



Department of Transportation
Board of Directors
Notice of Public Meeting
1263 South Stewart Street
Third Floor Conference Room
Carson City, Nevada
April 13, 2015 – 9:00 a.m.

AGENDA

1. Presentation of Retirement Plaques to 25+ Year Employees – *Informational item only.*
2. Presentation of Awards – *Informational item only.*
3. Receive Director's Report – *Informational item only.*
4. 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.*
5. March 9, 2015 Nevada Department of Transportation Board of Directors Meeting Minutes – *For possible action.*
6. Approval of Agreements over \$300,000 – *For possible action.*
7. Contracts, Agreements, and Settlements – *Informational item only.*
8. Condemnation Resolution No. 447 – *For possible action.*

I-15 Freeway from Desert Inn Road to the US-95/I-515 Interchange; Project NEON; in the City of Las Vegas; Clark County, NV. 3 Owners, 3 Parcels
9. Resolution of Relinquishment – *For possible action.*

Disposal of a portion of NDOT right-of-way located at SR-604 (Las Vegas Blvd. @ Lamont St.); in the City of Las Vegas, Clark County, NV SUR CL-04-003
10. Resolution of Relinquishment – *For possible action.*

Disposal of NDOT right-of-way located along a portion of Wells Avenue, a strip of land over and across the Truckee River, in the City of Reno, Washoe County, NV SUR 14-11
11. Direct Sale – *For possible action.*

Disposal of a Parcel U-395-WA-027.074 XS1, a portion of APN 004-293-03, 2470 Clear Acre Lane; in the City of Reno, Washoe County, NV SUR13-12
12. Condemnation Resolution No. 437 – *For possible action.*

I-15 Freeway, from Desert Inn Road to the US-95/I-515 Interchange; Project NEON; Martin Luther King Boulevard southerly of Charleston Boulevard and Charleston Boulevard at Grand Central Parkway; in the City of Las Vegas; Clark County. 4 Owners, 3 Parcels

13. Authorizing Resolution with the Federal Transit Administration (FTA) – *For possible action.*
14. Equipment in Excess of \$50,000 – Request for Approval of Purchase of Sweepers – *For possible action.*
15. Receive a Report on Decision Lens – *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 March 31, 2015 – *Informational item only.*
 - d. Annual Report on Freeway Service Patrol – *Informational item only.*
 - e. Quarterly Report on Freeway Service Patrol – *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. Such supporting material is available at 1263 South Stewart Street, Carson City, Nevada 89712 and if available on-line, at www.nevadadot.com.

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

Nevada Dept. of Transportation
1263 South Stewart Street
Carson City, Nevada

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

Nevada Dept. of Transportation
310 Galletti Way
Sparks, Nevada

Nevada Dept. of Transportation
1951 Idaho Street
Elko, Nevada

Governor's Office
Capitol Building
Carson City, Nevada

Washoe County
75 Court Street
Reno, Nevada



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

MEMORANDUM

April 13, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: April 13, 2015, Transportation Board of Directors Meeting
Item #2: Presentation of Awards – Informational Item Only

Summary:

This item is to recognize the Department of Transportation and staff for awards and recognition received.

Nevada Taxpayers Association, Cashman Good Government Award, 2014 DocuSign

NDOT was selected as a finalist for the 2014 Nevada Taxpayers Association, Cashman Good Government Award for the pilot and subsequent implementation of the NDOT DocuSign program. The award recognizes strong, continuing and consistent effort to spend taxpayer's dollars wisely and efficiently; and the effective, open and accountable practice of creating a user-friendly government.

Employees and executive staff now spend less time on administrative processes and more time on project implementation, saving valuable time and money.

NDOT Excellence in Partnering Awards are given annually statewide to recognize completed projects that best optimized principles of partnering. The main purpose is to celebrate success, share lessons learned of best practices and recognize all project stakeholders.

SR 431, Mount Rose Highway—Silver Award

Through innovation, collaboration and cooperation, NDOT and Granite Construction substantially completed cold milling, paving, hydraulic, ITS and maintenance improvements to the SR 431, Mountain Rose Highway. The project-- originally slated to complete in two construction seasons, was substantially completed in only one season -- greatly reducing costs and impacts to the traveling public. Working together, Granite Construction and NDOT effectively address needed improvements, including drainage structures and other stormwater improvements. The project team utilized monthly partnering survey results to progress and achieve active partnering throughout the project.

SR 207, Kingsbury Grade CMAR Project—Gold Award

NDOT, with contractor Q&D Construction diligently worked together to make needed improvements to SR 207, Kingsbury Grade. Partnering together, the teams successfully conducted widespread public outreach to keep affected stakeholders, residents, commuters and businesses informed of the project status. They also created innovative and time saving solutions such as noise suppression techniques that allowed for night work throughout the summer. Weekly team meetings were held to help resolve issues and make changes quickly. In addition, the teams worked closely with first responders to help ensure the safety of the project team and the traveling public.

I-80 Carlin Tunnels CMAR Project –Silver Award

NDOT and Q&D construction successfully repaired & upgraded the Carlin Tunnels lighting system, retrofitted eight bridges, reconstructed & rehabilitated pavement and made additional safety improvements. The project team was committed to improving safety, reducing congestion, and improving the highway infrastructure quality. From senior management to laborers and field technicians, the collaborative teamwork achieved measurable results—including finishing the project a year ahead of schedule. The NDOT and Q&D team were able to overcome obstacles such as cold temperature deck pours through their great collaborative efforts. Their combined knowledge helped create innovative solutions leading to a finished project that exemplifies the benefits of this Construction Manager at Risk (CMAR) project.

Recommendation for Board Action:

This is an informational item only.

Attachments:

None

Prepared by:

Julie Duewel, Public Information Officer

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

Sandoval: Good morning, everyone. I will call the Department of Transportation Board of Directors meeting to order. I hope everyone had a wonderful weekend. I will commence with Agenda Item No. 1, which is to receive the Director's Report.

Malfabon: Thank you, Governor and Board members. First of all, before we get to the Project NEON, a request to move an Agenda item up, I wanted to introduce to the Board our new civil rights officer, Sonny Brock. He's going to be in Las Vegas. He's not there. I just wanted -- he's taking the mantle of that position and working with Tracy Larkin-Thomason. We did have a change due to resignation of our previous civil rights officer. And Tracy's been really focused on working with the construction industry on some of the DBE rule changes and -- there's Tracy. Sorry, Tracy. But I just wanted to acknowledge that we did make an appointment in the civil rights officer position.

Sandoval: Before you proceed, the Controller has a question.

Knecht: Thank you, Governor. Am I live? Thank you, Governor. My question was, since it's not on the Agenda but it's been in the news recently, the repairs that are being done SR-342.

Sandoval: Yes, I'm sure he'll get to that.

Knecht: Will he cover that?

Sandoval: Yes.

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Knecht: Thank you, Governor.

Malfabon: Yes, Mr. Controller. Okay. Then we'll move to the next slide. We're requesting to move Item 11 up to -- after the approval of the minutes, Governor and Board members. That will clarify something that will be coming subsequently in the approval of the agreements. You will see stipend agreements for Project NEON in there, as well as some other agreements with the City of Las Vegas related to Project NEON. So it'll flow better if Cole Mortenson, our project manager, presents the NEON update immediately after approval of the minutes.

Now, to the Controller's point. Next slide. I wanted to thank the staff at NDOT. Thor Dyson, our district engineer in District 2; and Bill Hoffman. And the folks from our Geotech Department and Materials Division have been working very hard on this State Route 342 closure, working with Comstock Mining and Storey County, to find a solution that's practical and is going to address this in the long-term in a permanent condition.

So what we have in -- that's occurred is that settling of the roadway is occurring because of uncompacted fill material from decades ago, when the mine tailings were piled up there. The road was eventually built over it. NDOT does not own the right-of-way that the road is built on. We only have a prescriptive right to have that highway through there. But the -- there's also the mineshaft that we talked about previously that had caved in. Luckily, no injuries occurred in that...

Sandoval: Now who...

Malfabon: ...situation.

Sandoval: Rudy, I -- sorry to interrupt. But I just -- I was reading about this in the morning. Who decided to build on top of a mineshaft?

Malfabon: I don't know how old that road is.

Sandoval: I hope it wasn't us. I shouldn't have asked.

Malfabon: No. It's -- I think that the -- anyone in the -- that knows how old that road is. But it was built -- probably they didn't know that the mineshaft was directly below the fill material at the time, and then it appeared very abruptly.

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Luckily, a maintenance worker was out there when it -- the last time it did collapse in and have a sinkhole.

Sandoval: How is that -- is that mineshaft from the Comstock Mine?

Malfabon: Yes.

Sandoval: So it's been around a while.

Malfabon: So they've seen rotted timbers and, you know, it's something that they -- that NDOT maintenance repaired a few years back. And it's not only the mineshaft, but also just the unconsolidated, uncompacted fill material that's from the, you know, when a mine -- kind of they just dump the fill over and make a slope. The road was built over that decades ago and it's caused some problems with the settlement.

So the -- we wanted to really express our appreciation to Comstock Mining for taking on the cost of the construction. NDOT will oversee that. So what they'll do is in the next few months they'll -- the road's closed. They'll remove some of this unconsolidated material, uncompacted material and build a new road that's going to be based on the bedrock. So it's going to be a more solid foundation, a more permanent solution. They do have some additional material after this road is reopened in June, that there's some additional loose material to mine out of there and reclaim, so they'll do that. And then, eventually, by the end of the year, we'll have the connection done at the south end of the project. And will all be complete with the reconstruction of that. But it will be reopened in early June, is what's anticipated with the complete reconstruction and connection in December.

Sandoval: Rudy, before you go on, another question. So it says that we're going to -- they're going to pay for it, but we're going to oversee it. Could you define what that oversight is?

Malfabon: Yes. So we want to see that the road is built to the state's standards, so NDOT standards, so the materials that will be used for the aggregate base, the compaction of the subgrade and the base and the asphalt pavement. Everything will be done to our specifications so that we'll maintain the road once it's reconstructed. Okay.

Sandoval: One other question.

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- Malfabon: Yes.
- Sandoval: Mr. Controller.
- Knecht: Thank you, Governor. I read something about the liability aspects and what liability we carry and when. Can...
- Malfabon: Yes.
- Knecht: ...you fill us in on that?
- Malfabon: The issue of liability came up with when there was an outcry to reopen the road. One of the Storey County commissioners actually discussed, well, what if Storey County -- not to say that the county commission would be willing to -- what if Storey County was willing to entertain the idea of taking the liability of reopening the road prematurely. In our opinion, it would be prematurely. It didn't ever have to come to that type of consideration by Storey County. We feel that this solution will at least provide a permanent solution to the situation with removal and reconstruction of the material.
- Knecht: What is our liability during the construction period?
- Malfabon: There's -- we would have to research that with legal, but I don't think that there's any liability. It's really not our land. We're just observing the reconstruction to make sure that it meets state specifications. The alignment of the road is not problematic either for the permanent curves in the road. It's going to be, in my opinion, limited liability. I'm not a lawyer, but there's -- it's really just Comstock Mining will be doing the construction or through a contractor for the roadwork, and there's very limited liability for the state, in my opinion. I don't know if, Dennis, if you have any comment.
- Gallagher: Good morning. For the record, Dennis Gallagher, Counsel for the Board. Mr. Controller, the way this -- we envision this working will be we'll have a state highway and then at a point it'll stop, be a private road until it joins the state highway again. NDOT will be overseeing the construction of that portion that's a private highway, make sure that it's built up to state standards, and then after it's ultimately completed we will get -- we're going to ask the mining company to provide a permanent easement to the state for the property that will be -- where the state highway overlays.

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Knecht: Final question on this. I drove up there nine days ago and back, and it occurred to me people do strange things now and then; that someone might think, well, the road still goes through. I can go around the barrier and I can head on up and save that mile and a half and get there quicker. If somebody does something like that, in violation of the explicit message on the barrier, et cetera, what kind of liability might we have or would all of that liability accrue to the company?

Gallagher: Again for the record, Dennis Gallagher. Mr. Controller, anybody, you know, can make a claim against the state, but if somebody disregarded the barrier and proceeded, and had some sort of incident, I would feel very good that the state would be very well defended against any such claim.

Knecht: Thank you, Governor.

Sandoval: And one last question, Dennis. So we've got the easement, but I'm sure we also have an indemnity clause in the agreement, as well?

Gallagher: Governor, for the record, Dennis Gallagher. The agreements haven't been signed yet but, yes, there will be an indemnity clause.

Sandoval: Okay. Thank you. Please proceed, Rudy.

Malfabon: Thank you, Governor. So one of the things I also wanted to mention, Governor, you mentioned the mineshaft. That will be permanently capped so that it will be much safer with respect to the existing mineshaft, as well. Next slide, please.

Tracy Larkin and Sondra Rosenberg and I visited our Nevada delegation recently in late February. We were able to receive updates from the Secretary of Transportation, Anthony Foxx, on the administration's view of long-term transportation funding. But we definitely had the opportunity to visit with our delegation, talk to them about the need for long-term funding and sustainable funding for transportation -- service transportation.

The repatriation of corporate profits is being viewed as a solution. And there's two types of repatriation ideas going about in Congress right now. One would be one shot, one would be an ongoing corporate tax reform. And Senator Heller is engaged as the co-chair of the Senate Finance Committee Working Group that's working on corporate tax reform.

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One thing is that the Surface Transportation Bill currently expires the end of May. We don't think that the corporate tax reform will be a done deal by the time of expiration, so you might see a short-term extension to give Congress enough time to find the funding solution for surface transportation in our nation.

The other issues that they're facing is the Highway Trust Fund, as we talked about last year. It runs into the red again this summer, so they'll have to find a short-term fix, either a general fund transfer, which is what they've been doing, or some other means of funding the transportation fund -- the Highway Trust Fund at the national level.

And the other thing that this organization of the state DOT is called AASHTO, provided us with a matrix of different surface transportation revenue options. And we'll give this to the Board members. I'll have Holly do that when she returns. But it was a well-received document from the members of our delegation, at least it showed some of the ideas that could be considered for funding transportation, and some have much more impact than others. But the delegation appreciated the graphic format and the useful information in that to provide options in addition to what they're considering with corporate tax reform.

We did hear also from staffers, from members of Congress that are on these committees are going to be dealing with the issue of surface transportation funding. As I've mentioned before, Nevada has the benefit of having two members on the House Transportation and Infrastructure Committee. Crescent Hardy and Dina Titus are represented on that committee. Any questions on federal funding? We could take those.

Moving on then, to the legislative session. And the legislature is working very quickly. They've already passed some bills. And, Governor, you've signed some bills that are very important to the state. In terms of the transportation committees, the two NDOT bills on the Assembly side which were increasing the bond repayments over 30 years instead of the current 20 years, and the clarification of confidentiality of certain documents and accessibility of certain documents during the procurement process. Those are passed out of the Transportation Committee. On the Senate transportation side, our bill on -- just a housekeeping bill to match up our short-range project list with the federal requirements, was heard. Should be

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passed out at committee soon. Oh, it did pass, Shawn? Thank you. So they'll go to the future votes and then eventually to the corresponding committees in the other houses.

The Senate Bill 2, which is the 85-mile-per-hour-speed-limit bill, the hearing is expected this week. And we're recording our testimony opposed with the Department of Public Safety. We did have some outreach with Utah Department of Transportation safety engineer about how they went about in their state. They really did a lot more thorough analysis and study of their interstate system to define what areas that they could even consider raising the speed limit; and also, tied that to the crash history on those sections of interstate. So we feel that it's a lot better to take that same tack with -- that same approach in Nevada to study first, and then as we define what the opportunities are for a bill, to do that in future sessions. So we'll testify to that effect this week, Governor.

And our budget hearing is scheduled for March 17th. We anticipate -- we did have a pre-session budget hearing, so a lot of questions about our funding mechanism for Project NEON being bonding and where we are in the schedule. And you'll hear a lot of that update today from Cole Mortensen. Next slide.

We did receive our draft consent decree from the EPA. And what this consent decree is, is it defines several activities that the Department has to perform on with stipulated penalties if we don't perform by a certain date. So we've got those actions that are written into the consent decree being reviewed by staff so that we make sure that those time frames are achievable and realistic for the Department, because sometimes we might have to hire some outside assistance to get there. We're on track to do many of these activities, but it's a question whether we can do it in the time frames that were in the draft document. So there are -- we're taking this very seriously, and do our best to identify what's a reasonable time frame, then eventually discuss that Nevada Department of Environmental Protection and, Governor's staff. Your chief counsel has been very engaged with us, Governor, in helping us out. And then eventually we'll follow up with a meeting with the USEPA on our position on the draft document.

Sandoval: No, and I want to, obviously, stay very aware -- or I want you to keep me aware of what's going on with that, because...

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Malfabon: Yes.

Sandoval: ...you know, I've been talking about this for three years now and I don't know what those stipulated penalties are, but I'm sure they're not -- they're tough. I'll put it that way. And I agree that I don't want to set us up to fail.

Malfabon: Right.

Sandoval: So we've got to make sure that those time periods are met. But I think we've caught a break here, because they've agreed not to impose those penalties. So we've gotten a fourth second chance and I want to make sure we take advantage of that.

Malfabon: And I wanted to thank you, Governor, personally for your outreach to the EPA administrator while you were there for the National Governor's Association meeting in D.C.

Moving on to the next slide. An update on I-11 Boulder City Bypass. We have a joint groundbreaking event with the RTC of Southern Nevada scheduled for April 6th. Governor, you and other members of the Board are welcome. I think that you're committed to attending. I think it's going to be at 10:00 a.m. We're going to get the details to all Board members so that you can make travel arrangements if you're able to attend. It's really an important event and we're going to have folks from our delegation present. I believe Senator Reid is able to make it. Senator Heller. I think possibly some other members of Congress. Dr. Heck, Dina Titus, I think is going to try to make it. So a lot of good representation from delegation and from the local electeds that are on the RTC board. So it's a great event and we're looking for to that in cooperation with the RTC of Southern Nevada.

Sandoval: And before you go on, Rudy, this is a really big deal.

Malfabon: Mm-hmm.

Sandoval: And I don't want to just to let it go by, because it's the beginning of what I feel is going to transformative in terms of transportation in the state, so -- and thanks to the RTC for partnering with this. But as I said, there was a really good story. I don't know if it was in the Sun or the RJ over the weekend, that talked about the commute times that it's going to save in

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terms of those the tourists that are coming in and how helpful it's going to be for the residents of Boulder City, particularly on the weekends.

So it's, you know, we don't get to preside over many win-win-win type projects, but this one of them. And this is one of those projects where 20 years from now we'll get to point to it and see what it meant to Nevada, and to our infrastructure. So I really want to congratulate everybody at NDOT that has been involved...

Malfabon: Thank you, Governor.

Sandoval: ...in this project, because it's been long time coming. And everyone at the Regional Transportation Commission, as well. So we've got all those issues behind us, the airborne asbestos and...

Malfabon: Yes.

Sandoval: ...property acquisition and all that, you know, it took a lot of work to get there. So hopefully, you know, I would really encourage all the members to attend. I know that, Member Skancke, this is something that he's been following for quite some time.

Skancke: Thank you, Governor. This is probably the single most important infrastructure project to hit our state since the dam, soon to be Project NEON. But I'll tell you all that this wouldn't have happened had it not been for the leadership of this governor working with the State of Arizona, with our delegation, this Board and this organization at NDOT. There's been a lot of people involved, but it takes leadership to make things happen. And when you make something a priority and you talk about it in two State of the State addresses that this is a priority, it just -- it shows you what leadership and taking a position on something actually happens.

This project was not even on the books in 2007. Didn't even exist. And in 2008, a group of people came together and had a conversation, and then it took the leadership of the State of Nevada to make this project actually happen. So to the Department, to the Governor, Tina, to the RTC and your board, to our delegation, the thought that this was the first interstate highway project since 1991; the first new interstate highway in the United States since 1991. So this is a monumental moment in our state, and I hope

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the rest of our colleagues, Governor, can be at that groundbreaking because it's very important.

Tina and I were just at a meeting in Arizona looking at I-11 and what's happening in Mexico. We're actually ahead of everyone else. Mexico is investing about \$7 billion in infrastructure from the ports, to the interstates, to the crossing, and Arizona has now approved \$15 million, I believe, to start the environmental document. So we're ahead of the game. And I think it's really important now for our state to take a look at what is the next alignment; where does I-11 go, because this thing is going to take off.

And I think that we, Governor, should have a serious discussion of where does I-11 go in the state because, in my opinion, this is the future of goods movement in the west, and it's the future of our economy here in the state of Nevada. So I want to thank you, Governor, for your leadership because this actually would not have happened had you not been governor and had you not taken the lead on this. So thank you very much.

Sandoval: Thank you, Member Skancke. I think you're overly generous. It truly was a team effort. But I will tell you this; that in 2011, the bill that allowed for this to happen, got through at about 11:50 p.m. I mean, it was one of the last bills to get through. And, you know, I will never forget...

Malfabon: Oh, yeah.

Sandoval: ...that bill not going -- was -- had a problem. And Rudy's nodding his head, because it did. It had reached, pardon the pun, but a roadblock. And we sent the staff over there and talked to some legislators and they got that bill through in the last hour of the session. And it's just one of those things that you look back on that, some pretty important moments that lead to this. And so I'm really pleased that this is happening, and this is, as Tom says, I think it is a monumental moment for all of us. So thank you.

Malfabon: Thank you, Governor. Thank you, Member Skancke. Next slide. A little update on USA Parkway. We did issue and receive the statement of qualifications for six design-build teams, so a lot in interest of the construction --design and construction of this project by those design-build teams.

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So currently, the staff at NDOT are broken out in to teams that are reviewing those qualifications, and we expect to announce by April 13th the shortlist of three to five design-build teams. Three to five is what's allowed in statutes, and we have to look at the quality of these team members and their qualifications, before we determine whether it's three, four or five teams to go forward to receive the request for proposals for the project, and the project is on schedule. Next slide.

Good progress on some other major projects up here in the north. Carson Freeway project that goes to US 395. US 50 intersection was advertised for bids and bid opening is scheduled for April 2nd. Another project in about the same type of cost range was advertised, and I wanted to extend my appreciation to the RTC of Southern Nevada. They participated in the funding of this project, as well as the use of federal funds that NDOT controlled for the 215 Beltway and US 95 Interchange for the first two ramps of that multiphase interchange project. The bid opening is April 9th on that significant project in Las Vegas.

On the Construction Manager At Risk project for the pedestrian bridges, we were unable to reach an agreement with the Tropicana Resort. So we need to proceed as -- on our own with this project, coordinating as best as we can, with the Tropicana, but we're going to proceed with the project and negotiate that guaranteed maximum price from the contractor that we selected. So we tried to do some things to accommodate the Tropicana's schedule, but because the arena there is being built on Tropicana, we need to go forward and get going on this.

John Terry was able to brief the Las Vegas Convention Visitor's Authority, let them know where we're at with the project and we are proceeding and should bring a price to the Board for your approval in the coming months.

Sandoval: Rudy, what was the sticking point there in that negotiation?

Malfabon: I don't know if John or Tracy wants to mention, but I think it was just that the schedule and the commitment that the Tropicana obviously has to look at their improvements on that corner. They didn't want to -- I don't think that their schedules were going to mesh with ours for their improvements. So I think that's the bottom line, is that we could not achieve a schedule that could be acceptable to them while avoiding a delay to the Department.

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Sandoval: So I see your head nod. That's -- basically, they're behind us in terms of finishing their project? Is that the bottom line? That's what I'm gleaning from this.

Thomason: Yes, when we started -- for the record, Tracy Larkin-Thomason, Deputy Director for NDOT. Yes, their schedule -- at first they were ahead of our schedule, then it kind of evened with our schedule, then it was behind our schedule, and then they weren't sure they were going to go forward with the expansion. So it became a very gray area and it cost us a little bit of time. But at this point, we're moving on.

Sandoval: No, and if anyone's driven on that intersection and seen that arena, it's...

Malfabon: Yes.

Sandoval: ...it's going up fast.

Malfabon: It's -- I was down there last week and it was amazing how much progress they've made on that arena. And we will expedite the pedestrian bridges that are on that corner by the New York New York Resort, expedite those -- that set of bridges in each direction from that corner first.

On US 50, we've expedited a fencing project. As you may recall, we had some issues with wild horses getting on the US 50 and getting struck by vehicles. So we expedited a fencing project that was going to go out with a widening project in future years on US 50. We felt that it was important to expedite that. The other thing that -- during some of the discussion about Fortune Drive, which will come later, we were able to find a solution. But we also wanted to note that we're making some traffic safety improvement by raised median islands near the Smith Shopping Center. It's something that's important to channelize the traffic so that it can't make certain turns.

It will improve safety at those intersections. We're widening some pavement there at one of the intersections so that it gives more room for people to make the right turn. And those raised median islands will, as I said, will greatly improve safety. And we'll go back and observe how those are working out in future years. But that should be going in this spring. We contracted out the safety project there. I think SNC is the contractor that was the apparent low bidder that was awarded. Next.

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Tomorrow, Dennis and I will be going to Board of Examiners for Westcare Works. It's -- this is a settlement that's associated with Project NEON, \$4.65 million. It is something, though, that we -- Westcare provides an important resource to the community down there for people that need assistance with recovery to addictions. The court system relies on Westcare to rehabilitate folks that are in need. And I think that it's a good settlement.

The amount of risk that we were facing on Westcare was substantially more than the \$4.65 million settlement. But I think that I wanted to add that it is something that is supportive of the community and the judicial system in Clark County. So we'll present that settlement for Board of Examiners consideration tomorrow. We did reach out to individual Board members so that they were briefed ahead of time.

The other issue that we're still dealing with is the Meadowood Interchange, as everyone knows, finished late. Listening to the contractor's perspective has been important for us to consider their claim. It hasn't risen to the level of legal, you know, lawyers to lawyers yet, but we're meeting with them. And I wanted to acknowledge the efforts of Reid Kaiser, and digging through a lot of those documents. And we did do a forensic audit of Meadow Valley's books. We found that their subcontractor didn't keep as good of records, so that's problematic for us to have those discussions on the subcontractor's portion of the claim.

But we had a meeting last week with the Meadow Valley president, and we're going to continue discussions. We just have to require a lot more information from Meadow Valley before we can have those types of discussions about what's a fair and reasonable offer for that if, in fact, we find that -- determine that there's some fault on our part and any responsibility NDOT's part. But for now, we're not as prepared to reach a -- kind of a settlement with them. We're going to continue discussions and we'll keep the Board informed of those discussions.

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

Sandoval: Questions from Board members? Member Skancke.

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Skancke: Thank you, Governor. I have just a few. First of all, Rudy, on the 85-mile-per-hour speed zone, when you mentioned we were going -- did you say that we were going to study that?

Malfabon: Member Skancke, what we found was that Utah Department of Transportation had -- they have their law currently allows up to 80 miles per hour on -- and primarily on the interstate. So what they did was first study it to find out what sections of the interstate system in Utah would provide opportunity to raise the speed limit. They looked at things like what are the design elements of the road that would even allow you to consider that higher speed limit. In some areas such as canyons and curve sections, or areas where interchanges are very close, they felt that those were not good candidates to consider even increasing the speed limit at those locations.

But they did a very detailed study of what the geometrics of the road, so the design of the road, how fast people were traveling, what are -- the crash history related to high speeds in certain sections of the interstate system. So a very thorough analysis, took several years to do. Then they took that back to the legislature to report back on what were the, kind of, candidate sections where it could work. And then they went back after the law was changed in their state, went back and looked at the crash history again to see if there were significant increases in speed-related crashes on those areas where they raised it up to 80.

Skancke: Well, as someone who frequently does not follow the signs that are on the road -- and I have the record to prove it -- I have difficulty raising it above the current limit. People push it to 80 now, so if you move it to 80 or 85 they're going to go 100. And they're already going 100. If we're trying to get to zero fatalities, raising the speed limit to that -- to 80 miles an hour gives me a lot of heartburn. Not certain how much the study is going to cost, but knowing people's driving habits, and having seen a lot of crash data over the years, speed kills.

And when you've got all the lanes you have going through the I-15 corridor in Las Vegas, we also know from our research that more lanes mean more options for opportunities. If people had the opportunity to go 80 -- not that they could, because there's a little congestion on I-15 in Las Vegas -- but if they had the opportunity to do that, I just think that that causes a problem. Personally, I just couldn't support an 80 or 85-mile-an-hour speed limit.

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As someone who often times has gone that speed in my life, I just think that if we spend \$5 or \$10 million to prove that you can do it, you're opening up the door for someone to have the conversation. And I think if we're trying to get to zero fatalities, by us even sending a message that we're going to study it says we're interested in letting that happen. I just think it sends a wrong message.

In my opinion, this is my -- where I stand, I just can't support an 80 or an 85-mile-an-hour speed limit. Most of the accidents in this country happen on rural roads. We know that. And if you give people the option to go that speed out in rural Nevada, I know the thought process is there's no one out there. 4,000 people a month die on our streets and roads in this country every day. So that's basically, a 9/11 event happens in our country every month. And so, that's 48,000 people a year that lose their lives on our roads. And it's mostly due to now these devices and people going faster.

And if you include -- if you put the losing combination of these devices that I have in my pocket and someone going 80 miles per hour, my instincts tell me you're going to see higher numbers in accidents. So I think studying it sends the wrong message. I'm not the director of the Department. I'm not an engineer, but I think us even spending money on that just sends a wrong message to the legislature and to the public that we're interested.

The second question that I had was on USA Parkway. First of all, congratulations for having that project beyond time and ahead of schedule. If, at any point, I actually think -- I'm not an engineer, but I think that USA Parkway, if we look at moving I-11 forward, that would be a great connection point for us. As we look at the future of Interstate 11 and the future of goods movement in our state. Connecting that piece of property to a north-south interstate highway corridor with all of the development that's happening out there sends a very strong message that Nevada's Economic Development Department is moving forward with attracting global business. That opens up the door to Mexico and Canada, and it really opens up the door for Northern Nevada to have an opportunity to be globally connected. And I think that's critical to the future of our state. So if this Board and NDOT look at an I-11 connection, I think that would be a perfect place for us to start looking for that connectivity, particularly with all the development that's happening out there.

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My final comment, Governor, is Tina and I were just at a meeting in Arizona, and learned that the new director -- I'm sorry, the new director of UDOT, who's been there a couple of years, I don't recall his name.

Unidentified Male: Carlos Braceras.

Skankce: Yeah. Had changed the paradigm on infrastructure and the conversation on surface transportation. He walked in and said to his department one day, "Where are we on investing in transit to reduce the number of trips on roads?" And I really think that we, Governor, need to have that conversation. Transit reduces the number of trips on our interstate highways and on our roads. And Nevada is getting to a point now, particularly Southern Nevada, is getting to a point where we just don't have any more right-of-way. We're seeing it with Project NEON. We can't acquire any more right-of-way. Our local streets and roads are congested and I think it's time for the Department to have a conversation around where are we investing in transit, and where are we to reduce the number of trips on our roads.

Highways are expensive. I'm a highway guy. I support interstate highways and state highways, but I think conceptually, and we need to have a conversation about how we start reducing trips and have a conversation about where the Department is in planning for the future of transit connectivity. We are a transportation department and transit is a mode. And I believe that if we take the lead on that and help our MPOs and our transit agencies in the -- throughout the state, personally I believe we should be reducing the number of trips, not increasing the number of trips.

Highways are expensive. Maintenance is expensive and expansion of roads is getting more and more expensive as we try to acquire right-of-way. Every month, we have another right-of-way acquisition for Project NEON. We need the road. We need the expansion, but I think we've got to have that cultural shift conversation of adding one more component to the construct of our organization. You may doing it, but if not, I would like to suggest that we start having that conversation.

This document just sends one more message that funding is becoming more and more difficult. They talk about everything in here but the fuel tax. So if

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we're going to have a conversation about congestion and expansion, I think that needs to be a part of what we're doing. Thank you, Governor.

Sandoval: Thank you. Member Fransway.

Fransway: Thank you, Governor. And I would like to expand on Member Skancke's comments on SB 2. Mr. Director, who will make that testimony?

Malfabon: We have to determine whether we have a conflict with the Board of Examiners, but I was hoping to make that testimony myself. If not, a deputy director.

Fransway: Okay. If we're going to oppose that bill, I think we should oppose it forcefully. With all due respect, to the bill sponsor, Senator Gustavson, I think the bill is irresponsible and ill advised. I agree 100 percent with Member Skancke. I think it opens the door to many more accidents, and fatalities, and more critical accidents. And why would the state of Nevada want to expedite the exit of people in our state, due to the fact that they can get out of it faster? It just makes no sense to me.

And so I don't know what this Board's position is on it, but I'm for just letting Utah do their thing. But when they cross into this state -- this is Nevada, and we're here to do the right thing. So I don't know whether we need any studies and I don't know whether the public needs to fund any studies. And you have a hearing this week, I believe, and so I think you need to know where the Board stands in relation to SB 2. And it's not on the Agenda to make that, but we've been talking about it from some time now. And, Governor, I don't know exactly how to do that, but I think this Board's very concerned.

Sandoval: We cannot take action because it is not on the Agenda, but certainly, the members can express their sentiments with regard to the bill. And I think you've been clear and, frankly, I think you are the best messenger because you live in rural Nevada, and you drive those roads all the time. And your perspective is very important to me. My feeling is the same as Member Skancke's and yours. I just see no benefit in increasing the speed limits. You know, there's this Utah study and then the other analog that they're trying to use as a road in Texas, and it's a toll road. It's not -- there's no comparison whatsoever.

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And, you know, you heard me last month when I, you know, my feelings about fatalities and we talk about this. And I just don't see how this could possibly move us in the direction of safer roads and decreasing fatalities if we're going to get to zero. And, you know, with regard to the study, same thing with what each of you said is I think it gives a false hope out there that we might actually do this. And, you know, I've talked to many troopers about this and, you know, when the speed limit is 75 most people drive 85. And if you bump it up to 80, they're going to drive 90. And if you bump it up to 85, they're going to drive 95.

Skancke: Governor, I've spoken to many troopers on that issue myself.

Sandoval: You know, and the other piece of it is as you increase the speed limit, the kinetic energy obviously increases, as well, which decreases the chances of survival. And I just don't see any benefit to this. And so, you know, each of the members wants to express their feelings on the matter, that's great and -- but we aren't going to take a vote. I'll go to Lieutenant Governor, then I'll go to the Controller, then I'll go to Member Savage.

Hutchison: Thank you, Governor. Let me just make the comment from sort of the politics of this and the approach with a study. And I'm not fully briefed, you know, having come on the Board more recently. But I can just tell you, I don't know that a study will be well received over in the Senate. I know that Senator Gustavson has introduced this before. I think he's introduced it numerous times.

