00	-	4/4/2016	1/31/2019	-	Facility	TINA KRAMER	04-04-16: LINE EXTENSION OF EXISTING FACILITIES LOCATED AT GEPFORD PKWY FOR A PEDESTRIAN LIGHTING AND AMERICANS WITH DISABILITIES ACT (ADA) IMPROVEMENTS PROJECT, WASHOE COUNTY. NV B/L#: NVD19831015840

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
19	15416	00	NV ENERGY	LINE EXTENSION	N	6,693.00	-	6,693.00	-	4/4/2016	1/31/2019	-	Facility	TINA KRAMER	04-04-16: LINE EXTENSION OF EXISTING FACILITIES LOCATED ON SUN VALLEY BLVD FOR A PEDESTRIAN LIGHTING AND AMERICANS WITH DISABILITIES ACT (ADA) IMPROVEMENTS PROJECT, WASHOE COUNTY. NV B/L#: NVD19831015840
20	13216	00	NV ENERGY	DESIGN APPROVAL AGREEMENT	N	-	-	-	-	3/10/2016	2/28/2017	-	Facility	TINA KRAMER	03-10-16: NO COST DESIGN APPROVAL AGREEMENT FOR RELOCATION OF CONDUIT, PADS, SWITCHES, TRANSFORMERS, AND OTHER FACILITIES, SUN VALLEY BLVD AT GEPFORD PKWY, FOR A PEDESTRIAN LIGHTING AND AMERICANS WITH DISABILITIES ACT (ADA) IMPROVEMENTS PROJECT, WASHOE COUNTY. NV B/L#: NVD19831015840
21	13516	00	NV ENERGY	DESIGN APPROVAL AGREEMENT	N	-	-	-	-	3/11/2016	2/28/2017	-	Facility	TINA KRAMER	03-11-16: NO COST DESIGN APPROVAL AGREEMENT FOR RELOCATION OF CONDUIT, PADS, SWITCHES, TRANSFORMERS, AND OTHER FACILITIES, SUN VALLEY BLVD AT SKAGGS CR., FOR A PEDESTRIAN LIGHTING AND AMERICANS WITH DISABILITIES ACT (ADA) IMPROVEMENTS PROJECT, WASHOE COUNTY. NV B/L#: NVD19831015840
22	41614	01	UPRR	PRELIMINARY ENGINEERING	Y	20,000.00	617,667.00	637,667.00	-	10/28/2014	10/31/2018	3/30/2016	Facility	TINA KRAMER	04-01-16: INCREASE AUTHORITY \$617,667.00 FROM \$20,000.00 TO \$637,667.00 FOR INSTALLATION OF CONCRETE SURFACES. 10-28-14: PRELIMINARY ENGINEERING TO INSTALL CONCRETE SURFACES AT VARIOUS RAILROAD CROSSINGS, CHURCHILL AND WASHOE COUNTIES. NV B/L#: NV19691003146
23	14616	00	VALLEY ELECTRIC	POLE RELOCATION	Y	16,950.00	-	16,950.00	-	3/24/2016	5/30/2019	-	Facility	TINA KRAMER	03-24-16: RELOCATION OF EXISTING OVERHEAD POWER POLE LOCATED AT PAHRUMP VALLEY BLVD AND SR 372 FOR CONSTRUCTION OF A ROUNDABOUT, CLARK COUNTY. NV B/L#: NVD19651000140
24	07316	00	MINDEN-TAHOE AIRPORT	AIRPORT IMPROVEMENTS GRANT	N	26,936.00	-	26,936.00	-	3/30/2016	1/6/2017	-	Grantee	KURT HAUKOHL	03-30-16: STATE MATCHING FUNDS FOR FEDERAL AVIATION ADMINISTRATION (FAA) GRANT FOR AIRPORT IMPROVEMENTS. DOUGLAS COUNTY. NV B/L#: EXEMPT
25	18716	00	CITY OF WINNEMUCCA	AIRPORT IMPROVEMENTS GRANT	N	1,463.00	-	1,463.00	-	4/1/2016	6/30/2016	-	Grantee	KURT HAUKOHL	04-01-16: STATE MATCHING FUNDS FOR FEDERAL AVIATION ADMINISTRATION (FAA) GRANT FOR AIRPORT IMPROVEMENTS. HUMBOLDT COUNTY. NV B/L#: EXEMPT
26	65015	00	NEVADA TAHOE CONSERVATION DISTRICT	LAKE CLARITY CREDITING PROGRAM	N	58,783.08	-	58,783.08	-	3/29/2016	6/30/2018	-	Interlocal	CHARLES WOLF	03-29-16: TO SUCCESSFULLY DEMONSTRATE AND DOCUMENT THE ATTAINMENT OF LOAD REDUCTION MILESTONES AND ENSURE ASSOCIATED CREDIT TARGETS HAVE BEEN MET AND ACHIEVED FOR THE LAKE TAHOE CLARITY CREDITING PROGRAM, WASHOE COUNTY. NV B/L#: EXEMPT

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Notes
27	19516	00	JERRY LOGHREY	LEASE HOUSE	N	2,900.00	-	-	2,900.00	3/30/2016	3/28/2020	-	Lease	PAULINE BEIGEL	3-30-16: LEASE OF HOUSE #1 AT THE BLUE JAY MAINTENANCE STATION TO A DEPARTMENT EMPLOYEE, NYE COUNTY. NV B/L#: EXEMPT
28	21816	00	JEREMIAH WILCOX	LEASE HOUSE	N	5,400.00	-	-	5,400.00	4/14/2016	7/20/2020	-	Lease	SANDY SPENCER	04-14-16: LEASE OF HOUSE #246 AT THE EMIGRANT MAINTENANCE STATION TO A DEPARTMENT EMPLOYEE, ELKO COUNTY. NV B/L#: EXEMPT
29	22616	00	AS&D ENTERPRISE	LEASE OFFICE	N	8,866.67	-	8,866.67	-	4/11/2016	5/31/2017	-	Lease	SANDY SPENCER	4-11-16: LEASE OFFICE SPACE FOR BATTLE MOUNTAIN CONSTRUCTION CREW 920, FOR 14 MONTHS, LANDER COUNTY. NV B/L#: NV20121112056
30	14316	00	SOUTHERN NEVADA HEALTH DISTRICT	CONSTRUCTION OUTSIDE RIGHT OF WAY	Y	-	-	-	-	3/18/2016	5/30/2019	-	ROW Access	TINA KRAMER	03-30-16: NO COST AGREEMENT FOR RECONSTRUCTION OF DRIVEWAY ALONG DESERT LANE FOR THE SOUTHERN NEVADA HEALTH DISTRICT FOR THE PROJECT NEON DESIGN-BUILD PROJECT, CLARK COUNTY. NV B/L#: EXEMPT
31	79215	00	FLIR 360 SURVEILLANCE	SOFTWARE DEVELOPMENT	N	298,902.00	-	298,902.00	-	4/1/2016	6/30/2016	-	Service Provider	PAM BACHMANN	04-01-16: SOFTWARE DEVELOPMENT OF THE NEXT GENERATION VIDEO TO PUBLIC (V2P) MODULE THAT IS USED TO MONITOR AND VERIFY TRAFFIC CONDITIONS BY PUBLIC SAFETY AGENCIES AND THE PUBLIC TO MITIGATE TRAFFIC INCIDENTS AND CONDITIONS AND MAKE TRAVEL DECISIONS. THIS DEVELOPMENT WILL RENDER VIDEO IN A FORMAT THAT IS COMMON TO ALL WEB BROWSERS AND REQUIRES LESS BANDWIDTH FOR THE PUBLIC AND PUBLIC SAFETY OFFICIALS CONSUMPTION. ADDITIONALLY, DEVELOPMENT WILL PROVIDE AN INTERFACE FOR NEWS MEDIA AGENCIES TO CONSUME HIGH QUALITY VIDEO TO PRESENT TO THE PUBLIC DURING CRITICAL EVENTS SUCH AS WINTER STORMS. STATEWIDE. NV B/L#: NVF20161146400-S
32	21416	00	A&K EARTH MOVERS, INC.	STORM WATER COMPLIANCE	N	225,000.00	-	225,000.00	-	4/12/2016	12/31/2017	-	Service Provider	MARLENE REVERA	4-12-16: TO PROVIDE CLEARING OF DEBRIS OR ANY OBSTRUCTION IMPEDING THE DESIGN FLOW CAPACITY AND INSTALL BACKFILL AND RIPRAP FOR STORM WATER MANAGEMENT IN DISTRICT II ON AN AS-NEEDED BASIS OVER AN 18 MONTH PERIOD, CARSON CITY, PERSHING, LYON, CHURCHILL, DOUGLAS, WASHOE, STOREY AND MINERAL COUNTIES. NV B/L#: NV19651001305-Q
33	63315	01	BRAMCO CONSTRUCTION COMPANY	FUEL ISLAND FALLON	N	191,974.00	44,014.87	235,961.87	-	10/7/2015	7/31/2016	4/5/2016	Service Provider	ANNETE BALLEW	AMD 1 04-05-16: INCREASE AUTHORITY \$44,014.87 FROM \$191,947.00 TO \$235,961.87 FOR REMEDIATION OF CONTAMINATED SOILS DISCOVERED DURING EXCAVATION. 10-7-15: RENOVATE FUEL ISLAND AT FALLON MAINTENANCE STATION, CHURCHILL COUNTY. NV B/L#: NV19811010649-Q

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Notes
34	19316	00	CH2M	FASTLANE GRANT APPLICATION ASSISTANCE	N	100,000.00	-	100,000.00	-	3/29/2016	6/30/2016	-	Service Provider	KEVIN VERRE	03-29-16: PROVIDE ASSISTANCE WITH A FASTLANE DISCRETIONARY GRANT APPLICATION FOR I-15 IMPROVEMENTS. CLARK COUNTY. NV B/L#: NVF19931065492-S
35	45913	01	CH2M	I15 MOBILITY ALLIANCE PROGRAM	N	287,500.00	-	287,500.00	-	8/7/2014	9/30/2018	3/22/2016	Service Provider	KEVIN VERRE	03-22-16: EXTEND TERMINATION DATE FROM 09-30-16 TO 09-30-18 FOR ON GOING ACTIVITIES ASSOCIATED WITH ORIGINAL SCOPE OF WORK. 08-07-14: I-15 MOBILITY ALLIANCE PROGRAM MANAGEMENT TO CONTINUE THE COORDINATION AND PARTNERSHIP BETWEEN NEIGHBORING STATES ALONG THE I-15 CORRIDOR FROM SOUTHERN CALIFORNIA TO NORTHERN UTAH, CLARK COUNTY. NV B/L#: NV19931065492-R
36	56413	01	CH2M	FEDERAL POLICY ANALYSIS	N	317,268.00	98,000.00	415,268.00	-	9/11/2014	9/30/2016	3/28/2016	Service Provider	TRACY LARKIN-THOMASON	03-28-16: INCREASE AUTHORITY \$98,000.00 FROM \$317,268.00 TO \$415,268.00 FOR CONTINUATION OF SERVICES, AND ADDING LITERATURE REVIEW OF NATIONAL AND INTERNATIONAL ACTIVITIES TO THE SCOPE OF SERVICES. 09-08-14: PROFESSIONAL AND SPECIALIZED SERVICES RELATING TO FEDERAL TRANSPORTATION PROGRAMS, PROJECTS, LEGISLATION, AND REGULATIONS, INCLUDING THE NEED FOR TIMELY INFORMATION REGARDING SUCH CONCERNS AND THEIR IMPACT UPON NEVADA'S TRANSPORTATION PROGRAMS. STATEWIDE. NV B/L#: NV19931065492-R
37	12016	00	CUSTOM CLEAN	JANITORIAL SERVICES	N	12,000.00	-	12,000.00	-	3/22/2016	11/30/2018	-	Service Provider	SANDY SPENCER	3-22-16: BI-WEEKLY, MONTHLY, QUARTERLY, AND SEMI-ANNUAL JANITORIAL SERVICES AT THE ELY DISTRICT III ADMINISTRATION OFFICE, WHITE PINE COUNTY. NV B/L#: NV20151208188-Q
38	64015	00	ENVIRONMENTAL SERVICES RESEARCH INSTITUTE, INC. (ESRI)	SOFTWARE MAINTENANCE	N	80,000.00	-	80,000.00	-	2/1/2016	10/31/2016	-	Service Provider	DEB MCCURDY	04-12-16: PERFORM MAINTENANCE SERVICES ON ESRI PROGRAMS FOR IMPLEMENTATION OF A GEOGRAPHIC INFORMATION SYSTEM (GIS) ENTERPRISE SOLUTION. CARSON CITY. NV B/L#: NVF20111027035-S
39	19716	00	FLYCAST PARTNERS, INC.	CHERWELL SOFTWARE IMPLEMENTATION	N	24,750.00	-	24,750.00	-	3/28/2016	6/30/2016	-	Service Provider	DEB MCCURDY	03-28-16: CHERWELL INFORMATION TECHNOLOGY SERVICE MANAGEMENT (ITSM) SOFTWARE RAPID RESULTS IMPLEMENTATION PROGRAM IS DESIGNED TO HELP ORGANIZATIONS PLAN AND EXECUTE A SUCCESSFUL DEPLOYMENT OF THE SOFTWARE. SOFTWARE WILL AUTOMATE INFORMATION TECHNOLOGY (IT) SERVICE DELIVERY AND SUPPORT PROCESSES, AND ELIMINATE WASTEFUL LICENSE SPENDING TO REDUCE OVERHEAD. CARSON CITY. NV B/L#: NVF20161112775-S

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Notes
40	21216	00	GARDNER ENGINEERING, INC.	TENANT IMPROVEMENTS	N	34,800.00	-	34,800.00	-	4/5/2016	7/31/2016	-	Service Provider	ANNETE BALLEW	4-5-16: HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) IMPROVEMENTS FOR NEW STORM WATER PERSONNEL OFFICES AT DEPARTMENT HEADQUARTERS, CARSON CITY. NV B/L#: NV19751005065-Q
41	10516	00	H.E. HUNEWILL CONSTRUCTION COMPANY, INC.	CONSTRUCT SIDEWALK	N	73,433.00	-	73,433.00	-	3/21/2016	9/30/2016	-	Service Provider	TRENT AVERETT	3-21-16: CONSTRUCTION OF A NEW SIDEWALK ALONG SR 794, HUMBOLDT COUNTY. NV B/L#: NV19731000076-Q
42	19616	00	HDR, INC.	FASTLANE GRANT APPLICATION ASSISTANCE	N	85,000.00	-	85,000.00	-	3/28/2016	6/30/2016	-	Service Provider	KEVIN VERRE	03-28-16: PROVIDE ASSISTANCE WITH A FASTLANE DISCRETIONARY GRANT APPLICATION FOR US 95 NORTHWEST IMPROVEMENTS. CLARK COUNTY. NV B/L#: NVF19851010291-S
43	19116	00	HIGH DESERT TRAFFIC	VEHICLE CLASSIFICATION CLUSTER ANALYSIS	N	19,500.00	-	19,500.00	-	3/29/2016	12/31/2016	-	Service Provider	A. SCOTT BOHEMIER	03-29-16: THE RESEARCH PERFORMED IN A CLUSTER ANALYSIS WILL DETERMINE DAILY, WEEKLY, AND MONTHLY VEHICLE CLASSIFICATION FACTORS. THESE FACTORS ARE APPLIED TO SHORT TERM VEHICLE CLASSIFICATION DATA TO 'NORMALIZE' DATA TO AN AVERAGE ANNUAL DAILY TRUCK TRAFFIC (AADT). STATEWIDE. NV B/L#: NVF20131523281-S
44	43915	00	HORROCKS ENGINEERING	SUE SERVICES	N	70,465.00	-	70,465.00	-	3/29/2016	5/31/2017	-	Service Provider	TINA KRAMER	03-29-16: SUBSURFACE UTILITY ENGINEERING (SUE) SERVICES FOR CONSTRUCTION OF SAFETY IMPROVEMENTS ON STATE ROUTE 160, NYE COUNTY. NV B/L#: NVF19991246016-R
45	18116	00	LAS VEGAS PAVING	INSTALL GUARDRAIL	N	145,860.00	-	145,860.00	-	3/28/2016	12/31/2016	-	Service Provider	JENNIFER MANUBAY	3-28-16: REMOVAL OF EXISTING GUARD RAIL AND CONSTRUCT BARRIER RAIL TYPE A ON RUSSEL ROAD OVER I-515, CLARK COUNTY. NV B/L#: NV19581000650-Q
46	17916	00	MKD CONSTRUCTION	STORM WATER COMPLIANCE	N	172,186.00	-	172,186.00	-	3/16/2016	12/31/2016	-	Service Provider	TRENT AVERETT	03-16-16: ELKO MAINTENANCE YARD DRAINAGE AND WASH PAD IMPROVEMENTS FOR STORM WATER MS4 PERMIT COMPLIANCE, ELKO COUNTY. NV B/L#: NV19991170548-Q
47	20616	00	NEVADA BARRICADE & SIGN COMPANY, INC.	INSTALL GUARDRAIL	N	85,772.50	-	85,772.50	-	4/11/2016	12/31/2016	-	Service Provider	MARLENE REVERA	4-11-16: INSTALL GUARDRAIL ON SR 341 OCCIDENTAL GRADE AT TWO CURVE LOCATIONS TO PROVIDE FLARED ENDS AT EACH END, STOREY AND LYON COUNTIES. NV B/L#: NV20001224303-Q
48	20016	00	PAR ELECTRIC CONTRACTORS	INSTALLATION OF DYNAMIC MESSAGE SIGN (DMS)	N	138,292.00	-	138,292.00	-	4/5/2016	12/31/2016	-	Service Provider	ROD SCHILLING	4-5-16: INSTALL DYNAMIC MESSAGE SIGN (DMS) ON US 50 AT US 95, CHURCHILL COUNTY. NV B/L#: NV19931031312-Q

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Notes
49	20316	00	PARSONS BRINCKERHOFF, INC.	ENGINEERING SERVICES	N	290,000.00	-	290,000.00	-	3/25/2016	6/30/2016	-	Service Provider	DWAYNE WILKINSON	03-28-16: TO PERFORM EARLY ACTION ITEMS SUCH AS SCOPING, ENVIRONMENTAL, AND PRELIMINARY ENGINEERING TO ENSURE THE TIMELY DELIVERY OF THE PROJECT, IN ASSOCIATION WITH AGREEMENT 062-16-110 APPROVED LAST MONTH, FOR THE GARNET INTERCHANGE PROJECT AT I-15 AND US 93. CLARK COUNTY. NV B/L#: NVF19911025871-S
50	20716	00	SILVER KNOLLS ELECTRIC, INC.	TENANT IMPROVEMENTS	N	45,521.56	-	45,521.56	-	4/12/2016	12/31/2016	-	Service Provider	ANNETE BALLEW	4-12-16: ELECTRICAL IMPROVEMENTS FOR NEW STORM WATER PERSONNEL OFFICES AT DEPARTMENT HEADQUARTERS, CARSON CITY. NV B/L#: NV19931096023-Q
51	21316	00	SILVER KNOLLS ELECTRIC, INC.	ELECTRICAL UPGRADE	N	48,927.00	-	48,927.00	-	4/12/2016	12/31/2016	-	Service Provider	ANNETE BALLEW	4-12-16: ELECTRICAL UPGRADE OF THE WINNEMUCCA MAINTENANCE STATION LABORATORY BUILDING, HUMBOLDT COUNTY. NV B/L#: NV19931096023-Q

# Attachment C

State of Nevada Department of Transportation  
Settlements - Informational  
March 18, 2016, through April 14, 2016

Line No	Type	Second Party	Settlement Amount	Notes
1	SETTLEMENT OF EMINENT DOMAIN LAWSUIT	LISA SU	500,000.00	THE SETTLEMENT PROVIDES FOR \$500,000.00 TO BE PAID TO LISA SU FOR 2 PARCELS ON SILVER AVENUE IN LAS VEGAS FOR THE PROJECT NEON DESIGN-BUILD PROJECT.

# Line Item 1



STATE OF NEVADA  
OFFICE OF THE ATTORNEY GENERAL

Transportation Division  
1263 South Stewart Street, Room 315  
Carson City, Nevada 89712

ADAM PAUL LAXALT  
*Attorney General*

WESLEY K. DUNCAN  
*First Assistant Attorney General*

NICHOLAS A. TRUTANICH  
*First Assistant Attorney General*

## MEMORANDUM

**DATE:** April 15, 2016

**TO:** Board of Directors  
Nevada Department of Transportation

**FROM:** Dennis Gallagher, Chief Deputy Attorney General 

**SUBJECT:** Informational Item – Approval of Settlement in the matter of  
*State of Nevada vs. Lisa Su, et al.*  
Eighth Judicial District Court Case No.: A-15-727896-C  
Settlement Condemnation Action

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At their April 12, 2016 meeting, the Board of Examiners approved settlement in the amount of \$190,794 of additional funds to resolve the contested condemnation case referenced above which is part of Project Neon.