And, you know, this is a very unique session of legislature, and I think people will think in the future there may not be opportunities to pass this kind of legislation. So I think suggesting that a study will sort of slow this down, let's kind of take a look at it. There may be those in the Senate and elsewhere who want to move this along pretty quickly. So there may be a better way to maybe address this other than through a study. And if the feeling is we want to kill this and let's not support it, let's oppose it, then I think that's what we do. I would suggest that we don't go in and say let's study this. Let's just go in and just make the case that we oppose this. Thank you, Governor.

Sandoval: Mr. Controller.

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Knecht: Thank you, Governor. A quick question and then I'll put my position on the record. Rudy, do I recall correctly that when we've discussed this issue previously you've said that, of course, we wouldn't raise the speed limit to 85 capriciously and everywhere that we could. That, in fact, it would mainly be limited to places and situations like from Storey County to Elko on I-80, certain parts of that stretch and a few others, but we wouldn't, for example, be raising the US 50 limit to 85 or anything like that?

Malfabon: In response, Mr. Controller. It's -- our concern is that even if it gives NDOT the ability to establish a higher speed limit, it's what you've heard expressed -- the concern of we have a zero fatalities program and we know that higher speeds are going to result in more serious injuries and more fatalities. The other thing that's important to note, and Member Skancke and others have mentioned it, in Nevada, when you set a speed limit, drivers tend to kind of cheat a little bit and go five miles per hour. In Nevada Revised Statutes, it's not viewed as a moving violation. It's actually a much smaller penalty when you go five miles an hour over.

So establishing that, not only do you run the risk of worse numbers on fatalities and serious injuries, but also more people cheating and putting their lives at risk.

Knecht: Just please clarify that answer. We wouldn't be imprudently using the authority. We would be very restrained about using that authority to go higher, right?

Malfabon: We would -- the way that we establish speed limits now, we are very prudent about it. We take measurements. We take in to consideration other factors. So it's something that we put a lot of thought in to. Just because we have that maximum doesn't mean that we're going to go out and do it, even currently with the 75-mile-per-hour. So we were just concerned about the -- and the other concern would be that there tends to be pressure from folks that get tickets. "Hey, raise the speed limit because I got a ticket out there." And we feel that there's -- it's better to keep things status quo at the 75-mile-per-hour speed limit in certain select areas of interstate. It's a much better, safer law currently, I think. But we would be prudent in establishing any speed limit, whether it's 75 or 25, so...

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Knecht: Governor, my position -- first of all, Rudy, thank you for raising the posted plus five notion. I was going to advise Member Skancke that if he adopts that practice, he'll be talking to a few less troopers. There are a lot of us who live by the posted plus five rule. Having said all that, I want to be clearly on record as supporting SB 2. And the reason is because I believe we will not use such authority imprudently. We don't have any record of doing that, and we won't be doing it.

I could labor this by point-by-point rebuttals on things like national fatality rates which have been falling for years, et cetera, and are no longer at 48,000 a year. I believe they're down under 40. But I won't do that. I'll just say that in the end, if you want to talk about false hope, getting to zero fatalities is a nice-sounding idea and a false hope, and the realistic issue and the public policy issue for us is balancing safety with other concerns, and I think we'll always do that. And so for that reason I will support SB 2, and I would advise against the Department testifying against it. Thank you.

Sandoval: Member Savage.

Savage: Thank you, Governor. And I'll be short and sweet. But I take offense to the fact that zero fatalities is a false hope. It is not a false hope. We've been working on this a long time. We're very passionate about the people of the state of Nevada, and I adamantly and strongly oppose SB 2 and I adamantly oppose the study. Thank you, Governor.

Sandoval: Thank you. And I, again, talking to troopers, talking to the -- or talked to the troopers picking the person up off the road, and that's one too many. So as the only member of this Board who has a vote on this, I think I've made my position clear. So I think, Rudy, that you take what everyone has to say -- I'm sorry, Frank, I didn't give you an opportunity. Did you have any comments, Frank?

Martin: No, no. We've beat this one to death.

Sandoval: Okay. I think my position is clear and, again, you have your -- you've heard from the membership and you can act accordingly.

Malfabon: Thank you. And just to mention that I should be able to make that testimony. I think it's just before the Board of Examiners meeting.

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- Sandoval: Is there any other comments with regard to the Director's Report? Member Fransway.
- Fransway: Just one more, Governor. On the wild horse issues on I-50 and the fencing project, is the bordering acreage federal land, or is it private...
- Malfabon: I think...
- Fransway: ...or mixed?
- Malfabon: It's mixed.
- Fransway: Okay. My comment is has there been a federal gather to reduce the numbers of horses within a manageable amount, or do you know?
- Malfabon: I do not know. Member Fransway, I'm not sure. I know that we work closely with other agencies that are involved in horse roundups, so we do our part to assist in that. But, typically, we're just focused on what we can do to prevent the horses from getting into the right-of-way for the highway.
- Fransway: And I appreciate that. But as a person who does travel that road at least every month, there are an abundance of wild horses out there and I believe that the issue is with the gather and the fact that they can't work them in a manageable number, is because a lot of it's private ground. So, anyway, that's nothing we can do about it, Governor, but I certainly support the efforts of NDOT to do what we can to keep them off the road.
- Malfabon: Thank you.
- Sandoval: Anything further, Rudy?
- Malfabon: No.
- Sandoval: All right then. What I intend to do before we go to the Project NEON portion of the Agenda is I want to take public comment, and I also wanted to act on Agenda Item No. 3, as well.
- Malfabon: Yes.
- Sandoval: So let's move forward with Public Comment. Is there any member of the public here in Carson City that would like to provide comment to the Board? Yes, sir.

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Pittenger: This is actually regarding Agenda Item No. 13, but I don't know if there's going to be an opportunity then. So I believe it appropriate to just speak up while I have the opportunity.

Sandoval: And, sir, if you would identify yourself, please.

Pittenger: My name is Patrick Pittenger. I'm the transportation manager for the Carson City Public Works Department. In that capacity, I serve as the primary staff to multiple boards, including the Carson City RTC and the Carson area MPO, Campo, which includes portions of Lyon and Douglas counties, in addition to Carson City. And I'm actually here, as I mentioned, about Item 13 regarding safety needs.

At your last meeting, Campo and Lyon County Board Chairman, Ray Fierro, testified on issues facing Lyon County. Chairman Fierro couldn't attend today. He asked me to speak on his behalf, and he just asked me to indicate Lyon County's eagerness to work with the Department on a project -- several projects actually. One was brought up previously by the Director, the one by the Smith's, which Lyon County is very much looking forward to being implemented.

Additionally, under Item 13 there are pedestrian improvements included on that list for the intersection of Pike and US 50, which Chairman Fierro had mentioned last time; and also, the proposed signal at Fortune Drive and US 50. He discussed the important of that. We understand there's going to be some progress on that, and we look very much forward to that becoming a reality and helping the safety conditions on US 50.

Regarding the Carson City RTC, and just going off-script, Brad Bonkowski, RTC Chair, is actually with me here today. Pleased to have him along. Since last meeting, we did have the opportunity to meet with NDOT safety staff and assistant director, Sondra Rosenberg, regarding the city's safety needs and priorities. We did supply a short list of funding needs regarding complete streets, intersection lighting and multiuse paths in the city, which we believe will directly impact pedestrian safety.

While no projects in Carson City are on the second list of projects provided today, we commend the Board and the Department's efforts to continue to fund safety projects throughout the state. We understand the Department's

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use of state funds on state-owned roads, but it does leave Carson City at a distinct disadvantage, because we have worked with the state previously, actually, to accept many of the roads that were previously state owned. For example, Stewart Street outside this building where we recently had a pedestrian fatality, is now city owned and not on the state system anymore.

We do, unfortunately, have safety issues. We very much look forward to being part of this process moving forward. Having discussed with state staff, it may be with federal funds that are flexible to use throughout the state. That's all. Thank you very much.

Sandoval: All right. Thank you, sir. I believe we also have Mr. Hasty. Did you want to speak under public...

Hasty: (Inaudible), no.

Sandoval: Okay. All right. Anyone else that wanted to provide public comment to the Board? Anyone present in Las Vegas that wanted to provide public comment to the Board?

Martin: None here, sir.

Sandoval: Okay. Thank you. We will move to, then, Agenda Item No. 3, which is the Election of a New Vice Chairman. I'm very excited about the prospect of the Lieutenant Governor serving as the vice chair. I have a great amount of respect for the Lieutenant Governor and his work ethic and his knowledge of state issues, so I will strongly support a motion that would put his name forward to serve as the vice chairman.

Martin: So moved, sir.

Sandoval: All right. Mr. Martin has moved. Is there a second?

Savage: Second.

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

Group: Aye.

Sandoval: Opposed no? The motion passes unanimously. Is there an acceptance speech?

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- Hutchison: It is. I just appreciate you accelerating this on the Agenda before the members could think about this for too long, and I appreciate the support from you, Governor, particularly, and from my fellow Board members. Thank you very much.
- Sandoval: Thank you. Mr. Director, did you want to move forward to that...
- Malfabon: We'll want to...
- Sandoval: ...other item?
- Malfabon: ...take approval of the minutes and then go forward...
- Sandoval: All right.
- Malfabon: ...to Cole's presentation.
- Sandoval: All right. We'll move on to Agenda Item No. 4, which are the February 9, 2015 Department of Transportation Board of Directors meeting minutes. Have the members had an opportunity to review the minutes and are there any changes? If there are none, the Chair will -- oh, Member Fransway.
- Fransway: Thank you, Governor. It should be noted that Tracy Larkin was indeed present at that meeting. You concur, Tracy? Okay. She's not mentioned here. Also, Page 49, where it states that the motion for the friendly amendment was made by a male, but it's not identified. I believe it was Member Skancke who made that motion. And I believe that it's important that we identify the person who makes a motion as a person rather than a gender.
- Sandoval: Do you recall that, Member Skancke?
- Skancke: I'm sure there's about 400 lines I could deliver there.
- Sandoval: I was teeing that up for you.
- Skancke: Yeah, I know you were. I want to go back to the speeding tickets. That's a lazier conversation. Yeah, you know what; that was me actually.
- Sandoval: Okay. So Page 49, if we would delete the "male" and insert Skancke.

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Fransway: And, Governor, on Page 62, up at the top where it mentions my name and then it shows an inaudible, that inaudible should be \$755,000. And that's my suggested changes, Governor. Thank you.

Sandoval: Are there any other changes to the minutes? If there are none, the Chair will accept a motion to approve the minutes as amended and suggested by Member Fransway.

Skanccke: As an identifiable male, I will make the motion for approval.

Sandoval: Just for the record, that was Member Skanccke. Is there a second?

Knecht: Second.

Sandoval: Second by the Controller. Any questions or comments on the motion? All in favor please say aye.

Group: Aye.

Sandoval: Those opposed say no. The motion passes unanimously.

Malfabon: Thank you, Governor. We will now take Item 11 out of order, an update on the status of Project NEON. Cole Mortenson will present this to the Board.

Mortensen: All right. Good morning, Governor, members of the Board. For the record, I'm Cole Mortensen, Project Manager for Project NEON. Going through our presentation today, there are a number of reasons that we wanted to take this item out of order. There are a few items that the Board will see later on in the Agenda. Among them are the stipend agreements for the proposers for Project NEON, the City of Las Vegas agreement that was approved by city council last week, as well as the STIP amendment approving the funding sources and the programming for Project NEON.

A scheduled. Today is an exciting day for us. With the help of the Board on those Agenda items, we're hopeful for the release of the final RFP today to the shortlisted proposers. What that means is that we'll begin the process of evaluation alternative technical concepts, working with each of the teams as they develop their proposals, which will be due in July. We should have a proposer selected by September of 2015, and that will be followed by contract execution, which will be approved by the Board. The reason that I

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have fall of 2015 in there is that'll depend on how quickly we can work with the selected proposer to get that contract together.

The City of Las Vegas agreement. We chose to enter into a new agreement with the City of Las Vegas. The old agreement that we had in place was very specific to the public-private partnership that we've now moved away from. This new agreement also includes the funding sources and the responsibilities for the Grand Central-Industrial Road connection. For those of you who that recall from the previous presentations, it'll be the connection between -- oh, and I can't -- this pointer isn't working -- but the road that you see on the upper right-hand corner is Grand Central Parkway.

Charleston Boulevard is running up and down on the presentation. And so we'll actually be connecting Grand Central Parkway over the UPR Railroad tracks, which is the east-west tracks there on the screen. The blue box there is the bridge that'll take traffic over the UPRR tracks, then it'll connect to Industrial Drive. This is one of those connections that we're really excited about, because that'll allow traffic to hit Frank Sinatra, which goes all the way down the backside of the resort corridor and is a great arterial. So this really is an important connection for local movements from the downtown to the resort corridor.

I wanted to quickly review the project costs for Project NEON. What you have are the first three costs in the table are what we've programmed for preliminary engineering, utility and right-of-ways. Our anticipated construction costs right now are \$570 million. And our construction management as we go into the contract, is going to be about \$14 million. What I also want to point out here is we have a few additional costs to the project that we've discussed a little bit before, but I just want to make sure that you guys are well aware of it. What I have highlighted in here, the Grand Central-Industrial connection. That's a \$30 million project that's going to be funded through the city by way of their portions of federal and local funding. Again, I have the construction management and the incentives. And what I wanted to show out here is this is what we anticipate the 70 percent confidence interval being for bid prices. So we're 70 percent confident that the project will be under this amount.

The other item that I want to point out here are incentives. As Director Malfabon had mentioned, I believe, in the January Board meeting we're

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incentivizing two aspects of construction for the contractor, not only substantial completion, but what we've been referring to as interim milestones. And what those are is basically, getting them out of impacting the existing lanes of traffic on the I-15, US 95 and a couple of the select ramps that we have out there that are critical to movements within the spaghetti bowl. And so as soon as the contractor has enough lanes open, the traffic's functioning out there as it is today, they'll be incentivized to meet those milestones.

I wanted to briefly remind everyone of the shortlisted proposers and actually thank them for their participation here through the development of the RFP process. We had one-on-one meetings with each of the teams to better understand where their concerns may be with the contract and with the RFP. Those teams are Kiewit and Atkins, Las Vegas Paving and Jacobs, Neon Mobility Constructors, which is a joint venture between Granite and Skanska and Aztec and the Louis Berger Group.

I also want to thank them for their participation with the DBU workshop that we're going to be performing here later this month. The goal of this workshop, actually, is to really make those connections between the DBE firms that are interested in working on the project and the contractors that we have shortlisted. And so what we'll be doing is, we'll be going through what it takes to become a DBE for the state of Nevada, your eligibility, and then we'll be talking about the potential opportunities for DBE firms on Project NEON. And then we'll have an afternoon session that will allow those companies that are interested in talking with the contractors an opportunity to kind of do a round robin, speed dating-type thing where they can go out and talk to them and actually bring to the table what they might be able to offer to those companies. So I'm excited about that. I think that that's going to be a great outreach program to industry here for the project, as well.

As I'd mentioned earlier, the stipend agreements are in an upcoming Agenda item. We're asking for these to be approved now so that we have a vehicle for payment for the contractors that are unsuccessful. And these will be a payment made to the teams that submit a responsive proposal. And then that intellectual property will also be available for us to utilize if one team has a really good innovative concept that we want to incorporate into the

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contract, we'll have the opportunity to utilize that and make that part of the job in moving forward.

Moving on, I want to talk briefly about where we are with the right-of-way for Project NEON. I know that's a major concern for many of us. This...

Sandoval: Mr. Mortensen?

Mortensen: Yes, sir.

Sandoval: I apologize because I have a question, but I didn't want to wait...

Mortensen: Oh, no problem.

Sandoval: ...until we get too far, because you made an interesting point there and I just want to be clear on it. So by virtue of this payment, we -- the state becomes -- has ownership of the proposals and the ideas therein?

Mortensen: Correct.

Sandoval: That is really good, because...

Mortensen: Right. And we do have the opportunity, so if one of the teams is unsuccessful but they've got a great idea, we have the opportunity to incorporate that into the project. And that's where I mentioned fall of 2015. It's those types of discussions that we'll be having with the successful proposer that may take, you know, it's tough to define what that time frame will be for us right now, but it may take additional time.

Sandoval: And when you are looking at this, and perhaps you get into it later on, but it's not just cost, is it? I mean, is it lowest bid, but what if there's some really innovative issues...

Mortensen: Oh, I...

Sandoval: ...contained in it similar to what that concrete versus pavement that we looked at on the...

Mortensen: Correct. And thank you for bringing that up. That's probably something that's important to talk about. Right now, the way that the contract is set up, is it's 60 percent cost, which is actually a little bit lower than what we've seen on other design-builds that we have go out, but that's because we're

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very interested in having someone bring innovation to the table. We're very interested in maintaining traffic through the corridor while they're out there in construction. And so there are a number of things -- and, you know, schedule and traffic control, those all go hand in hand. And so we're really looking for a lot of innovation on that side. So we're trying to weigh that heavy in our mind as we move forward with the selection of those proposers.

Sandoval: Because I want that to be clear so that we don't have the confusion that happened -- I don't even know if I want to even call it confusion, but that issue of the concrete versus blacktop or asphalt, and so that everybody knows exactly what the considerations are going in.

Mortensen: Correct. And we have that defined in the RFP.

Sandoval: Okay. Mr. Controller.

Knecht: Thank you, Governor. And just a real quick question from a newbie on the stipend agreements. Is this something we've done before? Do we have experience with that or can you tell me about other experience that other people have, or history, just to motivate that a little bit for me?

Mortensen: Absolutely. This is something that we commonly do for these projects. And basically, the idea behind is that we're asking these proposers to go out and do a lot of work. They're all going out there and they're doing a lot of engineering, they're doing surveying, you know, they're really ramping up. And to be perfectly honest, the \$1.5 million doesn't come anywhere near covering their costs and what they're actually putting into it, but it's our way of helping them recover some of those costs for the effort that they're putting in to the project. And this is a larger stipend than what the Board's seen before, but it's also one of the biggest projects that the Board's seen before also. So it's really reflective of what we've done in the past. And we also have approved guidelines, the Pioneer Program guidelines that basically define what we'll allow -- what we'll offer to proposers on our design-build contracts, as well. So that's -- it is a common practice for us.

Knecht: One final aspect of that. At \$4.5 million, it's 70 percent or so -- excuse me, 7/10 of 1 percent of the cost of the project, so that seems reasonable. But

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you have up there the bullet point responsive proposals. How will we judge whether a proposal that comes in merits the \$1.5 million stipend payment?

Mortensen: That's a great question, but if I could back up real quick, it'll only be \$3 million because the successful proposer doesn't get the stipend.

Knecht: Good catch.

Mortensen: By responsive proposer, a responsive proposal is basically, as long as they meet the requirements that we've laid out within the RFP that they've provided us all of the information that we've requested and we require of the proposers, they're eligible for the stipend. If somebody just turns in a handful of drawings, we're not going to give them \$1.5 million. So...

Martin: One other question.

Sandoval: Yeah. Member Martin, then Member Skancke.

Martin: Yes, sir. Cole, I appreciate your accepting our interruption to your presentation. But the \$1.5 million, I didn't quite understand how you got to that number. The other one that I'm familiar with was the \$300,000 stipend on a \$250 million I-15 design-build project. And while this one is a large project, I agree with you 100 percent, it is basically, double what the previous one was at \$250 million for \$300,000, and yet the stipend is five times. Can you help me understand the math there?

Mortensen: That's a great question. The stipend has evolved as we've moved through the process of delivering this project. If you'll recall, for the public-private partnership, the stipend we were looking at was about \$1.2 million. And I believe that the decision was made to increase it some from that \$1.2 million in recognition of the work and the effort that the teams essentially that we still have and what they were involved with within the P3 realm of things. And, again, this is a larger, more complex project and it's really important for us to make sure that we're somewhat incentivizing these teams to go out early on and to really do a lot of engineering and to make sure that we can get the biggest bang for our buck. And so, you know, from a -- I guess from the size of the stipend standpoint, we're really hopeful that having a larger stipend will encourage those engineers and contractors to take a harder look at the project as they put together their proposals.

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Martin: Okay. Thank you. And I need to tell you, I'm 100 percent in favor of the stipend process. It's the best of all worlds as far as I'm concerned. So I just couldn't get to the math with a double the size project, but triple -- or five times the size of stipend. But I do remember the \$1.2 and the increase, so thank you.

Mortensen: And we are still within what we have in our guidelines as far as stipends, but in the past we have been, you know, smaller on smaller, less complex jobs.

Skamcke: Governor, thank you. Cole, just real quickly, on the DBE workshop, what's the goal on the DBE for this project? Have we set that yet?

Mortensen: We're at three and a half percent on the DBE goal for the project.

Skamcke: Okay. Thank you.

Mortensen: Okay. What I want to do briefly with this slide is actually, kind of, show you the overall right-of-way footprint. I know it's a little tough to see and probably even worse for those of you that are in Las Vegas. But the light blue shaded properties are the properties that we had originally gone out with when we were only intending on building Phase 1 of the project, and the properties that you see in red are the properties that we need to complete the design-build project. And so as we go through the next couple of slides, you'll see what I'm referring to when we talk about the progress of where we're at with the right-of-way.

So for Phase 1, these are the light blue properties. We have ownership, legal occupancy or condemnation authority for 53 of the 60 individual parcels. And what I'd like to point out on this, is that the parcels remaining on Phase 1, six of them are City of Las Vegas parcels that we'll actually transfer -- once we have the design, the construction complete, we'll be transferring ownership. And maintenance responsibilities for those properties, both from the city over to NDOT, and then those properties from NDOT to the city when they're on a city facility. The one last private owner is a billboard company that we're currently working with to relocate that billboard, and so it's in the works and in process.

And so phase one outcomes right now. We're looking at 31 parcels. 29 property owners have settled through the normal negotiations process. 22 parcels with 12 property owners have been referred to condemnation, 6 have

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reached settlement, 1 has gone to trial and 5 are pending legal settlement or trial. We've spent a little over \$94 million, so far, on the Phase 1 right-of-way acquisition.

So, for the design-build phase, we have 61 offers being made, 121 total acquisitions. 24 property owners have reached agreements and they're in process. 9 relocations have been completed. We started making those offers in October of 2014, so really we've been at it for about five months here. We have 249 relocations in process, so there's really a lot going on right now. Anticipated milestones, we still anticipate appraisals being complete for all parcels in the second quarter of 2015. All offers presented by the third quarter of 2015. And so far, we've spent \$6.5 million on the design-build phase, but we anticipate having more and more of those properties before the Board hearing, upcoming Board meetings. I believe that we're also increasing the frequency of our Condemnation Review Board meeting to accommodate the parcels that we're acquiring here in the future. And so with that, that concludes my update at this point.

Sandoval: Okay. Cole, how do you feel about where we are?

Mortensen: I'm feeling better, although there's still a number of these that are in the hands of the judicial system. And so, you know, as soon as we see the outcome of a number of those I'll start feeling a lot better. I think that the progress that we're making not only on Phase 1, but on the design-build phase is very encouraging. I think that we're going to have a substantial amount of property there for the contractor to get to work on when we actually give him notice to proceed.

Sandoval: And assuming everything goes smoothly with the process, when would we -- when would construction commence?

Mortensen: We are looking to have -- the way the contract is set up, we're going to have two notices to proceed. When we have the executed contract in place, we'll issue a Notice to Proceed 1, and what that's going to do is that's going to allow the contractor to go out and do some exploratory investigations, utility locations, those types of things. They'll also be developing their schedule and their project management plans, traffic management plans, those types of things at that location. Once they've completed a number of those requirements, we'll go forward with NTP 2, which will allow them to

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actually get equipment rolling. And we anticipate that being very early in 2016, probably February of 2016 is what we're looking at right now.

Sandoval: Less than a year then.

Mortensen: Yes, absolutely. So it's getting exciting. Today is a big day for us. We've got a lot to look forward to.

Sandoval: Yeah. So I was going to go to Member Savage and then the Lieutenant Governor.

Savage: Thank you, Governor. Thank you for your presentation, Cole. A few questions to refresh my memory. CH2M Hill is our consultant on board?

Mortensen: Correct.

Savage: For the engineering assistants?

Mortensen: Correct.

Savage: And do we have a construction manager on board at this stage?

Mortensen: We do not have a construction manager on board yet, but that will be something we'll be moving forward to procure here in the future. And that's where the \$14 million that I showed up there, that's an anticipated total cost, but that'll include our costs, as well.

Savage: So that's yet to be determined?

Mortensen: Correct.

Savage: And when you expect to put that manager on board?

Mortensen: What we'll most likely do is do that after the selected team is -- the team is selected, and what that does that actually frees up those firms that are partnered to have the opportunity to work the CM portion of the project as we get it constructed.

Savage: Okay. And one last question. In the packet, you referred to the next steps as being the schedule meetings for the contractor alternative technical concepts, the ATCs.

Mortensen: Correct.

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- Savage: So during those meetings, the ones that come with those innovative alternative concepts, is that originated by the contractors or the Department?
- Mortensen: Correct. The alternative technical concepts or ATCs, we've actually already received some preliminary ATCs and we got a whole bunch of really good ones from one of the contractors. But, actually, we're looking at those right now. We got...
- Sandoval: That must have been an engineer's job.
- Mortensen: I know. I'm dying here. Actually, I was kind of more or less giving the teams that put in a hard time. No, we got a lot of good ATCs from them already. We've gone through and reviewed those. The meeting next week is to actually have a face-to-face review with the teams, to sit down with them. And so that we can ask questions, they can ask questions of us, you know, if we're uneasy about one of the technical concepts maybe there's something they can change to get it incorporated in there; or, you know, if it's something that's absolutely a no for us, we can let them know now. That way they're not spending any more money on it.
- Savage: Okay. So I guess the question in the end here, is they have to be transparent with their alternatives up front, or are they able to hold those close to the vest in the RFP and disclose those at the time of bid?
- Mortensen: Oh, these are all very confidential. They are proposing them to us and we have the opportunity to, again, like I said, give them the nod yes, no. No, we won't accept it. Yes, we will. Then they can go ahead and incorporate that into their proposal if it's something we find acceptable. And so there's a fine line there, though, because...
- Savage: Yes.
- Mortensen: ...if it's something that actually would change the requirements of the RFP that maybe something that we would make across the board. So even though I'm saying we're releasing the final RFP right now, we may have an addendum that says, you know, if somebody gets a good idea that we think is really more of a specification change, that we would make that spec change for everybody across the board so that the playing field is even. But for the most part, these alternative technical concepts really are just that, is new ideas and new ways of delivering the project.

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- Savage: And I think the word you said and we want to stress is confidentiality.
- Mortensen: Correct. Correct.
- Savage: And the trust and the confidence that they have in the Department is key on a project of this size that loose lips sink ships, and we need to be confidential and respectful to each one's innovative concept.
- Mortensen: Correct. Absolutely.
- Savage: Thank you, Mr. Mortensen. Thank you, Governor.
- Sandoval: Mr. Lieutenant Governor.
- Hutchison: Thank you, Governor. Mr. Mortensen, thank you again for your presentation and for your great work. This is a huge man with a project and you're doing great work. Just to follow up as a lawyer and understand kind of how you feel about how we're doing with acquiring parcels, you know, I mean the best way to do that, of course is through negotiation and settlement, then you've got to go to the condemnation proceeding. Sometimes you reach settlements, sometimes you don't; sometimes you go into trial.
- I know we went to trial on one of these matters, and I don't want to compromise in any way the state's legal position. So if you can't answer this I understand, or if you want to just be more general about it. But how are we doing in terms of the settlement offers we do make and the evaluations that we place on the properties versus what we're seeing in court, or at least the one we've seen in court?
- Mortensen: That is a difficult question. I think that overall, what I will say is the settlements that we've gone through I think that the values that we've looked at have been reasonable and somewhat anticipated. From what I've seen in the court cases, those tend to be a lot higher than what we'd originally anticipated, although I do believe that we have a number of opportunities here in the near future, to hopefully make those decisions a little easier.
- Hutchison: Okay. And for those that are pending legal settlement or trial, do you have a sense at all for how we're doing there in terms of the settlement negotiations?

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Mortensen: Not at this point in time.

Hutchison: Okay.

Mortensen: There's -- the ones that were -- that are pending and that are in trial are obviously, you know, some of the more complex properties that are out there and...

Hutchison: Yeah.

Mortensen: ...you know, it's just really difficult to...

Hutchison: There's a reason those go to trial.

Mortensen: Exactly.

Hutchison: Right. Right.

Mortensen: Exactly.

Hutchison: Okay. Got it. Thank you very much. I appreciate your help.

Sandoval: Any other questions from Board members on this Agenda item?

Martin: One more, please.

Sandoval: Yeah, please proceed.

Martin: The shortlist guys that are out there now, the three firms, how -- are they different than the ones that were shortlisted for the P3 outside the financial partner that was with each one of them?

Mortensen: There have been some small changes, but the larger companies are, by and large, kind of the same teams as far as the engineering and the engineers and the contractors are teamed. As I'd said, there are a few small changes within how they've been structured, and in some cases, different partnerships have come out of that. But, yeah...

Martin: Okay.

Mortensen: ...it's main contractor and each of the three teams is still the same.

Martin: Okay. Thanks, Cole.

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- Sandoval: Anything else you wanted to add, Mr. Mortensen?
- Mortensen: No, sir.
- Sandoval: All right.
- Mortensen: That concludes my presentation.
- Sandoval: Do you want us to think of a few more questions?
- Mortensen: You know, I was tempted to run...
- Sandoval: No, and in all seriousness, you're doing a fabulous job, and the Department, on this. This is, you know, another one of those -- I think the Lieutenant Governor used the word "mammoth." And I don't know if there's been a bigger project in one of, you know, at least equal importance to what we just talked about with that Boulder City Bypass and I-11 and certainly will improve the commute and the quality of life in Southern Nevada. So we've got to get this right, and that's why, you know, I appreciate how thoughtful you've been in this and how meticulous because we have to be. But, you know, I know and I think everyone else on this Board appreciates, with regard to the property acquisition that, you know, it's really hard to have a clear crystal ball on that, because you don't know what the courts will do. And, you know, with the different evaluations on these billboards with the electronic ones versus the standard ones and all of those.
- I just, you know, the fact that you're still on time and then we're anticipating breaking ground in less than a year, as I said, I really congratulate you and hopeful it'll continue on this path.
- Mortensen: Thank you, Governor. And I appreciate that. I would also like to extend that because it's not just me. We've got a great project team. We brought Dale Keller on. He's a project manager that's been instrumental in getting us to this point, as well. And I have to thank CH2M Hill, as well. John Taylor and his team have done just an outstanding job to get through this, and then we've also Nossaman helping us helping us with the contractor and everything, as well. So it hasn't just been me, it's been the effort of the entire project team. Thank you.
- Sandoval: Thank you very much. We now move back to Agenda...

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- Malfabon: Yes.
- Sandoval: ...Item No. 5, Mr. Director?
- Malfabon: And Deputy Director Bill Hoffman will kind of take Robert's place on this one.
- Sandoval: Okay. Agenda Item 5 is Approval -- oh.
- Malfabon: Oh, was that for -- pardon me, Governor. Was that to receive the report.
- Gallagher: (Inaudible) approval.
- Sandoval: Oh, we need to -- oh, thank you. Good save. We need to approve the payment of \$1.5 million...
- Malfabon: You could actually do it under this item, Governor.
- Gallagher: Yeah.
- Malfabon: So we just wanted Cole to provide the preview of that so that it wasn't questioned during this item. So actually, the approvals will occur as part of this Agenda item. So thank you, Dennis.
- Sandoval: Okay. Agenda Item No. 5, Approval of Agreements over \$300,000.
- Hoffman: Thank you, Governor.
- Sandoval: Mr. Hoffman, please proceed.
- Hoffman: Good morning, Governor, Transportation Board members. I'm Bill Hoffman, Deputy Director for NDOT. So if you -- under Agenda Item No. 5 on Page 3 of 22, you'll find a list of agreements over \$300,000 that require your approval. So the first three that you'll see are for design services. Three agreements at \$500,000 each, for signal lighting and ITS projects. One initial term with one-year option to renew. This is directly related to Agenda Item No. 13, so these design services will go towards the list of pedestrian projects that you see, that you'll see later in the Agenda. But just wanted to make that clear that those are directly tied to Agenda Item 13. And these consultant services will help us accelerate those pedestrian safety projects that we'll talk about later.

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- Sandoval: So, Mr. Hoffman, is that...
- Hoffman: Yes, sir.
- Sandoval: ...\$1.5 total or is it \$500,000 to be split between the three of them? Is it a pool-type arrangement or each one of them is getting \$500,000?
- Hoffman: Thank you, Governor. \$500,000 task order ,to each one of the firms.
- Sandoval: Okay. Mr. Controller.
- Knecht: Thank you, Governor. And Bill...
- Hoffman: Mm-hmm.
- Knecht: ...on those three agreements, there's no federal funding, but there is federal funding for the stipends. Why are we not able to access federal funding on these?
- Malfabon: I can respond to that, Governor. Mr. Controller, so the procurement process for the engineering, the design services, if they're federally eligible there's usually a much more prolonged process of request for proposals and selection, takes a longer time. So we wanted to be very proactive and nimble, and we are funding the improvements with state funds on this so that we can get somebody on board currently to do these assessments and design services for safety projects.
- Sandoval: Member Skancke.
- Skancke: Thank you, Governor. Just a quick question, Bill. On these three firms, are these -- so Atkins North America, Kimley-Horn, CA Group -- are those on-call contracts, those are just engineering firms that are on call -- what do they call that -- prequalified firms? Is that what that -- is that how you chose these three?
- Hoffman: Yes, Member Skancke. They were all prequalified and all three were part of our on-call program. Yeah. Okay. So that takes care of the -- oh.
- Sandoval: We have one more. Member Fransway.
- Hoffman: Yes. Yes, sir.

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- Fransway: Sorry. One through three again. Mr. Hoffman, my question is why do we need three, and then my assumption is that there will be one for each district. Is that true? Does that make sense?
- Hoffman: Member Fransway, I'm not sure about one in each district.
- Malfabon: I could respond to that, Bill.
- Hoffman: No, there's not one in each district.
- Malfabon: It was just so that we could spread the work out...
- Hoffman: Thank you, Dennis.
- Malfabon: ...get it done quickly; not overwhelm one firm with the need. So that -- we feel that having three firms to provide this service would give us enough capacity.
- Fransway: I understand. Thank you.
- Hoffman: Okay. Thank you. So then, the fourth agreement that you'll see is for services; construction augmentation services, construction management services that we need for diversified consulting services. So that's construction management assistance we're going to need with the I-580 pavement reconstruction project that's set to start up fairly soon, but because of resource load, resource issues we need consultant help to help us with the construction management work.
- Sandoval: So is that heading north on I-580?
- Hoffman: That is in between Moano Lane and the spaghetti bowl, so the pavement that we'll be reconstructing in that area. So they're very strict federally mandated documentation processes and procedures that we'll need in order to do that. We've determined that we need consultant help with that. Inspection, materials testing, those sorts of things.
- Sandoval: Okay.
- Hoffman: Okay. And then the final three are agreements with each of the design-build teams that Cole just talked about. And that was the reason why we wanted him to go first, talk about the project, let you answer any questions

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regarding the stipends and then we'll be seeking approval on those stipends. So...