Attached is the March 7, 2016 memorandum to the Board of Examiners from Director Rudy Malfabon, Special Counsel, Joe Vadala, and myself setting forth a summary of the settlement.



MEMORANDUM

1263 South Stewart  
Street  
Carson City, Nevada

March 7, 2016

**To:** Board of Examiners  
Governor Brian Sandoval  
Attorney General Adam Paul Laxalt  
Secretary of State Barbara Cegavske

**From:** Rudy Malfabon, Director, Nevada Department of Transportation  
Dennis Gallagher, Chief Deputy Attorney General  
Joe Vadala, Special Counsel

**Subject:** Proposed Settlement of an Eminent Domain Action,  
*State of Nevada vs. Lisa Su, et al.*,  
Eighth Judicial District Court Case No. A-15-727896-C

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SUMMARY

NDOT filed the above-referenced eminent domain action on November 18, 2015 to acquire the entirety of the property located at 1701 Silver Avenue (0.63 acres), which was improved with a 1800 s/f residential home, and a very small portion (278 s/f plus a temporary easement) of the adjacent vacant land owned by the same property owner, in Las Vegas for Project NEON.

NDOT requests settlement authority to resolve the pending litigation and also buy the remainder of the adjacent vacant lot not sought to be acquired *at the landowner's request*. The landowner is willing to accept \$500,000.00 for both properties, which is approximately the value established by NDOT's appraiser.

THE PROPERTY

These two parcels are located on Silver Avenue, Las Vegas NV 89102 (within the "Scotch 80s" subdivision). The improved parcel was valued by NDOT's appraiser at \$305,000 as of March 25, 2015. It has a 3 bedroom, 2 bath home situated on a rather large, landscaped lot in a desirable neighborhood. Utilizing that same date of value, the appraiser concluded the adjacent vacant lot was worth \$191,000. Because NDOT actually needs only a small fee portion and temporary easement from the vacant lot, NDOT made an offer to the property owner of \$309,206. The property owner counteroffered to sell NDOT both parcels for approximately the amount of NDOT's appraised value.

### **POINTS THAT FAVOR SETTLEMENT**

Prior to this condemnation, the landowner had more than one acre of property with a home and the ability to expand onto her adjacent vacant lot. If a settlement is not reached, NDOT will take the home and leave the landowner with a vacant lot that could be developed, something the landowner does not wish to do. The landowner is accepting NDOT's opinion of value for both properties. The landowner has already retained an attorney and if the case is not settled, will certainly assert that NDOT's valuation of both the home and the part taken from the vacant lot is too low and further that the vacant lot has suffered a diminution in value as a result of the taking. The costs and uncertainty of litigation make this settlement more than reasonable.

Additionally, if NDOT purchases the vacant lot, NDOT would likewise benefit from having a marketable remnant after completion of the project. The house being acquired is situated upon an .063 acre parcel. According to the Right-of-Way division, after demolition of the house and construction of Project NEON, there will likely be a remnant parcel of 14,385 s/f of property that would have very little value by itself (LV Code requires this property to be developed on a lot with a 20,000 s/f minimum.) Alternatively, if NDOT were to purchase the adjacent vacant lot, after completion of construction, this 14,385 s/f remnant could be sold together with the vacant lot as a desirable 38,000 s/f parcel for development. This would recoup a significant amount of the purchase price and is considered the most reasonable approach to resolve this litigation, accommodate a landowner's reasonable request and avoid creating an uneconomical remnant.

### **RECOMMENDATION**

NDOT has considered the benefits of settlement and has made the decision that settlement is reasonable, prudent, and in the public interest. NDOT requests the authority to settle the Action for the total amount of \$500,000 (\$190,794 in new money plus the \$309,206 already deposited with the Court). If the Board approves the settlement, NDOT will pay the agreed-upon balance, open an escrow to facilitate the complete purchase of the vacant lot, and have the Court enter a Judgment and a Final Order of Condemnation transferring ownership of the property previously described in the Complaint (the improved property plus the small take from the vacant lot) to NDOT, resolving this Action in its entirety as among all parties, inclusive of all attorney's fees, costs and interest.

### **FISCAL NOTE STATEMENT**

NDOT will seek reimbursement from the Federal Highway Administration for the proposed settlement amount.



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

## MEMORANDUM

April 26, 2016

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, Director  
**SUBJECT:** May 9, 2016 Transportation Board of Directors Meeting  
**Item # 7:** Disposal of NDOT right-of-way located at the NW Corner of HWY 50 and US-395 FWY, Carson City, NV  
**SUR 08-11 – 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 Direct Sale. The right-of-way parcel to be sold is located at the NW Corner of Hwy 50 and US-395 Fwy, Carson City, NV, and is referenced as Parcel No.: U-395-CC-005.670 XS1. It is a vacant, triangular shaped lot consisting of 2.35 acres (102,366 sq. ft.) as further depicted on the attached sketch map marked Exhibit "A"

### **Background:**

The Department originally acquired a portion of this parcel in 1988 as Parcel No.: U-395-CC-005.753 and the remaining portion of this parcel in 2003 as Parcel No.: U-395-CC-005.670, in fee, for the construction of Phase 1 of the US-395, Carson City Freeway Project. These two parcels have been combined into one parcel referenced above as Parcel No.: U-395-CC-005.670 XS1 and shown on Exhibit "A".

Phase 1 of the US-395, Carson City Freeway Project is now complete and operational therefore the Department no longer requires this surplus parcel. The Department now has the opportunity to sell this parcel by Direct Sale.

The Department has completed an appraisal of the surplus property, to obtain fair market value, as required by N.R.S. 408.533. The value for Parcel No.: U-395-CC.670 XS1 has been set at \$720,000.00.

This surplus parcel was submitted and approved by the Transportation Board on January 11, 2016, as a disposal item through Public Auction. A Public Auction was held on February 29, 2016, however the parcel did not sell.

This parcel is now being reclassified as a Direct Sale to allow the parcel to be marketed and sold by a Nevada licensed real estate broker. A Direct Sale will benefit the State in

**Department of Transportation Board of Directors**  
**April 26, 2016**

potential revenue and the elimination of liability and maintenance responsibilities. The release of NDOT's interest in this parcel is being made in accordance with N.R.S. 408.533.

**List of Attachments:**

1. Location Map
2. Sketch Map depicted as Exhibit "A"
3. Environmental Approval
4. FHWA Approval
5. N.R.S. 408.533

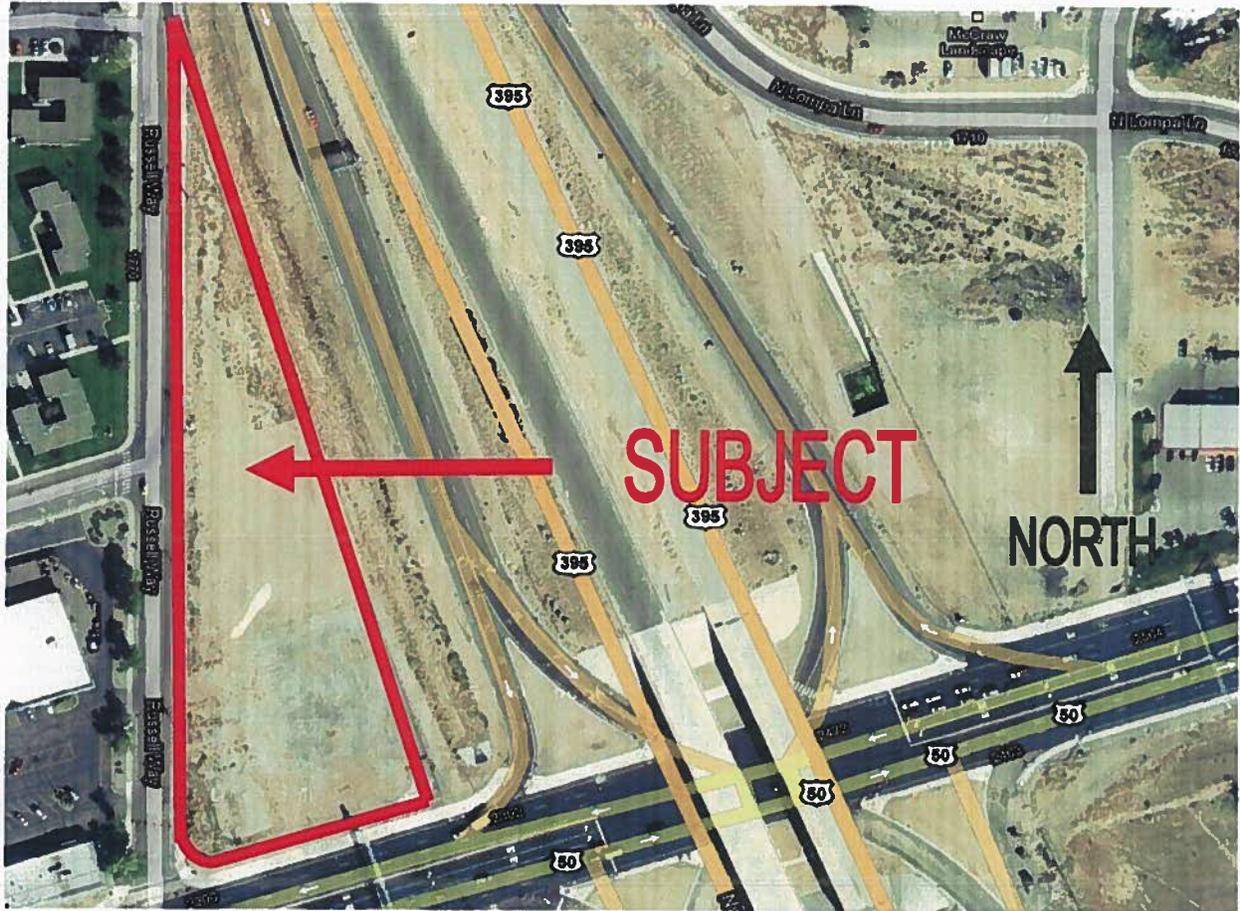
**Recommendation for Board Action:**

Approval of the disposal of NDOT right-of-way located at the NW Corner of Hwy 50 and US-395 Fwy, Carson City, NV.

**Prepared by:** Ruth M. Borrelli, Chief Right-of-Way Agent 

rb/jap/

# LOCATION MAP



**SUR 08-11**  
**DESCRIPTION: NW CORNER OF HWY 50 AND US-395 FWY,**  
**CARSON CITY**

PARCEL NO. PREFIX: U-395-CC-  
**CARSON CITY**  
**EXHIBIT "A"**  
**US-50 NORTH INTERCHANGE**

■ AREA TO BE SOLD

▤ CONTROL OF ACCESS WITH FENCE OR BARRIER

▨ EASEMENT TO BE RESERVED TO NDOT

**005.670 XS1**

2.35 ACRES

S. 1/16 SECTION LINE

S 1/2 SECTION 9  
 T. 15 N., R. 20 E.



60.00'  
 LONG STREET

10.00'  
 RUSSELL WAY R/W

EXISTING 10' P.U.E.

N. 0° 42' 11" E. - 800.15'

1/4 SECTION LINE

Δ = 108° 25' 28"  
 R = 20.00'  
 L = 37.85'

525.38' LT. "O" 315+32.27 P.O.T.

RUSSELL WAY

US-395 R/W

235.63' LT. "O"  
 322+98.89 P.O.T.

S. 17° 39' 32" E. - 785.46'

US-395 R/W

VARIES

TIE: N. 15° 58' 11" E. - 1,053.64' FROM THE  
 S. 1/4 COR. SEC. 9, T. 15 N., R. 20 E., M.D.M.

P.O.B. +292.92' LT.  
 "O" 315+15.53 P.O.T.

US-395 R/W

S. 72° 16' 43" W. - 233.06'

SR-530 "X" C - N. 72° 16' 53" E.

US-395 R/W

TO SR-529  
 (CARSON STREET)

SR-530 R/W

TRACED: JMO

CHECKED: JHH

Date of last revision: 8/10/2010



CC-17 SUR-08-11

**STATE OF NEVADA**  
 Dept. of Transportation R/W Division  
 Date: July 01, 2008  
 Sketch Map  
 Approved: *Blas Salazar*  
 Manager, R/W Engineering  
 Scale: 1" = 200' Sheet 1 of 1 Sheets

Sketch\carson\_city\SUR 08-11.dgn

ATTACHMENT 2

ATTACHMENT 2

STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

March 17, 2011

To: Margaret Orci, Staff Specialist, Right-of-Way

From: Steve M. Cooke, P.E., Chief, Environmental Services *SMC*

Subject: Environmental Clearance for Transportation Board  
Surplus No.: SUR 08-11  
Project: NH-395-2(033)  
EA: 72616  
Parcel: U-395-CC-005.670XS1  
Disposal of NDOT right-of-way located on US-50 at US-395, Carson City,  
NV  
Disposal by Public Auction

The Environmental Services Division (ESD) reviewed the requested parcel and found it clear of any documented environmental concern for disposal. A Programmatic Categorical Exclusion was issued March 17, 2011.

SMC/dlh

C (without attachment): Ruth Borrelli, Surplus Property, Committee Chairman  
Halana Salazar, Surplus Property, Vice Chairman

ATTACHMENT 4  
ATTACHMENT 3



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



JIM GIBBONS  
Governor

March 9, 2011

SUSAN MARTINOVICH, P.E., Director

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

In Reply Refer to:

**Disposal by Public Auction**  
Surplus No.: SUR 08-11  
Project: NH-395-2(033)  
E.A. No.: 72616  
Parcels: U-395-CC-005.670 XS1  
Disposal of NDOT property  
located on US-50 at US-395 in  
Carson City, NV

Dear Ms. Klekar:

Enclosed is Exhibit "A" (sketch map) and a location map depicting the area of surplus property, proposed to be sold by Public Auction, pursuant to N.R.S. 408.533. It has been determined that the property is no longer needed by NDOT. The aforementioned property is located in Carson City, Nevada.

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

1. The subject property right will not be needed for Federal-aid Highway purposes in the foreseeable future;
2. The right-of-way being retained is adequate under present day standards for the facility involved;
3. The release will not adversely affect the Federal-aid Highway facility or the traffic thereon;
4. The parcel to be sold is not suitable for retention in order to restore, preserve, or improve the scenic beauty adjacent to the highway consonant with the intent of 23 U.S.C. 319 and PL 89-285, Title III, Section 302-305 (Highway Beautification Act of 1965);
5. The parcel to be sold has been cleared through the Environmental Division in accordance with CEQ regulations 40 CFR 1508.4 and 23 CFR 771.117(d);
6. The sale of this parcel is being made in accordance with N.R.S. 408.533.

ATTACHMENT 4

ATTACHMENT 4



SUSAN KLEKAR, DIVISION ADMINISTRATOR  
FEDERAL HIGHWAY ADMINISTRATION  
March 9, 2011

Your concurrence in this proposal is requested.

Sincerely,



Paul A. Saucedo  
Chief Right-of-Way Agent

pas/meo/tz

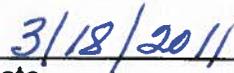
Enclosures

cc: H. Salazar, Manager, Right-of-Way Engineering  
M. Orci, Right-of-Way Staff Specialist

CONCUR:



Rebecca Bennett, Right-of-Way Program Manager



Date

**NRS 408.533 Disposal of property.**

1. All real property, interests therein or improvements thereon and personal property acquired before, on or after April 1, 1957, in accordance with the provisions of NRS 408.487 and 408.489 must, after approval by the Board and if no longer needed for highway purposes, be disposed of by the Director in accordance with the provisions of subsection 2, except that:

(a) When the property was originally donated to the State, no charge may be made if it is returned to the original owner or to the holder of the reversionary right.

(b) When the property has been wholly or partially paid for by towns, cities or counties, disposal of the property and of money received therefor must be agreed upon by the governing bodies of the towns, cities and counties and the Department.

(c) When the title to the real property has been acquired in fee pursuant to NRS 408.487 and 408.489 and, in the opinion of the Board, a sale by means of a public auction or sealed bids is uneconomical or impractical because:

(1) There is no access to the property;

(2) The property has value or an increased value only to a single adjoining property owner; or

(3) Such a sale would work an undue hardship upon a property owner as a result of a severance of the property of that owner or a denial of access to a public highway,

↪ the Board may enter into a direct sale of the property with such an owner or any other person for its fair market value.

(d) When the property has been acquired and the property or any portion of the property is no longer needed for highway purposes, the Department shall give notice of its intention to dispose of the property by publication in a newspaper of general circulation in the county where the property is situated. The notice must include the Department's appraisal of the fair market value of the property. Any person from whom the property was purchased or his heir or grantee may purchase the property at its fair market value by direct sale from the Department within 60 days after the notice is published. If more than one person qualified to purchase the property by direct sale pursuant to this paragraph so requests, the person with the superior claim, as determined by the Department in its sole discretion, is entitled to purchase the property by direct sale. If a person who is entitled to purchase the property by direct sale pursuant to this paragraph reasonably believes that the Department's appraisal of the property is greater than the fair market value of the property, the person may file an objection to the appraisal with the Department. The Department shall set forth the procedure for filing an objection and the process under which a final determination will be made of the fair market value of the property for which an objection is filed. The Department shall sell the property in the manner provided in subsection 2 if:

(1) No person requests to purchase the property by direct sale within 60 days after the notice is published pursuant to this paragraph; or

(2) A person who files an objection pursuant to this paragraph fails, within 10 business days after he receives a written notice of the final determination of the fair market value of the property, to notify the Department in writing that he wishes to purchase the property at the fair market value set forth in the notice.

(e) When the property is sought by another public agency for a reasonable public use, the Department may first offer the property to the public agency at its fair market value.

2. All property, interests or improvements not included within the provisions of subsection 1 must first be offered for sale by the Department singly or in combination at public auction or by sealed bids. If the highest bid received is 90 percent or more of the Department's appraisal of the fair market value of the property, the property may be sold to the highest bidder. The notice and the terms of the sale must be published in a newspaper of general circulation in the county where the property is situated. The auctions and openings of bids must be conducted by the Department. If the property cannot be sold for 90 percent or more of its fair market value, the Department may enter into a written listing agreement with a person licensed pursuant to chapter 645 of NRS to sell or lease the property for 90 percent or more of its fair market value.

3. It is conclusively presumed in favor of the Department and any purchaser for value that the Department acted within its lawful authority in acquiring and disposing of the property, and that the Director acted within his lawful authority in executing any conveyance vesting title in the purchaser. All such conveyances must be quitclaim in nature and the Department shall not warrant title, furnish title insurance or pay the tax on transfer of real property.

4. No person has a right of action against the Department or its employees for a violation of this section. This subsection does not prevent an action by the Attorney General on behalf of the State of Nevada or any aggrieved person.

5. All sums of money received by the Department for the sale of real and personal property must be deposited with the State Treasurer to be credited to the State Highway Fund, unless the Federal Highway Administration participated in acquisition of the property, in which case a pro rata share of the money obtained by disposal of the property must be paid to the Federal Highway Administration.

6. The Department may reserve and except easements, rights or interests from the conveyance of any real property disposed of in accordance with this section or exchanged pursuant to subsection 5 of NRS 408.489. The easements, rights or interests include, but are not limited to:

(a) Abutter's rights of light, view or air.

(b) Easements of access to and from abutting land.

(c) Covenants prohibiting the use of signs, structures or devices advertising activities not conducted, services not rendered or goods not produced or available on the real property.

(Added to NRS by 1957, 693; A 1959, 599; 1963, 978; 1967, 1743; 1971, 140; 1979, 1781; 1985, 707; 1987, 1812; 1989, 1308; 1991, 1691; 1995, 1140; 2001, 2132)

ATTACHMENT 6

ATTACHMENT 5



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

## **MEMORANDUM**

**April 26, 2016**

**TO: Department of Transportation Board of Directors**  
**FROM: Rudy Malfabon, Director**  
**SUBJECT: May 9, 2016 Transportation Board of Directors Meeting**  
**Item # 8: Disposal of NDOT Right of Way located along a portion of N. Lompa Lane North of Dori Way, Carson City, NV**  
**SUR 09-09 – 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 property by Direct Sale. The property to be sold is located along N. Lompa Lane, north of Dori Way in Carson City, NV. The property is currently unimproved land consisting of .34 acres (14,705 sq. ft.) as depicted on the attached sketch map marked Exhibit "A".

### **Background:**

The Department originally acquired this property on November 16, 1999, in fee, for the construction of Phase 1 of the US-395, Carson City Freeway. Phase 1 of the US-395, Carson City Freeway Project is now complete and operational and the Department has determined that this surplus property is no longer needed for the project. The Department has received public interest to purchase this property and the Department now has the opportunity to sell this parcel by Direct Sale.

### **Analysis:**

The Department has completed an appraisal of the surplus property to obtain fair market value as required by N.R.S. 408.533. The value of Parcel No: U-395-CC-005-795 XS1 has been set at \$99,000.00.

The surplus parcel was submitted to and approved by the Transportation Board on January 11, 2016 as a disposal item through Public Auction. A Public Auction was held on February 29, 2016, however the parcel did not sell.

**Department of Transportation Board of Directors**  
**April 26, 2016**

This parcel is now being reclassified as a Direct Sale to allow the parcel to be marketed and sold by a Nevada licensed real estate broker. A Direct Sale will benefit the State in potential revenue and the elimination of liability and maintenance responsibilities. The release of NDOT's interest in this parcel is being made in accordance with N.R.S. 408.533.

**List of Attachments:**

1. Location Map
2. Sketch Map depicted as Exhibit "A"
3. Environmental Approval
4. FHWA Approval
5. N.R.S. 408.533

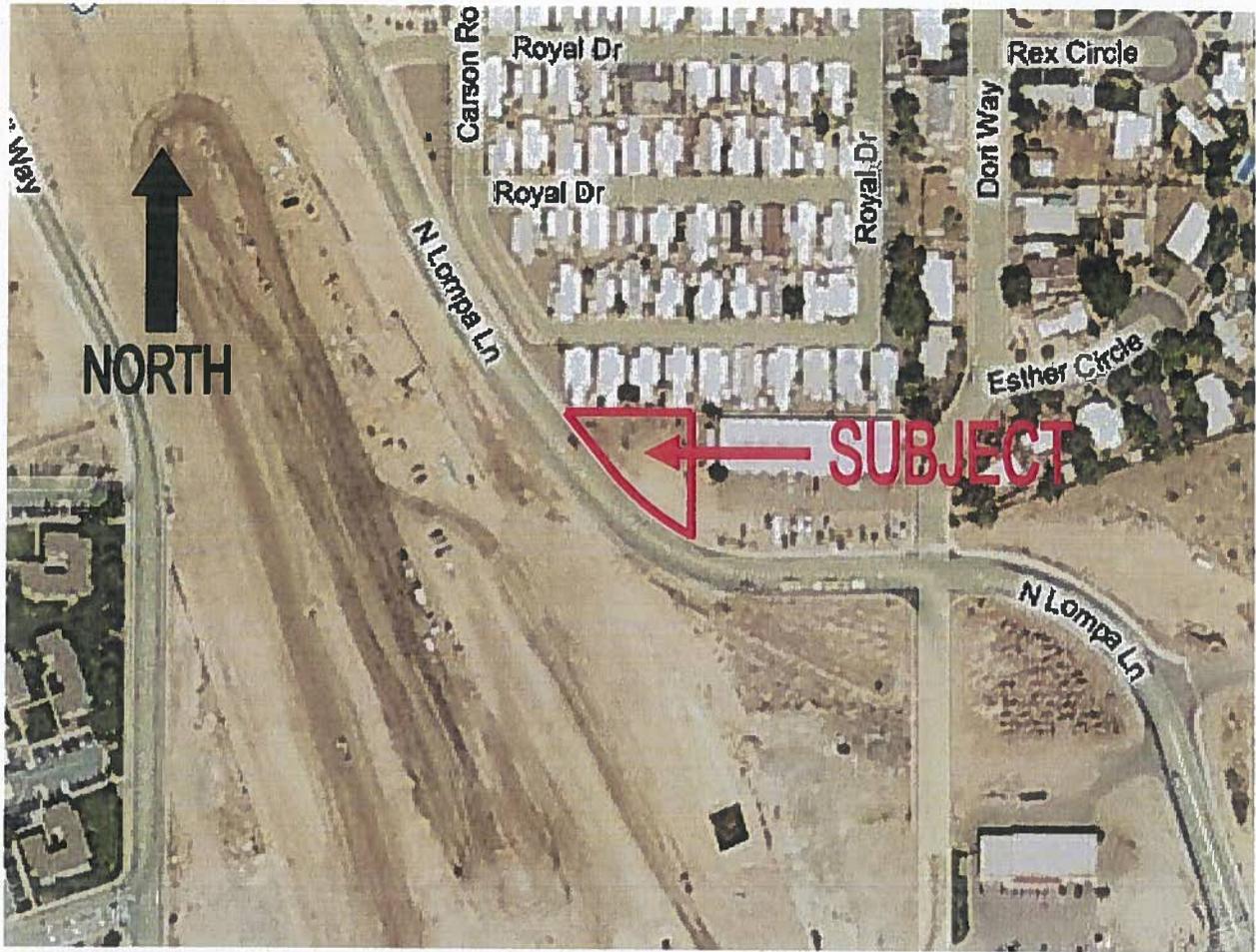
**Recommendation for Board Action:**

Approval of disposal of NDOT property located along N. Lompa Lane, north of Dori Way in Carson City, NV.

**Prepared by:** Ruth M. Borrelli, Chief Right of Way Agent 

rmb/jap/

## LOCATION MAP



**SUR 09-09**

**DESCRIPTION: Along a Portion of N. Lompa Lane  
North of Dorri Way**

PARCEL NUMBER PREFIX: U-395-CC-

"L1"  $\phi$   
 $\Delta = 19^{\circ} 05' 04''$   
 $R = 1,394.00'$   
 $L = 464.32'$

PROJECT: NH-395-2(033)  
E.A. 72616  
PTN. OF PARCEL: U-395-CC-005.795

### EXHIBIT "A"

005.795 XS1

STATE OF NEVADA  
14,705 SQ. FT.

"L1"  $\phi$   
 $\Delta = 47^{\circ} 57' 01''$   
 $R = 244.00'$   
 $L = 204.20'$

$\Delta = 3^{\circ} 58' 37''$   
 $R = 1,360.00'$   
 $L = 94.40'$   
T.B. - N.  $41^{\circ} 22' 55''$  W.

$\Delta = 35^{\circ} 30' 05''$   
 $R = 210.00'$   
 $L = 130.12'$   
T.B. - N.  $76^{\circ} 53' 00''$  W.

S.  $89^{\circ} 28' 46''$  E. - 171.50'

S.  $0^{\circ} 42' 11''$  W. - 137.09'

TIE: N.  $21^{\circ} 05' 39''$  E. - 1,922.59' FROM THE  
N 1/4 COR. SEC. 16, T. 15 N., R. 20 E., M.D.M.

P.O.B. = 370.77' RT. "O" 320+90.67 P.O.T.

"L1"  $\phi$   
8+75.74 P.C.

N. LOMPA LANE

NW 1/4 SE 1/4  
SECTION 9  
T. 15 N., R. 20 E.  
M.D.M.

TO COLLEGE PARKWAY  
INTERCHANGE

US-395 FREEWAY "O"  $\phi$  N.  $21^{\circ} 50' 31''$  W.

TO US-50  
NORTH INTERCHANGE

# CARSON CITY

CC-017 STATE OF NEVADA SUR 09-09  
 Dept. of Transportation R/W Division  
 Date: October 21, 2010  
 Sketch Map  
 Approved: *Abdullah D. Salazar*  
 Manager, R/W Engineering  
 Scale: 1" = 100' Sheet 1 of 1 Sheets

TRACED: JDF CHECKED: *[Signature]*  
 Date of last revision: \_\_\_\_\_

\\037Engineering\Sketch\carson\_city\sur0909.dgn

ATTACHMENT 2

ATTACHMENT 2

STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

April 11, 2012

To: Jessica Biggin, Right-of-Way

From: Steve M. Cooke, P.E., Chief, Environmental Services *smc*

Subject: Environmental Clearance for Transportation Board  
Surplus No.: SUR 09-09, 10, 12, 13, 14, 15 & 16  
Parcels: U-395-CC-005.795 & 995 XS1; AND, U-395-CC-008.087, 118,  
061, 139 & 439 XS1  
Carson City, NV  
Disposal by Public Auction

The Environmental Services Division (ESD) reviewed the requested action and found it clear of any documented environmental concern. A Categorical Exclusion was approved by the FHWA on April 6, 2012 for this action.

SMC/dlh

C: R. Borrelli, Surplus Property Committee, Chair  
H.D. Salazar, Surplus Property Committee, Vice-Chair  
Project File

ATTACHMENT 3

ATTACHMENT 4



STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION

1263 S. Stewart Street  
Carson City, Nevada 89712

RECEIVED  
4/18/12

BRIAN SANDOVAL  
Governor

April 17, 2012

SUSAN MARTINOVICH, P.E., Director

In Reply Refer to:

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

**Disposal by Public Auction**

Surplus No.: SUR 09-09  
Project: NH-395-2(033)  
E.A. No.: 72616  
Parcel: U-395-CC-005.795XS1  
Description: Disposal of NDOT  
property located along a portion of  
N. Lompa Lane, north of Dori Way,  
in Carson City, NV.

Dear Ms. Klekar:

Enclosed are Exhibit "A" (sketch map), location map and one set of right-of-way plans depicting the area of surplus property to be sold at Public Auction, pursuant to N.R.S. 408.533. It has been determined that the property is no longer needed by NDOT. The aforementioned property is located in Carson City, Nevada.

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

1. The subject property right will not be needed for Federal-aid Highway purposes in the foreseeable future;
2. The right-of-way being retained is adequate under present day standards for the facility involved;
3. The release will not adversely affect the Federal-aid Highway facility or the traffic thereon;
4. The parcel to be sold is not suitable for retention in order to restore, preserve, or improve the scenic beauty adjacent to the highway consonant with the intent of 23 U.S.C. 319 and PL 89-285, Title III, Section 302-305 (Highway Beautification Act of 1965);
5. The parcel to be sold has been cleared through the Environmental Division in accordance with CEQ regulations 40 CFR 1508.4 and 23 CFR 771.117(d);
6. The sale of this parcel is being made in accordance with N.R.S. 408.533.

Your concurrence in this proposal is requested.

Sincerely,

Paul A. Saucedo  
Chief Right-of-Way Agent

CONCUR:

\_\_\_\_\_  
Kevin Rester, Right-of-Way Program Manager  
Hugh Hadsock

5/7/12  
Date

pas/jb/jm  
Enclosures

cc: H. Salazar, Manager, Right-of-Way Engineering  
J. Biggin, Staff Specialist

ATTACHMENT 4  
ATTACHMENT 4

**NRS 408.533 Disposal of property.**

1. All real property, interests therein or improvements thereon and personal property acquired before, on or after April 1, 1957, in accordance with the provisions of NRS 408.487 and 408.489 must, after approval by the Board and if no longer needed for highway purposes, be disposed of by the Director in accordance with the provisions of subsection 2, except that:

(a) When the property was originally donated to the State, no charge may be made if it is returned to the original owner or to the holder of the reversionary right.

(b) When the property has been wholly or partially paid for by towns, cities or counties, disposal of the property and of money received therefor must be agreed upon by the governing bodies of the towns, cities and counties and the Department.

(c) When the title to the real property has been acquired in fee pursuant to NRS 408.487 and 408.489 and, in the opinion of the Board, sale by means of a public auction or sealed bids is uneconomical or impractical because:

(1) There is no access to the property;

(2) The property has value or an increased value only to a single adjoining property owner; or

(3) Such a sale would work an undue hardship upon a property owner as a result of a severance of the property of that owner or denial of access to a public highway,

the Board may enter into a direct sale of the property with such an owner or any other person for its fair market value.

(d) When the property has been acquired and the property or any portion of the property is no longer needed for highway purposes, the Department shall give notice of its intention to dispose of the property by publication in a newspaper of general circulation in the county where the property is situated. The notice must include the Department's appraisal of the fair market value of the property. Any person from whom the property was purchased or his heir or grantee may purchase the property at its fair market value by direct sale from the Department within 60 days after the notice is published. If more than one person qualified to purchase the property by direct sale pursuant to this paragraph so requests, the person with the superior claim, as determined by the Department in its sole discretion, is entitled to purchase the property by direct sale. If a person who is entitled to purchase the property by direct sale pursuant to this paragraph reasonably believes that the Department's appraisal of the property is greater than the fair market value of the property, the person may file an objection to the appraisal with the Department. The Department shall set forth the procedure for filing an objection and the process under which a final determination will be made of the fair market value of the property for which an objection is filed. The Department shall sell the property in the manner provided in subsection 2 if:

(1) No person requests to purchase the property by direct sale within 60 days after the notice is published pursuant to this paragraph; or

(2) A person who files an objection pursuant to this paragraph fails, within 10 business days after he receives a written notice of the final determination of the fair market value of the property, to notify the Department in writing that he wishes to purchase the property at the fair market value set forth in the notice.

(e) When the property is sought by another public agency for a reasonable public use, the Department may first offer the property to that public agency at its fair market value.

2. All property, interests or improvements not included within the provisions of subsection 1 must first be offered for sale by the Department singly or in combination at public auction or by sealed bids. If the highest bid received is 90 percent or more of the Department's appraisal of the fair market value of the property, the property may be sold to the highest bidder. The notice and the terms of the sale must be published in a newspaper of general circulation in the county where the property is situated. The auctions and openings of bids must be conducted by the Department. If the property cannot be sold for 90 percent or more of its fair market value, the Department may enter into a written listing agreement with a person licensed pursuant to chapter 645 of NRS to sell or lease the property for 90 percent or more of its fair market value.

3. It is conclusively presumed in favor of the Department and any purchaser for value that the Department acted within its lawful authority in acquiring and disposing of the property, and that the Director acted within his lawful authority in executing any conveyance vesting title in the purchaser. All such conveyances must be quitclaim in nature and the Department shall not warrant title, furnish title insurance or pay the tax on transfer of real property.

4. No person has a right of action against the Department or its employees for a violation of this section. This subsection does not prevent an action by the Attorney General on behalf of the State of Nevada or any aggrieved person.

5. All sums of money received by the Department for the sale of real and personal property must be deposited with the State Treasurer to be credited to the State Highway Fund, unless the Federal Highway Administration participated in acquisition of the property, in which case a pro rata share of the money obtained by disposal of the property must be paid to the Federal Highway Administration.

6. The Department may reserve and except easements, rights or interests from the conveyance of any real property disposed of in accordance with this section or exchanged pursuant to subsection 5 of NRS 408.489. The easements, rights or interests include, but are not limited to:

(a) Abutter's rights of light, view or air.

(b) Easements of access to and from abutting land.

(c) Covenants prohibiting the use of signs, structures or devices advertising activities not conducted, services not rendered or goods not produced or available on the real property.

(Added to NRS by 1957, 693; A 1959, 599; 1963, 978; 1967, 1743; 1971, 140; 1979, 1781; 1985, 707; 1987, 1812; 1989, 1308; 1991, 1691; 1995, 1140; 2001, 2132)



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

## **MEMORANDUM**

**April 26, 2016**

**TO: Department of Transportation Board of Directors**  
**FROM: Rudy Malfabon, Director**  
**SUBJECT: May 9, 2016 Transportation Board of Directors Meeting**  
**Item # 9: Disposal of NDOT right-of-way located along US-395 Freeway between Hospitality Way and Monk Court, Carson City, NV**  
**SUR 09-21 – 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 property by Direct Sale. The property to be sold is located along US-395 Freeway between Hospitality Way and Monk Court, Carson City, NV. The property is currently unimproved land consisting of 1.58 acres (68,775 sq. ft.) as depicted on the attached sketch map identified as Exhibits "A" and "B".

### **Background:**

The Department originally obtained this parcel, in fee, during the 1988 – 1989 timeframe from owners Littlefield, O'Malley, Johnson and Denton, for highway purposes. Since this portion of the project is now complete, operational, and no longer required, the Department now has the opportunity to sell the surplus property by Direct Sale.

### **Analysis:**

The Department has completed an appraisal of the surplus property to obtain fair market value as required by N.R.S. 408.533. The value of Parcel No: U-395-CC-008.546 XS1 has been set at \$387,000.

The surplus parcel was submitted to and approved by the Transportation Board on December 14, 2015 as a disposal item through Public Auction. A Public Auction was held on February 29, 2016, however the parcel did not sell.

This parcel is now being reclassified as a Direct Sale to allow the parcel to be marketed and sold by a Nevada licensed real estate broker. A Direct Sale will benefit the State in potential revenue and the elimination of liability and maintenance responsibilities. The release of NDOT's interest in this parcel is being made in accordance with N.R.S. 408.533.

**List of Attachments:**

1. Location Map
2. Sketch Map depicted as Exhibits "A" & Exhibit "B"
3. Environmental Approval
4. FHWA Approval
5. N.R.S. 408.533

**Recommendation for Board Action:**

Approval of disposal of NDOT right-of-way located along US-395 Freeway between Hospitality Way and Monk Court, Carson City, NV.

**Prepared by:** Ruth M. Borrelli, Chief Right of Way Agent 

rmb/jap/

# LOCATION MAP



**SUR 09-21**

**DESCRIPTION: Along US-395 Freeway between Hospitality Way and Monk Court**

PARCEL NUMBER PREFIX: U-395-CC-

PROJECT: NH-395-2(033)

E.A. 72616

PTN. OF PARCELS:

U-395-CC-008.546 - 10,612 SQ. FT.

U-395-CC-008.547 - 38,018 SQ. FT.

U-395-CC-008.603 - 201 SQ. FT.

U-395-CC-008.604 - 27,529 SQ. FT.

SECTION 31, T. 16 N.

SECTION 6, T. 15 N.

EXHIBIT "A"

008.546 XS1

- ▬▬▬▬▬ CONTROL OF ACCESS WITH FENCE OR BARRIER
- ▬▬▬▬▬ LOCATION AT WHICH ACCESS TO THE FREEWAY IS PERMITTED BY THE STATE
- ▬▬▬▬▬ CONTROL OF ACCESS WITHOUT FENCE OR BARRIER

□ AREA TO BE SOLD

STATE OF NEVADA  
68,775 SQ. FT.



"A2" 0+00.00 P.O.T. =  
"XN" 54+56.07 P.O.T.

"A2" 4+33.30 P.C.

"A2" 7+66.95 P.O.C. =  
"O" 463+63.18 P.O.T.

TRACED: JDF CHECKED: JHH

Date of last revision: 5/17/12

CC-017 STATE OF NEVADA SUR 09-21  
 Dept. of Transportation R/W Division  
 Date: March 8, 2012  
 Sketch Map  
 Approved: *Alana Salazar*  
 Manager, R/W Engineering  
 Scale: 1" = 300' Sheet 1 of 2 Sheets

\\037Engineering\Sketch\carson\_city\sur0921.dgn

# EXHIBIT "B"

## 008.546 XS1

P.O.B. - 132.19' LT. "O" 465+90.21 P.O.T.  
 TIE: S. 58° 20' 40" W. - 1,575.87' FROM THE  
 SE COR. OF SEC. 31, T. 16 N., R. 20 E., M.D.M.

(A)	N. 89° 15' 22" W. - 55.79'	
(B)	Δ = 110° 57' 35" L = 100.70'	R = 52.00' T.B. = N. 28° 41' 48" W.
(C)	Δ = 17° 14' 22" L = 11.43'	R = 38.00' T.B. = S. 40° 20' 37" W.
(D)	N. 89° 15' 22" W. - 142.71'	
(E)	N. 24° 27' 46" W. - 362.18'	
(F)	Δ = 145° 07' 57" L = 131.72'	R = 52.00' T.B. = S. 47° 06' 01" E.
(G)	S. 42° 56' 47" E. - 522.65'	

CC-017 STATE OF NEVADA SUR 09-21

Dept. of Transportation R/W Division

Date: March 6, 2012

Sketch Map

Approved: *Blana D. Salazar*  
 Manager, R/W Engineering

Sheet 2 of 2 Sheets

DRAWN: JLF CHECKED: JHH

Date of last revision: 5/17/12



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

MEMORANDUM

Environmental Services Division

February 19, 2013

**To:** Jessica Biggin, Staff Specialist, Right-of-Way

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

**Subject:** Environmental Clearance for Transportation Board  
Surplus No.: SUR 09-21  
Project: QF-395-1(6)  
PIN: 71366  
Parcel: U-395-CC-008.546 XS1  
Carson City, NV  
Disposal by Direct Sale

---

The Environmental Services Division reviewed the requested action and found it clear of any documented environmental concern. The Categorical Exclusion for this action was approved by the Federal Highway Administration on February 19, 2013.

**C:** Project E-File  
R. Borrelli, Surplus Property Committee, Chair  
H. Salazar, Surplus Property Committee, Vice-Chair

ATTACHMENT 3



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

BRIAN SANDOVAL  
 Governor

November 17, 2015

RUDY MALFABON, P.E., Director

In Reply, Refer to:

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

**Disposal by Public Auction**  
 Surplus No.: SUR 09-21  
 Project: QF-395-1(6)  
 E.A. No.: 71366  
 Parcel: U-395-CC-008.546 XS1  
 Description: Disposal of NDOT  
 property located along US-395  
 Freeway between Hospitality Way  
 and Monk Court, Carson City, NV.

Dear Ms. Klekar:

Enclosed are Exhibit "A" and "B" (sketch map), location map and one set of right-of-way plans depicting the area of surplus property to be sold at Public Auction, pursuant to N.R.S. 408.533. It has been determined that the property is no longer needed by NDOT. The aforementioned property is located in Carson City, Nevada.