Malfabon: And just to add one of those three firms will be the selected proposer for the design-build project, so they will not receive the stipend. So it's noted there in red on the sheet.

Hoffman: And that's all I had, Governor, so...

Sandoval: Any other questions from Board members? I know that we had a technical conversation with Contracts 1 through 3, but the bottom line point of that was to get these safety projects moving as quickly as possible to save lives.

Hoffman: That's exactly right, Governor.

Sandoval: Okay. So nothing further, Mr. Hoffman, on Agenda Item No. 5?

Hoffman: No, I have nothing further, Governor.

Sandoval: Okay. If there are no questions or comments from Board members, the Chair will accept a motion for approval of Agreements 1 through 7 as described in Agenda Item No. 5.

Knecht: So moved.

Fransway: Second, please.

Sandoval: Okay. We have a motion from the Controller. Second from Member Fransway. Any questions or discussion on the motion? All in favor say aye.

Group: Aye.

Sandoval: Opposed no? Motion passes unanimously. That completes Agenda Item 5. Let's move to Agenda Item No. 6, Contracts, Agreements and Settlements.

Malfabon: Okay, Governor. Thank you. Again, Bill Hoffman, Deputy Director with NDOT. So on Page 4 of 12 under Agenda Item No. 6, we have one contract that was awarded. It was an emergency contract with Eagle Lift Incorporated for \$326,900. It was awarded February 3, 2015. The work done was on Cheyenne Avenue westbound, east of Revere Street. And we had some settlement issues we needed to lift and stabilize the soil

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foundation and re-profile the pavement surface. So just wanted you all to be aware of that project that was awarded.

And then if you want to turn to Page 6 of 12 under Agenda Item No. 6, we have the executed agreements, the informational agreements, and they're organized in this fashion, which is Items 1 through 9, Cooperative and Interlocal Agreements. Items 10 through 13, Acquisitions and Appraisals. Items 14 through 18 are Facility Agreements and Leases. 19 through 36 are Right-of-Way. 37 through 53 are Service Provider Agreements. So with that, I have nothing further, Governor.

Sandoval: Questions from Board members? Member Skancke.

Skancke: Thank you, Governor. I have questions on Items 41, 42, and 44. So Item 41 is a public relations services contract for Project NEON. I think it's a good idea. I just wanted to know, kind of, like what's the scope of that? Was that community outreach, is it public hearings, is it public relations around notification of meetings? Just wanted to know the scope kind of.

Malfabon: It's mainly what you had mentioned, kind of community outreach and helping out at public meetings, and also reaching out to specific property owners. So we've taken kind of an approach with -- 44 with Hawkins and Colleagues to have that in our toolkit to reach out directly to property owners and to elected officials from the county and the cities impacted there.

Skancke: I think it's a really good idea to be proactive instead of reactive, so that we don't get behind the curve, so I think that's a really good idea. Same thing with -- so the expert witness contract, what project is that related to? Do we know?

Gallagher: For the record, Dennis Gallagher, Counsel for the Board. This is not related to any particular projects at this time. This goes back to Blue Diamond a few years ago. This property owner has sued the state, alleging a number of contractual issues, as well as inverse condemnation. His claim is a little over \$40 million.

Skancke: Wow. Okay. And then the Hawkins and Colleagues, that ties in to Item No. 41. That's also for...

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Malfabon: Yes, yes.

Skancke: Okay.

Malfabon: Same thing.

Skancke: Thank you. Thank you very much.

Hoffman: Mm-hmm.

Sandoval: Mr. Lieutenant Governor.

Hutchison: Thank you, Governor. Mr. Hoffman, thank you again for a great presentation. I've got a couple of questions. Items 6 through 9, this is just general. I'm sure this has been -- I know it's been brought before in prior meetings. But I just has an overarching question about research by the various universities. I'm just looking at like Item 6 for example -- or actually, I guess, Item 7, conducting research entitled towards implementation of prefabricated deck panels to accelerate the bridge construction process, and there's other examples of it.

It just seems like that's kind of -- it seems like other transportation agencies has probably looked at that before, right; I mean like the federal government, State of California. Is there like a database out there or is there a way, you know -- in the law, there's like electronic databases that really compile a lot of research and things that people have done before. Is that available for the transportation world, or has it got to be a custom research project every time?

Hoffman: Well, that's a good question, Lieutenant Governor. What I will say is we -- NDOT does receive very specific statewide planning and research funds every year. So those are -- if you see the boxes checked next to those research projects, that indicates that there is federal funding that comes in that does fund our research program. We have a very documented, very stepwise process that we run through to evaluate and prioritize research proposals and research the Department thinks it needs to do. So...

Hutchison: Is the dollar figure state dollars or federal dollars?

Hoffman: So this research is part of our NDOT research program, and it's federally funded.

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- Hutchison: So these are all federal dollars?
- Hoffman: Yes.
- Hutchison: That come in to us?
- Hoffman: That's exactly right.
- Hutchison: And so we just get a federal budget then to do various research projects and then NDOT prioritizes those research projects and then sends them out to the academic world?
- Hoffman: That's exactly right. Yes.
- Malfabon: And...
- Sandoval: No, and I have been talking about this for a while.
- Malfabon: Yes.
- Sandoval: So are you finished, Mr. Lieutenant Governor?
- Hutchison: I am.
- Sandoval: Because I've got some follow up. So who originates this research? Did you call UNR and say, we'd like some research entitled development of earthquake resistant precast pier systems for accelerated bridge construction in Nevada?
- Malfabon: Governor, I'll mention that what our research folks do, and Sondra could probably add, our research department goes throughout the department to the technical divisions and say -- asks what research do you need so that it can be tailored to specifically what the Department of Transportation requires researchers to look at. So it's not researchers -- often we want to provide them some leg work, some advanced work on identifying what research needs the department has. Some do boil up from the researcher and our offer to the department.
- And to the Lieutenant Governor's point, they actually do provide a list of previously performed research as part of that research proposal. So, Sondra, if you wanted to add to that how we identify the research needs.

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Rosenberg: Sure. For the record, Sondra Rosenberg, Assistant Director for Planning. It is a pretty extensive process that we use our federally allocated research funds for. I don't have the dates all with me, but it starts out with a call for proposals -- or a call for ideas, essentially. So people send in to our research division concepts for things we might want to research. We take -- those are ranked. We take the ones we feel are the most value and then do a call for proposals. Those proposals are then reviewed by staff that is selected because of their expertise in that particular area, and then we decide which ones of those to fund.

So it's a pretty robust stepwise process that involves a lot of staff, and occasionally, outside agencies to participate in selecting which of those we do fund. And typically, in that review process, if it's not available ahead of time, if there's maybe some research that's been done that we weren't aware of, usually those proposal reviewers will identify that and say, look, this has already been done. It's not worth funding with our dollars. If you'd like, in the future, we can bring back our research chief, Ken Chambers, to do an update on what our process is.

Sandoval: And my follow up was so one researcher on this Agenda has \$750,000 worth of research projects. And my vague recollection is this same person has many other contracts, as well. So how is that this one person obviously -- I know this is kind of rhetorical question, but how is this one person able to perform all this research?

Malfabon: Governor, it is one university, but it is several different researchers. So the structures research will be done by a different group compared to something on safety. And it something that you raise a good point about, making sure that the research needs are -- it's a fair process for selection of that, and we have brought that up to the attention of the research division to make sure that it is fair and not just give all the work to the University of Nevada Reno. But it...

Sandoval: Well, I'm just going on this.

Malfabon: ...is typically that we do look at the -- also that one researcher is not overburdened and that they are meeting their obligations on conducting existing research projects, as well as gaining some new projects. Because that is something that has been mentioned at the Board meetings that you'll

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see extensions of agreements related to research, and we want to make sure that the research is timely, and that they are meeting their obligations in the research agreements.

Sandoval: Because I think, and I don't have my Agenda from last month, but I think we just extended at least a couple research projects for this very same individual.

Malfabon: And, Governor, the project manager is just the research division person. They actually delegate this to the technical group at NDOT. So if it was a bridge research project, Bridge Division helps in the management of the research project, not -- although it's listed under Manju Kumar. He's in our research division. He doesn't have -- he's kind of the manager of the program, but not the specific research, the technical research itself. So that's spread out because that would be overwhelming for one person at the department to manage.

Sandoval: And I think the bottom line, at least for me -- I don't want to speak for the others, and I know we get a lot of federal money for research, but it -- I just want to make sure it's useful research and we're not just dispensing dollars for the sake of research, and for the sake of spending it. And that we, you know -- I sound like a broken record, because I know we've already had this as an Agenda item, but I just want to make sure that we're not spending \$750,000 just today for studies that sit on a shelf. And, you know, these -- I would like to see some connection to projects that -- so that's there some type of connection between the research and the -- and what we're actually doing out there on the roads.

Rosenberg: And we can bring that back to you in terms of what we've learned from these research projects and how we're implementing that. One of the values of doing the research is to see also the ideas that maybe don't work. So not everything will translate into a specific project, but it does translate into knowledge that the Department then uses as we spend our dollars going forward.

Sandoval: And just so I'm reminded that we have fixed the overhead rate on this...

Rosenberg: Correct.

Sandoval: ...we've negotiated that rate. And what is it now?

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- Hoffman: Twenty-three percent.
- Rosenberg: Twenty-three percent.
- Sandoval: Okay. And that's across the board on all the projects?
- Rosenberg: Correct.
- Sandoval: Okay. So the Controller had a question, then Lieutenant Governor, then Member Skancke, then Member Fransway.
- Knecht: Thank you, Governor. And my question will be brief. But back to Rudy, Director Malfabon, again, looking at the federal funds column here with a wide -- with a mixture of Y's and N's, other than research, can you give this newbie a bit of insight into how it is that some of these end up supported with federal funding and others don't?
- Malfabon: Typically, we receive a certain allocation of federal funds under the State Planning and Research program, so we try to expend as much. And there is a selection process that Sondra talked about that end up -- it's a two-step process. In one of those phases, they give us their anticipated cost for the research, so we try to maximize the amount. In some cases where it's a very good project, we might supplement it with some state funds just to get that research out there. We perhaps exceeded our cap on the available federal funding for research, but we supplement it with a little bit more just to get that last project and expend all the federal money and maintain a budget there for research program.
- Knecht: Rudy, if I may follow up. I wasn't asking just about research there. Throughout this listing of 53 projects...
- Malfabon: Oh.
- Knecht: ...Valmy rest area improvement, et cetera, we've got a no on that and above that assist with drug-alcohol reviews, we've got a yes.
- Malfabon: Yes. Okay. I can respond to that. So when it's federally eligible, we will make every effort to use federal funds. When it's something that's related to maintenance, typically the Federal Highway Administration will not participate in maintenance cost, so that we fund that. Some of these contracts are necessary for maintenance, some are areas that we want to

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expedite, as I talked about procurement processes and federal processes. It might take more time, but we want to be more timely and do things quickly. Sometimes we will choose to use state funds to get something expedited.

Knecht: Thank you. Thank you, Governor.

Sandoval: Mr. Lieutenant Governor.

Hutchison: Thank you, Governor. And I think I probably know the answer to these, but I want to explore this just a little bit more. So we annually get a budget, I guess, or an allocation of federal monies for research projects...

Hoffman: That's correct, sir.

Hutchison: ...on an annual basis.

Hoffman: Mm-hmm.

Hutchison: If we don't use those federal funds, do we lose them? Is that part of the deal?

Hoffman: I believe we do, yes.

Hutchison: And then if -- is there a requirement that those funds for research has to be tied to a specific project or can it just be an academic exercise?

Hoffman: The way I understand it, it can be an academic exercise.

Hutchison: Okay.

Hoffman: But to the Governor's point, what we need to try to -- what we need to make sure of is make sure that it's linked...

Hutchison: Right.

Hoffman: ...to future projects, programs. We need to make sure that the research can be utilized...

Hutchison: That's right.

Hoffman: ...and moved forward, so...

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- Hutchison: And then I probably know the answer to this, too, but is it possible that if we don't use the federal funds for the research that we could shift it to an actual, you know, road project, or a stoplight, or a stop sign, or anything like that?
- Hoffman: I'm not the eligibility guru, but I don't believe that those research funds can be transferred.
- Malfabon: A certain element has to be used for research and a certain element has to be used for planning efforts, statewide planning efforts.
- Hutchison: Planning, okay.
- Malfabon: So it is very distinctive that it's in that category of expenditure.
- Hoffman: Right. Planning funds are very distinct and separate from capital outlay federal funding, so...
- Hutchison: Okay. And then if I could just follow up on just item -- are we able to move on, Governor? Item 38 through 40, I had just a general question. These are extension of termination dates for legal services to allow time to resolve the lawsuit. Is that the case where we're actually in like settlement negotiations or -- because this is a year extension. Are we in settlement negotiations or, we just sort of -- when you extend these contracts because we're still in the legal proceedings?
- Gallagher: For the record, Dennis Gallagher, Counsel for the Board. Lieutenant Governor, these are just to extend the terms of the contract until resolution of the lawsuits that are active. We've changed our formatting now, so instead of being a two-year contract for a matter, we're engaging counsel until the matter is resolved.
- Hutchison: Okay. And, you know, I've touched on this before, but it'd be great to maybe have an overview sometime about what we're doing in the Attorney General's office, to maybe take on some of these cases in the future. I know that we talked about that a little bit, Mr. Gallagher, and you've been great to educate me on that a little bit. But it just seems to be nice to be able to see the Attorney General's office take on some of these responsibilities in the future. And if we're not there yet and we don't have the expertise or the ability to do that, when are we going to get there and how are we going to get there would be nice maybe in a future project at some point -- or a future

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point at some point. Governor, maybe we can talk about that in a future time. Thank you.

Gallagher: Governor, if I just may add, Lieutenant Governor, the trial later this month will be conducted by the Office of the Attorney General...

Hutchison: That's great.

Gallagher: ...in Clark County.

Hutchison: That's great. Great. Thank you.

Sandoval: Member Skancke.

Skancke: Thank you, Governor. Maybe I can shed a little light on research and how the federal process works, because this comes up every month, and last month it was about three hundred and some odd thousand to UNR for research. Over the years in the transportation program what has happened is -- I want to be careful how I say this -- members of Congress have decided to put certain programs into transportation infrastructure. So at the end of the day, the amount -- the exact amount that actually goes to construction and infrastructure is getting less and less, because they're all of these additions.

So because there is no central vault of information to your question, Lieutenant Governor, we have to do our own. There is no central vault. No one shares in the transportation world, because it's our information. And each state is unique unto itself. So there's not a lot of sharing, which would save the program a lot of money, but also, research is put into the federal program to actually help universities make money. It's designed to be part of that process. So Department of Commerce does it and EPA does it. Every department puts a certain amount of money into research to actually help universities within a community. It's a funding mechanism.

And so the way the funding comes out then is that there's X amount of dollars in an authorization bill for this type of research. So we then, as a state, we make that request and if we don't ask for it, Arizona will get it. And that money will go to ASU or U of A, or it'll go to Pennsylvania, or it'll go to Kentucky. So in my opinion, I'd rather have that money come to UNR

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and UNLV, and the state college, and any place else, DRI, because those are faculty that are in our program that are being paid.

So it's not the best system, but what has happened over the years as -- the Highway Trust Fund used to have a truckload of money, and all of these other programs used to get lumped into the USDOT and into the Highway Trust Fund, because it was a cash cow. It's no longer a cash cow, but people still think the cow is producing the cash. And so we siphon off these dollars. Research is critical. I agree with the Governor. I think the research should be tied to some type of outcome, but that federal fund doesn't -- this is really going to come out wrong, but it's factual -- it doesn't require an outcome, per se. What it requires is that research be done.

It's just how the program has been set up over the last 50 years. Doesn't make it right. There have been numerous attempts to change how that is done. In fact, there was a program for a number of years that's now gone away, but there used to be landscaping available to colleges and universities located next to an interstate highway. And it was a big chunk of money. So if you were a university next to an interstate highway, you used to get a boatload of money for landscaping.

It's just how programs come up. So in my mind, if we get the money it's better for us if we get the money because it's going to our faculty and our research and it's helping our universities, so we don't have to pay that bill. But at the end of the day, I think I agree with the Governor. There should be some type of nexus to what the Department needs, and not so much what the faculty needs. I hope that, kind of, clarifies -- does that help at all clarify kind of how this all works?

Hoffman: Yes.

Skanccke: Doesn't make it right, it just is.

Hutchison: It's helpful. Thank you.

Sandoval: Member Fransway.

Fransway: Thank you, Governor. And when we talk about the research, specifically to the organizations of higher education; UNLV, UNR, are we dealing with

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staff and students that compile the research or -- what credentials do the people who are providing the research have?

Hoffman: Member Fransway, they're professors that manage the projects for the university, for the most part; but doing the heavy lift or most of the work are students, but it's a combination as you described.

Fransway: Okay. I just want to make sure that the researchers have the qualifications necessary to provide the Department with factual information that we, like the Governor says, can use on projects.

Malfabon: And, Governor and Member Fransway, if I may add, specific to the point that the Governor was concerned about, kind of, overburdening a researcher. They do provide the names of the professors that will be conducting the research so that we can make sure that we're not selecting and using the same professor over and over again; that they're overburdened with trying to do too many research projects at one time. So that's considered in the program.

Hoffman: Sorry, Rudy. And, Member Fransway, there's a federal process that we have to follow to use federal funds, so there's a checklist, there's criteria. So it's a federal process that we have to follow in order to pay the universities federal funds. So they're certified, run through the project, check the boxes, make sure that everything looks good, smells right on the front end, so...

Fransway: Thank you.

Sandoval: Any other questions with regard to Agenda Item No. 6? Member Savage.

Savage: Thank you, Governor. Mr. Hoffman, a couple line items. Number 37, it looks like a six-month, \$200,000 contract for the data exchange index developing data visualization tool for index and interface development for other agencies to collect.

Hoffman: Well, I won the...

Savage: Is this a one-time deal or is this going to be moving on? If you can just delve into that a little bit, it just seems high for six months...

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Hoffman: Right. I won the pool, the office pool because we knew Oz Engineering would get some questions, right? Just teasing. Honestly, Member Savage, I don't know much about this item.

Inda: Bill?

Hoffman: Yes. Will you answer it please, Denise? Thank you.

Malfabon: But you won the pool, Bill.

Inda: Excuse me, wrong papers. Good morning. Denise Inda, Chief Traffic Operations Engineer. What this is, Governor, Member Savage, we are engaging Oz Engineering to develop a piece of software which -- an interface, essentially. We already have developed a database where all of the data is going into. It's data from around the state. It could be the RWIS data is weather-related data. It can be the data from all of the traffic sensors that we have down along the roads in the Las Vegas area. Also, in the urban Reno area and other areas. It can be information -- just information that we get from the roadside we gather it in.

We've not had a uniform, unified location to have all of that data reside. We've got the database now. It's called NDEX, Nevada Data Exchange. And then what this last small piece will do, is to develop an actual interface. So that employees at NDOT, folks in my division, other divisions who are looking at this information, as well as outside agencies can use to kind of compile, sort, not massage or manipulate, but manipulate the data so that it's provided in ways that they can utilize it. We share our data with a lot of other universities, with a lot of other federal and state agencies. And so this is just a way for us to be able to share that information with them so that they can access it to further their needs.

Savage: Because in my mind, it looks like a black box. And I'm having a hard time of the \$200,000 amount for a six-month project. Was this bid, or was this an informal bid, and how did you drive and select Oz Engineering for the \$200,000?

Inda: We selected Oz Engineering to develop the index system through an RFP, because they have the intimate knowledge of what the database looks like, how it functions, how it's been designed. We requested and received approval for a sole source for this smaller portion of the contract. And it's

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just to develop that interface, that software so that we can the data in and out of the warehouse -- the data warehouse, the archive.

Savage: And are they Nevada-based?

Inda: Oz Engineering is a firm out of Arizona.

Savage: Arizona. Okay. And then moving on to the next question. Thank you, Ms. Inda.

Hoffman: Thanks, Denise.

Savage: Item No. 51 caught my eye. Number one, who is Decision Lens Incorporated?

Malfabon: I can respond to that, Member Savage. Decision Lens is a firm that's developed software that's -- decision-making software for agencies. A lot of it has to do with some of the things that we've been challenged with such as when you want to add in something that's a priority, what then has to be lowered in priority. So pedestrian safety, for example, or if we receive additional federal funding or additional state funding, what projects will we submit to the Board for consideration.

So this tool will help us to make those types of decisions. So Decision Lens will go to each division. They're a company that develops software for decision making for state DOTs on program activities, different project programs. And it's going to be useful for NDOT in those of types of cases where we have to make decisions very quickly if we got additional funding, or we had cuts in funding. What's going to be the right projects and programs to give to the Board for your approval. So it's going to be a very good decision-making tool. And we anticipated that we'll bring a presentation to give more detail to the Board as we're developing this tool at NDOT. And, specifically, you can see the benefits that are going to come out of this tool.

Savage: Thank you, Director. So this is a software program. And how do we do it now?

Malfabon: Good question. So right now, it's left to each division that manages their pot of money. So for instance, safety has federal money. We supplanted that through Board approval with state funds. But they're responsible, currently,

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for establishing what are the criteria, and considering also the performance measures for the Department for driving down fatalities, for instance, in the safety program or driving down serious injuries.

So currently we receive this input, this list of projects from a division at NDOT and we'll start asking questions at our level, as well as the Board members will ask why are you doing that project instead of something else. The case where we had the fiscal cliff, you know, John Terry had to identify what projects would we kind of put on the back burner if we did receive less funds from the federal government.

So currently it's really left up to the divisions and program managers, and then we get it at our level. This will be a much more defined process. So that those inputs into decision making are known throughout the Department, and we can present that to the Board and actually look at what the Board's -- or what's critical to the Board for whether performance or certain programs, so that through all levels of decisions making that decision-making criteria are incorporated into the process to make those decisions quickly. And takes into consideration technical things, as well as kind of our level, political or other factors to consider.

Savage: Okay. Thank you, Rudy. Thank you, Governor.

Sandoval: It sounds like a heck of a program.

Malfabon: It is.

Sandoval: I'd love to see what the algorithms are.

Malfabon: Actually, Governor, these algorithms were developed from the SALT talks back in the -- when the United States was dealing with the USSR.

Sandoval: So is this artificial intelligence? I mean what is this?

Malfabon: Basically, it is. It's going to take into the factors that are important to us as a department from the technical people managing those programs to the higher level administrators of the department, to the Board's items that you would want us to consider, you know, whether it's the issue of north versus south and equity, rural versus urban. Those types of factors can be considered in how we develop the program in all areas of the Department.

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So, in areas of these silos of federal funds, but also state funding categories and looking at what the goals are of the Department and this Board.

Sandoval: Have we ever used this before?

Malfabon: Actually, we found out about this company through the efforts looking at how we acquire property on Project NEON, and we saw it as a good tool to develop for our capital program.

Sandoval: Because if we're going to be spending close to \$300,000, I would love to see a sample analysis.

Malfabon: We can -- hopefully in the next couple of months, we're going to bring that to the Board and kind of give you an overview. We've had a kickoff meeting internally, had the right people involved in the capital program, all those managers that have different elements of the capital program. And they're going to be meeting directly with this Decision Lens company to identify what are the criteria that you use to select projects, and then eventually it's going to roll up into a larger planning tool for the Department on how we select projects. So we are definitely looking forward to presenting it to the Board and giving you a lot more detail and kind of show how this program works.

Sandoval: So is that what we're spending \$290,000 on, is to see how it works?

Malfabon: The \$290,000 is getting definite interaction with the divisions chiefs. So traffic safety, traffic operations, bridge, roadway. All these elements that these groups that -- hydraulics for instance, environmental, architectural. All these areas that we have spent money in capital projects are going to have input. So the Decision Lens folks will talk to them about what criteria do you use to select projects, and then eventually a reach out to the Director's office and talk to us about, you know, for instance, an assistant director has certain divisions under them that have capital program funds. Talk to that assistant director, what do you look for.

So it's going to be -- the outcome is going to be a much more robust decision-making process that we know what the inputs are and what's important to us gets captured into this decision-making process rather than just, hey, we got \$10 million more; what do we need to spend it on. That type of exercise that's very difficult to do. So it's going to be a useful for not

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only the Department, but also for the Transportation Board to look at how we select projects and get a good overview.

Sandoval: But this'll just pay for us giving them the inputs, it won't pay for one analysis?

Malfabon: It's going to be an ongoing tool, so it's going to be useful for going on. So it's going to develop our program for this current year coming up, and then it'll be useful for the Department to continue using this tool. So it's going to result in actual report of projects and what are the -- we'll have a better understanding initially, of what goes into selection of the program, you know, element, program by program. But it's going to be an ongoing software system that NDOT can use, and then we present that to the Board on a regular basis.

Sandoval: So what are we looking at in the future? This is \$290,000 just to get started.

Malfabon: I think that we're probably looking at about \$100,000 a year for continued license, I believe. We'll have to get the confirmation of what that is, but it will be something that -- this \$290,000 gets us a substantial amount of effort. And this program is also useful for other means, not just our capital program, but what software programs that our IT group, for instance, gets going through the program. So it's useful for other things, as well. You can drill down to one project, Project NEON as an example, how we identify what portions of properties to acquire, you know, which ones do you acquire first. Those types of decisions will be useful with this type of program -- this software program.

So it's not just capital program, it's also IT projects and other types of program projects. So even within a certain program, it's going to help somebody to decide what's more important than others, establish the criteria and have a process to make decisions more comprehensibly rather than just on the fly.

Hoffman: And, Governor, if I could add just real quick. As Rudy discussed, the process we go through right now to prioritize projects, look between the different asset categories, is highly manual. It's very manual. So there'll be a return on investment here in terms of staff time and those sorts of things, so there will be a payback from the \$290,000 that you're talking about in

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terms of savings to NDOT staff that can then do other things, do other things more quickly, things like that. But there is a return on investment on this. And it's scenario planning, so it's -- the algorithm that you discussed is highly complicated and complex. The NFL uses this software for -- all the NFL teams use it for draft selection, which I thought was kind of cool, but then you can apply it towards transportation.

Sandoval: But we don't own a football team.

Hoffman: We don't. We don't, but it was kind of cool. I thought it was really cool.

Sandoval: Well...

Hoffman: Any time you can tie football to transportation, I'm all in.

Malfabon: If you would, Governor, we would love to kind of give you a presentation next month on this product, because it's...

Sandoval: Yeah, I mean this money has already been spent.

Malfabon: This is really going to be a game changer for the Department and our programming. We receive so many requests from folks from the Federal Highway Administration. If you had an additional increase of \$150 million, what would you spend it on, what projects? And we can identify putting more...

Sandoval: But you need a computer to tell you that?

Malfabon: It really is -- what would be the factors that we would consider on spending that money? What's going to give us the best bang for the buck? And this decision making-tool is very comprehensive and looks across different programs and what the Department's goals are. All that is fed into this decision-making software. And I think that if you would allow us to, kind of, present the nuts and bolts of it next month, hopefully, you'll see the benefit will be very clear to the Board.

Sandoval: No, and it just may -- I'm not a technologist. I guess color me unconvinced, but I really look forward to seeing that. I mean, if everything you say is true, then perhaps it's a great tool. But it just -- it seems extremely vague right now and...

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- Malfabon: It is. And when you have limited resources it's a good decision-making process to (inaudible) what's the most critical aspects of different programs. And it is difficult to balance, you know, how do you -- do you want to spend it on maintenance, preservation, new bridges, new interchanges. So it does take into account all those types of different projects that we do.
- Sandoval: No, and like I said, I just -- it's hard for me to understand how you substitute that judgment for somebody within the Department's judgment.
- Malfabon: And, Governor, that's where it really brings it together, is because you might have different factors within the Bridge Division. Hey, we got an old bridge. Well, what if it's only 50 people a day that drive over that bridge. How do you kind of consider your spending level for some of these bridges that don't get a lot of volume, or for safety, or for capacity, preservation? So it does bring all that together, and we're really excited about bringing that forward to the Board to explain how it works.
- Sandoval: Because I, you know, I don't mean to bring up a sore subject but, you know, the North Virginia issue. I mean, is that something that it would address? I mean, how does it factor the value of a life?
- Malfabon: I think that it can. There is -- I think that we want to look at how we -- basically change how we select safety projects. And I think that that's the track that we're on, but we want to get it into this decision-making system. so that when we're aware of those types of things brought up to our attention. It's not the traditional technical approach, because as you've seen what happens in that approach, it doesn't meet the needs of the public for public safety. And in some cases where we're looking at it in a certain way and looking at it based on data, that may not reach that same conclusion. So I think that it does lend itself to that type of situation, Governor.
- Sandoval: Well, perhaps as part of the demonstration, you could put inputs on a decision that's already been made and see if it would have made a different decision.
- Malfabon: Well, that would be interesting.
- Sandoval: Just curious.
- Savage: It's realistic.

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Sandoval: Mm-hmm. All right.

Hoffman: Well, that's all I had, Governor.

Sandoval: Okay. You lost the bet, huh?

Hoffman: It's all right. I always lose bets.

Sandoval: All right. All right then. Does that complete Agenda Item No. 6?

Hoffman: Yes, sir.

Sandoval: Okay. Member Fransway.

Fransway: Okay. Thank you, Governor. Questions related to Items 3 and 4.

Hoffman: 3 and 4.

Fransway: My question is why do we need the extra time? Are we having an issue with negotiations with the City of Wendover?

Hoffman: I don't...

Malfabon: According to...

Fransway: West Wendover.

Malfabon: Yeah, it looks like it's taking more time because we're willing to relinquish it and then we're having those relinquishment discussions with the city. So they're willing to take it over.

Fransway: All right. So we really haven't reached a snag, it's just needs to be cleaned up?

Malfabon: Right. They're willing to take it and we're willing to relinquish it. We just have to work out the details.

Fransway: Okay. And No. 4. The way I read this, this is the other side of the relinquishment coin. And we're dealing with \$4,200,000 here, and I'm working why we did not -- why it did not come to the Board as a relinquishment resolution.

Malfabon: This one was during that process of the relinquishment and changes. We were going to do a road project with the \$4 million -- approximately \$4.2

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million. And the City of North Las Vegas agreed to take the road with that additional funding to take the road off of our hands, and that was part of the deal that -- I don't know if there's anything to add. But it was basically a relinquishment that was through the old process. The Board approved this new process, but this was already in the works under the old process of relinquishment with the City of North Las Vegas and the discussions that we were having with them.

Fransway: Okay. The City of North Las Vegas will relinquish to the Department, correct?

Malfabon: They'll take this -- they'll actually accept it from the Department. So we're giving them \$4.2 million and they're taking this section of North Las Vegas Boulevard.

Fransway: Okay. I must have read it wrong. It looks to me like we were...

Malfabon: No, it's the other way around.

Fransway: Okay.

Malfabon: We're giving it to the City of North Las Vegas and giving them the \$4.2 million to take it from us.

Fransway: Okay. But we won't see it in the form of a resolution come before us?

Malfabon: Yeah, I think that that is provided in there...

Terry: John Terry, Assistant Director for Engineering.

Malfabon: ...later.

Terry: We were going to do a project in this area. In fact, we are doing a project outside the limits of this relinquishment. They were going to do a project. We are giving them the money we would have spent on our overlay project. They are doing their project, making it more of a complete streets-type project. And then later in the Agenda, you will see where we are relinquishing that section of road...

Fransway: Okay.

Terry: ...to them.

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- Malfabon: Item 9 is where the Board approval is requested.
- Fransway: Okay.
- Sandoval: No, and that is part of what we talked about months ago, is that if we're going to relinquish a road, the other side of that coin is that we put it in, you know, good working order. And...
- Malfabon: Right.
- Sandoval: ...I think this is part of that. And we're assured that that \$4.2 million will be put into the road?
- Terry: Yes.
- Sandoval: Okay.
- Terry: As part of the agreement.
- Sandoval: All right. Any other questions? All right. Thank you very much, Mr. Hoffman. Do you have No. 7, as well?
- Hoffman: I do not.
- Sandoval: Oh.
- Malfabon: Item No. 7. Darn it, Bill. This is to purchase some additional equipment for the radio system. And what we did was to transfer some from one account to another. It was approved, so it's just getting the Board approval of equipment in excess of \$50,000 per NRS. And the -- we're going to purchase two repeaters for the radio system and that's offset by not buying some additional radios so that it is a wash in the -- it was previously approved in our budget, but we had, because of the additional cost for the repeaters, we had to offset that by reducing the expenditure on some new radios.
- Sandoval: And, Mr. Director, this is, basically, to keep this system going? I mean, I think you told us that the vendor isn't even going to service it in the next year, and so we're going to be putting this out to bid, but we just have to keep the wheels on for this current system?

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- Malfabon: Yes. Exactly, Governor. And you will see in a future Board Agenda, you will see approval of a contract to develop the RFP for hiring a firm to develop a new radio system for the Department going forward, but this is for the current radio system that we do have and we want to keep that going.
- Sandoval: Okay. And just before we do that RFP, I will only throw this out because it was brought to my attention as the sheriff of Clark County said, that they have an existing system that perhaps could incorporate what we have -- or what we're seeking to do to join them. I don't know the technology behind that. It was represented to me that this could be to join with Metro. It might be more efficient and could save some money. Again, I don't know, but I just want to make sure that that is considered as we prepare this RFP.
- Malfabon: Definitely. We're aware of what Metro has done and we want to have a fair procurement for the next generation radio system, Governor. It definitely involves a lot more than NDOT. There's other partners, Department of Public Safety and some of the local agencies. So definitely, that type of outreach is occurring and will continue to occur in development of that RFP for the radio system.
- Sandoval: Yeah. I just, obviously, don't want to reinvent the wheel. If there's an existing system that we can piggyback on, that'd be great. That's a gross, probably, simplification of what's going on here, but I just don't want that to go by as we think about what we're going to do, and if that's an option that could be performed just as well at a less -- for a less amount of money is something we should look at. Because I think you said something like \$50 million for a new system.
- Malfabon: It's substantial and it -- obviously, the requirements in the RFP will dictate the cost of that. But it's several -- a few years in the future when we actually get to that point. So the RFP will be to develop this request for proposals for the next generation radio system, but definitely, it is something that we'll keep the Board apprised on, because it is a huge expense.
- Sandoval: Yeah, because that's highway money, isn't it?
- Malfabon: Yes, it's highway fund money.
- Sandoval: Because that's a road project. A substantial road project right there.

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- Malfabon: And we're looking at options where maybe a lease option could be the delivery method or the payment method for this next generation system. So looking at all those options and we'll keep the Board apprised, as I said.
- Sandoval: All right. And I know we've talked about this, but part of your presentation was these federal dollars -- I think Member Skancke was talking about it -- the fact that that's a decreasing number. So we need to make sure that we spend every dollar wisely that we can.
- Malfabon: Yes, Governor. So we respectfully request approval of this purchase.
- Sandoval: Any other questions with regard to Agenda Item No. 7? Member Savage.
- Savage: Thank you, Governor. Just one question. Mr. Director, do we receive reimbursement from the other stakeholders as in NV Energy and UNLV?
- Malfabon: Yes. It is a user-pay system from NV Energy and other users of the system.
- Savage: No, of this \$284,000.
- Malfabon: Oh, for this one? This is for NDOT.
- Savage: This is strictly for NDOT? So there's no...
- Malfabon: I have to defer, Member Savage, to Denise. This is for our system, so it's going to benefit NDOT. So we're not looking at reimbursement from the other partners for these repeaters that were needed for NDOT's use.
- Savage: Okay. Thank you, Mr. Director. That's all, Governor. Thank you.
- Sandoval: Mr. Lieutenant Governor.
- Hutchison: Thank you, Governor. Mr. Director, just a quick question about what happens to the old equipment that's being replaced? Is there a secondary market or, you know, I mean when we, you know, we can sell a truck or a grader or something, can we do the same thing with this equipment?
- Malfabon: There is a secondary market for some users as they try to keep this older system kind of -- it's hard to get parts anymore, so there is a secondary market for some of this equipment that's outdated to us. But as we replace it, definitely there's some opportunities there to put it up for sale by other users that have the older system, as well.

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- Hutchison: I assume that's just a regular course of what we do at NDOT, right, when we retire equipment or...
- Malfabon: Yes, it is..
- Hutchison: ...vehicles, right, we put it on the secondary market?
- Malfabon: There is process for equipment -- certain equipment to go back to State Purchasing for a credit, and they try to resell it if it's got some use.
- Hutchison: Great. Thank you very much.
- Sandoval: Other questions? Member Fransway.
- Fransway: Thank you, Governor. I'm in favor of this, by the way, but I think in a motion I would appreciate the fact that we, as part of the motion, mention that in order to get this done, basically, we're cannibalizing another project, or with the radio equipment, taking some money out of it in order to keep within the cap that we have. It looks like we have to make up \$52,000 worth of funding, and we're taking that...
- Sandoval: Maybe we can take it out of research. Sorry. But where is that extra money coming from, Rudy?
- Malfabon: So we're not purchasing certain radios. I think that there is a radio request in the next biennium's budget, so we'll make it up as that -- NDOT's next biennium budget gets approved. We have purchase of new -- of the radios for the current system included in that budget request. So although we're deferring it right now, we'll make it up later.
- Fransway: Okay. But we are not going to jeopardize the purchase of the radios. It's just going to be a lesser amount in order to move over to make us able to make the future...
- Malfabon: Correct. It's a lesser amount now, but after the next (inaudible) fiscal year starts July 1st, then we -- assuming that our budget gets approved as submitted, we will make that purchase of the radios then for the next biennium.
- Fransway: Okay.

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- Sandoval: So, Rudy, we're basically adding onto a system we're replacing in a couple years?
- Malfabon: Yes. Unfortunately, we have those needs now for the radio system, and there's -- some of these radios are kind of dying on us. We have to replace what we have now while we design the next generation radio system for the state, and NV Energy, and the other public safety members of our radio system.
- Sandoval: So there, you know, I guess Lieutenant Governor mentioned the secondary market. There's not anything out on the secondary market that we can (inaudible)?
- Malfabon: The problem with the secondary market for the radios is that you don't know how much life they have left in them. And in some cases, the thing that shows you what channel is on, the display, dies on you and you can't replace those. So we definitely have looked at the secondary market for other elements of the radio system, but not so much for the handheld radios, because you don't know how much life that you're buying when you buy that.
- Sandoval: And just to try to simplify it for me, these are going to be installed in Elko and Austin. So right now, we have NDOT employees that need this equipment to be able to communicate with one another?
- Malfabon: Yes, it'll get better coverage for the current system.
- Sandoval: Okay. Any other questions? Okay. If there are none, the Chair will accept a motion to approve the purchase of equipment in excess of \$50,000 as described in Agenda Item No. 7.
- Knecht: So moved.
- Sandoval: Moved by the Controller. Is there a second?
- Hutchison: Second.
- Sandoval: Second by Lieutenant Governor. Any questions or discussion on the motion? All in favor say aye.
- Group: Aye.

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- Sandoval: Opposed no? The motion passes unanimously. We'll move on to Agenda Item No. 8.
- Malfabon: Thank you, Governor. This is for disposal of an NDOT easement on Las Vegas Boulevard, State Route 604. The Surplus Committee -- the standard process is to have the Surplus Property Committee review these types of requests. If they get with the district engineers, find out that no one in the Department feels the need to retain this type of easement or property, then they recommend that we abandon the easement. The easement doesn't have a value for it because we don't own the underlying property, but it was reviewed by our standard process and we're recommending approval of the disposal of NDOT's easement on State Route 604 as indicated in this Agenda Item No. 8.
- Sandoval: Thank you. Any questions from Board members? Member Fransway.
- Fransway: Thank you, Governor. I didn't see anywhere in here who was the recipient of the abandonment.
- Malfabon: Paul?
- Saucedo: Yes, thank you. For the record, Paul Saucedo, Chief Right-of-Way Agent. Governor to Member Fransway, that was requested by the City of Las Vegas...
- Fransway: Okay.
- Saucedo: ...but it is an abandonment, so we do not guarantee title. We just walk away from the easement, we abandon it as record and then we don't guarantee who is the underlying fee owner on that. So it goes back to the underlying fee owner.
- Fransway: Well, normally an abandonment would be to the adjacent property owner.
- Malfabon: No, you just walk away on an abandonment. You're walking away from your use of the easement that was granted to you. So...
- Saucedo: Correct. Correct. So...
- Malfabon: ... whoever is the underlying fee owner has...
- Saucedo: Yeah.

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Malfabon: ...is still there.

Saucedo: Exactly. Whoever the underlying fee owner is would retain -- would essentially have their property free and clear of that easement.

Fransway: Okay. It sounds like they're going to own a paved parking lot.

Saucedo: Well, they own the paved parking lot now.

Fransway: So we've got...

Saucedo: Yeah, they encroach -- that's an encroachment on within the right-of-way...

Fransway: Oh.

Saucedo: ...on that one, so they encroach. If you look at the map, these are little pieces that are kind of outside of the normal roadway and for whatever reason, wasn't noticed, I think, during (inaudible).

Fransway: Okay. So we inherited the pavement or did we pay for paving it?

Saucedo: We did not pay for paving it. It was...

Fransway: Okay.

Saucedo: ...yeah, it came -- we got this back in the '40s.

Fransway: Okay.

Saucedo: 1943. So the pavement came much later.

Fransway: Okay. Thank you.

Sandoval: Any other questions? If there are none, the Chair will accept a motion for a motion to approve the resolution of abandonment as described in Agenda Item No. 8.

Savage: So moved.

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

Skanche: Second.

Martin: Second.

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- Sandoval: Second by Member Martin. Any questions or discussion on the motion?
All in favor please say aye.
- Group: Aye.
- Sandoval: Opposed no? The motion passes unanimously. We'll move on to Agenda
Item No. 9.
- Malfabon: Thank you, Governor. As we mentioned before, this is for the disposal of a
portion of NDOT right-of-way on State Route 604/Las Vegas Boulevard
from Tonopah to Carey -- from Tonopah to East Carey Avenue, through the
City of North Las Vegas. And we request Board approval of this action.
- Sandoval: Any questions from Board members? Member Savage.
- Savage: Just one correction. I think it was a typo. "The City of North Las Vegas
consented by resolution passed and adopted on December 17...
- Malfabon: Oh yes.
- Savage: ...2015." Let's make that 2014.
- Malfabon: Correct.
- Savage: That's all I have. Thank you, Governor.
- Sandoval: Any other questions?
- Fransway: Governor.
- Sandoval: Member Fransway.
- Fransway: I don't see where the \$4.2 million is mentioned in the resolution.
- Malfabon: The \$4.2 million is in the agreement with the City of North Las Vegas. So
typically, the resolution of relinquishment just has to do with the -- their
expression of interest to take over a road from the Department. And any
kind of negotiations as part of what we have to give them to take it over for
us will typically be memorialized in the agreement -- the interlocal
agreement.

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- Fransway: Okay. We are accepting this by the fact that we are approving the resolution. And so, when we approve the resolution, I think it's important that that \$4.2 million be included in the resolution that we approved.
- Malfabon: I think -- I don't know if, Dennis, if you could comment on that. I think that you can make the motion that it's subject to the...
- Fransway: Yeah.
- Malfabon: Yes.
- Terry: John Terry, Assistant Director for Engineering. I mean, the agreement says they will spend the \$4.2 million on the roadway improvement project, which would have been money we would have spent. That's the agreement. The resolution is simply abandonment of the right-of-way. That's the way it's set up. I think that's the way we should set it up. In other words, they agree and signed an agreement that they'll take -- that they'll build the construction project and have other terms in the agreement, and then the resolution is the abandonment of the right-of-way. I've not seen us tie that money to the abandonment.
- Fransway: Okay. We are not approving the agreement. We're approving the resolution that entails \$4.2 million.
- Terry: And again...
- Fransway: And I don't think it's a hard thing to do. If the Chair can see my point, we can go ahead and pass the resolution with that being added to it. If the Chair feels that it's not necessary then I will defer.
- Sandoval: I think we're okay...
- Fransway: Okay.
- Sandoval: ...Tom. I really do. And this is our first substantial relinquishment under this -- the regulation that we adopted, is it not?
- Terry: If I could note, this did not follow the entire relinquishment process because this was under way before that policy was adopted. So the early phases of this relinquishment did not follow exactly the new policy, but in, you know,

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in the terms of the final relinquishment it did. But we did not follow that because this was well underway before that policy was adopted.

Sandoval: No, and I guess what I'm trying to point out is this is exactly what we were trying to accomplish, is...

Terry: Yes.

Sandoval: ...we're returning a road to a local government -- or giving a road to a local government in good working order where it belongs, because it's not a state highway anymore, and it's going to be responsible for the maintenance once this is accomplished. So it worked. I mean I'm glad about that.

Fransway: Okay. I just -- if I remembered correctly, and I may not, but when we relinquished the Haskell Street to the City of Winnemucca, we paid them \$750,000 to do that, and I thought it was part of the resolution. That's why this came up. If it's...

Terry: I'd have to look at that.

Fransway: Okay. Well, if the Governor feels it's not necessary, then let's go for it.

Sandoval: I'm okay, and I want to get confirmation from Mr. Gallagher.

Gallagher: For the record, Dennis Gallagher. Governor, I agree with your answer and the Lieutenant Governor's answer that it was not necessary. I don't recall what the past practice was, Tom, with the City of Winnemucca, but I believe that the agreement, as well as the resolution, safeguard the Department's position on this and getting the land off the state roster and into the hands of the city, and then, of course, the construction project that the city has agreed to.

Sandoval: Okay. Thank you. So, Tom, are you okay. You good?

Fransway: Yeah, I'm okay to the fact that I'll make the motion.

Sandoval: All right. Please proceed.

Fransway: I would move to accept the resolution of relinquishment as identified in Item 9.

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- Sandoval: All right. Mr. Fransway has moved for approval of the resolution of relinquishment as described in Agenda Item No. 9. Is there a second?
- Knecht: Second.
- Sandoval: Second by the Controller. Any questions or discussion on the motion? All in favor say aye.
- Group: Aye.
- Sandoval: Opposed no? The motion passes unanimously. We'll move on to Agenda Item No. 10.
- Malfabon: Thank you, Governor. This is bringing back the disposal of a portion of Wells Avenue, near the Truckee River. And as you may recall, there was a question of where's the agreement with the City of Reno, and that is provided. And I think Member Fransway wanted to make sure that nothing could come back on the Department or the State of Nevada. So hopefully, the additional information provided in this packet answers any kind of questions. And I'll turn it back over to the Board for any questions.
- Sandoval: Member Fransway.
- Fransway: Thank you, Governor. And I am more comfortable now. I just want it plain that we are relinquishing an easement of interest, not any infrastructure. And according to the resolution, it says that we are relinquishing the aforesaid portion of said street. I would like that to be clear that we are relinquishing an easement of interest.
- Saucedo: For the record, Paul Saucedo, Chief Right-of-Way Agent. Governor, Member Fransway, I mean we can go ahead and make those changes. I don't think that that's anything that's -- I mean we can just go ahead and straighten it out and make sure we did (inaudible), so...
- Fransway: Well, I think it's important. To me, it's apples and oranges. A street is a hard surface and all we are doing is relinquishing property.
- Saucedo: Right.
- Fransway: Right-of-way.

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- Saucedo: Correct. So I can get with Member Fransway and look at the changes or if you want to make the motion with the changes and then...
- Fransway: I'd be happy to do that, but it also mentions a portion of said highway. I would like that changed in the resolution on Page 1 of 3, Attachment 3. "Portion of highway aforesaid interest of easement." If we could do that, I'd be happy to make a motion with those changes.
- Sandoval: No, and I understand where you're going. I just want to make sure legally is highway and street terms of art, or are they specific, and is this the literal meaning street and highway?
- Gallagher: For the record, Dennis Gallagher, Counsel for Board. Highway is defined in Chapter 408 to include easement interest in roadways. I'll also note for the record that on the resolution, the first whereas clause indicates that the Department currently holds an easement interest.
- Fransway: Okay.
- Gallagher: And the other language, I believe, in the draft resolution, "It is the intent of the Department to relinquish to the Division all of the Department's right, title and interest in the foresaid described right-of-way as shown on Exhibit A." So my opinion, as we're referencing and acknowledging that the Department only has an easement interest in this property, that's all that the Department would be conveying by this resolution.
- Fransway: I think it would be made very clear if those words were changed. And I don't see a big problem for that. If I am just a person on the street, excuse the pun, that is looking at this...
- Sandoval: It's not a street, though.
- Fransway: It's an interest of easement.
- Sandoval: Well, let's get -- I think we can get this done today. So can -- if we were to delete the term "street" within this resolution, what would we insert, Mr. Gallagher?
- Fransway: Interest of easement. Just insert "interest of easement."

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- Gallagher: As Board Member Franway has indicated he's very comfortable with the deletion of that and inserting "interest of easement."
- Hutchison: Governor, can I make a comment?
- Sandoval: Yes, Mr. Lieutenant Governor.
- Hutchison: (Inaudible) do we want to try to keep it consistent, because as you note, Mr. Gallagher, you're saying in the first paragraph "right-of-way," I don't think we use interest of easement anywhere, do we? So I mean can we just insert "right-of-way"...
- Franway: That'll be fine.
- Hutchison: ...as opposed to "highway"?
- Gallagher: Yes, sir.
- Hutchison: Then that way at least they're consistent throughout the paragraphs.
- Franway: That would be fine, Lieutenant Governor.
- Sandoval: Well, and to get hypertechnical, shouldn't we just use "easement interest" rather than "interest of easement"? Because to be consistent.
- Gallagher: That would be consistent, Governor.
- Sandoval: So now...
- Skanche: Is there another lawyer here that could give us an opinion?
- Sandoval: Hey, we're just trying to keep...
- Skanche: I don't trust these three guys, so I'd like to have a fourth opinion to make sure that we...
- Sandoval: No, I was going to say I -- we've completely muddled this record, so let's start from ground zero so that we -- for purposes of the record going forward that people know exactly what we did here today. So, Mr. Gallagher, would you take us through that if you follow?
- Gallagher: As best I can, Governor.
- Sandoval: Okay.

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- Gallagher: As best I can. In the draft, resolution of relinquishment will be changed -- frankly, Governor, I'm lost at this juncture myself.
- Sandoval: You know, I thought the third time was a charm, but I just really believe in order for this to be done right that we should have a clean draft resolution of relinquishment. If it causes no jeopardy to put this on another -- on the next Agenda, I would ask that we do that if I have the agreement of the Board. And, Mr. Fransway, will that satisfy you?
- Fransway: Yes, it will.
- Sandoval: Okay.
- Fransway: Absolutely. I agree it should be a clean thing. It's a major road in the city arena and it should be clean.
- Sandoval: Okay.
- Saucedo: Governor, for the record, Paul Saucedo, Chief Right-of-Way Agent. Yes, we can do that. I don't see a problem.
- Sandoval: And perhaps you could get that draft to Member Fransway before it hits the Agenda.
- Saucedo: I'll personally do that.
- Sandoval: Okay.
- Fransway: Thanks.
- Sandoval: No, thank you. And I, you know, in all seriousness, I mean it's important to be thorough and precise, and so we'll get that done. So any other questions before I move away from Agenda Item No. 10?
- Skancke: Do you want a motion to hold it?
- Sandoval: I don't think we need a motion to hold it. No, we'll just continue it to the next Agenda. Thank you, Member Skancke. And that completes Agenda Item No. 10. We've already acted on Agenda Item No. 11. We'll move to Agenda Item No. 12, which is the Acceptance of Amendments and Administrative Modifications to the 2015-2018 STIP.

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Malfabon: Thank you, Governor. Coy Peacock will present this item to the board.

Peacock: Good morning, Governor, members of the Board. Again, my name is Coy Peacock. I'm with the Planning Division here at NDOT, and I'm here to update you on the changes and modifications to the -- or additions to the Statewide Transportation Improvement Program or STIP.

These actions are federally required by amendment and administrative modification from FHWA and FTA. Amendments are triggered when actions are taken to add or delete projects, projects are significantly changed by limit or scope, and if the costs are increased by over \$5 million or over 20 percent, whichever is greater. Those are the amendment changes.

The administrative modification changes are when a funding category is changed, a project is moved between fiscal years whether forward or backwards, and when an action is less than \$5 million or less than 20 percent, whatever one is greater. These actions take approximately a week to two weeks for the administrative modifications, and the amendments can take up to three months to actually process depending upon the timing of each action.

I would like to mention as a part of Attachment B, which is the administrative modifications, the NEON funding has been updated through this action to ensure that it complied with the presentation that was brought forth earlier today. And at this time, if there's any questions, anything that I might be able to answer about the list, I'd be more than happy to do that.

Sandoval: Thank you. Any questions from Board members? Member Savage.

Savage: Thank you, Governor. Just one question. On the Washoe County RTC amendment for the I-580 road rehab and seismic retrofit for Washoe Valley, when is that scheduled to go out for bid?

Peacock: John? I know it's coming up very soon. It's coming up this summer.

Savage: So when you said three months to -- earlier in your original opening, you had said it could take three to four months for the actual process to be completed. I didn't want this to delay the construction project was my agenda there.

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- Peacock: These actions actually already have been completed. They've been approved through FHWA and FTA where applicable. So this action has already taken place. We're ready to move forward with this project as we go. We're bringing this to you to update you on what actions we have taken. As the Governor's designee, Rudy signs all of the actions that we process throughout the two-month period of time, and then we bring them to present to you to let you know what we've been doing.
- Savage: Okay. So the answer is it won't delay the project.
- Peacock: Will not delay at all. All of these actions have taken place.
- Savage: Thank you very much. Thank you, Governor.
- Sandoval: Any other questions or comments from Board members? If there are none, the Chair will accept a motion to accept the amendments and administrative modifications to the 2015-2018 STIP.
- Skanche: So moved.
- Sandoval: Member Skanche has moved. Is there a second?
- Hutchison: Second.
- Sandoval: Give that to Lieutenant Governor. Second by Lieutenant Governor. Any questions or discussion? All in favor say aye.
- Group: Aye.
- Sandoval: Opposed no? The motion passes. Thank you. So we'll move on to Agenda Item 13, Briefing on Pedestrian Safety Efforts and List of Potential Safety Needs.
- Malfabon: And we'll do this quickly, Governor. Next slide, please. And P.D. Kaiser, our assistant chief safety engineer, is going to help us out on this. So I wanted to mention that I was able to participate last week on a pedestrian safety media event in Southern Nevada. There you see the mayor of Henderson, Mayor Hafen, Mayor Pro Tem Stavros Anthony from City of Las Vegas. You have RTC Chair and Clark County Commissioner Larry Brown, as well as the assistant -- or the deputy police chief for Henderson,

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and Aaron Brayne from the Safe Community Partnerships Vulnerable Road Users Group that really does a lot of effort on improving pedestrian safety.

But it was to highlight the fact that Mayor Hafen did accept a challenge from USDOT Secretary Foxx to participate in pedestrian safety mayor's challenge, and also to highlight the fact that the RTC and its member agencies are going to take the zero fatalities pedestrian safety advertisements and kind of do some media buy for that. Next slide.

We're going to provide an update. Good news on the North Virginia traffic signal status. Also, great news on Fortune Drive. I want to make the point that P.D. Kaiser was able to get and then provide information about some information that's going to be a little bit more recent than what you have in your Board packet on that Fortune Drive signal. And give you an update on pedestrian safety projects, how we're going to do better at implementing road safety assessment and pedestrian safety assessment recommendations, and a quick update on the zero fatalities pedestrian safety portion of Zero Fatalities ad campaign. P.D.

Kaiser:

Okay. P.D. Kaiser. I'm with the Traffic Safety -- NDOT Traffic Safety Division. So what we're showing here is this is the -- here we go. Okay. This is the Bonanza Casino. This is the intersection in question where we've had the pedestrian crashes in the past. So what we're showing here is the temporary arrangement for the traffic signal. The yellow lines are just the mast arms that will be put in place. The red line is a temporary concrete barrier rail, because this opening here is about 60-70 feet wide, which is not really good for a driveway. So we're just going to squeeze it down, and what it will also do is provide some protection for this signal pole here. We're using some signal poles from City of Reno, and it will -- for all practical purposes, it will look like a permanent traffic signal.

We will come in later and there will be some geometric adjustments here, curb, and gutter, sidewalk and so forth. We do plan to also straighten out the crosswalk here to make it a little shorter crossing distance. And these will have pedestrian buttons so they can push to get the signal to change. Any questions on this project at this point?

Sandoval:

That decrease in the size of that driveway, that doesn't cause any issues with the business that's there, does it?

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- Kaiser: No, it should not.
- Sandoval: Okay.
- Kaiser: No, it'll be more like a normal driveway, more like what's over here.
- Sandoval: Okay. Member Savage.
- Savage: Thank you, Governor. Mr. Kaiser, just briefly, a timeline on the permanent signal and who is designing -- I know we approved earlier the three consultants. And when do you plan on engaging a permanent consultant for the permanent signal and what would be the timeline of construction on that...
- Kaiser: The...
- Savage: ...signal?
- Kaiser: The permanent design will actually be done in-house, and that's already underway...
- Savage: Okay.
- Kaiser: ...with the Traffic Operations staff. As far as the timeline, it probably will be later this year. We're hoping to have the temporary ready to go out to bid around -- towards about the end of April. And so, the permanent will probably follow that by a few months in order to, you know, because there's some utility issues and things that they're trying to get resolved. And there may also be some right-of-way issues, as well, with the curb, and gutter, sidewalk, and locations, and poles, and that sort of thing. So we're hopefully -- it shouldn't take too much longer, but the temporary we can do right away because there is available equipment for that, whereas with the permanent we may have to order new equipment. May end up with some different size mast arms and that sort of thing. And that's what we're -- that's what the permanent design will determine.
- Savage: And I understand the comments. I think it's just a good idea to have a roadmap and a tight timeline to ensure this Board and the state of Nevada taxpayer a timely completion. And that's all I'm looking for, Mr. Kaiser. So if you could possibly get back to me with a timeline, I'd appreciate that.

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Kaiser:

Yes, we'll have a follow-up presentation for you, probably a little later on at one of the other Board meetings for that. Any other questions? Okay. Fortune Drive, this is US 50 at Fortune Drive out just east of downtown Dayton, just out past the -- where the Smith's Grocery Store or Shopping Center area is. We're had some conversations with the developer at that area that owns the property, at the northwest corner of Fortune Drive. And basically, he has all of the equipment ready to install this signal. He's had it in storage for some time. This was, basically, an agreement that was made several years ago, when there was a proposed development at that location.

And so, when you go out there today, the signal poles are actually already in place. They just don't have the arms on them, they do have the streetlights on them. And so, all that equipment actually is available and the developer has agreed -- actually, has paid for all that and will also pay for the installation of the remaining equipment at that location. So he indicated that they should be able to, once a permit is issued by NDOT for the rest of the installation, he'll get with his subcontractor and they'll arrange to come out and get the equipment in and get the signal operational. So it will also provide a little safer access-egress for the fire department, the fire station close to this intersection, as well as the school buses that must traverse this intersection to get up to the -- I think it's the Central School. So it'll definitely improve that situation.

There's also some other improvements that NDOT is working on in the vicinity of the Smith's -- the access to the Smith's Store and surrounding businesses. There will be some raised medians and some channelizing islands to control some of the movements in and out of the location. It'll kind of help spread some of that traffic out a little bit so it's not all at one location. So that's being planned for and will occur later on this year. Any questions on that location? Okay.

So in your packet there's a list of additional safety pedestrian projects. You had asked us at the last Board meeting to continue looking at locations that we felt would benefit from improvements, and so we have gone through and done some additional crash analysis. We also have input from a number of road safety audits -- or road safety assessments that were done previously, and also had received some input from some of the local agencies on locations that they were aware of. Primarily, these improvements would

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include the rapid flashing beacons that would be pedestrian activated. We would improve the street lighting at these locations. Probably 75 to 80 percent of pedestrian fatalities occur at night. And so, we feel like there's a real need to improve or really bump up the lighting that occurs at these locations. And so, we're working with our Traffic Operations folks to come up with a specification for a higher-level streetlight. And this would be the LED lights that has the bright white lights. And we also have a couple of school zones where we have flashers where we'd be upgrading those, as well.

And this is -- we're going to have a bigger list. Hopefully, we'll have more money for it but, you know, we're going to continue to put these lists together for these pedestrian improvements. And so now that the -- kind of the word is out that, you know, that we're doing this, we're getting a lot of attention from the local agencies, the counties. In fact, some of these locations were as a result of what we got from the county tours that we did earlier this year. And so we will continue to do that.

As Mr. Pittenger indicated earlier this morning, we have met with him and are taking a serious look at some of the projects that they would like to do with the safety money. We know that -- or feel like we can use of our federal safety money on some of the projects they have. So we'll continue to work with them to see what we can work out. Any question on that list of the projects that you see there?

Hutchison: Yes. Thank you very much for your presentation, all the great materials here. My question is in our packet, we've got Attachment A with the proposed pedestrian improvement locations, are those ranked in order of priority?

Kaiser: No, they're not ranked at this point. We just try to...

Hutchison: Okay.

Kaiser: ...group them altogether by jurisdiction. But you can see that some of those locations, if you look at the pedestrian crash numbers...

Hutchison: Yeah.

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- Kaiser: ...some of them have more than others. And so, you know, we're probably going to have to take a hard look at those. We still need to do some additional field reviews of these locations to just make sure that what we're proposing there is going to work...
- Hutchison: Yeah.
- Kaiser: ...and that it's going to do what we want it to do.
- Hutchison: Okay. Great. Thank you.
- Sandoval: And I wanted to follow up on that. So are these local streets, they're not state highways?
- Kaiser: Most all of them are state highways.
- Sandoval: Oh, they are? Okay.
- Kaiser: Yes. So there's a couple locations that we had looked at. One was on Jones Boulevard, which is north of Tropicana Avenue. Jones Boulevard is a state highway. Just south of that intersection there is a location where just recently we had -- there was two kids were hit, within 24 hours, at a location at a crossing. And one of them died, the other one was in pretty serious condition. Six-lane highway, 45 miles an hour speed limit. And there are -- the county actually installed flashing lights, but they flash continuously, you know, they just don't really get the attention of drivers. And so, we felt like this might be a good location to kind of go off-system and see if we can -- and, again, we're going to have to -- we would have to work with Clark County at this location to make sure that they would agree with what we would like to do there. But hopefully they would.
- Sandoval: And is part of this, I mentioned this before, but do we also -- are we going to be more aggressive in terms of striping the crosswalks so that they have the reflective piece?
- Kaiser: Yeah, I think most of these locations actually have a marked crosswalk, but they might not have maybe other than just the signs, you know, indicating the crosswalk there, there may not be anything else there. But realize on these state highways most of them are six lanes, 40,000 cars a day, 40-45 miles an hour, and there's a lot of them, you know. We're just finding the

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worst of them here right now. And so, hopefully this is the worst of them. But there's a lot of these marked crosswalks on these state highways.

Sandoval: For one of those six-laners, how much time do you get to get across, even assuming you've got the green and you've got the right-of-way, et cetera?

Kaiser: Well, with the rectangular flashing beacons, those can be adjusted to stay on for, you know, just using like, say a particular walking time, you know, what we use most of the time is three and a half feet per second, you know, to get across. So if we know it's six lanes, we're going to need the flasher to be on at least for that time period that would get them all the way across. If we're at a location where there's, you know, senior citizens or those folks getting off of a bus to get across, you know, we may have to use, you know, a slower walking time like a three-feet-per-second walking time, just to give them enough room to...

Sandoval: No, and I just...

Kaiser: ...get across.

Sandoval: ...you know, that image will never go away from me, the one where the gentleman had made it two-thirds of the way and was hit. And I just want to make sure that there is adequate time, and we do all this, and then we don't leave enough time for someone to get across.

Kaiser: Well, I know with signalized intersections, you know, typically they would use like a three and a half second time, so they would give you a certain amount of walk, the walking man symbol and then it would start to flash to get you the rest of the way across the roadway. So I think most of the signalized intersections have those standards pretty much up to date. I know when we do these road safety assessments at signalized intersections that's one of the things we always ask the locals is to go back and check your timing to make sure you are given adequate time to get, you know, the pedestrians across the road.

Sandoval: Thank you, Governor.

Kaiser: Any other questions?

Hutchison: Just a quick follow up.

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- Kaiser: Okay.
- Hutchison: It seems that we could come up with some form of criteria for ranking these improvement locations. And it just seems logically that you could take a look at just how many injuries there are, how many deaths there are. Is there other criteria that you would use besides just sort of looking at this? I mean, if we were to rank the top five, it seems like we could do that right now; or is there something I'm missing?
- Kaiser: No, we still need to go out and we still need to look at it. We still need to get some sense of how many people are crossing there. Is it at a school, I mean are we talking about kids, you know, school-aged kids crossing. you know? So we still need to get some additional information on those types of (inaudible).
- Hutchison: You've got, you know, at Nellis and Cedar Avenue you've got 12 pedestrian crashes, 1 fatality, 13 injuries. Is that -- I mean that's got to be somewhere to the top.
- Kaiser: And there's -- well, I would say it's very close to the top, if not at the top. And that's one that actually has a school zone. It's within a school zone, you know, with the flashing lights you go to 20 miles an hour.
- Hutchison: So what do you do then? I mean, what do you do when it's in a school zone and they're still not slowing down? I mean there's obviously a problem there, right?
- Kaiser: Well, it is a problem, you know. Again, it's another one of those six-lane arterial, you know, 40,000-50,000 cars a day, you know, they're going 40 miles an hour plus. There needs to be something additional there to get the drivers' awareness that they need to cross.
- Hutchison: Like a stoplight?
- Kaiser: You know, at this point I think we felt like we could -- if we could at least get the rectangular flashing beacons, put them actually over the roadway, not over on the side, you know, that it's going to really get the driver's attention and that would, I think, would help quite a bit.
- Hutchison: Thank you.

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Kaiser:

Okay. The next item I wanted to talk about is the -- tracking the road safety assessment recommendations that come out of the road safety assessment program. What we're going to do is we do actually already have, you know, consultants on board on an on-call basis. And we will select one of those consultants and develop a way to track all of these recommendations. We've probably done 150-plus road safety assessments, and there's probably 25 to 35 recommendations in each one of those.

And so what we want to do is start tracking those better, keep track of them, you know, develop a system to do that. What we would do then, is we kind of put these in a priority, each of the recommendations. If it's what we call a number one priority, that's something that can be done quickly; so that would be done by district maintenance forces. If it's a higher priority then we would then have to either find a project or if there's a project planned there, try to include them in that project, or if there's not a project, or if it's a bigger item, we would have to fund it from a separate source, like what we've done with these other pedestrian improvements. So we'll be getting that underway here shortly, and hopefully have a better handle on all of these recommendations that are coming out of the road safety assessments.

A lot of them have been addressed, so I don't want to make it seem like we're doing all this work and this stuff is just sitting on the shelf. A lot of these recommendations are being addressed, either by the maintenance forces or with projects that -- because we -- primarily, the road safety assessment is done on a stretch of road that's been identified as a poor project, like a 3R project or whatever. So a lot of them are being addressed. But there are some, where they don't fit in to that particular project, so we're going to have to kind of weed those out and figure out how we're going to address those.

Zero Fatalities program, I'm sure everybody's aware of that. What we've done, from a pedestrian standpoint, is we've got -- I'm sure you've seen a number of the public outreach programs, whether it's on the billboards, or on radio, or TV. These are, kind of, done on a seasonal basis but, you know, we are continuing to try to develop it. In fact, there's a pedestrian safety one that's playing right now on the radio. You may have heard about it. It's, you know, it's everybody's responsibility, not just the pedestrian, not just the

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driver, it's a shared responsibility. So very good program, very good information for that.

The next one is kind of a -- what we do, we have a consultant that helps us develop the public outreach program. And so what they do on an annual basis is they go out and do surveys and they survey the public, you know, on how much aware they are of all these different programs. So these numbers are based on the numbers from 2012 to 2014. And so, as you can see with the pedestrian safety program, the awareness is starting to increase. Actually, they're all increasing which is a good thing. And so, you know, we will continue to track that as we continue the public outreach program.

Sandoval: How do you ask that question? I mean, to me it should be stop on red.

Kaiser: There's a whole science to that that I'm not that much really aware of. But they try to do it in a way, you know, that they can get as unbiased an answer as they can. And I heard them talk about it, but I, you know, that's outside my engineering rein.

Sandoval: And do we incorporate all of these things into the driver test over at DMV, so at least there's that piece that (inaudible)?

Kaiser: I would like to say yes, but I would stop short of saying that.

Sandoval: Okay.

Kaiser: I'm not sure...

Sandoval: That'll be a conversation for another day.

Kaiser: Yeah.

Sandoval: Yeah.

Kaiser: That's a good question, though. Very good question. This is a couple of our -- the boards that we -- billboards that we have. I'm sure everyone's seen that or seen some of the TV ads. I do have to kind of wrap up, there is one of the TV ads that we wanted to show real quickly, if you'll bear with me a minute and do that.

(TV ad begins)

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"Last year, more than 70 people died while crossing the street in Nevada. Don't become part of the precession. Make smart choices when you're walking and cross the road safely."

Kaiser: Okay.

(TV ad begins again)

"Last year, more than 70 people died while crossing the street in Nevada. Don't become part of the precession. Make smart choices when you're walking and cross the road safely."