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

1. The subject property right will not be needed for Federal-aid Highway purposes in the foreseeable future;
2. The right-of-way being retained is adequate under present day standards for the facility involved;
3. The release will not adversely affect the Federal-aid Highway facility or the traffic thereon;
4. The parcel to be sold is not suitable for retention in order to restore, preserve, or improve the scenic beauty adjacent to the highway consonant with the intent of 23 U.S.C. 319 and PL 89-285, Title III, Section 302-305 (Highway Beautification Act of 1965);
5. The parcel to be sold has been cleared through the Environmental Division in accordance with CEQ regulations 40 CFR 1508.4 and 23 CFR 771.117(d);
6. The sale of this parcel is being made in accordance with N.R.S. 408.533.

Your concurrence in this proposal is requested.

Sincerely,

Paul A. Saucedo  
 Chief Right-of-Way Agent

CONCUR:

Paul Schneider, Asst. Division Administrator -- FHWA

11/17/15  
 Date

pas/dtc/jl  
 Enclosures

cc: A. Whittington, Right-of-Way Engineering  
 J. Hoover, Assistant Chief RW Agent

ATTACHMENT 4

**NRS 408.533 Disposal of property.**

1. All real property, interests therein or improvements thereon and personal property acquired before, on or after April 1, 1957, in accordance with the provisions of NRS 408.487 and 408.489 must, after approval by the Board and if no longer needed for highway purposes, be disposed of by the Director in accordance with the provisions of subsection 2, except that:

(a) When the property was originally donated to the State, no charge may be made if it is returned to the original owner or to the holder of the reversionary right.

(b) When the property has been wholly or partially paid for by towns, cities or counties, disposal of the property and of money received therefor must be agreed upon by the governing bodies of the towns, cities and counties and the Department.

(c) When the title to the real property has been acquired in fee pursuant to NRS 408.487 and 408.489 and, in the opinion of the Board, a sale by means of a public auction or sealed bids is uneconomical or impractical because:

(1) There is no access to the property;

(2) The property has value or an increased value only to a single adjoining property owner; or

(3) Such a sale would work an undue hardship upon a property owner as a result of a severance of the property of that owner or a denial of access to a public highway,

the Board may enter into a direct sale of the property with such an owner or any other person for its fair market value.

(d) When the property has been acquired and the property or any portion of the property is no longer needed for highway purposes, the Department shall give notice of its intention to dispose of the property by publication in a newspaper of general circulation in the county where the property is situated. The notice must include the Department's appraisal of the fair market value of the property. Any person from whom the property was purchased or his heir or grantee may purchase the property at its fair market value by direct sale from the Department within 60 days after the notice is published. If more than one person qualified to purchase the property by direct sale pursuant to this paragraph so requests, the person with the superior claim, as determined by the Department in its sole discretion, is entitled to purchase the property by direct sale. If a person who is entitled to purchase the property by direct sale pursuant to this paragraph reasonably believes that the Department's appraisal of the property is greater than the fair market value of the property, the person may file an objection to the appraisal with the Department. The Department shall set forth the procedure for filing an objection and the process under which a final determination will be made of the fair market value of the property for which an objection is filed. The Department shall sell the property in the manner provided in subsection 2 if:

(1) No person requests to purchase the property by direct sale within 60 days after the notice is published pursuant to this paragraph; or

(2) A person who files an objection pursuant to this paragraph fails, within 10 business days after he receives a written notice of the final determination of the fair market value of the property, to notify the Department in writing that he wishes to purchase the property at the fair market value set forth in the notice.

(e) When the property is sought by another public agency for a reasonable public use, the Department may first offer the property to the public agency at its fair market value.

2. All property, interests or improvements not included within the provisions of subsection 1 must first be offered for sale by the Department singly or in combination at public auction or by sealed bids. If the highest bid received is 90 percent or more of the Department's appraisal of the fair market value of the property, the property may be sold to the highest bidder. The notice and the terms of the sale must be published in a newspaper of general circulation in the county where the property is situated. The auctions and openings of bids must be conducted by the Department. If the property cannot be sold for 90 percent or more of its fair market value, the Department may enter into a written listing agreement with a person licensed pursuant to chapter 645 of NRS to sell or lease the property for 90 percent or more of its fair market value.

3. It is conclusively presumed in favor of the Department and any purchaser for value that the Department acted within its lawful authority in acquiring and disposing of the property, and that the Director acted within his lawful authority in executing any conveyance vesting title in the purchaser. All such conveyances must be quitclaim in nature and the Department shall not warrant title, furnish title insurance or pay the tax on transfer of real property.

4. No person has a right of action against the Department or its employees for a violation of this section. This subsection does not prevent an action by the Attorney General on behalf of the State of Nevada or any aggrieved person.

5. All sums of money received by the Department for the sale of real and personal property must be deposited with the State Treasurer to be credited to the State Highway Fund, unless the Federal Highway Administration participated in acquisition of the property, in which case a pro rata share of the money obtained by disposal of the property must be paid to the Federal Highway Administration.

6. The Department may reserve and except easements, rights or interests from the conveyance of any real property disposed of in accordance with this section or exchanged pursuant to subsection 5 of NRS 408.489. The easements, rights or interests include, but are not limited to:

(a) Abutter's rights of light, view or air.

(b) Easements of access to and from abutting land.

(c) Covenants prohibiting the use of signs, structures or devices advertising activities not conducted, services not rendered or goods not produced or available on the real property.

(Added to NRS by 1957, 693; A 1959, 599; 1963, 978; 1967, 1743; 1971, 140; 1979, 1781; 1985, 707; 1987, 1812; 1989, 1308; 1991, 1691; 1995, 1140; 2001, 2132)



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

## MEMORANDUM

April 26, 2016

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, Director  
**SUBJECT:** May 9, 2016 Transportation Board of Directors Meeting  
**Item # 10 :** Disposal of NDOT right-of-way located at the NE corner of N. Carson St. and Arrowhead Dr., Carson City, NV

**SUR 09-39 – For Board Approval**

---

### **Summary:**

Approval is requested from the Department of Transportation Board of Directors to dispose of the above referenced right-of-way by Direct Sale. The right-of-way parcel to be sold is located at the NE corner of N. Carson Street and Arrowhead Dr., Carson City, NV. The parcel is commercial, vacant land, irregular in shape and is 1.76 acres (76,848 sq. ft.) as depicted on the attached sketch map marked Exhibit "A".

### **Background:**

On June 29, 1990 the Department originally acquired 4.65 acres (202,740 sq. ft.) in fee for the construction of the Carson Freeway. Since Phase 1 of the Carson Freeway is completed, operational and no longer needs this surplus property, the Department now has the opportunity to sell by Direct Sale.

### **Analysis:**

The Department has completed an appraisal of the surplus property, to obtain fair market value, as required by N.R.S. 408.533. The value of Parcel No: U-395-CC-008.443 XS1 has been set at \$693,000.

The surplus parcel was submitted to and approved by the Transportation Board on January 11, 2016 as a disposal item through Public Auction. A Public Auction was held on February 29, 2016, however the parcel did not sell.

**Department of Transportation Board of Directors**  
**April 26, 2016**

This parcel is now being reclassified as a Direct Sale to allow the parcel to be marketed and sold by a Nevada licensed real estate broker. A Direct Sale will benefit the State in potential revenue and the elimination of liability and maintenance responsibilities. The release of NDOT's interest in this parcel is being made in accordance with N.R.S. 408.533.

**List of Attachments:**

1. Location Map
2. Sketch Map Marked Exhibit "A"
3. Environmental Approval
4. FHWA Approval
5. N.R.S. 408.533

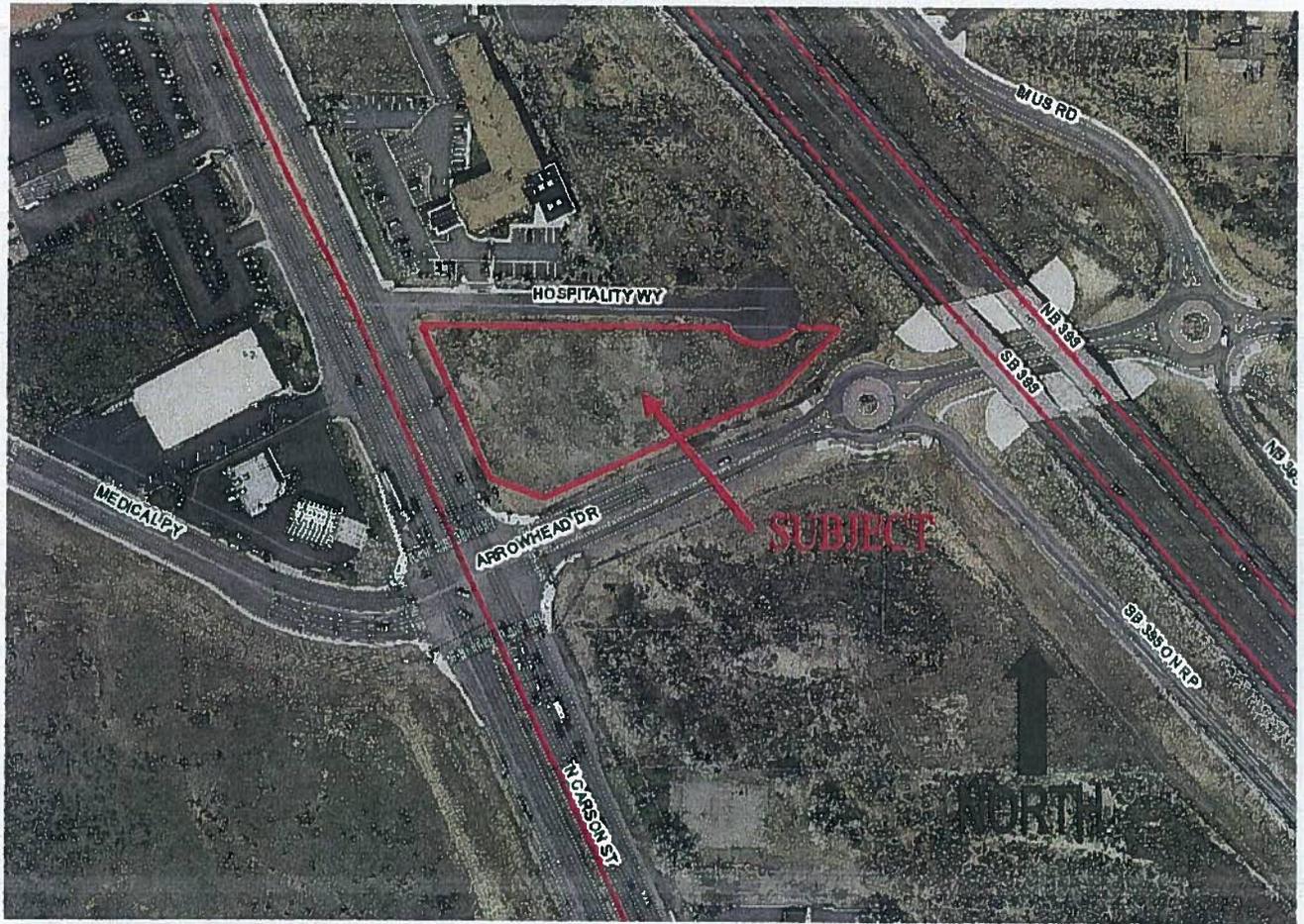
**Recommendation for Board Action:**

Approval of disposal of NDOT right-of-way located at the NE corner of N. Carson Street and Arrowhead Dr., Carson City, NV.

**Prepared by: Ruth M. Borrelli, Chief Right of Way Agent** 

rmb/jap/

## LOCATION MAP



**SUR 09-39**

**DESCRIPTION: NE CORNER OF N. CARSON ST AND ARROWHEAD DR, CARSON CITY**

PARCEL NUMBER PREFIX: U-395-CC-

PROJECT: NH-395-2(033)  
E.A. 72616  
PTN. OF PARCEL: U-395-CC-008.443

SECTION 31 T. 16 N.

SEC. 32

T. 15 N.

008.443 XS1

STATE OF NEVADA  
76,848 SQ. FT.

- ||||| CONTROL OF ACCESS WITH FENCE OR BARRIER
- LOCATION AT WHICH ACCESS TO THE FREEWAY IS PERMITTED BY THE STATE
- AAAAAAA CONTROL OF ACCESS WITHOUT FENCE OR BARRIER



R. 20 E.  
M.D.M.

N. 1/16 SECTION LINE

□ AREA TO BE SOLD

TRACED: JDF CHECKED: JHH

Date of last revision: 10/11/13

CC-017 STATE OF NEVADA SUR 09-39  
 Dept. of Transportation R/W Division  
 Date: AUGUST 3, 2010  
 Sketch Map  
 Approved: *Malana Salazar*  
 Manager, R/W Engineering  
 Scale: 1" = 300' Sheet 1 of 1 Sheets

\\037Engineering\Sketch\carson\_city\SUR 09-39.dgn

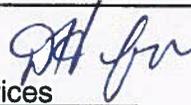
STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

September 8, 2010

To: Margaret Orci, Staff Specialist, Right-of-Way

From: Steve M. Cooke, P.E., Chief, Environmental Services



Subject: Environmental Clearance for Transportation Board  
Surplus No.: SUR 09-39  
Project No.: QF-395-1(6)  
PIN: 71366  
Parcel: U-395-CC-008.443 XS1  
Disposal of NDOT property located on North Carson Street and  
Arrowhead Drive in Carson City, NV  
Disposal by Public Auction

The Environmental Services Division (ESD) reviewed the requested parcel and found it clear of any documented environmental concern for disposal.

SMC/dlh

- c. Paul A. Saucedo, Surplus Property, Committee Chairman  
Halana Salazar, Surplus Property, Vice Chairman

ATTACHMENT 3



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

AUG 31 2010

JIM GIBBONS  
Governor

August 30, 2010

SUSAN MARTINOVICH, P.E., Director

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

In Reply Refer to:

**Disposal by Public Auction**  
Surplus No.: SUR 09-39  
Project: QF-395-1(6)  
E.A. No.: 71366  
Parcel: U-395-CC-008.443 XS1  
Description: Disposal of NDOT  
property located on North Carson  
Street and Arrowhead Drive in  
Carson City, NV.

Dear Ms. Klekar:

Enclosed are Exhibit "A" (sketch map) and a location map depicting the area of surplus property to be sold by Public Auction, pursuant to N.R.S. 408.533. It has been determined that the property is no longer needed by NDOT. The aforementioned property is located in Carson City, Nevada.

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

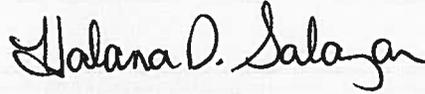
1. The subject property right will not be needed for Federal-aid Highway purposes in the foreseeable future;
2. The right-of-way being retained is adequate under present day standards for the facility involved;
3. The release will not adversely affect the Federal-aid Highway facility or the traffic thereon;
4. The parcel to be sold is not suitable for retention in order to restore, preserve, or improve the scenic beauty adjacent to the highway consonant with the intent of 23 U.S.C. 319 and PL 89-285, Title III, Section 302-305 (Highway Beautification Act of 1965).
5. The parcel to be sold has been cleared through the Environmental Division in accordance with CEQ regulations 40 CFR 1508.4 and 23 CFR 771.117(d).
6. The sale of this parcel is being made in accordance with N.R.S. 408.533.

ATTACHMENT 4

SUSAN KLEKAR, DIVISION ADMINISTRATOR  
FEDERAL HIGHWAY ADMINISTRATION  
August 30, 2010

Your concurrence in this proposal is requested.

Sincerely,

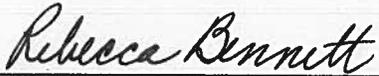


for Paul A. Saucedo  
Chief Right-of-Way Agent

pas/meo/tz  
Enclosures

cc: H. Salazar, Manager, Right-of-Way Engineering  
M. Orci, Right-of-Way Staff Specialist

CONCUR:



Rebecca Bennett, Right-of-Way Program Manager

9/9/10

Date

**NRS 408.533 Disposal of property.**

1. All real property, interests therein or improvements thereon and personal property acquired before, on or after April 1, 1957, in accordance with the provisions of NRS 408.487 and 408.489 must, after approval by the Board and if no longer needed for highway purposes disposed of by the Director in accordance with the provisions of subsection 2, except that:

(a) When the property was originally donated to the State, no charge may be made if it is returned to the original owner or to the holder of the reversionary right.

(b) When the property has been wholly or partially paid for by towns, cities or counties, disposal of the property and of money received therefor must be agreed upon by the governing bodies of the towns, cities and counties and the Department.

(c) When the title to the real property has been acquired in fee pursuant to NRS 408.487 and 408.489 and, in the opinion of the Board, sale by means of a public auction or sealed bids is uneconomical or impractical because:

(1) There is no access to the property;

(2) The property has value or an increased value only to a single adjoining property owner; or

(3) Such a sale would work an undue hardship upon a property owner as a result of a severance of the property of that owner or denial of access to a public highway,

the Board may enter into a direct sale of the property with such an owner or any other person for its fair market value.

(d) When the property has been acquired and the property or any portion of the property is no longer needed for highway purposes, the Department shall give notice of its intention to dispose of the property by publication in a newspaper of general circulation in the county where the property is situated. The notice must include the Department's appraisal of the fair market value of the property. Any person from whom the property was purchased or his heir or grantee may purchase the property at its fair market value by direct sale from the Department within 60 days after the notice is published. If more than one person qualified to purchase the property by direct sale pursuant to this paragraph so requests, the person with the superior claim, as determined by the Department in its sole discretion, is entitled to purchase the property by direct sale. If a person who is entitled to purchase the property by direct sale pursuant to this paragraph reasonably believes that the Department's appraisal of the property is greater than the fair market value of the property, the person may file an objection to the appraisal with the Department. The Department shall set forth the procedure for filing an objection and the process under which a final determination will be made of the fair market value of the property for which an objection is filed. The Department shall sell the property in the manner provided in subsection 2 if:

(1) No person requests to purchase the property by direct sale within 60 days after the notice is published pursuant to this paragraph; or

(2) A person who files an objection pursuant to this paragraph fails, within 10 business days after he receives a written notice of the final determination of the fair market value of the property, to notify the Department in writing that he wishes to purchase the property at the fair market value set forth in the notice.

(e) When the property is sought by another public agency for a reasonable public use, the Department may first offer the property to the public agency at its fair market value.

2. All property, interests or improvements not included within the provisions of subsection 1 must first be offered for sale by the Department singly or in combination at public auction or by sealed bids. If the highest bid received is 90 percent or more of the Department's appraisal of the fair market value of the property, the property may be sold to the highest bidder. The notice and the terms of the sale must be published in a newspaper of general circulation in the county where the property is situated. The auctions and openings of bids must be conducted by the Department. If the property cannot be sold for 90 percent or more of its fair market value, the Department may enter into a written listing agreement with a person licensed pursuant to chapter 645 of NRS to sell or lease the property for 90 percent or more of its fair market value.

3. It is conclusively presumed in favor of the Department and any purchaser for value that the Department acted within its lawful authority in acquiring and disposing of the property, and that the Director acted within his lawful authority in executing any conveyance vesting title in the purchaser. All such conveyances must be quitclaim in nature and the Department shall not warrant title, furnish title insurance or pay the tax on transfer of real property.

4. No person has a right of action against the Department or its employees for a violation of this section. This subsection does not prevent an action by the Attorney General on behalf of the State of Nevada or any aggrieved person.

5. All sums of money received by the Department for the sale of real and personal property must be deposited with the State Treasurer to be credited to the State Highway Fund, unless the Federal Highway Administration participated in acquisition of the property, in which case a pro rata share of the money obtained by disposal of the property must be paid to the Federal Highway Administration.

6. The Department may reserve and except easements, rights or interests from the conveyance of any real property disposed of in accordance with this section or exchanged pursuant to subsection 5 of NRS 408.489. The easements, rights or interests include, but are not limited to:

(a) Abutter's rights of light, view or air.

(b) Easements of access to and from abutting land.

(c) Covenants prohibiting the use of signs, structures or devices advertising activities not conducted, services not rendered or goods not produced or available on the real property.

(Added to NRS by 1957, 693; A 1959, 599; 1963, 978; 1967, 1743; 1971, 140; 1979, 1781; 1985, 707; 1987, 1812; 1989, 1308; 1991, 1691; 1995, 1140; 2001, 2132)



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

## MEMORANDUM

April 26, 2016

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, Director  
**SUBJECT:** May 9, 2016 Transportation Board of Directors Meeting  
**Item #11:** A parcel of NDOT right-of-way located at IR-80 Between Vine St. & Washington St. on 6<sup>th</sup> St. in the City of Reno, County of Washoe, State of Nevada

**SUR 13-15 – For board approval**

---

### **Summary:**

Approval is requested from the Department of Transportation Board of Directors to dispose of the above referenced property by Direct Sale. The property to be sold is located at IR-80 Between Vine St. & Washington St. on 6<sup>th</sup> St. in the City of Reno, County of Washoe, State of Nevada. The property consists of .80 acre (34,859 sq. ft.) of land as depicted on the attached sketch map identified as Exhibit "A". The land is improved with a 5,592 sq. ft. office building.

### **Background:**

The Department originally obtained this parcel, in fee, during 1965 and 1967 from several owners for highway purposes. The acquisition of this parcel was required for the construction of IR-80, Project I-080-1(15)8.

The existing office building was owned by the Junior Achievement of Northern Nevada, Inc., who has had a lease with the Department over the past years.

Recently, John Cole, representing Core Capital Group, Inc., purchased the office building from the Junior Achievement and contacted the Department to consider selling the property to his company. The Surplus Property Committee met on September 17, 2013 and determined that this surplus property is no longer needed for the above mentioned project.

### **Analysis:**

The Department completed an appraisal of the property on January 30, 2015 to obtain fair market value in the amount of \$185,000 as required by N.R.S 408.533. The Department received the

**Department of Transportation Board of Directors  
April 26, 2016**

signed Direct Sale Intent to Purchase on April 25, 2016, and accepted the purchase price. A Direct Sale will be beneficial to both the State and the new owner of the building. The release of NDOT's fee interest in this parcel is being made in accordance with N.R.S. 408.533.

**Recommendation for Board Action:**

Approval of the disposal of NDOT property located at IR-80 Between Vine St. & Washington St. on 6<sup>th</sup> St. in the City of Reno, County of Washoe, State of Nevada. .

**List of Attachments:**

1. Location Map
2. Sketch Map depicted as Exhibit "A"
3. Copy of the Intent to Purchase (Form 894-C)
4. Environmental Approval
5. N.R.S. 408.533

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

rb/dtc/jl

## LOCATION MAP



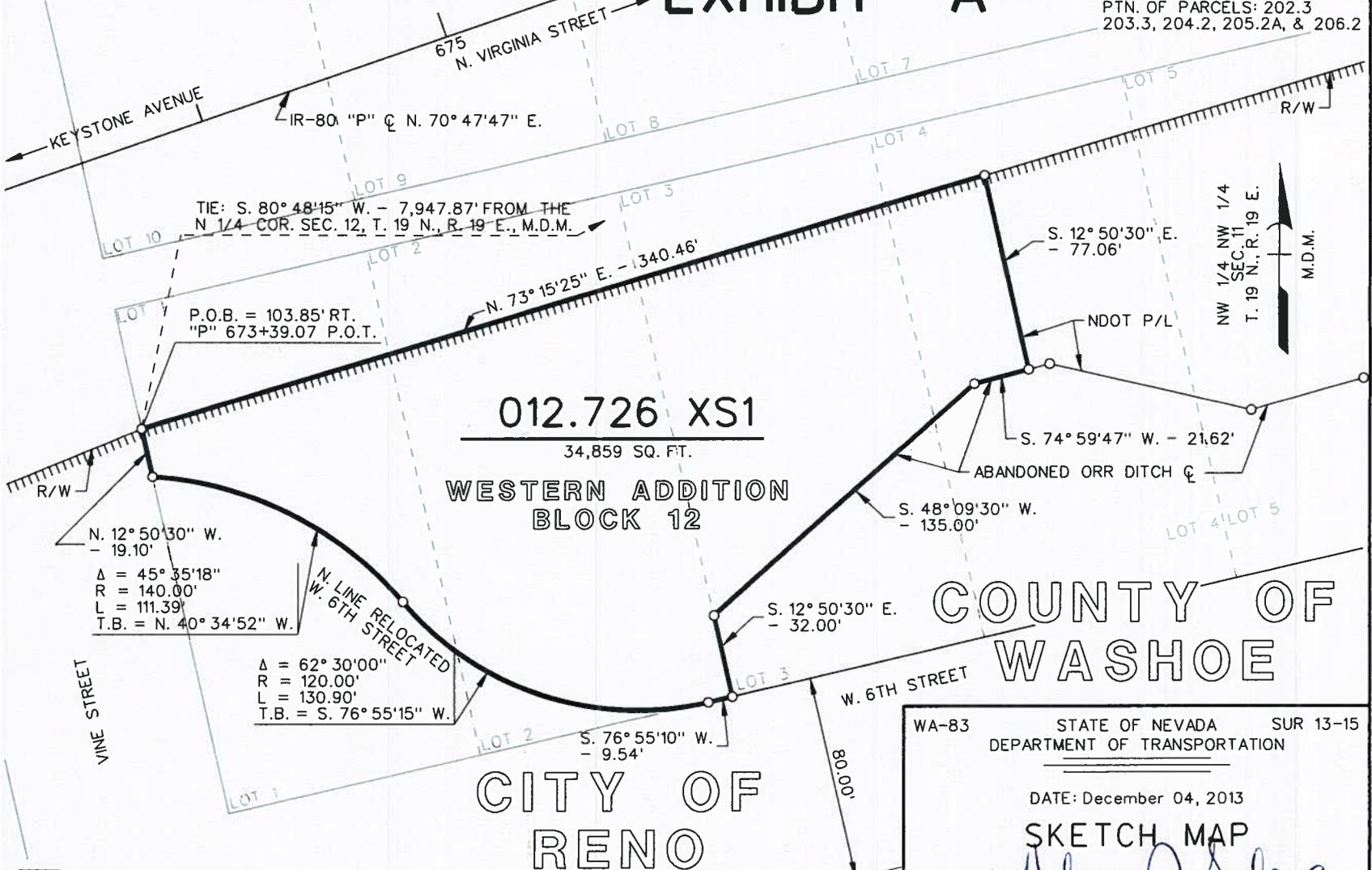
**SUR 13-15**

**DESCRIPTION: IR-80 Between Vine St & Washington St on 6th St.  
in the City of Reno, County of Washoe, State of Nevada**

PARCEL NO. PREFIX: I-080-WA-

# EXHIBIT "A"

PROJECT: I-080-1(15)8  
E.A. 70278  
PTN. OF PARCELS: 202.3  
203.3, 204.2, 205.2A, & 206.2



WA-83 STATE OF NEVADA SUR 13-15  
DEPARTMENT OF TRANSPORTATION

DATE: December 04, 2013

SKETCH MAP

APPROVED: *Alana D. Salas*  
MANAGER, R/W ENGINEERING

SCALE 1"=60' SHEET 1 OF 1

NEVADA DOT	TRACED	MW
	CHECKED	ROZ
	DATE OF LAST REVISION:	

Project: I-080-1(15)8  
E.A.: 70278  
Parcel: I-080-WA-012.726  
XS1  
SUR #: SUR 13-15  
Date: 4/25/16

**DIRECT SALE INTENT TO PURCHASE**  
Nevada Department of Transportation

This direct sale payment is for the purchase of the above-referenced real property, as described by the legal description attached hereto.

The undersigned purchaser hereby agrees to pay to the Nevada Department of Transportation, \$185,758.00 as the full purchase price for said property, to be paid in a lump sum payment, without interest, on or before 90 Day from the Transportation Board approval date.

All terms and conditions of the Department of Transportation's procedures for a direct sale under Nevada Revised Statue 408.533 are hereby specifically incorporated by reference into the terms of this direct sale.

The property will be conveyed by Quitclaim Deed.

The name on the deed is to be as follows:

John Cole

Purchaser may take possession of the property upon receipt of the recorded Quitclaim Deed, or upon other written notice from the Department of Transportation, if applicable.

All notices pertaining to matters arising in connection with this transaction may be made to purchaser in person or by registered mail addressed as follows:

John Cole  
Name (Please Print)

4-25-2016  
Date

1042 N. El Camino REAL B-428  
Address ENCINITAS CA 92024

760 685 0901  
Phone

  
Signature

Owner  
Title

**COMPLETE THIS FORM AND RETURN WITHIN 10 WORKING DAYS FROM THE DATE OF THIS FORM AND RETURN WITH THE ENCLOSED LETTER TO:**

State of Nevada, Department of Transportation  
Right-of-Way Division, Attn: Jessica D. Biggin  
1263 S. Stewart St.  
Carson City, NV 89712

ATTACHMENT 3



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

**MEMORANDUM**

**Environmental Services Division**

**April 25, 2016**

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

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

**Subject:** Environmental Clearance for Transportation Board  
**Surplus No.: SUR 13-15**  
Project: I-080-1(15)8  
EA: 70278  
Location: I-80, between Vine Street & Washington Street, 785 W. 6th Street  
Reno, NV  
Parcel: I-080-WA-012.726 XS1,  
Disposal of Excess Right-of-Way

---

The Environmental Services Division reviewed the requested action and found it clear of any documented environmental concern. The Categorical Exclusion for this action was approved by the Federal Highway Administration on April 25, 2016.

EC: Project E-File

ATTACHMENT 4

**NRS 408.533 Disposal of property.**

1. All real property, interests therein or improvements thereon and personal property acquired before, on or after April 1, 1957, in accordance with the provisions of NRS 408.487 and 408.489 must, after approval by the Board and if no longer needed for highway purposes, be disposed of by the Director in accordance with the provisions of subsection 2, except that:

(a) When the property was originally donated to the State, no charge may be made if it is returned to the original owner or to the holder of the reversionary right.

(b) When the property has been wholly or partially paid for by towns, cities or counties, disposal of the property and of money received therefor must be agreed upon by the governing bodies of the towns, cities and counties and the Department.

(c) When the title to the real property has been acquired in fee pursuant to NRS 408.487 and 408.489 and, in the opinion of the Board, a sale by means of a public auction or sealed bids is uneconomical or impractical because:

(1) There is no access to the property;

(2) The property has value or an increased value only to a single adjoining property owner; or

(3) Such a sale would work an undue hardship upon a property owner as a result of a severance of the property of that owner or a denial of access to a public highway,

the Board may enter into a direct sale of the property with such an owner or any other person for its fair market value.

(d) When the property has been acquired and the property or any portion of the property is no longer needed for highway purposes, the Department shall give notice of its intention to dispose of the property by publication in a newspaper of general circulation in the county where the property is situated. The notice must include the Department's appraisal of the fair market value of the property. Any person from whom the property was purchased or his heir or grantee may purchase the property at its fair market value by direct sale from the Department within 60 days after the notice is published. If more than one person qualified to purchase the property by direct sale pursuant to this paragraph so requests, the person with the superior claim, as determined by the Department in its sole discretion, is entitled to purchase the property by direct sale. If a person who is entitled to purchase the property by direct sale pursuant to this paragraph reasonably believes that the Department's appraisal of the property is greater than the fair market value of the property, the person may file an objection to the appraisal with the Department. The Department shall set forth the procedure for filing an objection and the process under which a final determination will be made of the fair market value of the property for which an objection is filed. The Department shall sell the property in the manner provided in subsection 2 if:

(1) No person requests to purchase the property by direct sale within 60 days after the notice is published pursuant to this paragraph; or

(2) A person who files an objection pursuant to this paragraph fails, within 10 business days after he receives a written notice of the final determination of the fair market value of the property, to notify the Department in writing that he wishes to purchase the property at the fair market value set forth in the notice.

(e) When the property is sought by another public agency for a reasonable public use, the Department may first offer the property to the public agency at its fair market value.

2. All property, interests or improvements not included within the provisions of subsection 1 must first be offered for sale by the Department singly or in combination at public auction or by sealed bids. If the highest bid received is 90 percent or more of the Department's appraisal of the fair market value of the property, the property may be sold to the highest bidder. The notice and the terms of the sale must be published in a newspaper of general circulation in the county where the property is situated. The auctions and openings of bids must be conducted by the Department. If the property cannot be sold for 90 percent or more of its fair market value, the Department may enter into a written listing agreement with a person licensed pursuant to chapter 645 of NRS to sell or lease the property for 90 percent or more of its fair market value.

3. It is conclusively presumed in favor of the Department and any purchaser for value that the Department acted within its lawful authority in acquiring and disposing of the property, and that the Director acted within his lawful authority in executing any conveyance vesting title in the purchaser. All such conveyances must be quitclaim in nature and the Department shall not warrant title, furnish title insurance or pay the tax on transfer of real property.

4. No person has a right of action against the Department or its employees for a violation of this section. This subsection does not prevent an action by the Attorney General on behalf of the State of Nevada or any aggrieved person.

5. All sums of money received by the Department for the sale of real and personal property must be deposited with the State Treasurer to be credited to the State Highway Fund, unless the Federal Highway Administration participated in acquisition of the property, in which case a pro rata share of the money obtained by disposal of the property must be paid to the Federal Highway Administration.

6. The Department may reserve and except easements, rights or interests from the conveyance of any real property disposed of in accordance with this section or exchanged pursuant to subsection 5 of NRS 408.489. The easements, rights or interests include, but are not limited to:

(a) Abutter's rights of light, view or air.

(b) Easements of access to and from abutting land.

(c) Covenants prohibiting the use of signs, structures or devices advertising activities not conducted, services not rendered or goods not produced or available on the real property.

(Added to NRS by 1957, 693; A 1959, 599; 1963, 978; 1967, 1743; 1971, 140; 1979, 1781; 1985, 707; 1987, 1812; 1989, 1308; 1991, 1691; 1995, 1140; 2001, 2132)

ATTACHMENT 5



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

## MEMORANDUM

Right-of-Way Division

April 26, 2016

**To: Department of Transportation Board of Directors**

**From: Rudy Malfabon, Director**

**Subject: May 9, 2016 Transportation Board of Directors Meeting**

**Item # 12: Disposal of a portion of NDOT right-of-way E.A. 73484 Spring Creek Roundabout  
Surplus Parcels in County of Elko, State of Nevada**

**SUR 15-17 – For Board Approval**

---

### **Summary:**

Approval is requested from the Department of Transportation Board of Directors to dispose of the above-referenced right-of-way by Resolution of Relinquishment. The right-of-way parcel to be relinquished is for E.A. 73484 Spring Creek Roundabout Surplus Parcels in County of Elko, State of Nevada.

The surplus action includes Parcels S-227-EL-011.465 XS1, S-227-EL-011.467 XS1, S-227-EL-011.470 XS1, S-227-EL-011.511 XS1 and S-227-EL-011.514 XS1, said parcels are currently improved with road improvements consisting of approximately .72 acre (31,485 sq. ft.) as depicted on the attached sketch maps labeled Exhibit "A" and "B".

### **Background:**

Between September 6, 2012 and August 22, 2014, the Department acquired the property in fee from various property owners for highway purposes for project SPSR-0227(008).

Elko County consented by resolution passed and adopted on December 10, 2015, to accept the Department's relinquishment of right-of-way for E.A. 73484 Spring Creek Roundabout Surplus Parcels in County of Elko, State of Nevada.

### **Analysis:**

On July 28, 2015, the Surplus Committee determined the right-of-way is no longer required for highway purposes. This transfer will be a benefit to the Department with the elimination of all liability and future maintenance responsibilities. The release of NDOT's interest in this parcel is being made in accordance with NRS 408.527.

**To: Department of Transportation Board of Directors  
April 28, 2016**

**List of Attachments:**

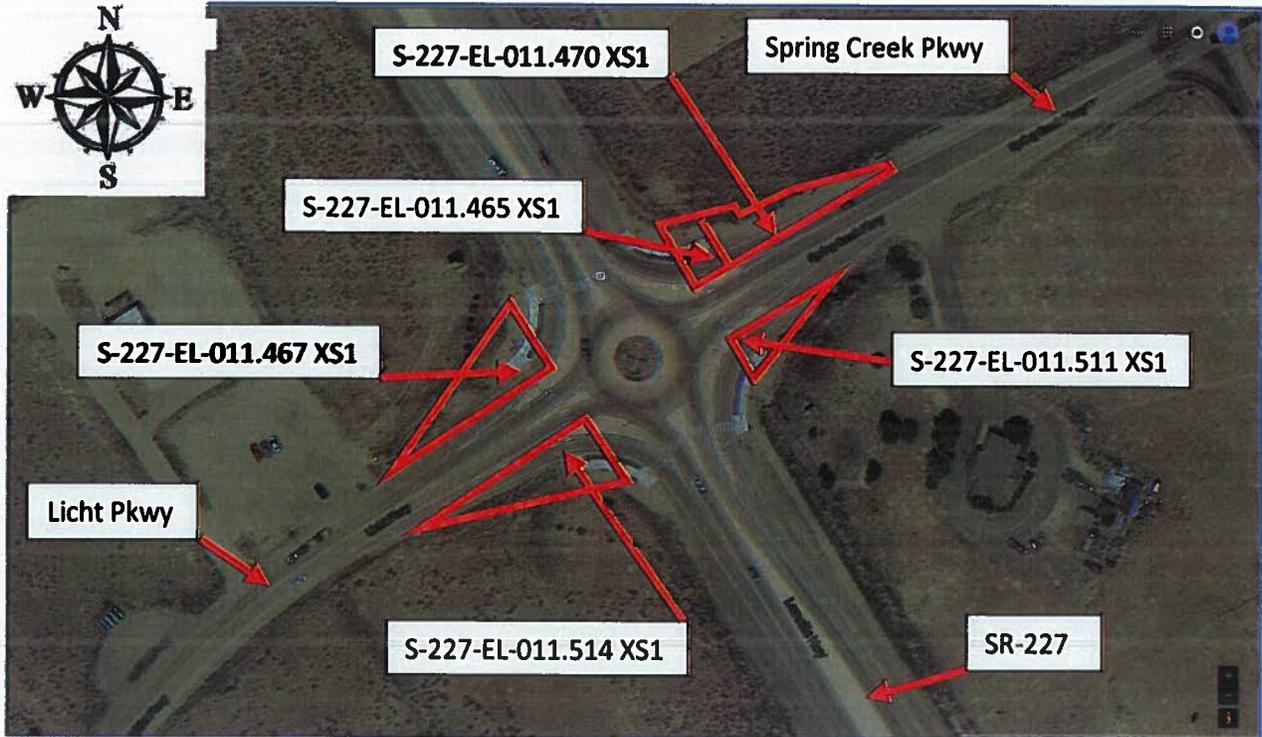
1. Location Map
2. Original Resolution of Relinquishment with attached sketch maps depicted as Exhibits "A" and "B"
3. Executed Copy of Resolution Consenting to Relinquishment and Land Transfer Agreement with attached location map depicted as Exhibits "A" and "B".
4. Environmental Approval
5. NRS 408.527

**Recommendation for Board Action:**

Approval of disposal of NDOT right-of-way for a portion of NDOT right-of-way for E.A. 73484 Spring Creek Roundabout Surplus Parcels in County of Elko, State of Nevada.

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

# LOCATION MAP



## EXHIBIT "A"

SUR 15-17

**DESCRIPTION: E.A. 73484 Spring Creek Roundabout  
Surplus Parcels  
in County of Elko, State of Nevada**

**ATTACHMENT 1**

301

Ptns. of Assessor: Bk. 053 Pg. 000  
Bk. 055 Pg. 000  
Bk. 057 Pg. 000

Control Section: EL-21  
Project: SPSR-0227(008)  
E.A.: 73484

All of Parcels: S-227-EL-011.465  
S-227-EL-011.467  
S-227-EL-011.470  
S-227-EL-011.511  
S-227-EL-011.514

Route: SR-227 (Lamoille Rd.)

Surplus No.: SUR 15-17

Surplus Parcels: S-227-EL-011.465 XS1  
S-227-EL-011.467 XS1  
S-227-EL-011.470 XS1  
S-227-EL-011.511 XS1  
S-227-EL-011.514 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**

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

**WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, presently holds a fee simple interest in that certain right-of-way for portions of SR-227 (Lamoille Rd.), extending from MP S-227-EL-011.465, to MP S-227-EL-011.529; and**

**WHEREAS, said right-of-way is delineated and identified as Parcels S-227-EL-011.465 XS1, S-227-EL-011.467 XS1, S-227-EL-011.470 XS1, S-227-EL-011.511 XS1 and S-227-EL-011.514 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 SR-227 (Lamoille Rd.) being in excess of its needs; and

WHEREAS, the County of Elko has requested the relinquishment of aforesaid portions of highway for the purpose of maintenance and operation of a roadway; and

WHEREAS, the County of Elko has agreed to accept the relinquishment of said right-of-way for the aforesaid portions of SR-227 (Lamoille Rd.) 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 County of Elko entered into an agreement with the Department on \_\_\_\_\_, 20\_\_\_\_, to accept the hereinafter described designated portions of highway for the purpose of maintenance and operation of a roadway; and

WHEREAS, the Board of County Commissioners of Elko County, State of Nevada, consented by resolution passed and adopted on \_\_\_\_\_, 20\_\_\_\_, to the Department relinquishing the aforesaid portions of said highway to the County of Elko; 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 S-227-EL-011.465 XS1, S-227-EL-011.467 XS1, S-227-EL-011.470 XS1,

S-227-EL-011.511 XS1 and S-227-EL-011.514 XS1 on EXHIBITS "A" and "B" attached hereto and made a part hereof, is hereby relinquished to the County of Elko of the State of Nevada.