Kaiser: So that's just one of many that we show and we are always looking at different ways to get that message out to folks. Unfortunately, we're kind of in an epidemic situation with pedestrian fatalities right now. I think we're up to about 12, and I know -- or maybe more than that. But I think in the Las Vegas area it was 12, and the same time last year there was only 4. So it's just, you know, it's just crazy that these things are happening. But, yeah, hopefully with the program that we've got, we can start to address some of that. Any other questions?

Sandoval: Any questions? Thank you.

Malfabon: Governor, for the next item, No. 14, a briefing will be provided to the Board on the Trans-Sierra Transportation Plan by Tahoe Transportation District.

Hasty: Good afternoon, Governor, members. I'm Carl Hasty. I'm the district manager for the Tahoe Transportation District. Sometimes it's a good idea to try to live up to my last name, and so I think I'm going to do that today. I'm actually going to forego the slides and instead direct your attention to the plan that is in your packet that's attached to the staff summary, because I think that's what we really want to focus on anyway.

I appreciate the opportunity and time to present this before you today. This is a piece of work that we've been leading and have prepared in conjunction with a number of other entities surrounding Lake Tahoe. In this case, that's 11 counties. So six on the California side and five on the Nevada side. The three MPOs from the north have been participating in this and that's Tahoe, that's Carson and that is Washoe, and then the counties of Douglas, Storey

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and Lyon have also participated in this. And on the California side, it's Sierra, Placer, Nevada, Eldorado and Medora and Alpine counties.

The reason we did this was, our experience at Tahoe in looking at the types of issues that face us both in terms of funding, as well as some of the other challenges. And the importance of transportation when it comes to a tourist economy, and when it comes to freight and everything else, that's very important to the quality of life. For us, we've found that our Tahoe experience has been one of collaboration, gains us more than one of trying to compete, which is typically the game. And the reality is in the competition you can end up winning, usually short-term, but the long-term you're not going to if you aren't working together.

And, Governor, if you recall from your time when you sat on the TRPA Board and we brought the environmental improvement program together, that really was about everyone coming together, leveraging each other and trying to cooperate. So that's the experience of which we've based this. The other thing that we recognize in repairing this plan is that we in the transportation community don't necessarily do a good job and understand real well how to explain transportation and what it means to the public and to the people. We don't even necessarily know that amongst ourselves real well, so we've been all in this room working for the last year or more, on really working together better and educating ourselves about what are our collective needs and what does it mean.

So this plan is an attempt then, and you'll see in the way that it's written, it's written for the every-day person. This is not full of jargon. This is not a transportation report in the typical sense. It is very graphic in nature in order to understand and explain our part of the region, what it is that we have in common, how the realities of California, and Nevada, and this part really are tied together economically, as well as the large federal land ownership, and again back to tourism, et cetera. And so, interesting things we learned in doing this that we did not know before was, for example, that we have 14 million visits a year in this area. You know, that's a significant factor, especially when you look at a federal lands program in transportation, because that now is comparable to the biggest in the federal system, which is the combination of Great Smoky National Park and the Blue Ridge Parkway system.

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We've not know that before. This is something for us to be talking about with our federal friends and in Washington about the types of resources that are or are not here. For an area like this, when you look at how important tourism is to this locale. Not to mention, as I said, freight when you're dealing with things now that Tesla and some of these other companies that are here, because really this part of the country's economy is tied closely together with the Bay area and that whole drive-up market area from the Bay area on.

So some good work came out of this. We added up everyone's RTPs out of those 11 counties. That's \$35 billion of investment that is proposed when it comes to the transportation system. And that's everything and we need everything. To the point today, about transit, you know, we have three different networks when it comes to the transportation system. We have the bike pedestrian network, we have the transit network and we have the road highway network. We need it all. And a good transportation system should be integrated in that way. It's important for our quality of life, it's important for our economic development and for areas like ours especially, but I think everywhere it's important for the environment.

Out of that \$35 billion there's an optimistic view that there's going to be about \$19 billion of revenue available. That is if federal funding and state funding stay at current levels. That's becoming more challenging every day, when you look at these 20-year plans. It leaves a shortfall of \$15.9, about \$16 billion. So what we did in this plan then, which is also not typical, is we did a business case analysis. This is the document you don't have in yours. This is full of jargon. This is full of technical stuff. But it does a nice job of looking at what is the whole and what is it for each county -- excuse me -- in terms of economic return if you made that full investment.

So the incremental investment, for example, of the \$16 billion would translate into \$18 billion just in user benefits, meaning to your vehicles and everything else, which gives you a return of a \$1.20 for every dollar on that alone, as well as another \$29.9 billion in economic output, and a creation of 10,000 long-term well-paying jobs. Just with that incremental increase. One of the things we also saw in this is that incremental increase is not diminishing. It's actually additive to that full \$19 billion if you were to do it. That's a really important thing for us to be communicating and to

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understanding with the public, because what we're seeing more and more around the country and you are familiar with this, you know, this is what we're having to do locally, in order to get a little more attention at the state level, and at the federal level.

In California, that's as much as 70 percent of transportation budgets. In communities like Southern California now are all coming out of local sources. In Nevada, I think with our bigger MPOs, we're at the 50 percent mark or greater with indexing and the like. So that is a trend that is not going away. So locally, we need to be active, like we're discussing with Douglas County right now about them enacting what legislature has authorized them to do, because if a local entity isn't doing it you're not going to be as competitive in trying to get the discretionary monies or match, because there is no hundred percent money coming from anywhere anymore.

And so this is our effort then of really starting to pull groups together, look more of what we have in common and how we can start working together because our transportation systems do need to connect. Our trail systems do need to connect. It's important to communities and the quality of life. There are important investments to be made here and an important case for making those investments; and there's an important story overall for the future of the area. So with that, that's really what we wanted to bring to your attention. You'll be hearing more about this, because we're going to do all we can to get it out and around. We are scheduling the similar kind of presentation with your counterparts in California at the California Transportation Commission, so that we can have those conversations on that side of the hill. And we look forward to moving forward on this. So thank you.

Sandoval: Thank you, Mr. Hasty. Questions from Board members? So what happens next?

Hasty: One of the things that have come out of this already, that we've been discussing with both the California and Nevada side, is this articulation. And looking into the federal lands program and what it can mean for our area, especially with reauthorization of the transportation bill coming on play, to illustrate some of the discussion about how to pay for it. The Director was speaking to this a moment ago, but some of the discussion has been in actually potentially cutting that lands program, you know, reducing

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the amount of money. That would have a very negative impact in areas like ours. So there are other efforts underway. Placer County, for example, is looking to become what's called a self-help county in California. They are targeting a 2016 election cycle, and they're working very hard at that. We're going to assist them with that. This type of information will assist them in communicating to the voters what they're doing.

Sandoval: What does that mean, a self-help county?

Hasty: In California, this has been -- local jurisdictions got tired of waiting around for the state, and got tired of waiting around for the federal government. Their transportation needs were acute. So they went to the efforts of even getting super majority support for instituting sales tax initiatives. And that's why I say this is what has given Southern California as much as 70 percent of their massive transportation budget, is all locally driven. Bay area has done the same. Sacramento has done the same. San Diego has done the same. And so you have self-help counties and you have what they call themselves aspiring counties. And Placer County is aspiring to become a self-help county and pass a sales tax initiative that will give them substantial investment dollars to leverage everything else and address their needs.

Sandoval: Mr. Lieutenant Governor.

Hutchison: Thank you, Governor. Just a quick follow up in terms of just informing me on the coalition. How long has the coalition been around?

Hasty: Just last couple of years. It's an ad hoc group and that's what we proposed it to be. It's what we've found to be most successful as, you know, again, focusing on common interests and...

Hutchison: Right.

Hasty: ...common circumstance, where can we work together.

Hutchison: And in Nevada, do you anticipate that you'll be the voice of advocacy, the voice of just information? Will you be making any asks of local governments, state governments, federal governments? Do you plan to lobby?

Hasty: I think I can turn into answer is yes to all of those things.

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- Hutchison: Okay. So just kind of -- it's in the early stages of what you're becoming and you're advocating in terms of what the needs are for the region and you may very well be involved directly then with (inaudible).
- Hasty: That is correct.
- Hutchison: I mean asks.
- Hasty: Yeah. And one of the premises there, is that if it isn't coming out of the transportation community who know it best, then where is it going to come from? I mean, the education community is going a fantastic job of lending out the needs for education. The needs are there for transportation. So this is part of where we're headed in terms of bringing that kind of education and knowledge forward so that we can all start to address what we need to address.
- Hutchison: Well, thank you very much and best of luck to you.
- Hasty: My pleasure. Thank you.
- Sandoval: We have a couple more questions, Mr. Hasty.
- Hasty: I'm being too hasty.
- Sandoval: The Controller and then...
- Knecht: Thank you, Governor and Mr. Hasty. Page 26, toward the bottom there, the second to last bullet says "Reducing vehicle operating costs, saving an estimating \$9.9 billion through 2035." Give me some feeling for what that means. Is this reducing costs for new vehicles that would be coming through or -- how did you get to a number like that?
- Hasty: Well, I'll give it a shot here, then if I get in trouble I would like to acknowledge Mr. Derek Morris over here, who's with Morris Consulting CH2, who produced this report for us. But, you know, bad roads lead to more repairs. It's costlier in terms of impact to your vehicle and we then, as motor vehicle operators, are spending more money. If you have a better running transportation system, then you're not spending as much dollars. And so, just from a kind of conservative perspective of capturing what those costs are, and you're offsetting those because you're not having to spend

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them as much, then that is where those dollar figures start to add up to when you look at it accumulatively.

Knecht: Fair enough. But those kinds of dollars don't translate into employment or money in anybody's pocket that they could spend. It's a savings of what they would have incurred if you didn't do this.

Hasty: Right. And another way of looking at that is if you were taking that money instead and investing in the transportation system, you're spending it anyway, but you're now putting it into your transportation system as opposed to maybe your mechanic. I think the average, if I recall correctly, is you're looking at an average of about \$667 a year in terms of those vehicle-operating costs. And cumulatively that adds up quickly.

Knecht: Thank you. And thank you, Governor.

Sandoval: Thank you. Mr. Skancke.

Skancke: Thank you, Governor. Carl, this is something this region has needed for a number of years, so well done on putting this together. And it was very informative. I wish we had all the money in the bank to fund all these projects, because that region needs a lot of improvement and I think that by doing this brings a level of awareness to all levels of government. I just wanted to point out, Governor, on self-help counties just real quickly. Most every state west of the Mississippi River, are self-help counties. So most states or local governments have initiated a sales tax or a fuel tax indexing to cover the shortfall from state fuel tax revenues of the federal government. So it's a west coast thing. The east coast hasn't implemented this yet because they get the majority of federal funding. And so there is definite split at the Mississippi River.

With the fuel tax indexing initiatives that have happened in Washoe County and Clark County, you take a look at what's happened in Orange County, and San Bernardino County, and Riverside County. Those initiatives -- those sales tax initiatives have passed 5 to 10 years before expiration with 80 percent of the vote, because there's accountability in the program. And almost every county in the state of California has adopted that referendum-type funding. And there's a lot of accountability in the program. And so, when you deal with self-help counties, all of those projects and all of the

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funding are dedicated to specific projects, and you see specific outcomes and performance. In self-help counties, it works. It's a phenomenal way of funding transportation infrastructure, because as you've heard me say before it's not coming from the federal government. So it tends to be a west coast attitude, or western U.S. attitude, because we're at a competitive disadvantage with the east coast. So thank you.

Sandoval: Member Savage.

Savage: Thank you, Governor, just briefly. Mr. Hasty, thank you for your presentation. The numbers to me are just overwhelming to say the least. And what obligation we might be looking towards the Department or individual counties, I know there's a lot of questions out there and I don't expect the answers today. But the numbers on Page 28, of the \$35 billion, do you have the substantiation for those numbers?

Hasty: These numbers come -- we did not replicate anything here except aggregate everyone's 20-year transportation plan. So that's really where the -- that's the basis for the numbers. And, you know, I think what becomes rather shocking is the fact that we're not used to seeing kind of the cumulative, but a transportation system is not an inexpensive thing. You know, this is serious infrastructure development, as well as maintenance. And when you look at states like Utah, who have been under a unified plan for some years, and they aggregate all that up, they have a \$54 billion target over a 20-year period. Of which they have very earnestly gone after the revenues, and have established most of those and are procuring through their public with the last \$11 billion now. So they've been on a very serious investment track there, and I think this is the type of thing that we're all left on our own typically. And this is when we start pulling it together like this is when you start looking at, well, what other opportunities are there because it can be a big burden. But there are also ways of starting to look at and go, all right, how do we get, you know, what's really (inaudible).

Utah was looking at a \$70 billion piece. They targeted \$54 (billion) out of that. So then I think what the opportunities are within plans like that, and those get updated every four years, so we're all -- most of us are going through an update process right now.

Savage: And where do the feds stand on this?

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- Hasty: Well, the feds, you know, if you're a metropolitan planning organization then you are basically -- you're programming your anticipated federal money in that, along with everything else to get it. So you'll end up with what's called a constrained list and an unconstrained list. Constrained meaning you think you have a reasonable chance of funding. Unconstrained is like, I don't know where the money is coming from, but here's the need. And so that's what the plans typically will address and this is how you've programmed in your federal money and you start to see where that's going to go or not. And they'll review it. They'll approve the plans. It doesn't mean you're going to get the dollars. And then, some MPOs have the formula monies coming, and then there's discretionary monies, et cetera, et cetera. There's working with the Director and the NDOT staff and how you're going to get things done.
- Savage: So I guess my concern is fiscal responsibility of being able to afford the house or the new car. And I know this is looking down the road, but are you looking at NDOT down the road to subsidize some of this funding?
- Hasty: I think there's a role here for the state that fits within the state's needs, if you start looking at where does the state need to go. Locally, as I just mentioned, it's really important and that's the trend, and we're seeing that happen here. Washoe has done it; Southern Nevada has done it. I know other local jurisdictions are looking to do it. Nevada is poised here for, you know, the statewide ballot-type of stuff for indexing the gas tax. Indexing the gas tax is a great step forward. It won't take care of everything, but it starts to fill the gap. And those are the types of things that are going to be needed; or we won't have these things. So, you know, there is a cost to doing nothing, as well, and that's kind of the -- needs to be part of the dialogue.
- Savage: And, again, I commend you for -- to being innovative. And Lake Tahoe, the Sierras, I mean that's why we all live here, is the beauty and what it has and we have to protect that. But I guess looking forward, we'll look to see how everything is funded and...
- Hasty: That's correct. And that's -- you're right.
- Savage: ...how the dollars come about. So I thank you for your presentation. Thank you, Governor.

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Hasty: All right. Thank you.

Skancke: Can I just add one comment?

Sandoval: Member Skancke.

Skancke: Thank you, Governor. Just -- Len, you gave me a thought here. So did you, Carl. You know, Utah went through a process many years ago to create their unified plan. And, you know, those of us in the transportation world love to look at Utah, because they've been leaders on lots of innovative ways of doing things. But maybe this is our opportunity here in Nevada to do our own unified plan, to really come up with a long-term strategic vision for where we want transportation infrastructure to be. I would suggest we tie that to economic development, but we could maybe take some of those research dollars that are going to the universities and find a faculty member to help us create that.

And I know that UDOT worked with the University of Utah and they worked with BYU to actually create this unified plan. And this may be a unique time for us to do that, Governor, to create a whole statewide vision. We've gotten kind of hodge-podge of different directions, but this would be a good exercise, I think, for our state at this juncture, to tie it to all the things we're doing in economic development. And start prioritizing around things like this that we don't have their plan and their plan and their plan, but we have one Nevada plan that takes the state in one direction. That unified plan in Utah has been very, very successful. It's the gospel. And I'll tell you what, not many people leave the book. People stay on message with the book.

Malfabon: And, Governor, that's something that I want to give Carl and the folks from Tahoe that he represents some credit, because we've embarked on that now. It is starting out with at least identifying as the four metropolitan planning organizations and NDOT, what are all these needs out there. So we've started the process. It's not as fully developed as the unified plan that you see in Utah, but we started that process and we're going to craft that and kind of use that same template for crafting what the needs are in Nevada. We've got kind of a short brochure that we put together through Carl's efforts that everybody -- the four MPOs and NDOT participated in. So

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we've embarked down this path and we're going to continue working on that unified plan.

Sandoval: Thank you.

Hasty: Thank you.

Malfabon: And Reid Kaiser -- and I want to mention that Kaiser means hasty in German. So he will cover this very quickly. Just an update on the Construction Working Group.

R. Kaiser: I've got about 40 slides here I want to go over. No, I'll be brief. Reid Kaiser, Assistant Director for Operations. And I just want to give a brief update on what we've covered and where we're going with the Construction Working Group.

The Construction Working Group here in Nevada is just an extension of the Transportation Board. It was formed a couple years ago to kind of get into the weeds at some of our construction operations and things like that. Some of the things that we have looked at -- well, I'll just go on here. Some of the things we've looked at these last couple of years, we've looked at our construction field op activities. We've looked at project closeout, the DBE program, partnering. We've talked about dialogue with industry and claims. And some of the items that we've talked about on those items is we've allowed the Construction Working Group to get into a lot of our details.

A good example is project closeout. We kind of struggled with that the last few years. That's really kind of made it their focus is to get into contract closeout, look at our operations to see if anything we can do to get some of our projects closed out quickly. So we've actually improved in the last about three or four years. We've essentially doubled the number of projects we've closed out in the last few years. In 2014, we closed out 27 projects. 14 contractors were represented in those closeouts.

Some of our future topics that we'll talking about is contractor prequalification. We have recently implemented electronic documentation through the Construction Division with the resident engineers or our field project managers. We'll continue to get into that. We are redoing our partnering requirements on our construction contracts. We'll continue to update the CWG on that. We're also updating the group on our DBE

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program. We have numerous training classes for our project managers that we'll be going over. And the last item is any item that comes up to the group or might come up at a Transportation Board meeting we'll add to the CWG agenda and dive into that item. And that's pretty much what I had. Do you guys have any questions on anything in the packet, or anything I mentioned?

Sandoval: I'm going to go to Member Savage, who chairs the group and personally want to thank you because that's a substantial commitment to work on this. And, you know, given -- the one slide that really jumped out to me was that the 27 contracts closed, 19 or 70 percent of them are completed under budget. And, you know, some of the others were over budget, we're closing them out and we're not in this protracted litigation, and mediation, and all those things. So this group has really been beneficial to the state of Nevada and to this Department. So thank you, Member Savage.

R. Kaiser: One thing I really appreciate about the CWG is, you know, Len and Frank, they've been through the construction for many years and, you know, the more times -- and don't take this personal -- the more times you get attorneys involved, the more costly, the longer it goes.

Sandoval: Yeah, you're not getting any argument here. No, but that's the value of these two individuals on this Board, is they are real contractors who are working in the real world and have real-world perspectives. And it's just invaluable to this process. So, Frank, I also want to thank you, as well, for your hard work and commitment.

Martin: Thank you, sir.

Savage: Thank you, Governor. Appreciate the kind words, and it's a pleasure to serve on the Construction Working Group. I know that since the inception in 2011, we've made some good progress. And I'm very thankful for all the individuals that have been involved, but our work is not over. We know that. And I want to personally thank Member Martin, as the Governor just did, for his invaluable contribution to the Construction Group. The vast wealth of knowledge and experience is invaluable, and it's very practical and realistic in today's world. And we need that. We need realistic contractors. And we welcome the new Controller at this afternoon's meeting. There's no

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lunch. I know we have to move fast on this one. So everybody else gets to eat first. But I do welcome you, Controller.

And lastly, I'd just like to thank the NDOT administration, the construction office, the engineering, the district engineers, the resident engineers and the outside consultants, along with the FHWA, for their cooperation and detail for our construction department. And lastly, I want to thank the contractors and the vendors. These outside contractors and vendors, who deliver the projects on time, and in budget, and without claims. I think those contractors. They're a big part of our success. Thank you, Governor, and I thank you, Board.

Sandoval: Thank you again, Member Savage. Anything else?

R. Kaiser: No, that's all I have.

Sandoval: That was hasty.

R. Kaiser: Yeah.

Malfabon: Very good. Moving on to Item No. 16, Old Business. We have the Report of Outside Counsel Cost on Open Matters and the Monthly Litigation Report. Our chief counsel, Dennis Gallagher, is here to respond to any questions the Board may have on Items A and B of Item 16. Seeing none, the Fatality Report is also provided. And as P.D. Kaiser mentioned, we do have a challenge ahead of us that through the efforts of the folks at NDOT and our local partners, we're going to be working very diligently on the issue of pedestrian safety and highway traffic safety in general, to drive these numbers down.

And also provided is supplemental information. Previous Board meeting there was a question about a research agreement, and what was involved in that. So the Taking Bridge Innovation Into the Field was the title, and that kind of did not describe very well what is actually being performed as research on this. So this research is to design and construct structures and bridges in Nevada that will withstand the earthquake forces, seismic forces. So the outcomes could be design guidelines, changes to specifications for construction and materials. So we provided that backup information, as well, to the Board on that research project that had some previous questions. With that, that concludes that item, Governor.

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- Sandoval: Just a question on the Monthly Litigation Report. Do we have a column for the total amount that we're spending?
- Gallagher: Governor, for the record, Dennis Gallagher. We can certainly get one.
- Sandoval: If we could add one, I'd be curious where we are on each and then the total all-in amount, as well. Okay. Mr. Lieutenant Governor.
- Hutchison: Thank you, Governor. And, Mr. Gallagher, I was just taking a look at the report and summary. It just seems that in general, almost all the outside counsel matters relate to condemnation and, you know, of some type. Is that accurate, because it looks like we're taking care of everything else towards contract disputes, personal matters. Are those all pretty much in-house, and then everything else is, you know, condemnation and inverse condemnation for outside counsel?
- Gallagher: For the record, Dennis Gallagher. That's a correct assessment. There are some matters, for example, you will note the personal injury.
- Hutchison: Right.
- Gallagher: No outside counsel. There are situations where the lawsuit arises from a construction project, so we will tender it to the contractor's insurance company, but we represent the Department throughout the litigation.
- Hutchison: Okay. And you -- have you been with the Attorney General's Office for quite a while?
- Gallagher: Four years.
- Hutchison: Four years? Do you know, historically, have more condemnation cases been in-house or have they traditionally been outsourced because of the nature of the work?
- Gallagher: I will make some inquiry on that. I know there were a couple of projects where the entire projects were basically, handed off...
- Hutchison: Okay.
- Gallagher: ...to an outside law firm with little or no involvement with the Attorney General's Office.

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Malfabon: And looking back at the last large project that had a lot of eminent domain, it was US 95 widening.

Hutchison: Yeah.

Malfabon: Some on State Route 160 widening. And both of those big projects we used outside counsel for eminent domain.

Hutchison: And is that largely because those eminent domain cases, you know, they tend to be project specific. And so, I guess -- I mean, I'm trying to think of maybe just in terms of why you would use maybe more outside counsel there if you just grew the in-house counsel staff or the Attorney General, then when those projects go away you've still got all these excess individuals in the Attorney General's office. Is that the thinking?

Malfabon: Yes, Mr. Lieutenant Governor. That is mainly because of capacity constraints and the deputy attorney generals assigned to the Department, and they work on several things in-house as you had noticed.

Hutchison: Yeah.

Malfabon: So it's -- even when you have outside counsel hired, you have to have an in-house DAG to manage...

Hutchison: Sure.

Malfabon: ...them and give guidance and direction to them.

Hutchison: Yeah.

Malfabon: But it is a capacity issue, and when you have so many parcels to acquire on a project such as Project NEON, for example, then it does require some outside additional efforts from outside counsel.

Hutchison: All right. Great.

Gallagher: Lieutenant Governor, if I may add to that. Part of my view of the outside counsel, in these cases, it's just part of the project cost, just like additional engineering is required or any other type of additional services. And we're now programming that as part of the project cost, and many times now it's eligible for federal reimbursement.

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- Hutchison: Is there someone in-house at that Attorney General's office who's just absolute expert on condemnation? In other words -- is that you, Mr. Gallagher?
- Gallagher: I would not venture that at all, Lieutenant Governor.
- Malfabon: It is a very specialized area of practice. And...
- Hutchison: It is.
- Malfabon: ...I think that the people that have the most expertise are the ones that are assigned to NDOT. I wouldn't know if you would say that they're expert, but they're definitely getting a lot of experience in it.
- Gallagher: There are a couple of deputies in my division that have been practicing eminent domain law for a good number of years. And I would say they're well versed on that subject matter.
- Hutchison: Okay. Thank you.
- Sandoval: No, and in all seriousness, all the best ones are plaintiffs.
- Hutchison: Yeah, you're right. You're right. Yeah.
- Sandoval: It's just the reality of it. But in any event, I mean I think some of the value of this outside counsel is that Jericho Canyon case, where I think the original demand was over \$100 million and the case was resolved for \$4 million.
- Gallagher: A little over four, Governor, yes.
- Sandoval: Yeah.
- Gallagher: The original demand was for over \$100 million.
- Hutchison: Well, and what tends to happen, you know, is you take everything in-house until you lose a big case, right, and then you say let's listen, you know, to outside counsel.
- Sandoval: Don't bring that up because there's one that comes to mind and I'm not going to...
- Hutchison: All right.

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Sandoval: ...talk about it right now.

Hutchison: Thank you, Governor. All right. Let's move -- does that complete Agenda Item No. 16?

Malfabon: Yes, Governor.

Sandoval: Okay. We'll move to Agenda Item 17, Public Comment. Is there any member of the public in Carson City that would like to provide comment to the Board? Yes, sir.

Moore: Thank you, Governor. I'm Richard Moore. I'm the representative of the Southwest Concrete and Pavement Association. First, I want to thank the Department and the Board for their innovation and past action on last month's item, the Boulder City Bypass. We were very pleased with the results of that award.

My comments today, speaking to Agenda Item No. 11, which has already been discussed this morning. Mr. Mortensen made a comment during his remarks that the final RFP will be distributed in the near future, if not today. In conversations with some staff at NDOT, I've learned RFPs on these design-build projects are not public information. And I would like to just make a comment that in our opinion, from the industry's standpoint, request for proposals, we believe, should be part of public record and available to the general public, not just to the shortlist of contractors. Made several requests -- or several attempts to get that information on the website, have been unsuccessful to do so. Is there anybody that could comment on that (inaudible)?

Malfabon: Governor, I could comment on that. And I believe that our intent was, now that we have a final RFP, was to release it on the website. So this was an area that we wanted to be transparent and provide -- now, the reason it was kind of kept close to the vest was it had developed, initially, as a public-private partnership and we kept that confidential. Now, there's no reason to keep this RFP from not presenting it on the website. So we will make it available.

Moore: Will that be a general policy regarding all design-build projects?

Malfabon: Yes, for design-build. Yes.

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- Moore: Yes. USA Parkway comes to mind as a...
- Malfabon: Yes. Once they're at the final RFP stage, we'll release them.
- Moore: Right. Certainly understand the need to keep the proposals from contractors confidential. I have no problem with that. But the specifications and the requirements that the Department is putting out should be, we feel, made available to the general public.
- Malfabon: Yes.
- Moore: Thank you very much, Governor.
- Sandoval: Thank you, Mr. Moore. Any other public comment from Carson City? Public comment from Las Vegas?
- Martin: None here, sir.
- Sandoval: Thank you. Is there a motion to adjourn?
- Knecht: So moved.
- Sandoval: Moved by the Controller. Is there a second?
- Savage: Second.
- Sandoval: Second by Member Savage. All in favor say aye.
- Group: Aye.
- Sandoval: This meeting is adjourned. Thank you, ladies and gentlemen.

Secretary to Board

Preparer of Minutes



MEMORANDUM

April 6, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: April 13, 2015, Transportation Board of Directors Meeting
Item #6: 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 February 14, 2015, through March 19, 2015.

Background:

The Department contracts for services relating to the development, construction, operation and maintenance of the State's multi-modal transportation system. The attached agreements constitute all new agreements, new task orders on existing agreements, and all amendments which take the total agreement above \$300,000 during the period from February 14, 2015, through March 19, 2015.

Analysis:

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

List of Attachments:

- A) State of Nevada Department of Transportation Agreements for Approval, February 14, 2015, through March 19, 2015

Recommendation for Board Action:

Approval of all agreements listed on Attachment A

Prepared by: Administrative Services Division

Attachment

A

State of Nevada Department of Transportation
 Agreements for Approval
 February 14, 2015, to March 19, 2015

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Project Manager	Notes
1	42514	00	CARDNO TBE	SUBSURFACE UTILITY ENGINEERING (SUE) SERVICES	N	892,373.30	-	892,373.30	-	4/13/2015	10/30/2015	-	Service Provider	TERESA FOZARD	04-13-15: SUBSURFACE UTILITY ENGINEERING (SUE) SERVICES ON SR-648 (GLENDALE AVENUE) FROM KIETZKE LANE TO MCCARRAN BOULEVARD. WASHOE. NV B/L#: NV19961183039-R
2	11813	02	TELVENT DTN, LLC, DBA SCHNEIDER ELECTRIC	WEATHER FORECASTING SERVICES	N	206,956.00	206,956.00	413,912.00	-	10/1/2013	9/30/2017	4/13/2015	Service Provider	CHRISTOPHER JONCAS	AMD 2 04-13-15: PER AGREEMENT LANGUAGE, AGREEMENT CAN BE EXTENDED TWO (2) ADDITIONAL YEARS WITH SAME TERMS AND CONDITIONS AT \$103,478 PER YEAR. THIS AMENDMENT EXTENDS THE TERMINATION DATE FROM 09-30-15 TO 09-30-17 AND INCREASES AUTHORITY \$206,956.00 FROM \$206,956.00 TO \$413,912.00. AMD 1 06-05-14: ADJUST PARAGRAPH 1.2.2.8 OF THE SCOPE OF SERVICES TO REFLECT AN INCREASE FROM EIGHTY-ONE TO EIGHTY-FIVE RWIS SITES. 10-01-13: WEATHER FORECASTING SERVICES ARE NECESSARY TO SIGNIFICANTLY REDUCE THE OPERATING COSTS FOR THE MANAGEMENT OF WEATHER EVENTS, MAINTENANCE CREWS, CONSTRUCTION, AND PUBLIC SAFETY AGENCIES, STATEWIDE. NV B/L#: NV20091575607-R
3	55114	00	DIVERSIFIED CONSULTING SERVICES	CONSTRUCTION ENGINEERING AND AUGMENTATION SERVICES	Y	7,967,878.78	-	7,967,878.78	-	4/13/2015	4/30/2019	-	Service Provider	MEGAN SIZELOVE	04-13-15: NATURALLY OCCURRING ASBESTOS (NOA) MITIGATION, CONSTRUCTION ENGINEERING, AND AUGMENTATION SERVICES FOR CREW 916, US 93 BOULDER CITY BYPASS PART 1, PACKAGE 3. CLARK COUNTY. NV B/L#: NV19901019853-R

Line Item 1

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

July 2, 2014

TO: 1. Felicia Denney, Financial Management
 2. Norfa Lanuza, Project Accounting *N. Lanuza 8/7/14*
 3. Rudy Malfabon, P.E., Director

FROM: Paul Saucedo, Chief, Right-of-Way Agent *B*

SUBJECT: REQUEST TO SOLICIT S.U.E. SERVICES AND OBTAIN BUDGET APPROVAL FOR A REQUEST FOR APPROVAL (RFA)
 Project SPSR-0648(009), EA 73549, On SR-648 (Glendale Ave) from Kietzke Lane to McCarran Blvd

Due to this project being a roadbed modification, it has been determined to have Subsurface Utility Engineering (SUE) completed. The utility companies do not provide their depths so the department has to determine the utility depths by SUE information.

The scope of the work will be for horizontal locating of the utility facilities within the project limits. SUE quality designation levels of "B", "C", and "D" and vertical utility designation of SUE quality level "A".

The estimated cost for the services are \$1,034,000.00, 0% Federal-aid, 100% State funds for Fiscal Year 2014. ?

Additional attachments are required – see Financial Management Division memo June 9, 2009. (Supplemental Information for form 2A.)

Approval of this memo by the Budget Section of Financial Management Division, indicates funding authority is available for services for Budget Category 06, Object 814H, Organization C030. 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. Return this memo to the originator for inclusion in the project.

Missing report. Norfa

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

Approved: *Rudy Malfabon*
Director

Approved: *Donna Speltz 8/6/14*
Budget Section

COMMENTS: *Budget scope change must be done to project 73549 because project is programmed with \$290,000.00 STATE Funds with a balance of \$143,253.00*

Norfa
Used on-call, rapid procurement for these services so as not to delay the project. This did not allow federal eligibility for these services although construction phase will be eligible. - RV

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

March 18, 2015

TO: John Terry, Assistant Director

FROM: Teresa Fozard, Right-of-Way Agent

SUBJECT: Negotiation Summary for RFP 425-14-030
EA: 73549
Project: SPSR-0648(009)
Description: SR-648 (Glendale Ave) from Kietzke Lane to McCarran Blvd,
Reconstruct Roadway

A negotiation meeting was by conference call in Carson City on January 30, 2015, with a Cardno TBE MEMBER, Pat Patterson, Jesse Smithson, Beth Smith, Jay Martinkus, Dave Lauffer, Vic Peters and Teresa Fozard 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 Cardno TBE was reaffirmed by both parties at the outset.

Horizontal location (SUE Quality Levels "B", "C" & "D") and vertical locations (SUE Quality Level "A" on underground utilities within the project limits.

The following schedule was agreed to by both parties:

The agreed begin date is May 4, 2015. This begin date should be a firm date as long as the NTP is issued no later than April 30, 2015. The agreed end date is October 30, 2015.

Key personnel dedicated to this project are as follows:

Teresa Fozard, NDOT, Right-of-Way Agent Utilities
Rick Torrens, Cardno TBE, Sr. Project Manager

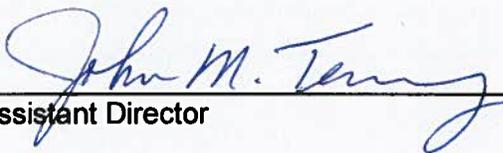
The DEPARTMENT's original estimate was \$1,034,000.00.

The Service Provider's original estimate was \$892,380.80, including: Quality Level D- Typically referred to as "records search", this level provides information that has been obtained from existing records. Quality Level C- This level adds field surveys of visible above-ground utility facilities such as valves, fire hydrants, manholes, etc., reconciled to existing utility records. Quality Level B- This level involves using surface geophysical prospecting techniques to determine the existence and horizontal position of underground utilities. Quality Level A- This level is the highest level of accuracy and generally uses vacuum excavation equipment to critical posits to determine the precise horizontal and vertical position of the underground utilities. Furthermore the SERVICE PROVIDER agrees to provide Quality Level A- for all the service laterals within the project limits.