Said right-of-way is described as follows:

Parcel: S-227-EL-011.465 XS1

Situate, lying and being in the County of Elko, State of Nevada, and more particularly described as being a portion of the SE 1/4 of the SW 1/4 of Section 13, T. 33 N., R. 56 E., M.D.M., and further described as a portion of PARCEL 2 (HIGHWAY BUFFER), described in that certain CORPORATION GRANT BARGAIN AND SALE DEED, filed for record as Instrument No. 174315, on April 8, 1983, in Book 418, Page 350, in the Office of the Elko County Recorder, and more fully described by metes and bounds as follows:

COMMENCING at a 3 1/2" BRASS CAP ON IRON PIPE, accepted as the northwest corner of Section 13, T. 33 N., R. 56 E., M.D.M.; thence S. 2°16'44" W., along the west line of said Section 13, a distance of 5,338.25 feet to a 3 1/2" BRASS CAP ON IRON PIPE, accepted as the southwest corner of said Section 13; thence N. 65°58'33" E. a distance of 1,829.86 feet to the POINT OF BEGINNING; said point of beginning being on the left or northeasterly right-of-way line of SR-227 (Lamoille Road), 100.00 feet left of and at right angles to Highway Engineer's Station "O" 609+90.87 P.O.T.; thence N. 31°30'38" W., along said right-of-way line, a distance of 84.87 feet; thence N. 83°30'23" E., along the northwesterly right-of-way line of Spring Creek Parkway, a distance of 55.32 feet to the southwesterly line of Lot 1, Block 1 of SPRING CREEK TRACT NO. 104, filed for record in the Office of the County Recorder of the County of Elko on August 13, 1971, in File No. 64497; thence S. 31°30'38" E., along said Lot line, a distance of 62.50 feet to the former northwesterly right-of-way line of Spring Creek Parkway; thence S. 59°39'12" W., along said former right-of-way line, a distance of 50.14 feet to the point of beginning, said parcel contains an area of 3,694 square feet.

Parcel: S-227-EL-011.467 XS1

Situate, lying and being in the County of Elko, State of Nevada, and more particularly described as being a portion of the SW 1/4 of Section 13, T. 33 N., R. 56 E., M.D.M., and further described as a portion of PARCEL 2 (HIGHWAY BUFFER), described in that certain CORPORATION GRANT BARGAIN AND SALE DEED, filed for record as Instrument No. 174315, on April 8, 1983, in Book 418, Page 350, in the Office of the Elko County Recorder, and more fully described by metes and bounds as follows:

COMMENCING at a 3 1/2" BRASS CAP ON IRON PIPE, accepted as the northwest corner of said Section 13; thence S. 2°16'44" W., along the west line of said Section 13, a distance of 5,338.25 feet to a 3 1/2" BRASS CAP ON IRON PIPE, accepted as the southwest corner of said Section 13; thence N. 66°45'18" E. a distance of 1,631.20 feet to the POINT OF BEGINNING; said point of beginning being on the right or

southwesterly right-of-way line of SR-227 (Lamoille Road), 100.00 feet right of and at right angles to Highway Engineer's Station "O" 609+86.96 P.O.T.; thence S. 59°39'12" W., along the former northwesterly right-of-way line of Licht Parkway, a distance of 199.94 feet; thence N. 38°57'40" E., along the northwesterly right-of-way line of said Licht Parkway, a distance of 212.10 feet to said right-of-way line of SR-227; thence S. 31°30'38" E., along said right-of-way line, a distance of 74.96 feet to the point of beginning, said parcel contains an area of 7,492 square feet.

**Parcel: S-227-EL-011.470 XS1**

Situate, lying and being in the County of Elko, State of Nevada, and more particularly described as being a portion of the SE 1/4 of the SW 1/4 of Section 13, T. 33 N., R. 56 E., M.D.M., and further described as a portion of Lot 1 of Block 1 of SPRING CREEK TRACT 104 filed for record in the Office of the County Recorder of the County of Elko on August 13, 1971, in File No. 64497, and more fully described by metes and bounds as follows:

**COMMENCING at a 3 1/2" BRASS CAP ON IRON PIPE, accepted as the northwest corner of said Section 13; thence S. 2°16'44" W., along the west line of said Section 13, a distance of 5,338.25 feet to a 3 1/2" BRASS CAP ON IRON PIPE, accepted as the southwest corner of said Section 13; thence N. 65°48'27" E. a distance of 1,879.70 feet to the POINT OF BEGINNING; said point of beginning being the southeast corner of said Lot 1, 150.13 feet left of and at right angles to the centerline of SR-227 (Lamoille Road) at Highway Engineer's Station "O" 609+91.89 P.O.T.; thence N. 31°30'38" W., along the southwesterly line of said Lot 1, a distance of 62.50 feet; thence along the northwesterly right-of-way line of Spring Creek Parkway, the following five (5) courses and distances:**

- 1) N. 83°30'23" E. – 60.55 feet;
- 2) S. 31°30'38" E. – 7.00 feet;
- 3) N. 58°29'22" E. – 75.00 feet;
- 4) N. 66°35'58" E. – 169.70 feet;
- 5) S. 31°30'38" E. – 12.00 feet;

thence S. 59°39'12" W., along the former northwesterly right-of-way line of said Spring Creek Parkway, a distance of 297.93 feet to the point of beginning, said parcel contains an area of 8,880 square feet.

**Parcel: S-227-EL-011.511 XS1**

Situate, lying and being in the County of Elko, State of Nevada, and more particularly described as being a portion of the SE 1/4 of the SW 1/4 of Section 13, T. 33 N., R. 56 E., M.D.M., and further described as a portion of Parcel 2 described in that certain GRANT, BARGAIN, AND

**SALE DEED, in File No. 293740, filed for record on July 6, 1990, in Book 726, Page 864 in the Office of the Elko County Recorder, and more fully described by metes and bounds as follows:**

**COMMENCING at a 3 1/2" BRASS CAP ON IRON PIPE, accepted as the northwest corner of said Section 13; thence S. 2°16'44" W., along the west line of said Section 13, a distance of 5,338.25 feet to a 3 1/2" BRASS CAP ON IRON PIPE, accepted as the southwest corner of said Section 13; thence N. 69°03'17" E. a distance of 1,845.55 feet to the POINT OF BEGINNING; said point of beginning being on the left or northeasterly right-of-way line of SR-227 (Lamoille Road), 100.00 feet left of and at right angles to Highway Engineer's Station "O" 610+90.85 P.O.T.; thence N. 59°39'12" E., along the former southeasterly right-of-way line of Spring Creek Parkway, a distance of 128.03 feet; thence S. 35°01'49" W., along the southeasterly right-of-way line of said Spring Creek Parkway, a distance of 139.53 feet to said left or northeasterly right-of-way line; thence N. 31°30'38" W., along said right-of-way line, a distance of 58.15 feet to the point of beginning, said parcel contains an area of 3,721 square feet.**

**Parcel: S-227-EL-011.514 XS1**

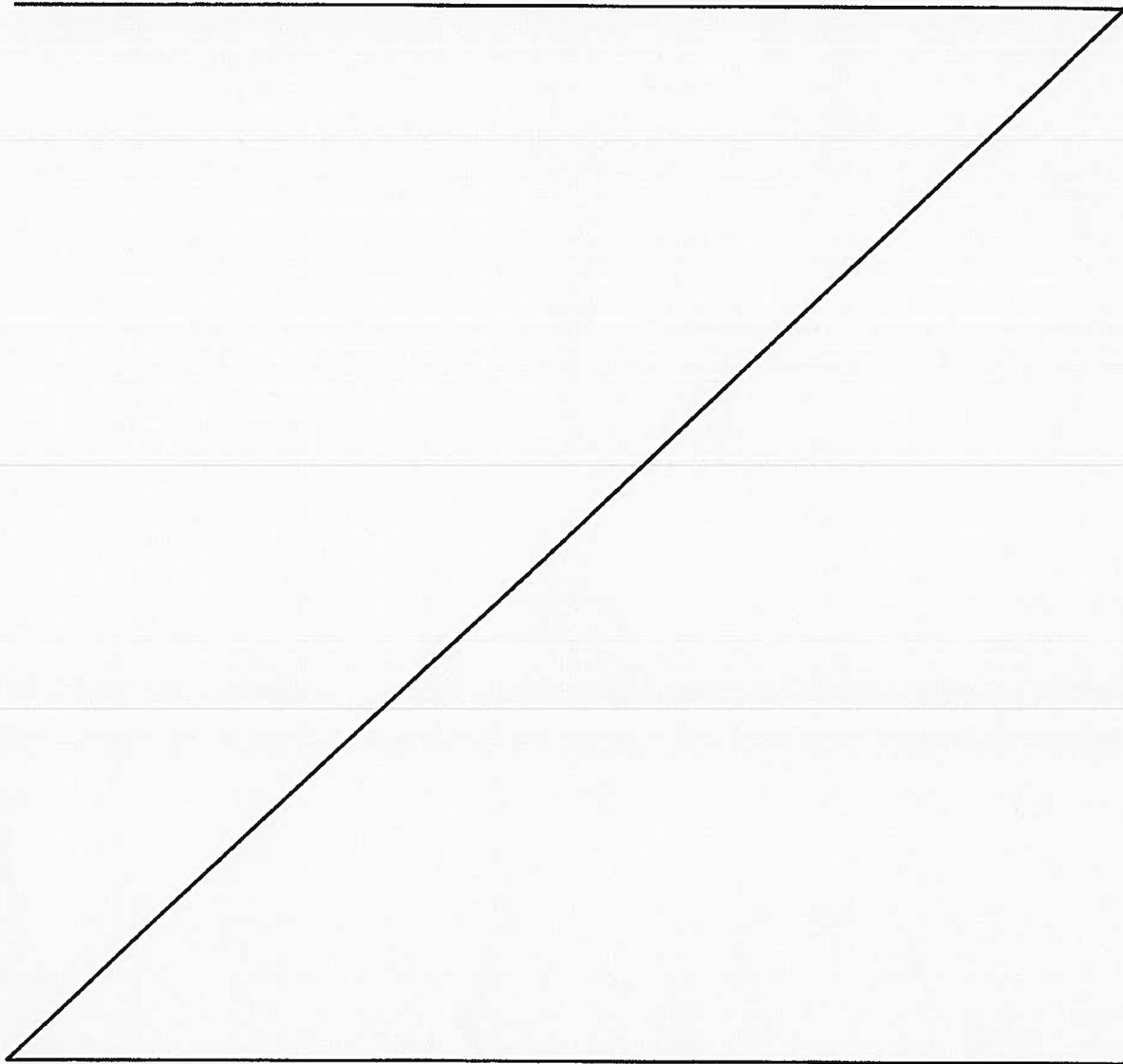
**Situate, lying and being in the County of Elko, State of Nevada, and more particularly described as being a portion of the SW 1/4 of Section 13, T. 33 N., R. 56 E., M.D.M., and further described as a portion of PARCEL 2 (HIGHWAY BUFFER), described in that certain CORPORATION GRANT BARGAIN AND SALE DEED, filed for record as Instrument No. 174315, on April 8, 1983, in Book 418, Page 350, in the Office of the Elko County Recorder, and more fully described by metes and bounds as follows:**

**COMMENCING at a 3 1/2" BRASS CAP ON IRON PIPE, accepted as the northwest corner of said Section 13; thence S. 2°16'44" W., along the west line of said Section 13, a distance of 5,338.25 feet to a 3 1/2" BRASS CAP ON IRON PIPE, accepted as the southwest corner of said Section 13; thence N. 70°11'50" E. a distance of 1,648.56 feet to the POINT OF BEGINNING; said point of beginning being on the right or southwesterly right-of-way line of SR-227 (Lamoille Road), 100.00 feet right of and at right angles to Highway Engineer's Station "O" 610+86.98 P.O.T.; thence S. 31°30'38" E., along said right-of-way line, a distance of 77.02 feet; thence S. 80°34'01" W., along the southeasterly right-of-way line of Licht Parkway, a distance of 215.72 feet; thence N. 59°39'12" E., along the former southeasterly right-of-way line of said Licht Parkway, a distance of 199.94 feet to the point of beginning, said parcel contains an area of 7,698 square feet.**

**SUBJECT TO any and all existing utilities whether of record or not.**

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

**It is the intent of the Department to relinquish to the County of Elko 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. If the purpose for which it is relinquished is abandoned or ceases to exist, then all right, title and interest of the city or county reverts back to the Department.**



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

APPROVED AS TO LEGALITY AND FORM:

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

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

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

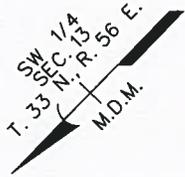
ATTEST:

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

PARCEL NO. PREFIX: S-227-EL-

PROJECT: SPSR-0227(008)  
E.A. 73484

# ELKO COUNTY



**SPRING CREEK TRACT 103**  
SUBDIVISION MAP  
60406  
**BLOCK 6**

□ AREA TO BE RELINQUISHED

**011.511 XS1**  
3,721 SQ. FT.

## EXHIBIT "A"

**SPRING CREEK TRACT 301**  
SUBDIVISION MAP  
67320

**011.514 XS1**  
7,698 SQ. FT.

100.00'  
SPRING CREEK PARKWAY

**011.470 XS1**  
8,880 SQ. FT.

**SPRING CREEK TRACT 104**  
SUBDIVISION MAP  
64497

**011.465 XS1**  
3,694 SQ. FT.

LICHT PARKWAY

**011.467 XS1**  
7,492 SQ. FT.

MAP ID NO. 27365  
\\037Engineering\SURPLUS\SUR 15-17.dgn



TRACED \_\_\_\_\_  
CHECKED \_\_\_\_\_  
DATE OF LAST REVISION: \_\_\_\_\_

TO ELKO

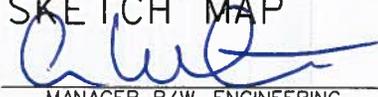
SR-227 (LAMOILLE ROAD) "O" & S. 31° 30' 38" E.

TO LAMOILLE

EL-21 STATE OF NEVADA SUR 15-17  
DEPARTMENT OF TRANSPORTATION

DATE: SEPTEMBER 18, 2015

### SKETCH MAP

APPROVED:   
MANAGER, R/W ENGINEERING

SCALE 1"=100'

SHEET 1 OF 2

### 011.465 XS1

P.O.B. = 100.00' LT. "O" 609+90.87 P.O.T.  
TIE: N. 65° 58' 33" E. - 1,829.86' FROM THE  
SW COR. OF SEC. 13, T. 33 N., R. 56 E., M.D.M.

- (A) N. 31° 30' 38" W. - 84.87'
- (B) N. 83° 30' 23" E. - 55.32'
- (C) S. 31° 30' 38" E. - 62.50'
- (D) S. 59° 39' 12" W. - 50.14'

### 011.467 XS1

P.O.B. = 100.00' RT. "O" 609+86.96 P.O.T.  
TIE: N. 66° 45' 18" E. - 1,631.20' FROM THE  
SW COR. OF SEC. 13, T. 33 N., R. 56 E., M.D.M.

- (Q) S. 59° 39' 12" W. - 199.94'
- (R) N. 38° 57' 40" E. - 212.10'
- (S) S. 31° 30' 38" E. - 74.96'

### 011.470 XS1

P.O.B. = 150.13' LT. "O" 609+91.89 P.O.T.  
TIE: N. 65° 48' 27" E. - 1,879.70' FROM THE  
SW COR. OF SEC. 13, T. 33 N., R. 56 E., M.D.M.

- (C) N. 31° 30' 38" W. - 62.50'
- (E) N. 83° 30' 23" E. - 60.55'
- (F) S. 31° 30' 38" E. - 7.00'
- (G) N. 58° 29' 22" E. - 75.00'
- (H) N. 66° 35' 58" E. - 169.70'
- (I) S. 31° 30' 38" E. - 12.00'
- (J) S. 59° 39' 12" W. - 297.93'

### 011.511 XS1

P.O.B. = 100.00' LT. "O" 610+90.85 P.O.T.  
TIE: N. 69° 03' 17" E. - 1,845.55' FROM THE  
SW COR. OF SEC. 13, T. 33 N., R. 56 E., M.D.M.

- (K) N. 59° 39' 12" E. - 128.03'
- (L) S. 35° 01' 49" E. - 139.53'
- (M) N. 31° 30' 38" W. - 58.15'

### 011.514 XS1

P.O.B. = 100.00' RT. "O" 610+86.98 P.O.T.  
TIE: N. 70° 11' 50" E. - 1,648.56' FROM THE  
SW COR. OF SEC. 13, T. 33 N., R. 56 E., M.D.M.

- (N) S. 31° 30' 38" E. - 77.02'
- (O) S. 80° 34' 01" W. - 215.72'
- (P) N. 59° 39' 12" E. - 199.94'

# EXHIBIT "B"

MAP ID NO. 27366  
\\037Engineering\SURPLUS\SUR 15-17.dgn

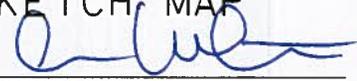


TRACED	CLT
CHECKED	
DATE OF LAST REVISION:	

EL-21 STATE OF NEVADA SUR 15-17  
DEPARTMENT OF TRANSPORTATION

DATE: SEPTEMBER 18, 2015

SKETCH MAP

APPROVED:   
MANAGER, R/W ENGINEERING

SCALE 1"=100'

SHEET 2 OF 2

Ptns. of Assessor: Bk. 053 Pg. 000  
Bk. 055 Pg. 000  
Bk. 057 Pg. 000

Control Section: EL-21  
Project: SPSR-0227(008)  
E.A.: 73484

All of Parcels: S-227-EL-011.465  
S-227-EL-011.467  
S-227-EL-011.470  
S-227-EL-011.511  
S-227-EL-011.514

Route: SR-227 (Lamoille Rd.)  
Surplus No.: SUR 15-17

Surplus Parcels: S-227-EL-011.465 XS1  
S-227-EL-011.467 XS1  
S-227-EL-011.470 XS1  
S-227-EL-011.511 XS1  
S-227-EL-011.514 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 SR-227 (Lamoille Rd.) lying within the County of Elko, State of Nevada, extending from MP S-227-EL-011.465 to MP S-227-EL-011.529, a distance of approximately .05 of a mile, said right-of-way is delineated and identified as Parcels S-227-EL-011.465 XS1, S-227-EL-011.467 XS1, S-227-EL-011.470 XS1, S-227-EL-011.511 XS1 and S-227-EL-011.514 XS1 on EXHIBITS "A" and "B" attached hereto and made a part hereof, and

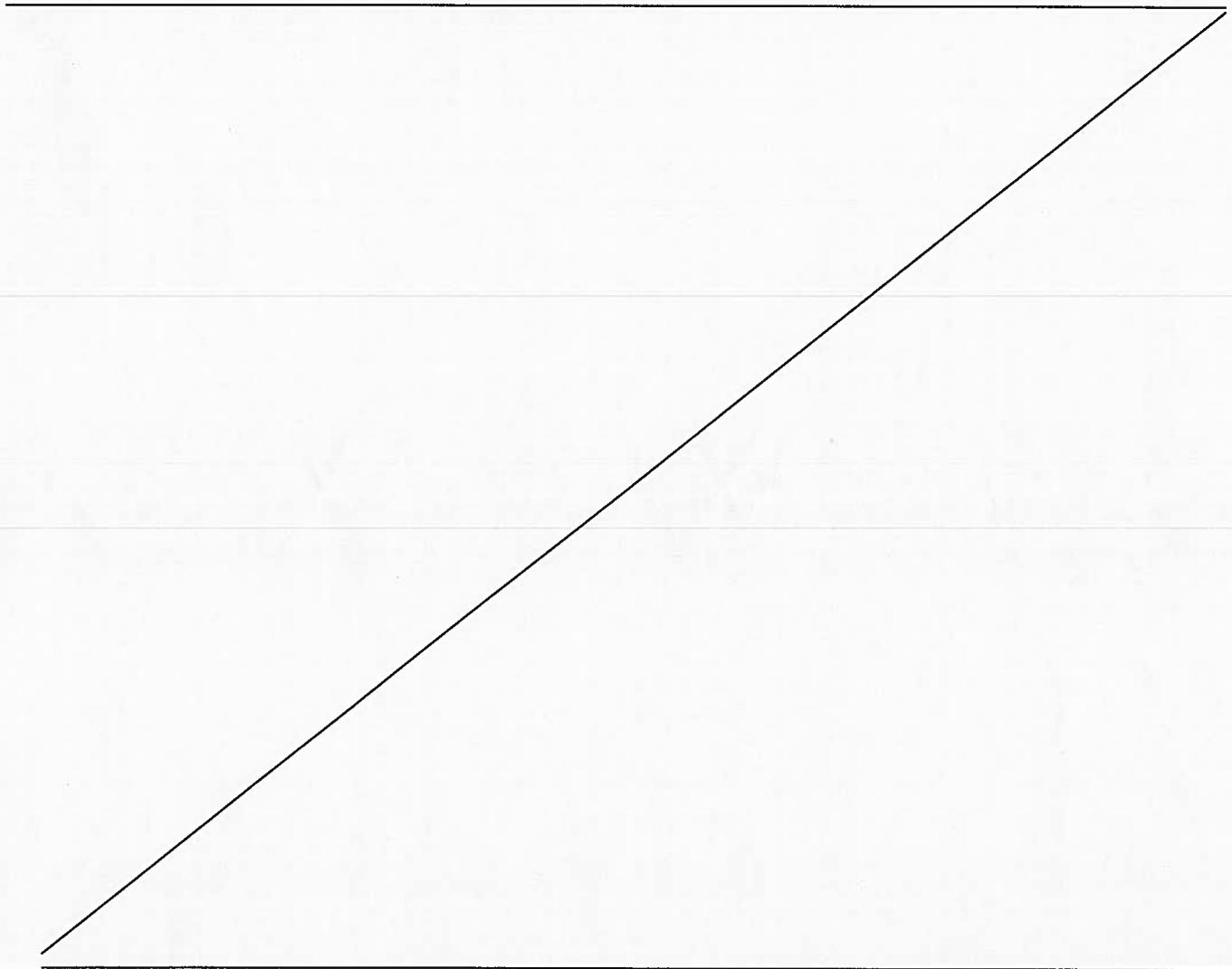
WHEREAS, the Board of County Commissioners of the County of Elko, State of Nevada, desires that the aforesaid portions of said highway be relinquished to the County of Elko; and

WHEREAS, the County of Elko has requested the relinquishment of aforesaid portions of highway for the purpose of maintenance and operation of a roadway; and

WHEREAS, the County of Elko has agreed to accept the relinquishment of said right-of-way for the aforesaid portions of SR-227 (Lamoille Rd.) 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 Board of County Commissioners of the County of Elko, 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 County of Elko, those portions of SR-227 (Lamoille Rd.) lying within the County of Elko, State of Nevada, extending from MP S-227-EL-011.465 to MP S-227-EL-011.529 a distance of approximately .05 of a mile, being all that right-of-way delineated and identified as Parcels S-227-EL-011.465 XS1, S-227-EL-011.467 XS1, S-227-EL-011.470 XS1, S-227-EL-011.511 XS1 and S-227-EL-011.514 XS1 on EXHIBITS "A" and "B" attached hereto and made a part hereof. If the purpose for which it is relinquished is abandoned or ceases to exist, then all right, title and interest of the county reverts back to the Department.