The negotiations yielded the following:

1. There will be total of 212,000 feet of designation work in the various B, C and D Quality Levels for a total of \$220,970 which included survey and CCTV costs.
2. There will be a total of 650 test holes of "A" Quality Level, all of which will be through a hard surface (asphalt or concrete). Additionally 500 holes are estimated to take place at night, which is an additional cost of \$50,000.00. An estimated 50 feet of additional depth, beyond the typical 6.99 feet was included for test holes requiring additional depth. This charge at \$90.00 per foot total is \$4,500.00.
3. A fee of \$892,373.30 was agreed to by both parties for the work identified in the project estimate attached.
4. The direct expenses agreed to include; reproduction, communication, travel and per diem. There will be no direct compensation for computer time.

Reviewed and Approved:


Assistant Director

Line Item 2

**STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION**

MEMORANDUM

Date: March 5, 2013

TO: 1. Jaimarie Dagdagan, Budget Section
2. Norfa Lanuza, Project Accounting *NL*
3. Rudy Malfabon, P.E., Director

FROM: Anita K. Bush, P.E., Chief Maintenance and Asset Management Division *AB*

SUBJECT: REQUESTS APPROVAL TO SOLICIT FOR WEATHER FORECASTING SERVICES FOR MAINTENANCE, CONSTRUCTION AND ROAD OPERATION CENTER CREWS.

The Maintenance and Asset Management Division requests approval to issue an RFP for weather forecasting services. These services have been requested by our District Maintenance personnel and would include forecasts of route-specific weather conditions as well as pavement temperatures. These services would significantly decrease our operational costs for management of weather events. These services will be critically important during the winter months in assisting our Maintenance Crews with the analysis of roadway weather conditions. It will also benefit resurfacing and construction projects during the summer months.

This will be a two year agreement with the Department's option to amend the agreement for an additional two years. The estimated cost for these services would be \$300,000.00 for two years. If agreement is extended for additional two years, the total cost would be \$600,000.00, 100% state funds.

Scope of Work is provided in Attachment A. Hiring outside resources, justification and analysis explanation is provided along with costs estimation is provided in Attachment B.

Approval of this memo by the Budget Section of Financial Management Division indicates funding authority is available for services for Budget Category **466006**, Object **814L**, Organization **C050**. The A04 Financial Data Warehouse Budget by Organization Report No. NBDM30 is attached. however it does not cover fiscal year 2014 when the expenditures are anticipated to begin. 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 Directors Office authorizes the request to solicit services.

Approved:

Rudy Malfabon

Director

Approved:

[Signature]

Budget Section

COMMENTS:

*I assume cost will be a factor in RFP criteria
for ranking respondents. ru*

ATTACHMENT A

Scope of Work

- Provide two generalized winter forecasts per day for each of 24 geographic zones defined by NDOT for the period October 15th to April 14th and one forecast per day for the period April 15th to October 14th. Forecasts are to address conditions over the next 48 hours.
- Provide two daily forecasts of pavement conditions to include pavement temperature, moisture status (dry, moist, wet, snow, ice, frost, slush) and probability of frost for each of 120 locations defined by NDOT. Data to include hourly data for each of the next 24 hours and is to be presented in both tabular and graphical format. This forecast is only required between October 15th and April 14th.
- Provide at least two daily forecasts of weather conditions to include air temperature, dew point temperature, relative humidity, wind direction, wind speed, wind gust, precipitation type, precipitation rate, snow rate, snow accumulation, cloud cover and visibility. Data to include hourly data for each of the next 24 hours and is to be presented in both tabular and graphical format. This forecast is required every day for each of the 120 locations defined in item 2 above.
- Weather alerts will be sent via email and telephone whenever new forecast data exceed previous values by a predefined margin.
- Provide a web site with a display of National Weather Service radar site images including access to single site radar and regional mosaics covering the Western US. The State of Nevada boundaries and county lines will be displayed with an overlay of current watches, warnings and advisories pertaining to Nevada when in effect.
- Certified meteorologists will be available via a toll free telephone number to provide support to maintenance crew personnel 24 hours a day from October 15th to April 14th.
- All data from items 1 through 4 will be delivered via email to a distribution list provided by NDOT and made available on an NDOT-specific web site.

ATTACHMENT B

- 1) Justification Analysis – The Nevada Department of Transportation is soliciting proposals for **weather forecasting services** with an emphasis on developing route-specific forecasts. Department maintenance personnel rely on these forecasts to:
- Determine the best timing for cost-effective application of pre-icing and de-icing materials
 - Develop manpower requirements for snow and ice removal activities
 - Plan road construction activities
 - Coordinate routine maintenance activities

NDOT does not have any personnel with the knowledge, skills and ability to develop weather forecasts.

- 2) Budget Methodology – We used our past contracts for weather forecasting services that was first awarded in 2007 for 4 years in the amount of \$493,060. This contract was extended in 2010 for 9 months in the amount of \$120,000. That extension expired in October of 2011. In spring of 2011 an RFP for same services was advertised and a contract was awarded for a two year period at the cost of 259,000.00, this current contract is set to expire on October 1, 2013.

Using the most recent contract as being most representative of market conditions, the projected annual cost is around \$130,000.00. This amount was then increased by 15% to accommodate the increased cost of doing business anticipated under this RFP giving a total of \$600,000.00 for a four year period.

Forecast Budget:

<u>FY2014</u>	<u>FY2015</u>	<u>FY2016</u>	<u>FY2017</u>
\$150,000.00	\$150,000.00	\$150,000.00	\$150,000.00

MEMORANDUM

March 23, 2015

TO: Reid Kaiser, Assistant Director

FROM:  Chris Joncas, Project Manager

SUBJECT: Negotiation Summary for P118-13-050 Amendment 2

A negotiation meeting was held via conference call in Carson City, Nevada on January 15, 2015 with representatives from Schneider Electric (Telvent-DTN) LLC, and Chris Joncas of the Nevada Department of Transportation (DEPARTMENT) in attendance.

Article II, Paragraph 1 of the original Agreement, dated P118-13-050 states:

"The term of this Agreement shall be from the date first written above through and including October 1, 2015, the DEPARTMENT shall have the option to renew this Agreement under the same terms and conditions for Two (2) additional years. The exercise of the renewal option shall not be effective or binding upon the SERVICE PROVIDER unless and until the same has been approved by appropriate official action of the governing body of the DEPARTMENT and the SERVICE PROVIDER prior to such term expiration date."

Article IV, Paragraph 2 of the original Agreement, dated P118-13-050 states:

"The total cost of the services by the SERVICE PROVIDER shall not exceed the sum of One Hundred Three Thousand Four Hundred Seventy-Eight and No/100 United States (*sic*) Dollars (\$103,478.00) per year under this Agreement."

The Scope of Services that are to be provided by the SERVICE PROVIDER was reaffirmed by both parties at the outset. The adjustment to the Scope of Services is contained in Amendment 2, dated March 17th, 2015.

The negotiations yielded the following:

1. The termination date has been amended due to an increase in the Scope of Services to eighty-seven (87) Road Weather Information System (RWIS) sites throughout the state, the DEPARTMENT will provide camera images for the 87 RWIS sites, so the SERVICE PROVIDER can display the information on "Weather Sentry Online";
2. The DEPARTMENT will provide camera images for all forty (40) non-RWIS sites, so that the SERVICE PROVIDER can display the information on "Weather Sentry Online", these locations will be identified by Districts I, II & III;
3. The execution date referenced in the introductory paragraph of the Service Agreement, has been changed from July 31, 2013 to October 1, 2013;
4. The termination date referenced in Article II, Paragraph 1, has been changed from October 1, 2015 to September 30, 2017;
5. The cost of the agreement, based on the conditions indicated in Article IV, Paragraph 2 (referenced above) has been increased by \$103,478.00 per year, bringing the agreement total to \$413,912.00 for the four year life of the agreement. The original Form 2A, dated March 5, 2013, was approved for a total up to \$600,000.00; and
6. Flood Data will be included in the DEPARTMENT's "Weather Sentry Online" Administrator license.

Reviewed and Approved:



Assistant Director

Line Item 3

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

October 15, 2014

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

FROM: Jeff Shapiro, P.E., Chief Construction Engineer 

SUBJECT: REQUEST TO SOLICIT CONSTRUCTION CREW AUGMENTATION SERVICES FOR CREW 901 AND OBTAIN BUDGET APPROVAL FOR A REQUEST FOR PROPOSAL (RFP) *916*

Due to the need to provide construction crew augmentation support because of the workload, size, and scope of the project, the Construction Division will be contracting for the above referenced Consultant services.

The scope of service include providing Construction Augmentation services of Crew 901 for Project ID 60617 / Project No. NHP-093-1(013), US 93 Boulder City Bypass Part 1, Package 3 from Silverline to Foothills Road, CL 16.35 to 14.72. The estimated duration of this project is 730 working days.

The total estimated cost for the services are ~~\$4.01~~ ^{\$5,026,848 *msd*} million total with 95% Federal-aid and 5% State funding for Fiscal Years 2015 through 2018.

- FY 2015 – \$634,709 Fed Funding and \$33,406 State Funding
- FY 2016 – \$1,588,134 Fed Funding and \$83,586 State Funding
- FY 2017 – \$1,588,134 Fed Funding and \$83,586 State Funding
- FY 2018 – \$964,527 Fed Funding and \$50,765 State Funding

Approval of this memo by the Budget Section of Financial Management Division indicates funding authority is available for Budget Category 06, Object 814B, and Organization C040. 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 Directors Office grants authorization to proceed with the agreement.

Approved: 
Director

Approved:  10/15/14
Budget Section

COMMENTS: Budget Scope Change form must be done by Project Manager to increase project funding to cover \$5,026,848 of agreement.
Norfa.

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

RECEIVED

DEC 19 2014

FINANCIAL MANAGEMENT

MEMORANDUM

December 16, 2014

TO: 1. Donna Spelts, Budget Section
2. Norfa Lanuza, Project Accounting *Norfa Lanuza 1/6/15*
3. Rudy Malfabon, P.E., Director

FROM: Amir M. Soltani, Chief Project Management *AMS*

SUBJECT: REQUEST TO SOLICIT ~~CONSTRUCTION ADMINISTRATION~~ ^{NZ.} SERVICES AND OBTAIN BUDGET APPROVAL FOR A REQUEST FOR PROPOSAL (RFP)

Due to the discovery and presence of Naturally Occurring Asbestos (NOA) located within the US 93 Boulder City Bypass Part 1, Package 3 Project, and the stringent mitigation measures that will be placed on the Contractor, the Project Management Division would like to request approval to contract Certified Industrial Hygienist services for the Project.

The Service Provider will be comprised of a team of technical staff that specialize in asbestos mitigation and the presence of NOA. The Service Provider will be responsible for the acceptance of the Contractor's NOA Mitigation Plan (NMP) that will be submitted to the Resident Engineer (RE) for approval. It will include all actions planned as part of the work, to protect workers, visitors, and the public from potential exposure to NOA due to dust generating activities. Service Provider will monitor, report and provide recommendations to the RE on enforcement of the implementation of the Contractor's approved NMP; develop a personal exposure monitoring plan and related NOA training for Department-related staff; prepare cost estimates and cost tracking for NOA related work, equipment and supplies; and develop and manage a database for analyses of NOA data. The Scope of Services is attached.

The estimated cost for the services is \$3,000,000 (basis of estimate attached), 95% Federal-aid, 5% State allocated per the following timeline: FY2015 \$300,000; FY2016 \$1,200,000; FY2017 \$1,500,000

Approval of this memo by the Financial Management Division, Budget Section, funding authority is available for consulting services for Budget Category 06-BLDGS/IMPRV, Object 814D, Organization B015 Project Management. The A04 Financial Data Warehouse Budget by Organization Report No. NBDM30 must be attached. PM Division has adequate funds to cover these expenditures. Please return this memo to me for inclusion in the project.

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

Approved: *Rudy Malfabon*
Director

Approved: *Donna Spelts 12/29/14*
Budget Section

Requires Transportation Board Presentation

Requires IT Review

COMMENTS: *Add to Construction Administration Services RFP for this project.*

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

March 19, 2015

TO: Reid Kaiser, Assistant Director

FROM: Megan Sizelove, Project Manager DS
MS

SUBJECT: Negotiation Summary for RFP P551-14-040 Project ID 60617, US 93 Boulder City Bypass Part 1, Package 3, Construction Engineering Services for Augmentation Services for Contract 3580

A negotiation meeting was held at NDOT HQ Building in Carson City on March 10, 2015, with Mike Glock of Diversified Consulting Services and Megan Sizelove 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.

Consultant shall provide qualified personnel and equipment; up to two (2) Inspectors level IV, up to two (2) Testers, office person, part-time scheduler, and necessary equipment including nuclear gauges, trucks and cell phones. Also, additional personnel and equipment are necessary to perform Naturally Occurring Asbestos (NOA) Mitigation services include: Certified Industrial Hygienist, Asbestos Competent Person, Dust Control Monitor, Geologist, and Nevada Certified Environmental Manager.

Personnel dedicated to this project are as follows:

Mike Johnson	Project Manager
Shannon Vozar	Office Person
Scott McArthur	Scheduler
Brandon Parcell	Tester
Manny Perez	Engr Tech IV Insp
Kleinfelder	Tester and Dust Control Monitor
4Leaf	Engr Tech IV Insp
CDM Smith	Certified Industrial Hygienist, Asbestos Competent Person, Geologist, and Nevada Certified Environmental Manager.

The DEPARTMENT's original estimate was \$8,026,848 million which included direct labor, overhead rate, an 11% fee, and direct expenses (including sub-consultant expenses).

The SERVICE PROVIDER's original estimate was \$8,641,905.19, including direct labor, overhead rate of 150%, an 11% fee, and direct expenses (including sub-consultant expenses).

The negotiations yielded the following:

1. Reduction in number of anticipated working days associated with the required scope for this project for the Prime and Sub consultants. Hours worked by the Service Provider are at the direction of the Resident Engineer.

2. Based upon recent audit performed by NDOT Internal Audit Division an overhead rate of 150% is being used.
3. Due to this contract being documented electronically with the FieldManager software the Department will provide the inspectors laptops for the duration of this project. Thus, we were able to eliminate this line item from their original cost proposal.
5. The total negotiated cost for this agreement, including direct labor, overhead, fee and direct expenses will be \$7,967,878.78.

Reviewed and Approved:

DocuSigned by:
Reid G. Kaiser
Reid G. Kaiser 3/20/2015 | 13:56 PT
22B87BD707CB4CD

Assistant Director



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

MEMORANDUM

April 6, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: April 13, 2015, Transportation Board of Directors Meeting
Item #7: Contracts, Agreements, and Settlements – Informational Item Only

Summary:

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

- Construction contracts under \$5,000,000 awarded February 14, 2015, through March 19, 2015
- Agreements under \$300,000 executed February 14, 2015, through March 19, 2015
- Settlements entered into by the Department which were presented for approval to the Board of Examiners February 14, 2015, through March 19, 2015

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

Background:

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

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

The attached construction contracts, settlements and agreements constitute all that were awarded for construction from February 14, 2015, through March 19, 2015, and agreements executed by the Department from February 14, 2015, through March 19, 2015. 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, February 14, 2015, through March 19, 2015
- B) State of Nevada Department of Transportation Executed Agreements – Under \$300,000, February 14, 2015, through March 19, 2015
- C) State of Nevada Department of Transportation Settlements - Informational, February 14, 2015, through March 19, 2015

Recommendation for Board Action: Informational item only

Prepared by: Administrative Services Division

Attachment

A

**STATE OF NEVADA DEPARTMENT OF TRANSPORTATION
 CONTRACTS AWARDED - INFORMATIONAL
 February 14, 2015 to March 19, 2015**

1. January 22, 2015, at 1:30 PM the following bids were opened for Contract 3582, Project No. SPF-050-2(025), US 50 in Dayton from .13 miles West of Pine Cone Road to .17 miles East of Retail Road, in Lyon County, to revise striping, construct raised median islands and decel lanes at various locations.

Sierra Nevada Construction, Inc.	\$266,007.00
A & K Earth Movers, Inc.	\$287,000.00
Granite Construction Company.....	\$316,316.00
Q & D Construction, Inc.	\$338,256.35
MKD Construction, Inc.....	\$385,577.10

Engineer's Estimate \$269,714.00

The Director awarded the contract February 27, 2015, to Sierra Nevada Construction, Inc., for \$266,007.00.

2. February 19, 2015 at 1:30 PM, the following bids were opened for Contract 800-15, Project No. SPR15 Package A, on I-80 0.5 miles West of the Wadsworth Interchange in Washoe County, for cold milling and placing plantmix bituminous surface overlay with open-grade, and install weigh-in-motion automated data collection system.

Titan Electrical Contracting, Inc.....	\$338,585.00
PAR Electrical Contractors, Inc.	\$357,485.00
A & K Earth Movers, Inc.....	\$404,000.00

Engineer's Estimate \$275,000.00

The Director awarded the contract March 11, 2015, to Titan Electrical Contracting, Inc., for \$338,585.00.

3. February 19, 2015 at 2:00 PM the following bids were opened for Contract 801-15, Project No. SPR15 Package B, on US 50 0.8 Miles West of US 50A in Churchill County, to install AVC detector loops and pull box.

Titan Electrical Contracting, Inc.....	\$19,520.00
PAR Electrical Contractors, Inc.	\$25,255.00

Engineer's Estimate \$19,390.00

The Director awarded the contract March 11, 2015, to Titan Electrical Contracting, Inc., for \$19,520.00.

4. February 19, 2015 at 2:30 PM the following bids were opened for Contract 802-15, Project No. SPR15 Package C, US 6/US 95 2.2 miles east of Millers Rest Stop in Esmeralda County, to install AVC detector loops, pull box, and special M-1 cabinet.

Titan Electrical Contracting, Inc.....\$28,062.00
 PAR Electrical Contractors, Inc.....\$35,054.00

Engineer's Estimate\$23,000.00

The Director awarded the contract March 11, 2015, to Titan Electrical Contracting, Inc, for \$28,062.00.

5. February 19, 2015 at 3:00 PM, the following bids were opened for Contract 803-15, NDOT Headquarters Building in Carson City County, to install 2nd & 3rd floor fire sprinkler, upgrade ceiling, lighting, HVAC, and create exit passageway.

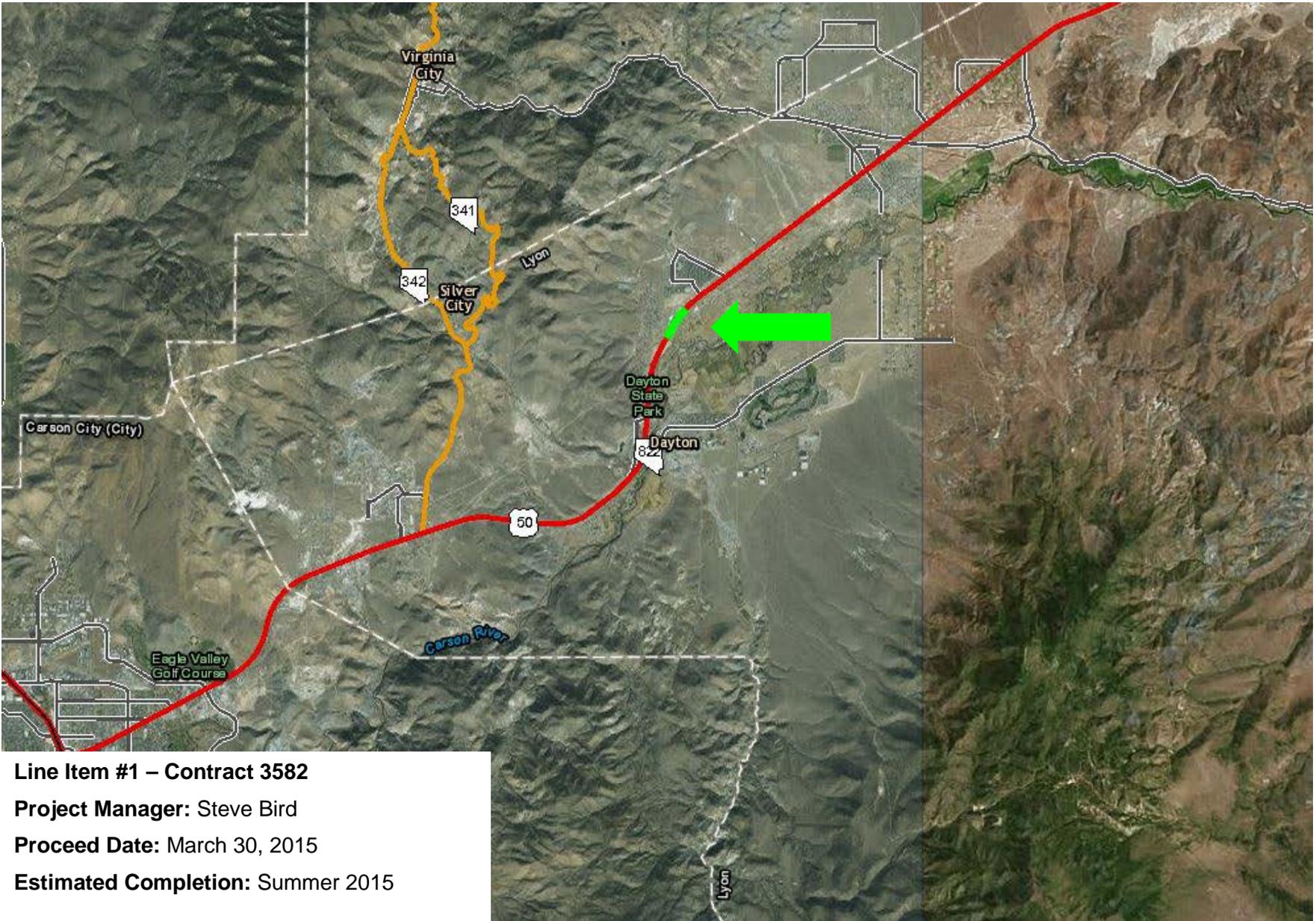
Building Solutions, Inc.\$532,258.00
 Frank Lepori Construction, Inc.....\$617,360.00

Engineer's Estimate\$571,233.00

The Director awarded the contract March 16, 2015, to Building Solutions, Inc., for \$532,258.00.

Non Responsive Bid:

Bison Construction\$615,300.00

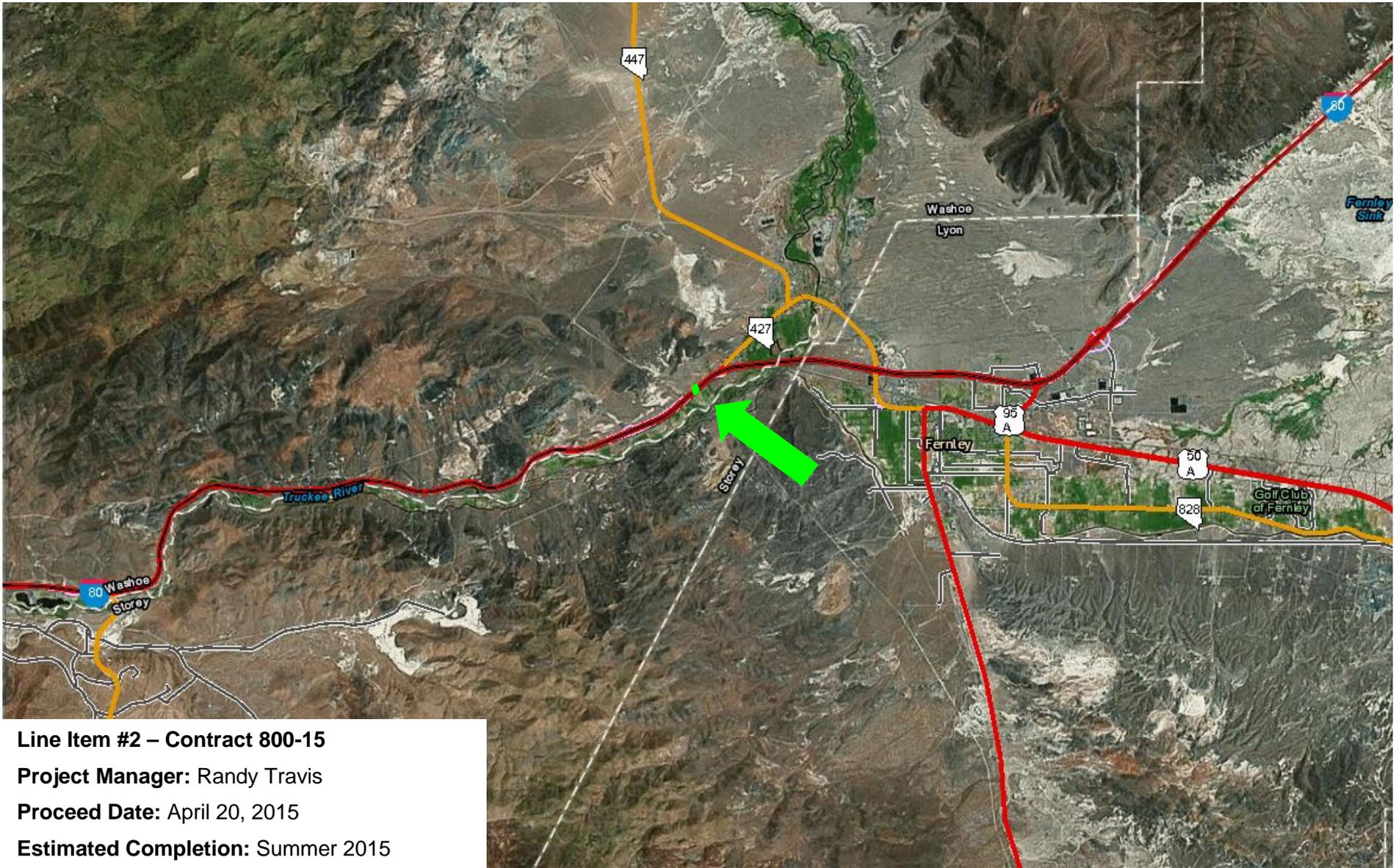


Line Item #1 – Contract 3582

Project Manager: Steve Bird

Proceed Date: March 30, 2015

Estimated Completion: Summer 2015

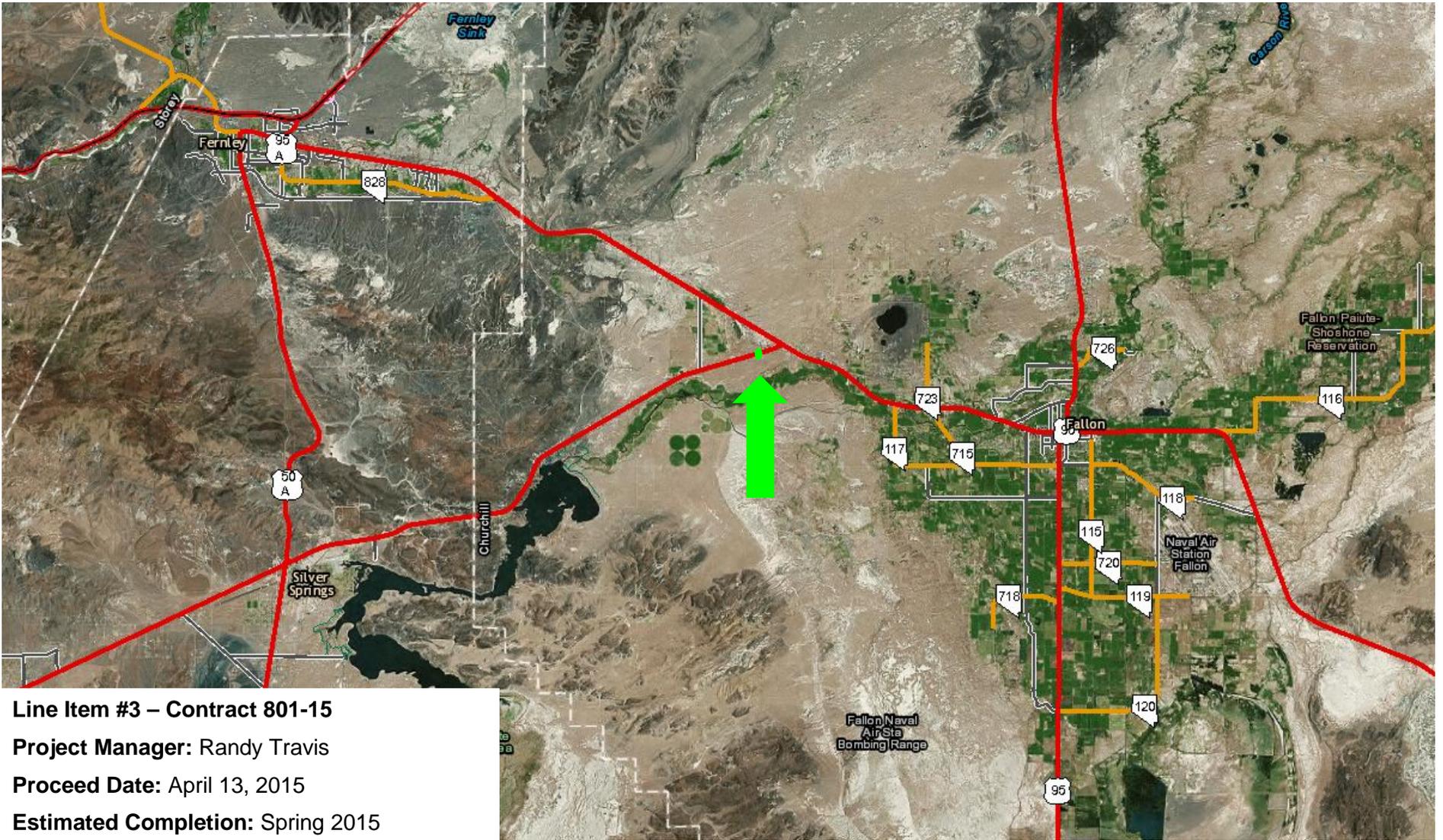


Line Item #2 – Contract 800-15

Project Manager: Randy Travis

Proceed Date: April 20, 2015

Estimated Completion: Summer 2015

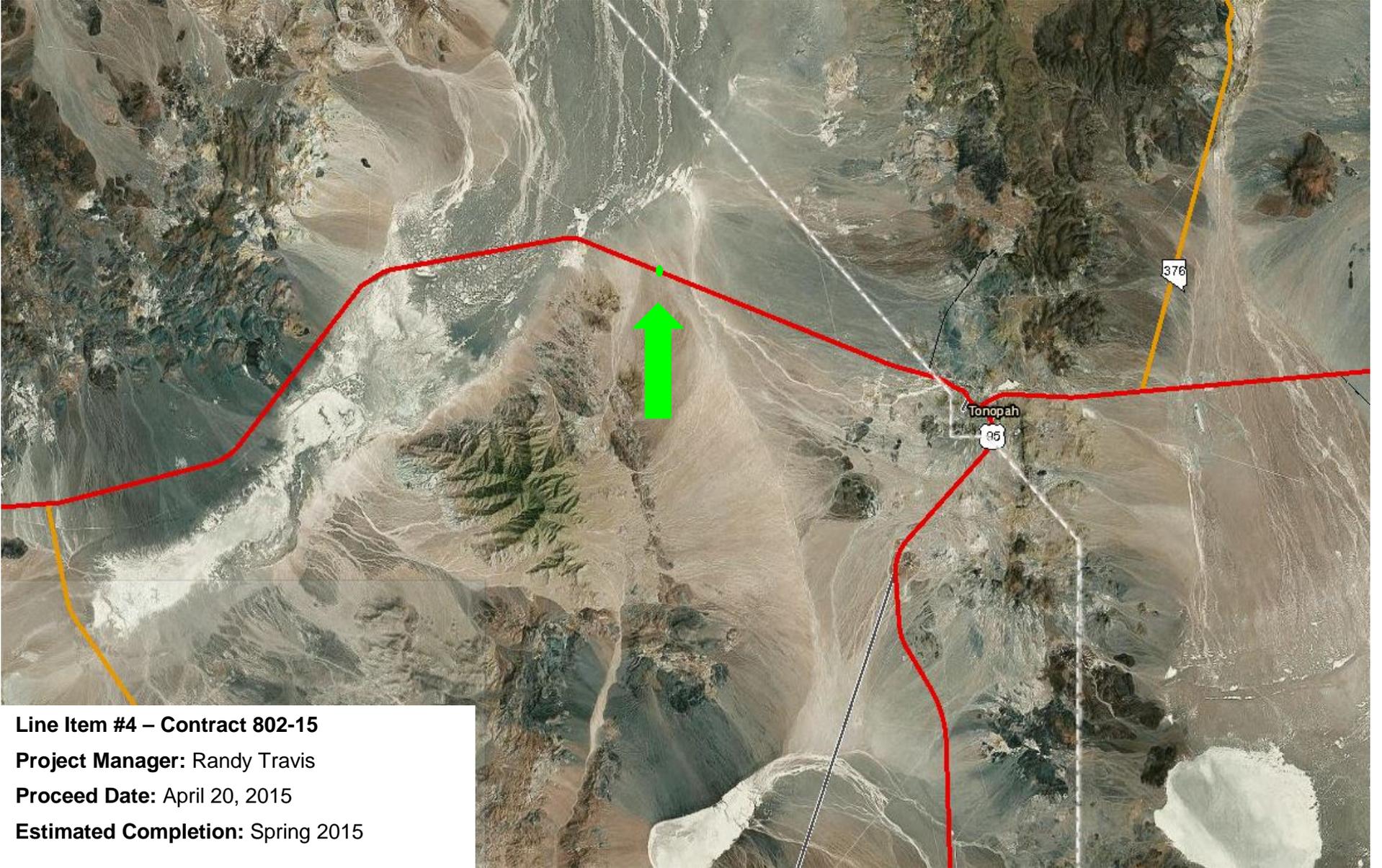


Line Item #3 – Contract 801-15

Project Manager: Randy Travis

Proceed Date: April 13, 2015

Estimated Completion: Spring 2015



Line Item #4 – Contract 802-15

Project Manager: Randy Travis

Proceed Date: April 20, 2015

Estimated Completion: Spring 2015

Attachment B

State of Nevada Department of Transportation
Executed Agreements - Informational
February 14, 2015, to March 19, 2015