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 10th day of December, 2015.

ATTEST:

Carol Gormo  
Clerk



BOARD OF COUNTY COMMISSIONERS

[Signature]  
Chairman

[Signature]  
Vice Chairman

[Signature]  
Commissioner

Cliff Eklund  
Commissioner

[Signature]  
Commissioner

REVIEWED AND RECOMMENDED BY:

[Signature]  
Chief Right-of-Way Agent

APPROVED FOR LEGALITY AND FORM:

[Signature] 12-21-2015  
Deputy Attorney General

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STATE OF NEVADA acting by and through its Department of Transportation

Asst. [Signature]  
Director

STATE OF NEVADA  
CARSON CITY

On this 22 day of December, 2015, personally appeared before me, the undersigned, a Notary Public in and for Carson City, State of Nevada, [Signature] 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]

PARCEL NO. PREFIX: S-227-EL-

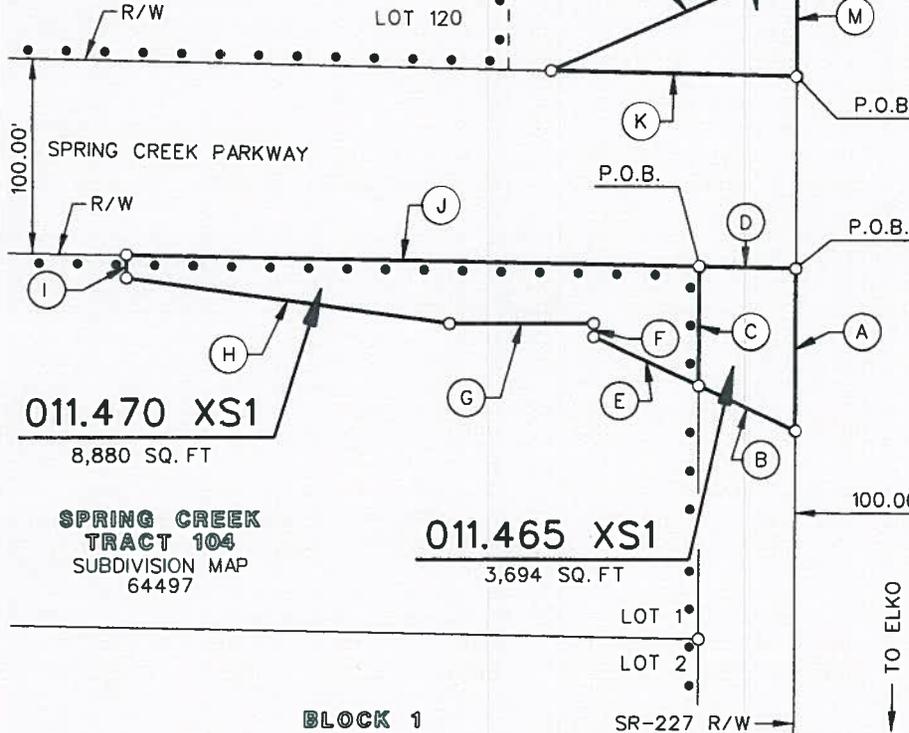
PROJECT: SPSR-0227(008)  
E.A. 73484

# ELKO COUNTY



**SPRING CREEK TRACT 103**  
SUBDIVISION MAP 60406  
**BLOCK 6**

□ AREA TO BE RELINQUISHED



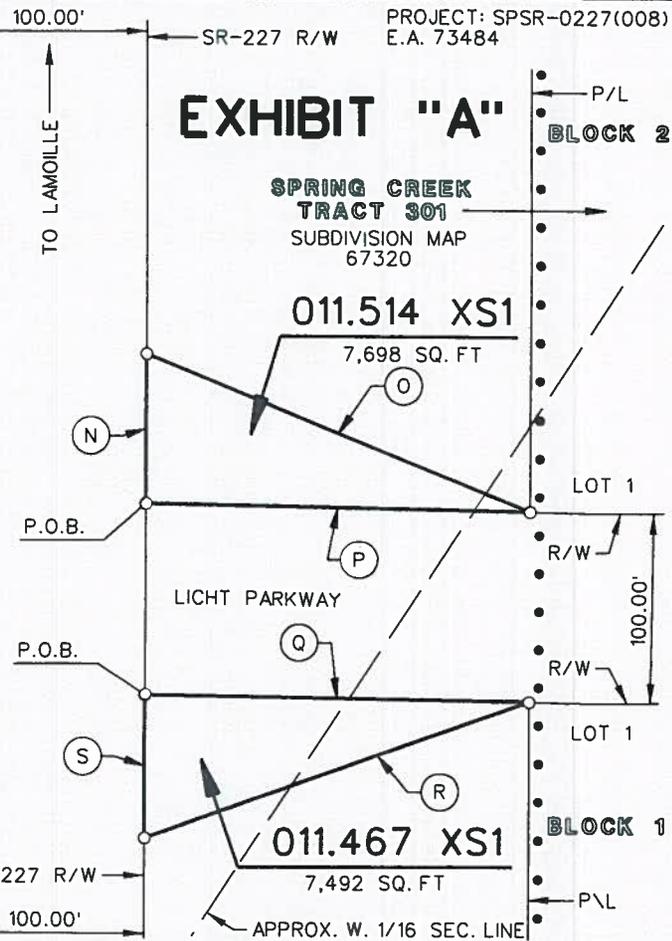
011.511 XS1  
3,721 SQ. FT.

SR-227 (LAMOILLE ROAD) "O" & S. 31° 30' 38" E.

# EXHIBIT "A"

**SPRING CREEK TRACT 301**  
SUBDIVISION MAP 67320

011.514 XS1  
7,698 SQ. FT



EL-21 STATE OF NEVADA SUR 15-17  
DEPARTMENT OF TRANSPORTATION

DATE: SEPTEMBER 18, 2015

## SKETCH MAP

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

SCALE 1"=100'

SHEET 1 OF 2

MAP ID NO. 27365  
\\037Engineering\SURPLUS\SUR 15-17.dgn

NEVADA DOT	TRACED	CLT
	CHECKED	<i>[Signature]</i>
	DATE OF LAST REVISION:	

### 011.465 XS1

P.O.B. = 100.00' LT. "O" 609+90.87 P.O.T.  
TIE: N. 65° 58' 33" E. - 1,829.86' FROM THE  
SW COR. OF SEC. 13, T. 33 N., R. 56 E., M.D.M.

- (A) N. 31° 30' 38" W. - 84.87'
- (B) N. 83° 30' 23" E. - 55.32'
- (C) S. 31° 30' 38" E. - 62.50'
- (D) S. 59° 39' 12" W. - 50.14'

### 011.467 XS1

P.O.B. = 100.00' RT. "O" 609+86.96 P.O.T.  
TIE: N. 66° 45' 18" E. - 1,631.20' FROM THE  
SW COR. OF SEC. 13, T. 33 N., R. 56 E., M.D.M.

- (Q) S. 59° 39' 12" W. - 199.94'
- (R) N. 38° 57' 40" E. - 212.10'
- (S) S. 31° 30' 38" E. - 74.96'

### 011.470 XS1

P.O.B. = 150.13' LT. "O" 609+91.89 P.O.T.  
TIE: N. 65° 48' 27" E. - 1,879.70' FROM THE  
SW COR. OF SEC. 13, T. 33 N., R. 56 E., M.D.M.

- (C) N. 31° 30' 38" W. - 62.50'
- (E) N. 83° 30' 23" E. - 60.55'
- (F) S. 31° 30' 38" E. - 7.00'
- (G) N. 58° 29' 22" E. - 75.00'
- (H) N. 66° 35' 58" E. - 169.70'
- (I) S. 31° 30' 38" E. - 12.00'
- (J) S. 59° 39' 12" W. - 297.93'

### 011.511 XS1

P.O.B. = 100.00' LT. "O" 610+90.85 P.O.T.  
TIE: N. 69° 03' 17" E. - 1,845.55' FROM THE  
SW COR. OF SEC. 13, T. 33 N., R. 56 E., M.D.M.

- (K) N. 59° 39' 12" E. - 128.03'
- (L) S. 35° 01' 49" E. - 139.53'
- (M) N. 31° 30' 38" W. - 58.15'

### 011.514 XS1

P.O.B. = 100.00' RT. "O" 610+86.98 P.O.T.  
TIE: N. 70° 11' 50" E. - 1,648.56' FROM THE  
SW COR. OF SEC. 13, T. 33 N., R. 56 E., M.D.M.

- (N) S. 31° 30' 38" E. - 77.02'
- (O) S. 80° 34' 01" W. - 215.72'
- (P) N. 59° 39' 12" E. - 199.94'

## EXHIBIT "B"

MAP ID NO. 27366  
\\037Engineering\SURPLUS\SUR 15-17.dgn

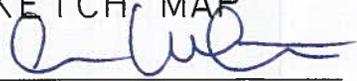


TRACED	CLT
CHECKED	
DATE OF LAST REVISION:	

EL-21 STATE OF NEVADA SUR 15-17  
DEPARTMENT OF TRANSPORTATION

DATE: SEPTEMBER 18, 2015

SKETCH MAP

APPROVED:   
MANAGER, R/W ENGINEERING

SCALE 1"=100'

SHEET 2 OF 2



1283 South Stewart Street  
Carson City, Nevada 89712  
Phone: (775) 888-7013  
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## MEMORANDUM

### Environmental Services Division

September 4, 2015

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

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

**Subject:** Environmental Clearance for Transportation Board  
Surplus No.: SUR 15-17  
Project: SPSR-0227(008)  
E.A.: 73484  
Description: Spring Creek Roundabout  
Parcels: 011.465 XS1, 011.467 XS1, 011.470 XS1, 011.511 XS1 and  
011.514 XS1  
Requestor: Elko County  
Disposal by Relinquishment

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The Environmental Services Division understands FHWA authorization is not required and reviewed the requested action accordingly. It was found clear of any documented environmental concern for disposal.

EC: 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  
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## MEMORANDUM

April 26, 2016

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, Director  
**SUBJECT:** May 9, 2016 Transportation Board of Directors Meeting  
**Item #13:** Request the Department of Transportation Board modify its policy that it will maintain a certain percentage of each category of its roadways with an IRI of less than 95 – *For Possible Action*

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### **Summary:**

The Department requests that the Department of Transportation (NDOT) Board of Directors modify its policy that it will maintain a certain percentage of each category of its roadways with an IRI of less than 95.

### **Background:**

Governmental Accounting Standards Board (GASB) Statement No. 34 (GASB 34) was implemented by NDOT commencing with Fiscal Year 2002. With the implementation of GASB 34 the State is required to account for all capital assets, including of the government's infrastructure assets such as NDOT's roads and bridges. NDOT elected to report the infrastructure assets under the Modified Approach. Electing the Modified Approach requires NDOT to:

- Maintain an inventory of its roads and bridges;
- Establish a condition level that the roads and bridges will be maintained;
- Perform condition assessments;
- Report on the results of the condition assessment of the roads and bridges in the State's Comprehensive Annual Financial Report (CAFR).

### **Analysis:**

As part of the GASB 34 implementation the Transportation Board of Directors set a policy that:

- 70 % of Category 1 roads will be maintained at an IRI of 80 or less.
- 65 % of Category 2 roads will be maintained at an IRI of 80 or less.
- 60 % of Category 3 roads will be maintained at an IRI of 80 or less.
- 40 % of Category 4 roads will be maintained at an IRI of 80 or less.
- 10 % of Category 5 roads will be maintained at an IRI of 80 or less.

IRI stands for International Roughness Index. It is a measurement of the deviation from a smooth surface. The lower the IRI, the smoother the surface.

Since GASB 34 was implemented NDOT has reported the following condition assessments:

	Condition Level of the Roadways Percentage of roadways with and IRI of less than 80				
	I	II	III	IV	V
State Policy - minimum percentage	70%	65%	60%	40%	10%
Actual results of 2001 condition assessment	83%	77%	86%	65%	19%
Actual results of 2003 condition assessment	83%	72%	90%	65%	38%
Actual results of 2005 condition assessment	81%	78%	89%	61%	26%
Actual results of 2007 condition assessment	82%	82%	88%	61%	25%
Actual results of 2009 condition assessment	82%	82%	87%	56%	21%
Actual results of 2011 condition assessment	56%	79%	67%	30%	9%
Actual results of 2012 condition assessment	84%	85%	84%	32%	9%
Actual results of 2014 condition assessment	84%	71%	62%	33%	7%
Restated results of 2014 condition assessment with IRI of 95	90%	85%	83%	51%	20%

Below State Policy 

As you can see from the table above, for the last three condition assessments NDOT's category IV & V roads have not been maintained according to the policy set in 2001.

Several factors have caused the condition level of Category IV & V roads to decrease:

- The annual funding for maintenance has decreased.
- Inflation.
- NDOT has concentrated the funding that is available for on higher volume roads.
- Back in 2001 we had some of the smoothest roads in the country and an aggressive policy was set.

There is authoritative guidance that supports that our current policy is overly aggressive. The Pavement and Bridge Condition Notice of Proposed Rulemaking, released by the Federal Highway Administration includes proposed methods for collecting data on pavements and establishing targets and reporting performance. These proposed rules state that a good road is one with an IRI of 95 or less.

#### List of Attachments:

A. Resolution

#### Recommendation for Board Action:

The Department recommends the Department of Transportation Board modify its policy that it will maintain a certain percentage of each category of its roadways with an IRI of less than 95.

#### Prepared by:

Robert Nellis, Assistant Director of Administration

**RESOLUTION ADOPTING A POLICY THAT IT WILL MAINTAIN A CERTAIN PERCENTAGE OF EACH CATEGORY OF ITS ROADWAYS WITH AN IRI OF LESS THAN 95.**

WHEREAS, pursuant to Government Accounting Standards Board Statement Number 34, the Nevada Department of Transportation shall adopt a policy setting the condition level at which the roadways will be maintained.

NOW THEREFORE, be it resolved by the Board of Directors that:

The Board of Directors adopts policy that:

70 % of Category 1 roads will be maintained at an IRI of 95 or less.

65 % of Category 2 roads will be maintained at an IRI of 95 or less.

60 % of Category 3 roads will be maintained at an IRI of 95 or less.

40 % of Category 4 roads will be maintained at an IRI of 95 or less.

10 % of Category 5 roads will be maintained at an IRI of 95 or less.

PASSED, ADOPTED AND APPROVED on May 9, 2016.

State of Nevada, Department of Transportation  
Board of Directors

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Chairman

---

Secretary to the Board of Directors

Approved to Legality and Form:

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Chief Deputy Attorney General



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## MEMORANDUM

April 27, 2016

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, Director  
**SUBJECT:** May 9, 2016 Transportation Board of Directors Meeting  
**Item #14:** Possible Approval of Raffle of Obsolete “Welcome to Nevada” Signs – *for possible action*

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### **Summary:**

The Nevada Department of Transportation (NDOT) would like to give away their obsolete “Welcome to Nevada” signs after they are replaced by new “Welcome to Nevada” signs this summer. This no-cost raffle would take place in four regions including northwestern, northeastern, southwestern and southeastern Nevada. NDOT would compile a list of those interested in obtaining a sign in each area and draw the winners at random at a later date. NDOT could set guidelines as to where and how the signs can be used or displayed. NDOT would also like to present Governor Brian Sandoval with one of the obsolete “Welcome to Nevada” signs in acknowledgement of his leadership of the State Board of Transportation and his efforts in promoting Nevada tourism.

### **Background:**

The Nevada Department of Tourism and Cultural Affairs, in collaboration with NDOT and the Nevada Department of Education, has initiated a contest for student designers to create new “Welcome to Nevada” signs in each of the four regions. The contest is designed to highlight high school graphic design students and their teachers as they help to create new signs that better incorporate branding consistent with the New Nevada. This effort will help to boost the Nevada brand and create a warm welcome for travelers and residents returning home.

The campaign has already generated positive publicity and quite a few members of the public have expressed interest in obtaining the old signs.

### **Analysis:**

Obsolete, faded or damaged state highway signs are normally destroyed and recycled. The State Property Management office of the Division of State Purchasing has requested Transportation Board approval of the no-cost raffle of the obsolete signs. NDOT will note the signs as excess property on a property disposition report that will be approved by State Property Management. Signed property transfer forms will be used to document the transfer of obsolete signs to the recipients.

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

Board approval of this procedure for transfer of obsolete “Welcome to Nevada” signs to the four regional raffle winners and the Governor is respectfully requested.

### **Prepared by:**

Sean Sever, Communications Director



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 Fax: (775) 888-7201

## MEMORANDUM

April 27, 2016

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, P.E., Director  
**SUBJECT:** May 9, 2016 Transportation Board Meeting  
**Item #15:** Receive a Report on the Department's Draft Transportation Asset Management Plan (TAMP) – *Informational item only*

### Summary:

NDOT is currently developing a Transportation Asset Management Plan that will guide the preservation of pavements, bridges and ITS devices maintained by the Department for the next 10 years. The Asset Management Plan will support the achievement of nationally set performance goals by fostering consistent, data-driven decision making.

### Background:

In 2012, Congress passed MAP-21 which, for the first time, included specific requirements for asset and performance management. These requirements were continued with the FAST Act of 2015. The following table summarizes these requirements with timelines for compliance and penalties for noncompliance:

Rule	Deadline	Penalty
Develop a TAMP	Next FFY after final rule, 10/17 at earliest	Federal share reduced from 80% to 65%
<10% Deficient Bridges on NHS*	October 1, 2018	Must spend 50% of National Highway Performance Program (NHPP) funding on NHS Bridges
Interstate Pavement Condition Criteria TBD	October 1, 2018	Sets minimum amount of NHPP for interstate pavements Forces some STP funds to be transferred for use on interstate pavements
Incorporate Pavement and Bridge Conditions into TAMP	18 Months after both rules final	FHWA will not approve any NHPP projects

\*Calculated by deck area

Currently Nevada is in compliance with the anticipated condition-based requirements and on track to meet all deadlines.

**Analysis:**

The Maintenance and Asset Management Division has prepared a brief presentation to describe the Draft Transportation Asset Management Plan, as it will be presented for Transportation Board Approval at a later date

**Recommendation:**

Informational item only.

**Prepared by:**

Anita Bush, Chief Maintenance and Asset Management Engineer



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Fax: (775) 888-7201

## MEMORANDUM

April 27, 2016

**TO:** Department of Transportation Board of Directors  
**FROM:** Rudy Malfabon, Director  
**SUBJECT:** May 9, 2016 Transportation Board of Directors Meeting  
**Item #16:** 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 April 25, 2016 - *Informational item only.*  
Please see Attachment C.
- d. Receive a Report on the Status of Project NEON – *Informational item only.*  
Please see Attachment D.
- e. Receive a Report on the Status of the USA Parkway Project – *Informational item only.*  
Please see Attachment E.
- f. Receive a Report on the Status of I-11 – *Informational item only.*  
Please see Attachment F.
- g. Receive an Update on Pedestrian Safety Projects – *Informational item only.*  
Please see Attachment G.
- h. Photos of Landscape Art – *Informational item only.*  
Please see Attachment H.