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Notes
1	05115	00	CITY OF LAS VEGAS	ENCROACHMENT RIGHTS	N	19,093,000.00	-	-	19,093,000.00	3/10/2015	12/31/2017	-	Interlocal	Jenica Keller	03-10-15: TO DESCRIBE THE ROLES AND RESPONSIBILITIES FOR THE CONSTRUCTION OF A REGIONAL FLOOD CONTROL FACILITY FOR THE CITY OF LAS VEGAS. SPECIFICALLY THE DEPARTMENT TO CONSTRUCT AND CITY TO REIMBURSE ALL COSTS OF CONSTRUCTION, AND TO SECURE ENCROACHMENT RIGHTS FOR THE DEPARTMENT ON CITY RIGHT OF WAY FOR THE PURPOSES OF PLACING TRAFFIC CONTROL DEVICES AND TRAFFIC DETOURS DURING CONSTRUCTION, CLARK COUNTY. NV B/L#: EXEMPT
2	05315	00	UNIVERSITY OF NEVADA, RENO	RESEARCH	Y	81,172.00	-	81,172.00	-	3/2/2015	1/18/2016	-	Interlocal	Manju Kumar	03-02-15: PERFORM A FY2015 SHRP2 TAPS GRANT RESEARCH STUDY TITLED: "ASSESSING THE INFLUENCE OF DRIVER, VEHICLE, ROADWAY AND ENVIRONMENTAL FACTORS ON PEDESTRIAN TURNING TRAFFIC CRASHES AT INTERSECTIONS," STATEWIDE. NV B/L#: EXEMPT
3	05415	00	UNIVERSITY OF NEVADA, LAS VEGAS	RESEARCH	Y	18,747.00	-	18,747.00	-	2/20/2015	1/18/2016	-	Interlocal	Manju Kumar	02-24-15: PERFORM A FY 2015 SHRP2 TAPS GRANT RESEARCH STUDY ON, "ASSESSING THE INFLUENCE OF DRIVER, VEHICLE, ROADWAY AND ENVIRONMENTAL FACTORS ON PEDESTRIAN TURNING TRAFFIC CRASHES AT INTERSECTIONS", STATEWIDE. NV B/L#: EXEMPT
4	10815	00	PYRAMID LAKE PAIUTE TRIBE	PERMISSION FOR LAND ENTRY	N	-	-	-	-	1/16/2015	4/15/2015	-	Interlocal	Robert Piekarz	02-18-15: NO COST AGREEMENT TO GRANT PERMISSION TO THE DEPARTMENT FOR ENTRY UPON THE PYRAMID LAKE PAIUTE TRIBE LAND, WASHOE COUNTY. NV B/L#: EXEMPT
5	14913	02	UNIVERSITY OF NEVADA, RENO	WEST COAST COALITION STUDY	Y	1,432,001.00	-	1,432,001.00	288,000.00	7/9/2013	4/30/2015	3/2/2015	Interlocal	Peter Aiyuk	AMD 2 03-02-15: EXTEND TERMINATION DATE FROM 02-27-15 TO 04-30-15 FOR ADDITIONAL TIME TO COMPILE FINAL REPORTS FROM EACH CONTRIBUTOR INTO ONE EXECUTIVE REPORT ENCOMPASSING THE ENTIRE PROJECT. AMD 1 12-11-14: EXTEND TERMINATION DATE FROM 12-30-14 TO 02-27-15 FOR ADDITIONAL TIME TO COMPLETE TASKS AND REPORTING. 07-09-13: ALTERNATIVE TRANSPORTATION FUNDING FOR THE WEST COAST COALITION STUDY TO IDENTIFY SUSTAINABLE TRANSPORTATION FUNDING, CLARK AND WASHOE COUNTIES. 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
6	38213	03	RTC OF SOUTHERN NEVADA	BOULDER CITY BYPASS	Y	50,820,000.00	(26,263,944.00)	272,236,056.00	24,712,573.00	10/17/2013	12/31/2018	3/16/2015	Interlocal	Tony Lorenzi	AMD 3 03-16-15: REDUCTION OF THE APPROVED (95%) FEDERAL STP CLARK FUNDS (\$26,361,517.00) FROM \$273,885,000.00 TO \$247,523,483.00 FOR PROJECT "R" AND INCREASE THE (5%) REIMBURSEMENT OF RTC FUNDS \$97,573.00 FROM \$24,615,000.00 TO \$24,712,573.00 FOR THE ENVIRONMENTAL MITIGATION FEES FOR THE NATURE CONSERVANCY AT KODACHROME WASH RESTORATION PROJECT. AMD 2 09-08-14: TO ADVANCE CONSTRUCT PROJECT "R", SUBJECT TO BUDGETED APPROPRIATIONS AND ALLOCATION OF SUFFICIENT RTC FUNDS, FOR A TOTAL ESTIMATED COST OF \$298,500,000.00 FOR FISCAL YEARS 2014 THROUGH 2022 COMPRISED OF \$273,885,000.00 (95%) FEDERAL FUNDS AND \$24,615,000.00 (5%) LOCAL FUNDS, AND TO RECEIVE REIMBURSEMENT FROM RTC NOT TO EXCEED \$180,000.00 FOR PROJECT "R" SURFACE SOIL SAMPLING FOR NATURALLY OCCURRING ASBESTOS. THIS BRINGS TOTAL RTC RECEIVABLES TO \$10,200,000.00 FOR PROJECT "N" AND \$14,415,000.00 FOR PROJECT "R". AMD 1 06-20-14: TO INCREASE TOTAL RECEIVABLE FOR PROJECT "N" FROM \$10,000,000.00 TO \$10,200,000.00 TO INCLUDE AMBIENT AIR MONITORING COSTS NOT TO EXCEED \$200,000.00. 10-17-13: CONDUCT THE BOULDER CITY BYPASS PROJECT - PHASE 1 (PROJECT "N") TO BE CONSTRUCTED BY NDOT, AND PORTIONS OF PHASE 1 AND PHASE 2 (PROJECT "R") TO BE CONSTRUCTED BY THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA. NDOT TO OBLIGATE FEDERAL STP LOCAL FUNDING IN THE TOTAL ESTIMATED AMOUNT OF \$50,820,000.00 FOR THE PROJECT. RTC TO CONTRIBUTE \$10,000,000.00 FOR PROJECT "N" AND \$21,200,000.00 FOR PROJECT "R". CLARK COUNTY. NV B/L#: EXEMPT
7	47414	00	DPS HIGHWAY PATROL	UNIFORMED OFFICER TRAFFIC CONTROL	N	150,000.00	-	150,000.00	-	3/18/2015	9/30/2018	-	Interlocal	Mylinh Lidder	03-18-15: USE OF UNIFORMED OFFICERS TO PROVIDE TRAFFIC CONTROL ON DEPARTMENT PROJECTS AS NEEDED, STATEWIDE. NV B/L#: EXEMPT
8	08715	00	FULSTONE FAMILY TRUST	PARCEL I-015-CL-041.879	Y	204,000.00	-	204,000.00	-	2/18/2015	12/11/2015	-	Acquisition	Tina Kramer	02-23-15: ACQUISITION OF PARCEL I-015-CL-041.879 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NV19951135191
9	10315	00	JAMES N. SCHMIDT	PARCEL I-015-CL-040.975	Y	277,393.00	-	277,393.00	-	2/23/2015	2/28/2016	-	Acquisition	Tina Kramer	02-23-15: ACQUISITION OF PARCEL I-015-CL-040.975 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: EXEMPT
10	10415	00	PAULINE M. JAROS	PARCEL I-015-CL-040.936	Y	289,000.00	-	289,000.00	-	2/23/2015	2/28/2016	-	Acquisition	Tina Kramer	02-23-15: ACQUISITION OF PARCEL I-015-CL-040.936 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: EXEMPT
11	10515	00	OLD LIGHT HOUSE LLC	PARCEL I-015-CL-041.844	Y	140,250.00	-	140,250.00	-	2/23/2015	2/28/2016	-	Acquisition	Tina Kramer	02-23-15: ACQUISITION OF PARCEL I-015-CL-041.844 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NV19991088710
12	10615	00	GOLDEN RAINBOW	PARCEL I-015-CL-042.118	Y	600,000.00	-	600,000.00	-	2/23/2015	2/28/2016	-	Acquisition	Tina Kramer	02-23-15: ACQUISITION OF PARCEL I-015-CL-042.118 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NV20111378440
13	11715	00	CHANPAIBOOL, L AND M	PARCEL I-015-CL-042.028	Y	230,000.00	-	230,000.00	-	3/2/2015	2/25/2016	-	Acquisition	Tina Kramer	03-03-15: ACQUISITION OF PARCEL I-015-CL-042.028 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NV19951135191
14	11815	00	651 DESERT LANE LLC	PARCEL I-015-CL-042.039	Y	251,265.00	-	251,265.00	-	3/2/2015	2/25/2016	-	Acquisition	Tina Kramer	03-03-15: ACQUISITION OF PARCEL I-015-CL-042.039 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NV19951135191

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Notes
15	12715	00	SONIA VALDEZ	PARCEL I-015-CL-041.916	N	218,000.00	-	218,000.00	-	3/2/2015	2/25/2016	-	Acquisition	Tina Kramer	03-02-15: ACQUISITION OF PARCEL I-015-CL-041.916 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NV19951135191
16	14615	00	EDWIN CASTILLO	PARCEL I-015-CL-041.923	Y	250,000.00	-	250,000.00	-	3/11/2015	2/28/2017	-	Acquisition	Tina Kramer	03-12-15: ACQUISITION OF PARCEL I-015-CL-041.923 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NV19951135191
17	14715	00	SHURTZ, T AND C	PARCEL I-015-CL-041.040	Y	250,000.00	-	250,000.00	-	3/11/2015	2/28/2017	-	Acquisition	Tina Kramer	03-12-15: ACQUISITION OF PARCEL I-015-CL-041.040 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NV19951135191
18	14815	00	DECHAVEZ, J AND G	PARCEL I-015-CL-041.833	Y	130,000.00	-	130,000.00	-	3/11/2015	2/28/2017	-	Acquisition	Tina Kramer	03-12-15: ACQUISITION OF PARCEL I-015-CL-041.833 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NV19951135191
19	15315	00	ERASMO FAVELA	PARCEL I-015-CL-040.923	Y	265,000.00	-	265,000.00	-	3/12/2015	2/28/2017	-	Acquisition	Tina Kramer	03-16-15: ACQUISITION OF PARCEL I-015-CL-040.923 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NV19951135191
20	15715	00	YVONNE YOUMANS	PARCEL I-015-CL-040.949	Y	265,000.00	-	265,000.00	-	3/16/2015	3/11/2016	-	Acquisition	Tina Kramer	03-17-15: ACQUISITION OF PARCEL I-015-CL-040.949 FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NV19951135191
21	12596	05	NEVADA POWER COMPANY	TRUNKING RADIO SYSTEM	N	0.00	321,591.80	899,447.80	-	3/20/1996	12/31/2019	2/19/2015	Facility	Richard Brooks	AMD 5 02-24-15: INCREASE AUTHORITY BY \$321,591.80 FROM \$577,856.00 TO \$899,447.80 FOR OPERATING COSTS OF THE FOUR (SUNRISE MOUNTAIN, RIO HOTEL, MOUNT POTOSI, AND OATMAN) RADIO SITES FOR 5 YEARS. AMD 4 01-05-05: DEPARTMENT AGREES TO PAY \$1,267.00 PER MONTH FOR OPERATIONAL COSTS OF SUNRISE MOUNTAIN COMMUNICATIONS FACILITY. DEPARTMENT AGREES TO PAY \$25,000.00 FOR A TWO YEAR LEASE OF RIO HOTEL COMMUNICATIONS FACILITY AND \$85.00 PER HOUR FOR SERVICES REQUESTED BY THE DEPARTMENT. AMD 3 01-05-05: ONE TIME PAYMENT TO NEVADA POWER COMPANY OF \$25,000.00, FOR SERVICES AND MATERIALS TO ENHANCE THE ANGEL PEAK COMMUNICATIONS SITE 125 AND EXTEND TERMINATION DATE FROM 03-01-06 TO 12-31-19. AMD 2 06-03-04: INCREASE AUTHORITY \$84,000.00 FROM \$0.00 TO \$84,000.00 TO FUND A SYSTEM ADMINISTRATOR AND ADD THE DEPARTMENT OF PUBLIC SAFETY AS A USER OF THE SYSTEM. DEPARTMENT WILL PAY \$40,000.00 FOR EACH SUCCESSIVE YEAR THEREAFTER. AMD 1 03-01-97: ADD UNLV AS A USER OF THE TRUNKING RADIO SYSTEM. 03-20-96: JOINTLY OPERATED SHARED USE TRUNKING RADIO SYSTEM, CLARK, LINCOLN, AND NYE COUNTIES. NV B/L#: NV19981212884-S
22	09515	00	NV ENERGY	RELOCATION DESIGN APPROVAL	N	-	-	-	-	3/2/2015	1/1/2020	-	Facility	Tina Kramer	03-03-15: NO COST RELOCATION DESIGN APPROVAL; NO TERMINATION DATE IS PROVIDED IN THE AGREEMENT, CLARK COUNTY. NV B/L#: NV19831015840
23	11615	00	NV ENERGY	DESIGN INITIATION	N	-	-	-	-	3/2/2015	2/28/2018	-	Facility	Tina Kramer	03-03-15: NO COST DESIGN INITIATION REGARDING CLEAR ACRE LANE, CARSON CITY. NV B/L#: NV19831015840
24	14415	00	UNION PACIFIC RAILROAD	PRELIMINARY ENGINEERING	N	25,000.00	-	25,000.00	-	3/11/2015	2/28/2018	-	Facility	Tina Kramer	03-12-15: PRELIMINARY ENGINEERING RELATED TO THE CONSTRUCTION OF SR317 / RAINBOW CANYON, LINCOLN COUNTY. NV B/L#: NV19691003146

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
25	57314	00	PUBLIC UTILITIES COMMISSION	APPLICATION FOR RIGHT OF WAY	Y	50.00	-	50.00	-	1/5/2015	12/31/2019	-	Facility	Tina Kramer	03-16-15: APPLICATION TO THE NEVADA PUBLIC UTILITIES COMMISSION FOR WORK WITHIN THE RAILROAD RIGHT OF WAY FOR PROJECT NEON, CLARK COUNTY. NV B/L#: EXEMPT
26	03215	00	WESTCARE NEVADA	GRANT NV-16-X038	N	39,566.00	-	39,566.00	7,913.00	2/19/2015	12/31/2019	-	Grantee	Pat Torvinen	02-24-15: GRANT NV-16-X038 TO PURCHASE AN APPROVED ADA LOW-FLOOR MINIVAN FOR USE IN THE GRANTEE'S PUBLIC TRANSPORTATION PROGRAM, CLARK COUNTY. NV B/L#: NV19811004704
27	03115	00	NEVADA RURAL COUNTIES RSVP	GRANT NV-16-X038 MINIVAN	N	40,091.00	-	40,091.00	8,018.00	2/19/2015	12/31/2019	-	Grantee	Pat Torvinen	02-24-15: GRANT NV-16-X038 TO PURCHASE AN APPROVED ADA LOW-FLOOR MINIVAN FOR USE IN THE GRANTEE'S PUBLIC TRANSPORTATION PROGRAM, CARSON CITY, DOUGLAS, ELKO, LYON, MINERAL, NYE, AND STOREY COUNTIES. NV B/L#: NV19921048693
28	02815	00	WASHOE COUNTY RTC	TRANSIT CAPITAL MATCH	N	225,000.00	-	225,000.00	-	2/19/2015	6/30/2015	-	Grantee	Pat Torvinen	02-24-15: STATE FUNDS MATCH OF FEDERAL FUNDS FOR CAPITAL ACQUISITION FOR USE IN PUBLIC TRANSPORTATION SERVICES, WASHOE COUNTY. NV B/L#: EXEMPT
29	05515	00	NDEP	GRANT FOR SPREADER	N	100,000.00	-	-	100,000.00	2/24/2015	12/31/2020	-	Grantee	Pat Torvinen	02-26-15: GRANT FOR NDOT TO PURCHASE ONE BEST AVAILABLE TECHNOLOGY BULK MATERIAL SPREADER, WASHOE COUNTY, DOUGLAS COUNTY, AND CARSON CITY. NV B/L#: EXEMPT
30	09915	00	CHARLES HARNAR	LEASE OF OROVADA HOUSE #5	N	3,860.00	-	-	3,860.00	2/17/2015	2/12/2019	-	Lease	Sandy Spencer	02-17-15: LEASE OF OROVADA MAINTENANCE STATION HOUSE #5 TO NDOT EMPLOYEE, HUMBOLDT COUNTY. NV B/L#: EXEMPT
31	14315	00	WELLS PROPANE	CREW OFFICE LEASE WELLS	N	19,374.19	-	19,374.19	-	3/3/2015	8/31/2016	-	Lease	Sandy Spencer	03-03-15: ONE YEAR OFFICE LEASE FOR CREWS, ELKO COUNTY. NV B/L#: NV19791007122
32	11315	00	MCKINLEY HOLDING	TEMPORARY EASEMENT	N	5,200.00	-	5,200.00	-	3/2/2015	4/30/2016	-	ROW Access	Tina Kramer	03-02-15: TEMPORARY EASEMENT OF PARCEL S-650-WA-020.819TE FOR THE SOUTHEAST MCCARRAN BOULEVARD PROJECT, WASHOE COUNTY. NV B/L#: NV20131352102
33	15215	00	29 MCKINLEY HOLDING	TEMPORARY EASEMENT	N	25,000.00	-	25,000.00	-	3/10/2015	4/30/2016	-	ROW Access	Tina Kramer	03-11-15: TEMPORARY EASEMENT TO ALLOW THE DEPARTMENT TO ENTER OWNER'S PROPERTY FOR PARCEL S-650-WA-020.741TE, WASHOE COUNTY. NV B/L#: NV20131540989
34	11215	00	ELKO LAND AND LIVESTOCK CO	PERMISSION TO ENTER PROPERTY	Y	-	-	-	-	3/4/2015	1/31/2018	-	ROW Access	Tina Kramer	03-09-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR CONSTRUCTION AND RECONSTRUCTION OF A FRONTAGE ROAD FOR PROJECT BR-0011(009), EUREKA COUNTY. NV B/L#: NV19781007985
35	03715	00	ROCK PROPERTY INVESTORS	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/3/2015	1/31/2018	-	ROW Access	Tina Kramer	03-05-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: EXEMPT
36	08515	00	THOLL PROPERTIES	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	2/23/2015	1/31/2018	-	ROW Access	Tina Kramer	02-23-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: NV20011003778

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37	08615	00	LARRY FURTH TRUST	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	2/23/2015	1/31/2018	-	ROW Access	Tina Kramer	02-23-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: EXEMPT
38	11515	00	BIG JULIE, INC	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/3/2015	1/31/2018	-	ROW Access	Tina Kramer	03-05-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: NV19791010501
39	11915	00	CASAZZA SLV LLC	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/2/2015	1/31/2018	-	ROW Access	Tina Kramer	03-02-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: NV19971073210
40	12015	00	BLACKHAWK CENTER LLC	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/2/2015	1/31/2018	-	ROW Access	Tina Kramer	03-02-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: NV20051439383
41	12115	00	SERRAO FAMILY TRUST	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/2/2015	1/31/2018	-	ROW Access	Tina Kramer	03-02-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: EXEMPT
42	12215	00	WOOD ENTERPRISES	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/2/2015	1/31/2018	-	ROW Access	Tina Kramer	03-02-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: NV20021343461
43	12515	00	FIRST CREEK GLENDALE	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/2/2015	1/31/2018	-	ROW Access	Tina Kramer	03-02-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: NV20141300730
44	12615	00	JULIA SEAVERS	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/3/2015	1/31/2018	-	ROW Access	Tina Kramer	03-05-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: EXEMPT
45	12815	00	JACKSON FAMILY TRUST	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/3/2015	1/31/2018	-	ROW Access	Tina Kramer	03-12-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: EXEMPT
46	12915	00	CHAMPION FAMILY TRUST	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/3/2015	1/31/2018	-	ROW Access	Tina Kramer	03-05-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: EXEMPT
47	13815	00	LIU FAMILY TRUST	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/3/2015	1/31/2018	-	ROW Access	Tina Kramer	03-05-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: EXEMPT

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48	16215	00	THEGRACEBLOCK, LLC	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/16/2015	1/31/2018	-	ROW Access	Tina Kramer	03-17-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: NV20111628612
49	16315	00	AMERICAN ASSAY LABORATORIES	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/16/2015	1/31/2018	-	ROW Access	Tina Kramer	03-17-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: NV19871028082
50	16415	00	HILTONHOUSE, LLC	PERMISSION TO ENTER PROPERTY	N	-	-	-	-	3/16/2015	1/31/2018	-	ROW Access	Tina Kramer	03-17-15: NO COST AGREEMENT FOR PERMISSION TO ENTER OWNER'S PROPERTY FOR RECONSTRUCTION OF SR 648, WASHOE COUNTY. NV B/L#: NV20111635004
51	32612	01	JACOBS ENGINEERING, INC.	TROPICANA PEDESTRIAN BRIDGE PROJECT	Y	697,550.00	1,299,761.00	1,997,311.00	-	7/8/2013	12/31/2015	4/13/2015	Service Provider	LUIS GARAY	AMD 1 04-13-15: INCREASE AUTHORITY \$1,299,761.00 FROM \$697,550 TO \$1,997,311.00 DUE TO THE INCREASE IN SCOPE INCLUDING PEDESTRIAN SAFETY AND MAINTENANCE IMPROVEMENTS, AND TO ENHANCE AESTHETICS. 07-08-13: DESIGN SERVICES FOR THE REMOVAL AND REPLACEMENT OF SIXTEEN (16) ESCALATORS AT THE INTERSECTION OF LAS VEGAS BOULEVARD AND TROPICANA AVENUE. CLARK COUNTY. NV B/L#: NV20081035082-R NOTE: THIS AGREEMENT IS FUNDED WITH 100% LOCAL (LVCVA) FUNDS AND PER THE TRANSPORTATION BOARD REPORTING PROCESS APPROVED BY THE BOARD AT THE JULY 11, 2011, BOARD MEETING, DOES NOT NEED TO BE APPROVED.
52	07413	01	SYLVESTER & POLEDNAK, LTD	STATE V I-15 AND CACTUS	Y	200,000.00	-	200,000.00	-	1/23/2013	2/28/2017	2/17/2015	Service Provider	Dennis Gallagher	AMD 1 02-24-15: EXTEND TERMINATION DATE FROM 02-28-15 TO 02-28-17 TO ALLOW TIME TO RESOLVE LAWSUIT. 01-23-13: LEGAL SUPPORT CONDEMNATION RE: STATE V. I-15 AND CACTUS, (CACTUS PROJECT), CLARK COUNTY. NV B/L#: NV19981131366-S
53	01715	00	HIGH DESERT TRAFFIC LLC	TRADAS MAINTENANCE	N	244,113.00	-	244,113.00	-	3/3/2015	2/28/2018	-	Service Provider	Tony Rivera	03-04-15: PROPRIETARY SOFTWARE MAINTENANCE OF THE TRAFFIC DATA SYSTEM (TRADAS), CARSON CITY. NV B/L#: NV20131523281-S
54	02915	00	HORROCKS ENGINEERING	SUBSURFACE UTILITY ENGINEERING (SUE) SERVICES	Y	2,740.00	-	2,740.00	-	3/17/2015	5/15/2015	-	Service Provider	Tina Kramer	03-17-15: SUBSURFACE UTILITY ENGINEERING SERVICES FOR PROJECT STP-0757(002), DOUGLAS COUNTY. NV B/L#: NV19991246016-Q
55	04915	00	THOMPSON GARAGE DOORS	OVERHEAD DOOR REPLACEMENT	N	33,775.00	-	33,775.00	-	2/23/2015	6/30/2015	-	Service Provider	Annette Ballew	02-23-15: QA-005-15, PROVIDE REPLACEMENT OF OVERHEAD DOORS AT THE LOVELOCK MAINTENANCE STATION, PERSHING COUNTY. NV B/L#: NV19931038124-Q
56	05015	00	REMINGTON CONSTRUCTION	REPLACE GUTTERS	N	49,999.00	-	49,999.00	-	2/24/2015	6/30/2015	-	Service Provider	Trent Averett	02-24-15: Q3-006-15, TO CONSTRUCT SIDEWALK ON COUNTRY CLUB DRIVE AND REPLACE VALLEY GUTTER SEGMENTS AT ELKO MAINTENANCE YARD, ELKO COUNTY. NV B/L#: NV20071516052-Q

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57	06915	00	GRANITE CONSTRUCTION COMPANY	SOUNDWALL ON I-515	N	204,287.00	-	204,287.00	-	2/19/2015	6/30/2016	-	Service Provider	Wendy Mercado-Montes	02-19-15: Q1-018-15, RECONSTRUCTION OF SOUNDWALL AND BARRIER RAIL ON I-515, CLARK COUNTY. NV B/L#: NV19631001612-Q
58	07015	00	ADVANCED INSTALLATIONS	UPGRADE LIGHT FIXTURE	N	18,135.00	-	18,135.00	-	2/19/2015	3/31/2015	-	Service Provider	Chavon Gable	02-19-15: QA-007-15, REPLACE LIGHT FIXTURES, ELKO COUNTY. NV B/L#: NV19781008206-Q
59	07115	00	SMITH POWER PRODUCTS INC.	GENERATOR MAINTENANCE	N	8,490.00	-	8,490.00	-	3/2/2015	3/31/2017	-	Service Provider	Jim Prentice	03-02-15: PROVIDE GENERATOR MAINTENANCE AND SERVICE FOR DEPARTMENT HEADQUARTERS AND HANGAR BUILDINGS, CARSON CITY. NV B/L#: NV19811005887-S
60	08915	00	AGGREGATE INDUSTRIES	REPROFILE ASPHALT CHEYENNE	N	78,900.00	-	78,900.00	-	3/4/2015	12/31/2015	-	Service Provider	Jennifer Manubay	03-04-15: Q1-022-15, TO REPROFILE ASPHALT PAVEMENT DUE TO SUBGRADE SETTLEMENTS ON SR 574, CHEYENNE AVENUE WESTBOUND, JUST EAST OF REVERE STREET, MILEPOST CL-26.75 TO CL-26, CLARK COUNTY. NV B/L#: NV19701000737-Q
61	11415	00	OPTI-GUARD PEST & TERMITE	PEST CONTROL AT TMC	N	6,640.00	-	6,640.00	-	2/24/2015	9/1/2019	-	Service Provider	Pauline Beigel	02-24-15: Q1-020-15, TO PROVIDE PEST CONTROL SERVICES FOR THE TRAFFIC MANAGEMENT CENTER (TMC) BUILDING, CLARK COUNTY. NV B/L#: NV19811002885-Q
62	13115	00	WHEELER'S ELECTRIC	ELECTRIC REPAIR TMC	N	105,000.00	-	105,000.00	-	3/5/2015	9/1/2017	-	Service Provider	Pauline Beigel	03-05-15: Q1-019-15, TO PROVIDE SERVICE, MAINTENANCE, AND REPAIR OF ELECTRICAL SYSTEMS AND GENERATORS AT THE TRAFFIC MANAGEMENT CENTER (TMC) BUILDING, CLARK COUNTY. NV B/L#: NV19811002885-Q
63	44814	01	LAS VEGAS PAVING CORPORATION	MILL AND REPAVE 1-15 APEX	N	49,000.00	12,237.00	61,237.00	-	9/24/2014	6/30/2015	2/26/2015	Service Provider	Jennifer Manubay	AMD 1 02-26-15: INCREASE AUTHORITY \$12,237.00 FROM \$49,000.00 TO \$61,237.00 DUE TO DAMAGES TO BARRIER RAIL AND TO PAVEMENT CAUSED BY VEHICLE ACCIDENTS. 09-24-14: MILL AND REPAVE EXISTING ASPHALT PAVEMENT ON NORTHBOUND I-15 AT SPEEDWAY AND AT APEX, Q1-002-15, CLARK COUNTY. NV B/L#: NV19581000650-Q
64	54313	01	THYSSENKRUPP ELEVATOR	MAIN HQ / DIST II ELEVATORS	N	20,640.00	5,000.00	25,640.00	-	12/2/2013	1/1/2016	3/4/2015	Service Provider	Jim Prentice	AMD 1 03-04-15: INCREASE AUTHORITY BY \$5,000.00 FROM \$20,640.00 TO \$25,640.00 TO PERFORM A CATEGORY 5 FULL LOAD SAFETY TEST. 12-02-13: PROVIDE ANNUAL MAINTENANCE AND PERMITTING FOR HEADQUARTERS AND DISTRICT II ELEVATORS, WASHOE COUNTY AND CARSON CITY. NV B/L#: NV19841018200-Q
65	55914	01	SIERRA NEVADA CONSTRUCTION	DEBRIS DISPOSAL	N	138,007.00	-	138,007.00	-	1/15/2015	3/31/2016	2/24/2015	Service Provider	Marlene Revera	AMD 1 02-24-15: EXTEND TERMINATION DATE FROM 03-31-15 TO 03-31-16 FOR TIME TO COMPLETE THE PROJECT DUE TO TEMPERATURE SENSITIVE WORK REQUIREMENTS. 01-15-15: Q2-010-15, REMOVE CONSTRUCTION DEBRIS AT TRENTO LANE MAINTENANCE FACILITY, CHURCHILL COUNTY. NV B/L#: NV19881009372-Q

Attachment C

State of Nevada Department of Transportation
Settlements - Informational
February 14, 2015 to March 19, 2015

Line No	Type	Second Party	Settlement Amount	Notes
1	SETTLEMENT OF EMINENT DOMAIN LAWSUIT	WESTCARE WORKS, INC.	2,403,292.57	THE SETTLEMENT PROVIDES FOR \$2,403,292.57 TO BE PAID TO WESTCARE WORKS, INC., FOR THE ACQUISITION OF 0.92 ACRES OF COMMERCIAL PROPERTY LOCATED ON MARTIN LUTHER KING BOULEVARD IN LAS VEGAS FOR PROJECT NEON.

Line Item 1

OFFICE OF THE ATTORNEY GENERAL

TRANSPORTATION DIVISION

1263 South Stewart Street
Carson City, Nevada 89712
Telephone (775) 888-7420
Fax (775) 888-7309

ADAM PAUL LAXALT
Attorney General

WESLEY K. DUNCAN
Assistant Attorney General

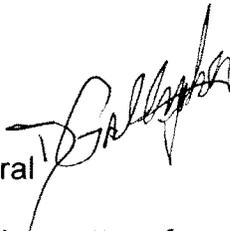


DENNIS V. GALLAGHER
Chief Deputy Attorney General

MEMORANDUM

DATE: March 17, 2015

TO: Board of Directors
Nevada Department of Transportation

FROM: Dennis Gallagher, Chief Deputy Attorney General 

SUBJECT: Informational Item – Approval of Settlement in the matter of
*NDOT, State of Nevada ex rel. its Department of Transportation
v. Fitzhouse Enterprises, Inc. (Westcare Works, Inc.)*
Eighth Judicial District Court Case No. 8th JD A-13-680564-C

At their March 10, 2014 meeting, the Board of Examiners approved the settlement in the amount of \$2,403,292.57 to be paid from NDOT funds to resolve the contested condemnation case referenced above which is part of Project Neon.

Attached is the February 12, 2015 memorandum to the Board of Examiners from Director Rudy Malfabon, Senior Deputy Attorney General Ruth Miller, Outside Counsel, Laura FitzSimmons, Esq., and myself to the Board of Examiners setting forth a summary of the settlement.



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

Transportation Division
555 E. Washington Avenue, Suite 3900
Las Vegas, Nevada 89101

ADAM PAUL LAXALT
Attorney General

WESLEY K. DUNCAN
Assistant Attorney General

NICHOLAS A. TRUTANICH
Chief of Staff

MEMORANDUM

DATE: February 12, 2015

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

FROM: Rudy Malfabon, Director, Nevada Department of Transportation 
Dennis Gallagher, Chief Deputy Attorney General 
Ruth Miller, Senior Deputy Attorney General
Laura Wightman FitzSimmons, outside counsel

SUBJECT: Proposed Settlement of an Eminent Domain Lawsuit filed by
NDOT, State of Nevada ex rel. its Department of Transportation
v. Westcare Works, Inc., et al.;
Eighth Judicial District Court Case No. 8th JD A-13-680564-C

SUMMARY

The Nevada Department of Transportation ("NDOT") requests settlement approval in a contested condemnation case for the project known as Project Neon. NDOT requests settlement approval in the amount of **\$2,403,292.57**. NDOT has previously paid the sum of \$1,800,000.00 for a right of occupancy for this total take of the property and \$446,707.43 as and for relocation expenses of the operations. Those prior payments, combined with the requested settlement amount, would result in total payment to Westcare of \$4.65 million.

This total payment amount would compensate Westcare for the acquisition of its property on Martin Luther King Blvd., from where it has been operating for decades as a drug treatment facility. It would further pay expenses incurred by Westcare for finding, remodeling, and permitting a replacement property so that it can continue its operations, which provide treatment programs and shelter to people who need mental health and/or drug and alcohol treatment programs. This settlement will resolve any and all claims for just compensation for the property and relocation benefits.

BACKGROUND

Westcare Community Involvement Center

The Subject Property is located at 407 S. Martin Luther King Blvd., Las Vegas, Clark County, NV, bearing assessor parcel number 139-33-601-004 ("Subject Property") and contains 0.92 acres

This condemnation action involves real property rights owned by Westcare Works, Inc., Westcare Foundation, Inc., and Fitzhouse Enterprises, Inc. (collectively "Westcare"), a family of tax exempt non-profit organizations that provide a wide spectrum of health and human services to the Las Vegas metropolitan area community. Westcare is a primary non-profit source for alcohol and drug treatment services to the indigent community in Clark County as well as to the court system. The State must acquire the Subject Property to build Project NEON, and Westcare must therefore relocate this facility to another site in order to maintain and provide services to the community.

The Existing Condition

The Subject Property's building improvements contain 15,201 square feet in two separate buildings. The one-story building, which exists along the immediate Martin Luther King frontage, contains 3,661 square feet. The second two-story building in the rear of the property contains 11,540 square feet. In 2005, the property was licensed as a 38-bed facility adult alcohol and drug rehabilitation clinic. It had been expanded to a 50-bed facility. The improvements include gender separated bath and shower areas, multiple rooms, common areas, administrative offices, and a kitchen. The facility is a secure facility, with centralized nursing stations and other improvements that are tailored for inpatient services. The property has previously been used for in-patient and out-patient counseling and care. In addition to the two-building care facility the Subject Property contains a cellular tower which resides on a portion of the site and is encumbered by a site lease. Westcare received income from the cellular tower lease.

The Eminent Domain Action

On April 22, 2013, NDOT filed its Verified Complaint in Eminent Domain in the Eighth Judicial District Court, Case No. A-13-680564-C. NDOT effectuated service upon Westcare on April 25, 2013, pursuant to NRS Chapter 37 and 408. In its Complaint, and separately by motion, NDOT sought immediate occupancy over the Subject Property pending entry of judgment. By order entered on August 2, 2013, NDOT obtained a right of occupancy under NRS 37.100, and was ordered to and did thereafter deposit \$2,058,350.00, in consideration thereof, with the Clerk of the Court. Westcare withdrew \$1.8 million from this deposit and thereby waived all defenses except those relating to the amount of just compensation. In addition to the release of a portion of the deposit to Westcare, the sum of \$140,000.00 from the funds held on deposit was released to defendant Pegasus Tower Company, LLC for and in consideration of its cell tower and attendant equipment located on the Subject Property.