**List of Attachments:**

- a. Report of Outside Counsel Costs on Open Matters - *Informational item only.*
- b. Monthly Litigation Report - *Informational item only.*
- c. Fatality Report dated April 25, 2016 - *Informational item only.*
- d. Receive a Report on the Status of Project NEON - *Informational item only.*
- e. Receive a Report on the Status of the USA Parkway Project – *Informational Item only.*
- f. Receive a Report on the Status of I-11 – *Informational item only.*
- g. Receive an Update on Pedestrian Safety Projects – *Informational item only.*
- h. Photos of Landscape Art – *Informational item only.*

**Recommendation for Board Action:**

Informational item only.

OPEN NDOT - OUTSIDE COUNSEL CONTRACTS AS OF APRIL 20, 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	\$ 271,022.34
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	\$ 227,946.55
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	\$ 7,845.10
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	\$ 51,053.25
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	\$ 12,360.36
** 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	\$ 117,870.90
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	\$ 213,795.17
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	\$ 3,072.64
*** 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	\$ 214,877.34

OPEN NDOT - OUTSIDE COUNSEL CONTRACTS AS OF APRIL 20, 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 - 7/31/18 Amendment #1	10/13/14 4/11/16	\$ 350,000.00 \$ 1,400,000.00	\$ 1,750,000.00	\$ 901,838.99
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	\$ 245,625.56
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	\$ 254,332.50
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	\$ 40,904.93
* 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	\$ 74,930.00

\* 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:**

Vendor	Case/Project Name	Contract Period	Contract and Amendment Date	Contract and Amendment Amount	Total Contract Authority	Contract Authority Remaining
None						

Monthly Litigation Report to the Nevada Department of Transportation - April 20, 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. Custom Landco. (Walker Furniture)	Eminent domain - Project Neon	\$ 676,937.96	\$ 171,223.05	\$ 848,161.01
NDOT vs. Danisi, Vicent, J. III	Eminent domain - Project Neon	\$ -	\$ -	\$ -
NDOT vs. I-15 and Cactus, LLC	Eminent domain - I-15 Cactus	\$ 165,052.68	\$ 22,586.96	\$ 187,639.64
NDOT vs. Jackson, Darrell, et al.	Eminent domain - Project Neon			
NDOT vs. K & L Dirt Company, LLC	Eminent domain - Boulder City Bypass	\$ 199,795.00	\$ 47,691.68	\$ 247,486.68
NDOT vs. Las Vegas Golf & Country Club	Eminent domain - Project Neon	\$ 141,706.50	\$ 18,416.16	\$ 160,122.66
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. Robarts 1981 Trust, et al.	Eminent domain - Project Neon	\$ 234,368.58	\$ 13,409.87	\$ 247,778.45
NDOT vs. Su, Lisa	Eminent domain - Project Neon	\$ -	\$ -	\$ -
NDOT vs. Sharples, John; Sharples, Bonnie	Eminent domain - Project Neon	\$ 20,664.00	\$ 3.50	\$ 20,667.50
NDOT vs. Wykoff Newberg Corporation	Eminent domain - I-15 and Warm Springs	\$ 361,925.78	\$ 55,229.12	\$ 417,154.90
		\$ 1,800,450.50	\$ 328,560.34	\$ 2,129,010.84
<b>Inverse Condemnations</b>				
AD America, Inc. vs. NDOT (NEON)	Inverse condemnation - Project Neon	\$ 656,577.99	\$ 117,232.66	\$ 773,810.65
AD America, Inc. vs. NDOT (NEON-Silver Ave.)	Inverse condemnation - Project Neon			
Nassiri, Fred vs. NDOT	Inverse condemnation	\$ 857,223.78	\$ 154,905.32	\$ 1,012,129.10
		\$ 1,513,801.77	\$ 272,137.98	\$ 1,785,939.75
<b>Cases Closed and Removed from Last Report:</b>				
None				
* Includes Cumulative Fees and Costs: Agreement P301-11-004 (closed in 12/31/2014) and current Agreement P291-13-004				
<b>New cases appear in red. No new cases for this report dated April 20, 2016.</b>				

Monthly Litigation Report to the Nevada Department of Transportation - April 20, 2016				
Case Name	Nature of Case	Outside Counsel to Date		
		Fees	Costs	Total
<b>Torts</b>				
Ariza, Ana, et al. vs. Wulfenstein, NDOT	Plaintiff alleges wrongful death	\$ -	\$ -	\$ -
Darling, Dion Dean vs. NDOT, et al.	Plaintiff alleges negligence and property damage	\$ -	\$ -	\$ -
Discount Tire Company vs. NDOT; Fisher	Plaintiff alleges negligence and personal injury	\$ -	\$ -	\$ -
<b>Donley, Cydney vs. NDOT</b>	<b>Plaintiff alleges negligence and personal injury</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
Harris Farm, Inc. vs. NDOT	Plaintiff alleges negligence and personal injury	\$ -	\$ -	\$ -
Hendrickson, Cynthia 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	\$ -	\$ -	\$ -
Vezina, Macy vs. Fedex Freight et al.; NDOT, et al.	Defendant third-party complaint alleging negligence	\$ -	\$ -	\$ -
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>				
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	Personnel Matters	\$ -	\$ -	\$ -
Boice, Rocky vs. State, NDOT	Personnel Matters			
Cerini, Cheri vs. State, NDOT	Personnel Matters			
Lorenzi, Anthony vs. State, NDOT	Personnel Matters			
Zenor, Chad T. vs. State, NDOT	Personnel Matters	\$ -	\$ -	\$ -
<b>Cases Removed from Last Report:</b>				
None		\$ -	\$ -	\$ -

New cases appear in red.

Outside Counsel  
Fees and Costs of Open Cases  
as of April 20, 2016

<u>Category</u>	<u>Fees</u>	<u>Costs</u>	<u>Total</u>
Condemnation Litigation	\$ 1,800,450.50	\$ 328,560.34	\$ 2,129,010.84
Inverse Condemnation Litigation	\$ 1,513,801.77	\$ 272,137.98	\$ 1,785,939.75
Construction Litigation	0	0	0
Personnel Litigation	0	0	0
Tort Claim Litigation	0	0	0
	<u>\$ 3,314,252.27</u>	<u>\$ 600,698.32</u>	<u>\$ 3,914,950.59</u>

4/25/2016

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	
4/25/2016	1	1	4/25/2015	2	2	-1	-1
MONTH	19	21	MONTH	18	22	1	-1
YEAR	88	94	YEAR	85	93	3	1

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

COUNTY	2015 Crashes	2016 Crashes	% CHANGE	2015 Fatalites	2016 Fatalities	% Change	2015 Alcohol Crashes	2016 Alcohol Crashes	% Change	2015 Alcohol Fatalities	2016 Alcohol Fatalities	% Change
CARSON	1	5	400.00%	1	5	400.00%	1		-100.00%	1		-100.00%
CHURCHILL	1	1	0.00%	1	1	0.00%			0.00%			0.00%
CLARK	57	68	19.30%	63	73	15.87%	13	8	-38.46%	15	9	-40.00%
DOUGLAS	1	1	0.00%	1	1	0.00%	1		-100.00%	1		-100.00%
ELKO	2	2	0.00%	2	2	0.00%			0.00%			0.00%
ESMERALDA	1		-100.00%	1		-100.00%	1		-100.00%	1		-100.00%
EUREKA	2		-100.00%	2		-100.00%			0.00%			0.00%
HUMBOLDT			0.00%			0.00%			0.00%			0.00%
LANDER	2		-100.00%	2		-100.00%			0.00%			0.00%
LINCOLN	2		-100.00%	2		-100.00%			0.00%			0.00%
LYON	2		-100.00%	2		-100.00%			0.00%			0.00%
MINERAL	1		-100.00%	2		-100.00%			0.00%			0.00%
NYE	3	1	-66.67%	3	1	-66.67%	2		-100.00%	2		-100.00%
PERSHING			0.00%			0.00%			0.00%			0.00%
STOREY	1		-100.00%	1		-100.00%			0.00%			0.00%
WASHOE	9	9	0.00%	10	10	0.00%	4	2	-50.00%	4	3	-25.00%
WHITE PINE		1	100.00%		1	100.00%			0.00%			0.00%
YTD	85	88	3.53%	93	94	1.08%	22	10	-54.55%	24	12	-50.00%
TOTAL 15	296	----	-70.3%	325	----	-71.1%		----	#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	1	2	100.00%		3	300.00%			0.00%			0.00%		
CHURCHILL	1		-100.00%		1	100.00%			0.00%			0.00%		
CLARK	27	32	18.52%	18	20	11.11%	9	16	77.78%	4	1	-75.00%	5	4
DOUGLAS	1	1	0.00%			0.00%			0.00%			0.00%		
ELKO	2	2	0.00%			0.00%			0.00%			0.00%		
ESMERALDA	1		-100.00%			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%	1		-100.00%			0.00%			0.00%		
LINCOLN	2		-100.00%			0.00%			0.00%			0.00%		
LYON	2		-100.00%			0.00%			0.00%			0.00%		
MINERAL	2		-100.00%			0.00%			0.00%			0.00%		
NYE	3	1	-66.67%			0.00%			0.00%			0.00%		
PERSHING			0.00%			0.00%			0.00%			0.00%		
STOREY			0.00%			0.00%	1		-100.00%			0.00%		
WASHOE	7	5	-28.57%	1	4	300.00%	2	1	-50.00%			0.00%		
WHITE PINE		1	100.00%			0.00%			0.00%			0.00%		
YTD	52	44	-15.38%	20	28	40.00%	12	17	41.67%	4	1	-75.00%	5	4
TOTAL 15	185	----	-76.22%	73	----	-61.64%	43	----	-60.47%	10	----	-90.00%	14	----

PRELIMINARY DATA REVEALS 72 UNRESTRAINED FATALITIES FOR 2015

**Project Neon Update for 5.9.16 Board Meeting**



**Right-of-Way Acquisition**

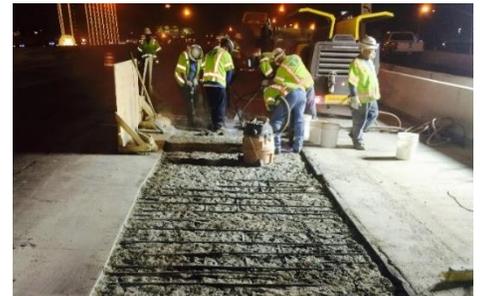
- All acquisitions west of I-15 are being completed earlier than our committed delivery date.
  - A total of 32 properties have been turned over to Kiewit early; a cumulative of 3,313 days early.
  - Only 5 properties remain to be turned over west of I-15.
- Some billboard removals will be completed by June 1, 2016.

**Demolitions**

- Kiewit has taken over the demolitions process.
- They are working to get the early acquisition demolitions underway to minimize vacancy liabilities.
- NDOT talking with CLV Fire Department and FBI about training opportunities before buildings are demolished.
- Walker Warehouse demolished without incident.

**515 Viaduct Repairs**

- Lane reduction on I-515 NB through end of June (except for Memorial Day weekend)
- Extensive stakeholder outreach ongoing



**Public Meeting on May 12**

- Historic 5<sup>th</sup> Street School  
401 S. 4<sup>th</sup> Street, Las Vegas, NV 89101
- Time: 4-7 pm
- Presentation at 5:30
- Topics to be presented
  - Major impacts/closures through January 2017 (next public meeting)
  - Soundwalls
  - Interactive 3D Visualization
  - Landscape & Aesthetics



**CH2M Performance Update**

- Community Outreach
  - Personal communication with more than 50 stakeholders to date, plus 164 tenants at the Premium Outlet Mall, associations that represent impacted stakeholders, and HOAs
- Submittals
  - 142 total submittals
  - Cumulative early return of 1,311 days
  - Early return average per submittal = 7 days
- Design Reviews
  - 57 design submittals
  - Cumulative early return of 403 days
  - Early return average per submittal = 7 days

## **USA Parkway – Quarterly Project Status Report May Transportation Board Meeting**

### **Status Summary**

Project is progressing well  
NTP1 issued 01/12/2016  
Project Office is open  
Field Office is open  
NTP1 submittals nearly complete  
NTP2 expected before May, 2016  
Preliminary Design submittals underway

### **Events**

Groundbreaking scheduled for 06/07/2016 at 3pm at the end southern end of USA Parkway (SR439)

### **Schedule**

On schedule for Substantial Completion by Late Summer 2017 in accordance with contract

April 26, 2016

## **Interstate 11 Quarterly Update**

- Construction ongoing for first segment of I-11 (Boulder City Bypass).
- Incremental improvements on US 95, in and north of Las Vegas
  - US 95 NW Phase 3A Centennial Bowl (under construction)
  - US 95 NW Phase 2B/5 – Durango to Kyle – anticipated in 2017, to include “Future I-11” signs
  - NDOT submitted a FASTLANE Grant to complete all remaining phases of the US 95 Northwest, including completion of the US 95/CC 215 interchange
  - US 95 passing lanes south of Tonopah
- Will continue to study both the Southern and Northern Nevada segments to identify incremental improvements.
  - Major focus in the Statewide Freight Plan
  - Southern Nevada Traffic Study – NDOT is currently negotiating with consultant for this study, to include consideration of I-11 through Las Vegas. This study will include system wide and corridor specific traffic forecasts for all major highways in the Las Vegas area.
  - Statewide Multimodal Long Range Plan – NDOT is currently negotiating with the consultant. This study will include statewide modelling and an I-11 task, focused on the corridor north of Las Vegas.
- Partnering with other agencies to look for innovative opportunities
  - Freight – much interest in highway and rail connecting north & south
  - Energy – Continuing work with Governor’s Office of Energy on the US 95 Electric Highway
  - Staff has met with and presented to various interested agencies and organizations on the corridor, including at County Workshops, meeting in Tonopah (arranged by Congressman Hardy), the Nevada Joint Military Affairs Committee, Nellis Air Force Base, Hawthorne Army Depot, Nevada Right of various professional organizations (engineering, right of way, contractors). Most of those meetings were with respect to the corridor between Las Vegas and I-80.
  - Future opportunities and emerging technologies (autonomous/connected vehicles and other future modes). NDOT staff has begun discussions with Hyperloop to assist them on a grant application (Advanced Transportation and Congestion Management Technologies Deployment Initiatives) for data collection and route planning.

**PEDESTRIAN SAFETY IMPROVEMENT PROGRAM**

**PROJECT STATUS MEMO**

To: Transportation Board of Directors

From: P.D. Kiser  
Asst. Chief Traffic Safety Engineer

Date: April 22, 2016

Re: Status Report on the NDOT Pedestrian Safety Improvement Program

The following is a status report on the NDOT Pedestrian Safety Improvement Program and represents Phases 1 and 2 of the program:

**PHASE 1**

**Northern Nevada**

- North Virginia Street at the Bonanza Casino in Reno – a temporary traffic signal was installed at the entrance to the Bonanza Casino on North Virginia Street.
- SRS 28 in Incline Village – this project included two pedestrian crossings in Incline Village at the Raley's Shopping Center and the Christmas Tree Village Shopping Center. The improvements included pedestrian activated rapid rectangular flashing beacons at the crosswalks and enhanced street lighting. This project was completed in March 2016.
- Sun Valley Boulevard at Gepford Parkway, Skaggs Circle and 6<sup>th</sup> Avenue in Washoe County – this project includes overhead pedestrian activated rapid rectangular flashing beacons at the crosswalks, enhanced street lighting, pedestrian refuge medians and ADA compliant pedestrian ramps. The 100% design plans have been reviewed and the project will advertise in May 2016 with construction start planned for July 2016.
- Kietzke Lane at Roberts Street, Taylor Street, Apple Street and Grove Street in Reno – the Roberts and Taylor locations (existing crosswalks) will include overhead pedestrian rapid rectangular flashing beacons, enhanced street lighting, ADA compliant pedestrian ramps and curb extensions for improved pedestrian sight distance and shorter walking distances. The Apple location will have a new crosswalk with overhead pedestrian activated rapid rectangular flashing beacons, enhanced street lighting, a pedestrian refuge in the median and ADA compliant pedestrian ramps. The Grove Street location will have new audible crosswalk pedestrian signals (at the request of the VA Clinic). The 100% design plans have been reviewed and will advertise in April 2016 with a construction start in June 2016.
- North Virginia Street at Talus Way and Moraine Way in Reno – this project includes overhead pedestrian activated rapid rectangular flashing beacons at the crosswalks, advanced rapid rectangular flashing beacons, enhanced street lighting, pedestrian refuge medians (only at the Talus intersection) and ADA compliant pedestrian ramps. The 100% design plans have been reviewed and the project will advertise with the Kietzke Lane intersections in April 2016 with construction start planned for June 2016.

### **Southern Nevada**

- Charleston Boulevard from Hillside Place to Nellis Boulevard in Las Vegas and Clark County – between Hillside Place and Burnham Avenue this project will include overhead pedestrian activated rapid rectangular flashing beacons, enhanced street lighting, curb extensions for improved pedestrian sight distance and shorter walking distances and Danish offset pedestrian refuge islands. Between Arden Street and Nellis Boulevard the raised medians will be widened, the travel lanes will be restriped to 10 ft., overhead pedestrian activated rapid rectangular flashing beacons and Danish offset pedestrian refuge islands will be installed. This project will also include ADA compliant pedestrian ramps. The 100% plans will be completed in April 2016, the project will be advertised in June 2016 and construction start will be August 2016.
- Boulder Highway at Sun Valley Driver in Clark County - this project includes overhead pedestrian activated rapid rectangular flashing beacons at the crosswalk, advanced rapid rectangular flashing beacons, enhanced street lighting and a pedestrian refuge median with a Danish offset. This refuge median will also serve as an access management tool to allow left turns from Boulder Highway into Sun Valley Drive and the Cannery Hotel/Casino but will not allow left turns onto Boulder Highway. The 100% plans will be completed in April 2016, the project will be advertised in June 2016 and construction start will be August 2016.
- Lake Mead Boulevard from Civic Center to Pecos Road in North Las Vegas – this project will be a Complete Streets project (first for NDOT) and will include pavement rehabilitation, lane reduction from 6 to 4 lanes, construction of raised median islands with left turn access control at median openings, 10 ft. travel lanes. Buffered bicycle lanes, ADA compliant pedestrian ramps, wider sidewalks and overhead pedestrian activated rapid rectangular flashing beacons. The schedule for this project has an advertising date in October 2016 and a construction start in early 2017.
- SR 160 (Blue Diamond Road) at El Capitan and Ft. Apache Way in Clark County – this project includes the installation of traffic signals at El Capitan and Ft. Apache Way. The traffic signal designs are underway and the project is expected to advertise later in 2016.

### **PHASE 2**

Phase 2 of the Pedestrian Safety Improvement Program includes 50 locations in Northern and Southern Nevada that were identified for potential pedestrian safety improvements. All 50 locations have been field reviewed, evaluated and prioritized for implementation. A draft document was prepared that includes all the documentation for the selection, evaluation and safety improvement type for the 50 locations. The final document preparation is underway and will be available in May 2016.

Item #16 Attachment H



1 1999-05-30 1000lbs  
9'H x 19'W x 10"D



2 2007-03-19 245 lbs  
8'8"H x 6'6"W



3 2008-12-12 1420 lbs  
10'6"H x 12'W x 3"D



4 2008-09-30 870 lbs  
12'H x 12'W x 3"D



5 2009-01-01 2100 lbs  
10'H x 10'W x 1'D



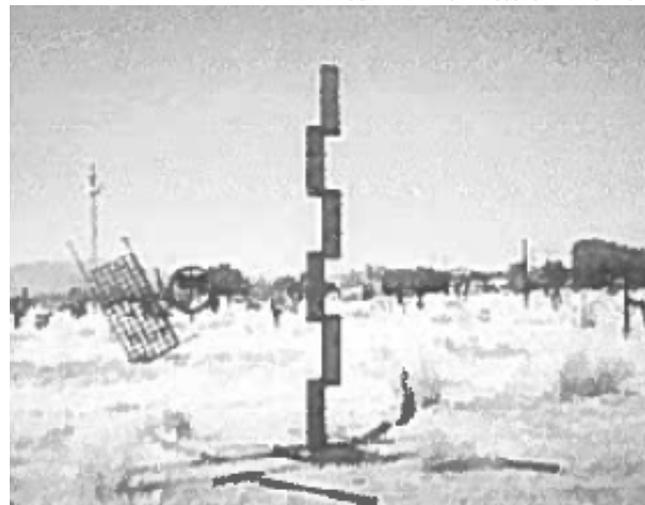
7 2013-08-07 520 lbs  
9'H x 12'10"W x 3"D



6 2011-12-20 450 lbs  
16'3" H x 20" x 6"D



8 2011-09-30 160 lbs  
8'H x 6'6"W x 2"D



9 2005-06-09 230 lbs  
11'H x 12"W x 3"D



10 2010-07-21 630lbs  
10'10"H x 10'10"W x 16"D



11 2005-03-21 230lb  
12'10"H x 27"W x 4"D



12 2005-04-22 600 lbs  
21'H x 45"W x 3"D



13 2006-01-24 300 lbs  
19'H x 4'W x 1'D



14 2010-09-23 900lbs  
18'H x 6'2"W x 6'2"D



15

2006-10-20

2400 lbs

20'H x 20'W x 6"D