NDOT also effectuated service of its Complaint upon all defendants originally named therein, and all defendants except Westcare, Central Telephone and Nevada Power (with whom separate resolutions are pending) thereafter defaulted under NRS 37.083 or voluntarily and knowingly disclaimed their interests. Per NRS 37.083, these defaulting and disclaiming defendants waived all defenses and objections to the sufficiency and validity of the Complaint, including the right of NDOT to condemn the Subject Property. This settlement will therefore result in NDOT obtaining title to the Subject Property, encumbered only by a power easement for Nevada Power Company, which will not affect the Project.

As a condition of granting NDOT occupancy, Judge Tao requested, and the parties subsequently stipulated, that NDOT use its best efforts to facilitate Westcare's relocation to a replacement site during which time the eminent domain action was stayed. Judge Tao noted Westcare's value to the community, and to the court system. Westcare has been allowed to remain on the Subject Property, rent free, since August, 2012 while it located, purchased and began extensive modifications of a suitable replacement property, which is located on Maryland Parkway in Las Vegas. That renovation is not yet complete and, under the terms of the proposed settlement agreement, Westcare will remain in occupancy, rent free, of the Subject Property until October 31, 2015 when construction of its new facility is expected to be completed. This provision is intended to provide that there will be no interruption of services provided by Westcare to the Southern Nevada community.

POINTS THAT FAVOR SETTLEMENT

In July, 2014, Westcare provided a settlement package to NDOT indicating a settlement offer in a total amount of \$9.101 million dollars. This amount was calculated based upon a claim of \$5.6 million in fair market value for the Subject Property and \$3.4 million for relocation/reestablishment expenses.

Just Compensation

Recently, Westcare provided an appraisal from Keith Harper, MAI, who opined that the just compensation due for the acquisition of the Subject Property should be \$5.2 million, excluding relocation expenses. That value is dependent upon an interpretation of a concept in eminent domain which can, under certain circumstances, result in the valuation of a "special use property" as being something different than fair market value. It is anticipated that if this matter were not to settle, there would be significant pre-trial litigation concerning whether the Subject Property qualifies as a "special use property" for valuation purposes, but this settlement will resolve any and all claims for just compensation.

Relocation

Westcare is a "displaced person" as that term is defined pursuant to Uniform Relocation Assistance and Real Property Acquisition Act of 1970 ("URA"). Per NRS 342.105, NDOT is required to follow the URA as a condition of receiving federal funding for Project NEON. As Westcare is eligible under the URA, it is entitled to receive a myriad of benefits in addition to just compensation for the Subject Property, including but not limited to, moving expenses and reestablishment expenses. To the extent that a replacement facility is otherwise unavailable, the displacee may be entitled to receive compensation necessary to allow it to purchase, rehabilitate, and construct a new building.

Westcare purchased a relocation site at 32385 N. Maryland Parkway, Las Vegas, NV on May 5, 2014, for the purchase price of \$900,000.00. According to Westcare, the relocation site requires significant modifications and remodeling to create a "like for like" facility as the Subject Property. Westcare received bids for the necessary construction/remodeling of the relocation site ranging from \$2,191,158.00 to slightly over \$3 million. In addition to the reconstruction cost, the estimated cost of relocating Westcare's furniture, fixtures and equipment is approximately \$375,000.00. Thus, NDOT's liability for relocation expenses is between \$2.5 to \$3.375 million.

To date, NDOT has paid a total of \$446,707.43 in connection with the following three relocation claims submitted by Westcare: May 3, 2013 (relocation claim #1, \$26,675.00), October 3, 2014 (relocation claim #2, \$35,416.00), and December 19, 2014 (relocation claim #3, \$384,616.43). This settlement will resolve any and all claims for relocation benefits.

Trial and Appeal

Trial time for this case is estimated to be 7-10 days. NDOT will be required to hire several experts addressing the special use aspect of the Subject Property. The additional financial resources required to present NDOT's case against Westcare would be significant.

Post trial if either of the parties appealed, there would be additional costs. Based upon current patterns, it is estimated that it could take approximately three (3) years for any appeal to be resolved by the Supreme Court. This settlement will avoid such costs and uncertainty associated with the acquisition of the Subject Property including the payment of relocation expenses required under the URA.

RECOMMENDATION

NDOT believes that this is a fair settlement, given the potential exposure to a just compensation judgment well in excess of \$2.5 million combined with an obligation to pay relocation expenses in excess of \$2.5 million. Additionally, NDOT must consider the potential costs of going to trial and in so doing believes that the proposed settlement is reasonable, prudent, and in the public interest. NDOT requests authority to settle Westcare's claim of just compensation and of relocation for the total sum of \$4,650,000.00, less the amount of \$1,800,000.00 previously deposited and withdrawn by Westcare. NDOT also will receive credit on the settlement amount for the payment of \$446,707.43 in relocation payments which it has previously paid. This settlement, if approved, will require additional payment in the amount of **\$2,403,292.57**. Because Westcare needs the funds as soon as possible to continue with the remodeling of the replacement facility, it is an additional material term of this settlement that the payment be made within thirty (30) days of approval of this settlement.

FISCAL NOTE STATEMENT

The acquisition of the Subject Property and the relocation benefits are included in the budget of Project NEON. NDOT will seek reimbursement from the Federal Highway Administration for a portion of this settlement.



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

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

MEMORANDUM

April 6, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: April 13, 2015 Transportation Board of Directors Meeting
Item # 8: Action Item: Condemnation Resolution No. 447
I-15 Freeway, from Desert Inn Road to the US-95/I-515
Interchange; Project NEON; in the City of Las Vegas; Clark County.
3 Owners, 3 Parcels – For possible action

Summary:

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

Background:

1901 Loch Lomond Wy Trust - The negotiation is unresolved for the acquisition from the 1901 Loch Lomond Wy Trust. It is necessary to totally acquire the 8,046 square foot (0.185 acre) Single-Family Resident District-zoned parcel in fee simple. The parcel is improved with a 2,246 square foot single-family residence, a swimming pool with concrete decking, a covered patio, miscellaneous landscaping and fencing. **The parcel in question, which is located on the southeast side of Loch Lomond Way, approximately 110 feet southwest of Ivanhoe Way, in the City of Las Vegas, is highlighted in blue on the right-of-way plans that are part of the Condemnation Resolution (Attachment 2).** The State's initial offer of \$230,000.00 for the 0.185 acre holding was mailed to the property owner on October 29, 2014. The offer consisted of \$40,000.00 for the fee simple land (at \$4.97 per square foot) and \$190,000.00 for the structure and miscellaneous on-site improvements. The property owner rejected the offer on November 3, 2014 and countered at \$7,000,000.00 per acre for the land, based on what he felt the State was paying for similar property being acquired for Project NEON. This would equate to \$1,295,000.00 for this 0.185 acre lot. Negotiations are now at an impasse. The department is continuing to work towards settlement, but is requesting this condemnation resolution to meet construction deadlines.

Loch Lomond Trust - The negotiation is also unresolved for the acquisition from the Loch Lomond Trust. It is necessary to totally acquire the 7,991 square foot (0.183 acre) Single-Family Resident District-zoned parcel in fee simple. The parcel is improved with a 1,762 square foot single-family residence, a two-car garage, a swimming pool with concrete decking, an open patio, miscellaneous landscaping and fencing. **The parcel in question, which is located on the southeast side of Loch Lomond Way, immediately southwest of Kiltie Way, in the City of Las Vegas, is highlighted in red on the right-of-way plans that are part of the Condemnation Resolution (Attachment 2).** The State's initial offer of \$205,000.00 for the 0.185 acre holding was mailed to the property owner on October 29, 2014. The offer consisted of \$40,000.00 for the fee simple land (at \$5.01 per square foot) and \$165,000.00 for the structure and miscellaneous

on-site improvements. The property owner rejected the offer on November 3, 2014 and countered at \$7,000,000.00 per acre for the land, based on what he felt the State was paying for similar property being acquired for Project NEON. This would equate to \$1,281,000.00 for this 0.183 acre lot. Negotiations are now at an impasse. The department is continuing to work towards settlement, but is requesting this condemnation resolution to meet construction deadlines.

Loch Lomond Way Trust - The negotiation is also unresolved for the acquisition from the Loch Lomond Way Trust. It is necessary to totally acquire the 7,985 square foot (0.183 acre) Single-Family Resident District-zoned parcel in fee simple. The parcel is improved with a 2,287 square foot single-family residence, a two-car garage, an open patio, miscellaneous landscaping and fencing. **The parcel in question, which is located on the southeast side of Loch Lomond Way at Kiltie Way, in the City of Las Vegas, is highlighted in green on the right-of-way plans that are part of the Condemnation Resolution (Attachment 2).** The State's initial offer of \$245,000.00 for the 0.183 acre holding was mailed to the property owner on October 29, 2014. The offer consisted of \$40,000.00 for the fee simple land (at \$5.01 per square foot) and \$205,000.00 for the structure and miscellaneous on-site improvements. The property owner rejected the offer on November 3, 2014 and countered at \$7,000,000.00 per acre, based on what he felt the State was paying for similar property being acquired for Project NEON. This would equate to \$1,281,000.00 for this 0.183 acre lot. Negotiations are now at an impasse. The department is continuing to work towards settlement, but is requesting this condemnation resolution to meet construction deadlines.

Analysis:

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

...

Recommendation for Board Action:

Board approval of this resolution of condemnation is respectfully requested.

List of Attachments:

1. Location map
2. Condemnation Resolution No. 447 with Right-of-Way plans
3. Section 408.503 of the Nevada Revised Statutes
4. Section 241.034 of the Nevada Revised Statutes

Prepared by:

Paul Saucedo, Chief R/W Agent



LOCATION MAP



CONDEMNATION RESOLUTION No. 447

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

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

CONDEMNATION RESOLUTION NO. 447

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

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

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

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

WHEREAS, pursuant to section 408.503 of the Nevada Revised Statutes, the Department shall not commence any legal action in eminent domain until the Board of Directors of the Department adopts a resolution declaring that the public

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

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

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

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

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

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

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

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

PARCEL I-015-CL-040.896 owned by 1901 LOCH LOMOND WY TRUST, to be acquired in fee simple.

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

LOT THIRTY-FOUR (34) IN BLOCK FOUR (4) OF GLEN
HEATHER ESTATES UNIT NO. 4, AS SHOWN BY MAP
THEREOF ON FILE IN BOOK 8, PAGE 9 OF PLATS, IN THE
OFFICE OF THE COUNTY RECORDER, CLARK COUNTY,
NEVADA.

It is the intent of this description to describe and it does describe all that real property described in that certain TRUSTEE'S DEED UPON SALE, filed for record on March 4, 2013, as Instrument No. 201303040001000, in the Office of the County Recorder, Clark County, Nevada.

PARCEL I-015-CL-041.014 owned by LOCH LOMOND TRUST, to be acquired in fee simple.

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

LOT FORTY-THREE (43) IN BLOCK FOUR (4) OF GLEN
HEATHER ESTATES UNIT NO. 4, AS SHOWN BY MAP
THEREOF ON FILE IN BOOK 8, PAGE 9 OF PLATS, IN THE
OFFICE OF THE COUNTY RECORDER, CLARK COUNTY,
NEVADA.

It is the intent of this description to describe and it does describe all that real property described in that certain TRUSTEE'S DEED UPON SALE, filed for record on August 14, 2014 as Instrument No. 20140814-0001349, in the Office of the County Recorder, Clark County, Nevada.

PARCEL I-015-CL-041.027 owned by LOCH LOMOND WAY TRUST, to be acquired in fee simple.

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

LOT FORTY-FOUR (44) IN BLOCK FOUR (4) OF GLEN
HEATHER ESTATES UNIT NO. 4, AS SHOWN BY MAP THEREOF
ON FILE IN BOOK 8, PAGE 9 OF PLATS, IN THE OFFICE OF THE
COUNTY RECORDER, CLARK COUNTY, NEVADA.

It is the intent of this description to describe and it does describe all that real property described in that certain TRUSTEE'S DEED UPON SALE, filed for record on April 30, 2012, as Instrument No. 201204300002749, in the Office of the County Recorder, Clark County, Nevada.

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

Adopted this _____ day of April, 2015.

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

Secretary to the Board
William H. Hoffman

Chairman – Brian Sandoval
Governor

APPROVED AS TO LEGALITY
AND FORM

Dennis Gallagher, Chief Counsel
Department of Transportation

STATE	C.A. NO.	PROJECT NO.	COUNTY	SHEET NO.
NEVADA	73652	NH-STP-015-1(147)	CLARK	01

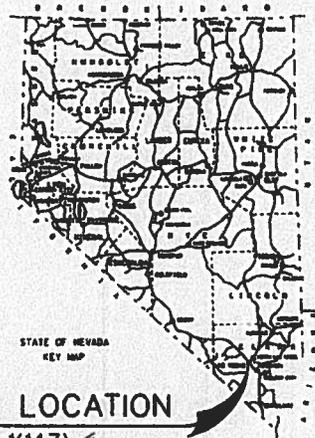
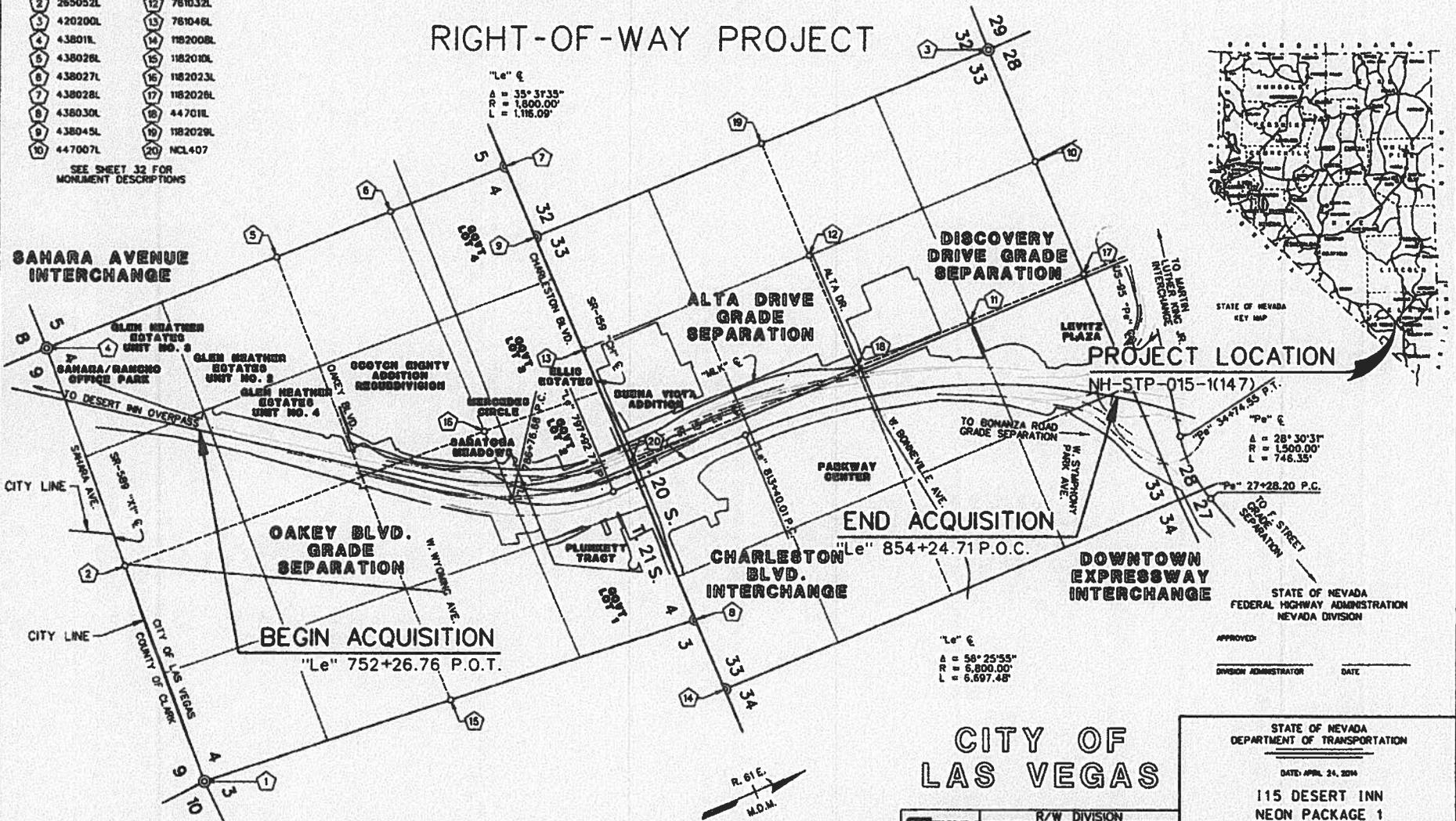
STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

RIGHT-OF-WAY PROJECT

FOUND MONUMENTS

- | | |
|------------|-------------|
| 1 26505L | 11 44701DL |
| 2 265052L | 12 761032L |
| 3 42020DL | 13 761046L |
| 4 43801L | 14 118200R |
| 5 438026L | 15 118201DL |
| 6 438027L | 16 1182023L |
| 7 438028L | 17 1182026L |
| 8 438030L | 18 44701L |
| 9 438045L | 19 1182029L |
| 10 447007L | 20 NCL407 |

SEE SHEET 32 FOR
MONUMENT DESCRIPTIONS



PROJECT LOCATION
NH-STP-015-1(147)

"Le" E
A = 35° 37' 33"
R = 1,800.00'
L = 1,115.09'

"Pe" E
A = 28° 30' 31"
R = 1,500.00'
L = 746.35'

"Le" E
A = 58° 25' 55"
R = 6,800.00'
L = 6,697.48'

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

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

CITY OF
LAS VEGAS

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
DATE: APRIL 24, 2010
115 DESERT INN
NEON PACKAGE 1
COVER SHEET

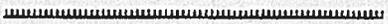
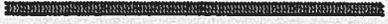
NEVADA DOT	R/W DIVISION	
	TRACED	DATE: JHD MHW STG MFC
	CHECKED	DATE:
PHONE: (775) 818-7470		

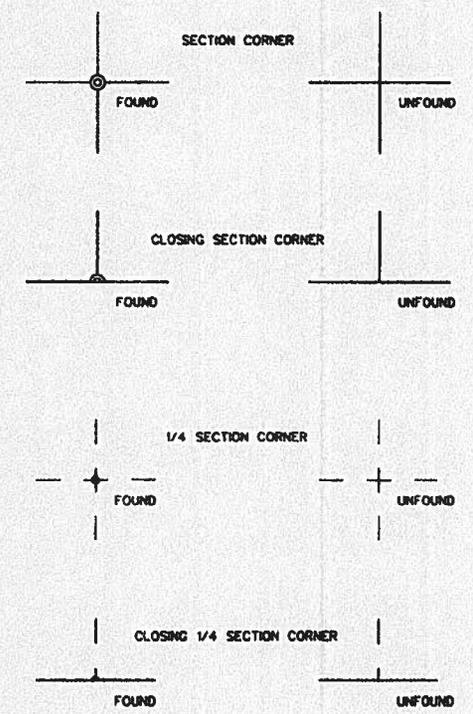
SCALE: 1"=100'

SHEET 1 OF 49

LEGEND OF RIGHT-OF-WAY SYMBOLS

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

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



STATE OF NEVADA
 DEPARTMENT OF TRANSPORTATION
 DATE: MAY 1, 2014
R/W PLANS
 SHEET 2 OF 10

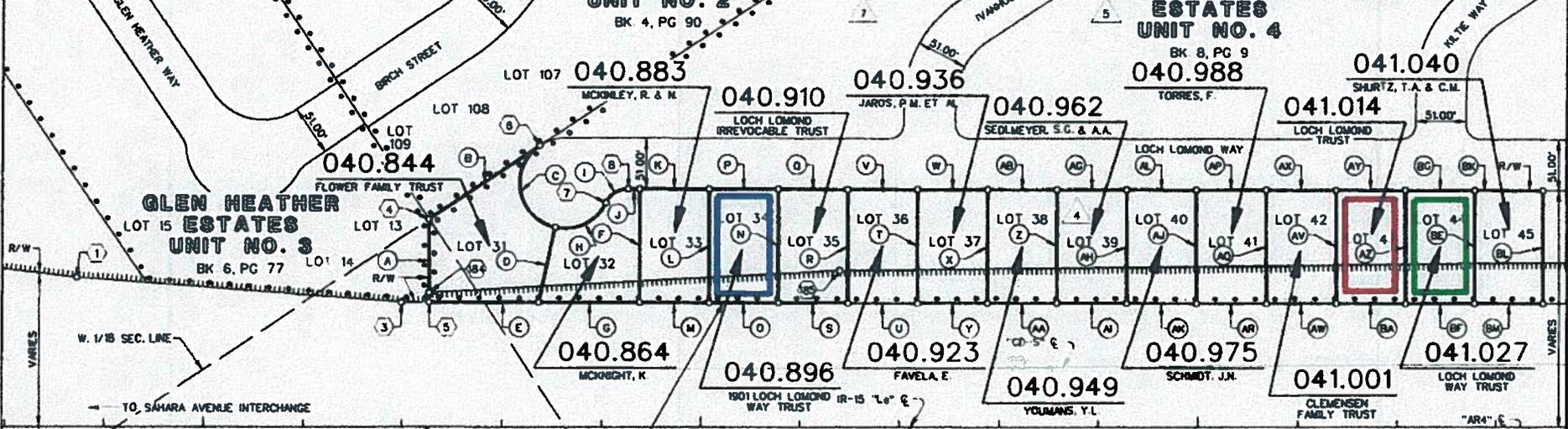
PARCEL NUMBER PREFIX: I-015-CL-

STATE	E.A. NO.	PROJECT NO.	COUNTY	SHEET NO.
NEVADA	73652	NH-STP-015-111471	CLARK	04

**GLEN HEATHER
ESTATES
UNIT NO. 2**
BK 4, PG 90

**GLEN HEATHER
ESTATES
UNIT NO. 4**
BK 8, PG 9

ENGINEERING BOXES: SHEETS 24 & 25
STATION & OFFSET: SHEETS 31 & 32



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

TO OAKY BOULEVARD GRADE SEPARATION

SEE DETAIL SHEET 22

**CITY OF
LAS VEGAS**

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

DATE: MAY 1, 2004

R/W PLANS

DATE OF LAST REVISION: 1/8/2013
R/W DIVISION

TRACED: GJM JMD MRW WTC MFC
CHECKED: LJM
PHONE: 17751 888-7470

APPROVED: _____
SCALE: 1"=50'

SHEET 4 OF 04

040.844	
A	N. 54°55'44" W. - 84.29'
B	N. 1°34'15" E. - 133.67'
A = 134°00'13"	
C	R = 45.50' L = 108.42'
T.B. = S. 1°34'15" W.	
D	S. 42°25'58" E. - 77.98'
E	S. 35°17'37" W. - 109.86'

040.923	
T	S. 54°38'11" E. - 114.72'
U	S. 35°17'37" W. - 70.00'
R	N. 54°38'11" W. - 114.81'
V	N. 35°21'49" E. - 70.00'

040.961TE	
P.O.B. = 149.93' RT. "Le" 759+48.46 P.O.T.	
TIE: S. 74°33'01" W. - 3,304.33' FROM THE	
E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
D	S. 54°42'23" E. - 105.15'
E	S. 35°17'37" W. - 100.00'
F	N. 54°42'23" W. - 110.06'
G	N. 35°17'37" E. - 25.90'
H	N. 46°36'13" E. - 14.69'
I	N. 37°07'50" E. - 33.07'
J	N. 37°25'29" E. - 26.67'

040.980TE	
P.O.B. = 149.93' RT. "Le" 759+48.46 P.O.T.	
TIE: S. 74°33'01" W. - 3,304.33' FROM THE	
E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
K	N. 37°25'29" E. - 100.07'
L	S. 54°42'23" E. - 101.43'
M	S. 35°17'37" W. - 100.00'
N	N. 54°42'23" W. - 105.15'

040.998TE	
P.O.B. = 158.29' RT. "Le" 761+48.46 P.O.T.	
TIE: S. 76°44'15" W. - 3,146.47' FROM THE	
E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
O	S. 54°42'23" E. - 96.79'
P	S. 35°17'37" W. - 100.00'
Q	N. 54°42'23" W. - 101.43'
R	N. 37°25'29" E. - 36.23'
S	N. 38°14'40" E. - 63.88'

040.864	
F	S. 54°38'11" E. - 115.06'
G	S. 35°17'37" W. - 101.11'
H	N. 42°25'58" W. - 77.98'
A = 76°34'10"	
R = 45.50' L = 60.81'	
T.B. = N. 47°34'02" E.	
A = 64°21'57"	
R = 25.00' L = 28.08'	
T.B. = N. 29°00'08" W.	
J	N. 35°21'49" E. - 11.45'

040.936	
W	N. 35°21'49" E. - 70.00'
X	S. 54°38'11" E. - 114.84'
Y	S. 35°17'37" W. - 70.00'
Z	N. 54°38'11" W. - 114.72'

040.962	
AA	N. 35°21'49" E. - 70.00'
AB	S. 54°38'11" E. - 114.46'
AC	S. 35°17'37" W. - 70.00'
AD	N. 54°38'11" W. - 114.55'

040.988	
AP	N. 35°21'49" E. - 70.00'
AQ	S. 54°38'11" E. - 114.29'
AR	S. 35°17'37" W. - 70.00'
AS	N. 54°38'11" W. - 114.38'

041.001	
AV	S. 54°38'11" E. - 114.27'
AW	S. 35°17'37" W. - 70.00'
AX	N. 54°38'11" W. - 114.29'
AY	N. 35°21'49" E. - 70.00'

040.949	
2	S. 54°38'11" E. - 114.55'
3	S. 35°17'37" W. - 70.00'
4	N. 54°38'11" W. - 114.64'
5	N. 35°21'49" E. - 70.00'

040.975	
AA	S. 54°38'11" E. - 114.38'
AB	S. 35°17'37" W. - 70.00'
AC	N. 54°38'11" W. - 114.45'
AD	N. 35°21'49" E. - 70.00'

040.998	
P.O.B. = 143.29' RT. "Le" 761+48.46 P.O.T.	
TIE: S. 76°56'30" W. - 3,156.42' FROM THE	
E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
BA	S. 38°14'40" W. - 63.88'
BB	S. 37°25'29" W. - 36.23'
BC	N. 54°42'23" W. - 13.65'
BD	N. 35°17'37" E. - 100.00'
BE	S. 54°42'23" E. - 18.29'

041.014	
AT	N. 35°21'49" E. - 70.00'
AU	S. 54°38'11" E. - 114.12'
AV	S. 35°17'37" W. - 70.00'
AW	N. 54°38'11" W. - 114.21'

040.883	
K	N. 35°21'49" E. - 70.00'
L	S. 54°38'11" E. - 114.98'
M	S. 35°17'37" W. - 70.00'
N	N. 54°38'11" W. - 115.08'

040.961	
P.O.B. = 134.93' RT. "Le" 759+48.46 P.O.T.	
TIE: S. 74°45'04" W. - 3,313.84' FROM THE	
E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
AA	S. 37°25'29" W. - 26.67'
AB	S. 37°07'50" W. - 33.07'
AC	S. 46°36'13" W. - 14.69'
AD	S. 35°17'37" W. - 25.90'
AE	N. 54°42'23" W. - 5.00'
AF	N. 35°17'37" E. - 100.00'
AG	S. 54°42'23" E. - 9.93'

040.980	
P.O.B. = 134.93' RT. "Le" 759+48.46 P.O.T.	
TIE: S. 74°45'04" W. - 3,313.84' FROM THE	
E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
AA	N. 54°42'23" W. - 9.93'
AB	N. 35°17'37" E. - 100.00'
AC	S. 54°42'23" E. - 13.65'
AD	S. 37°25'29" W. - 100.07'

040.998PE	
P.O.B. = 143.29' RT. "Le" 761+48.46 P.O.T.	
TIE: S. 76°56'30" W. - 3,156.42' FROM THE	
E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
BA	S. 54°42'23" E. - 15.00'
BB	S. 38°14'40" W. - 63.88'
BC	S. 37°25'29" W. - 36.23'
BD	N. 54°42'23" W. - 15.00'
BE	N. 37°25'29" E. - 36.23'
BF	N. 38°14'40" E. - 63.88'

041.017	
P.O.B. = 143.29' RT. "Le" 761+48.46 P.O.T.	
TIE: S. 76°56'30" W. - 3,156.42' FROM THE	
E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
BA	N. 54°42'23" W. - 15.29'
BB	N. 35°17'37" E. - 100.00'
BC	S. 54°42'23" E. - 23.44'
BD	S. 38°14'40" W. - 100.13'

040.896	
N	S. 54°38'11" E. - 114.89'
O	S. 35°17'37" W. - 70.00'
L	N. 54°38'11" W. - 114.88'
P	N. 35°21'49" E. - 70.00'

040.961PE	
P.O.B. = 134.93' RT. "Le" 759+48.46 P.O.T.	
TIE: S. 74°45'04" W. - 3,313.84' FROM THE	
E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
AA	S. 54°42'23" E. - 15.00'
AB	S. 37°25'29" W. - 26.67'
AC	S. 37°07'50" W. - 33.07'
AD	S. 46°36'13" W. - 14.69'
AE	S. 35°17'37" W. - 25.90'
AF	N. 54°42'23" W. - 15.00'
AG	N. 35°17'37" E. - 25.90'
AH	N. 46°36'13" E. - 14.69'
AI	N. 37°07'50" E. - 33.07'
AJ	N. 37°25'29" E. - 26.67'

040.980PE	
P.O.B. = 134.93' RT. "Le" 759+48.46 P.O.T.	
TIE: S. 74°45'04" W. - 3,313.84' FROM THE	
E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
AA	N. 37°25'29" E. - 100.07'
AB	S. 54°42'23" E. - 15.00'
AC	S. 37°25'29" W. - 100.07'
AD	N. 54°42'23" W. - 15.00'

040.910	
O	N. 35°21'49" E. - 70.00'
R	S. 54°38'11" E. - 114.81'
S	S. 35°17'37" W. - 70.00'
N	N. 54°38'11" W. - 114.89'

DATE OF LAST REVISION: 1/8/2015
 R/W DIVISION
 TRACED: DEW JMD MHW WTS MFC
 CHECKED: JWB
 PHONE: 11751 888-7470

STATE OF NEVADA
 DEPARTMENT OF TRANSPORTATION
 DATE: MAY 1, 2014
 R/W PLANS
 APPROVED: _____
 SHEET 24 OF 49

PARCEL NUMBER PREFIX: I-015-CL-

STATE	E.A. NO.	PROJECT NO.	COUNTY	SHEET NO.
NEVADA	73652	MM-STP-015-111471	CLARK	25

041.017PE	
P.O.B. = 143.29' RT. "Le" 761+48.46 P.O.T. TIE: S. 79°07'30" W. - 3,156.42' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	N. 38°14'40" E. - 100.13'
TB	S. 54°42'23" E. - 15.00'
TC	S. 38°14'40" W. - 100.13'
TD	N. 54°42'23" W. - 15.00'

041.036TE	
P.O.B. = 158.60' RT. "Le" 763+48.46 P.O.T. TIE: S. 79°07'30" W. - 2,992.32' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	S. 54°42'23" E. - 86.48'
TB	S. 35°17'37" W. - 100.00'
TC	N. 54°42'23" W. - 91.84'
TD	N. 38°14'40" E. - 100.13'

041.091	
P.O.B. = 158.42' RT. "Le" 766+48.46 P.O.T. TIE: S. 83°24'28" W. - 2,783.81' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	S. 37°40'17" W. - 64.50'
TB	S. 38°14'40" W. - 35.61'
TC	N. 54°42'23" W. - 38.91'
TD	N. 35°17'37" E. - 100.00'
TE	S. 54°42'23" E. - 43.42'

041.110PE	
P.O.B. = 158.42' RT. "Le" 766+48.46 P.O.T. TIE: S. 83°24'28" W. - 2,783.81' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	N. 37°40'17" E. - 342.38'
TB	N. 37°54'18" E. - 59.25'
TC	S. 88°54'17" E. - 13.33'
TD	A = 11°32'45" R = 25.00' L = 5.04'
TE	S. 37°54'18" W. - 69.15'
TF	S. 37°40'17" W. - 342.38'
TF	N. 54°42'23" W. - 15.00'

041.112TE	
P.O.B. = 427.45' LT. "Le" 767+56.84 P.O.T. TIE: N. 89°33'10" E. - 1,939.01' FROM THE W 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	N. 88°55'07" W. - 150.81'
TB	Δ = 13°09'22" R = 15.00' L = 3.44' T.B. = N. 10°27'20" W.
TC	N. 2°42'02" E. - 6.58'
TD	S. 88°55'07" E. - 151.20'
TE	S. 2°42'02" W. - 10.00'

041.017TE	
P.O.B. = 158.29' RT. "Le" 761+48.46 P.O.T. TIE: S. 78°44'15" W. - 3,146.47' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	N. 38°14'40" E. - 100.13'
TB	S. 54°42'23" E. - 91.84'
TC	S. 35°17'37" W. - 100.00'
TD	N. 54°42'23" W. - 98.79'

041.040	
TA	N. 35°21'49" E. - 70.00'
TB	S. 54°38'11" E. - 113.95'
TC	S. 35°17'37" W. - 70.00'
TD	N. 54°38'11" W. - 114.04'

041.091PE	
P.O.B. = 158.42' RT. "Le" 766+48.46 P.O.T. TIE: S. 83°24'28" W. - 2,783.81' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	S. 54°42'23" E. - 15.00'
TB	S. 37°40'17" W. - 64.50'
TC	S. 38°14'40" W. - 35.61'
TD	N. 54°42'23" W. - 15.00'
TE	N. 38°14'40" E. - 35.61'
TF	N. 37°40'17" E. - 64.50'

041.110TE	
P.O.B. = 183.42' RT. "Le" 766+48.46 P.O.T. TIE: S. 83°12'03" W. - 2,772.66' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	N. 37°40'17" E. - 342.38'
TB	N. 37°54'18" E. - 69.15'
TC	A = 105°00'22" R = 25.00' L = 45.82' T.B. = S. 77°21'32" E.
TD	S. 27°38'50" W. - 118.17'
TE	A = 7°38'47" R = 470.00' L = 62.72'
TF	S. 35°17'37" W. - 211.76'
TF	N. 54°42'23" W. - 71.66'

041.128	
P.O.B. = 326.56' LT. "Le" 768+25.44 P.O.T. TIE: N. 89°38'38" E. - 2,060.98' FROM THE W 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	S. 46°42'05" W. - 17.16'
TB	N. 88°55'07" W. - 110.08'
TC	N. 2°42'02" E. - 12.00'
TD	S. 88°55'07" E. - 122.00'

041.027	
TA	S. 54°38'11" E. - 114.04'
TB	S. 35°17'37" W. - 70.00'
TC	N. 54°38'11" W. - 114.12'
TD	N. 35°21'49" E. - 70.00'

041.054	
P.O.B. = 153.60' RT. "Le" 763+48.46 P.O.T. TIE: S. 79°19'53" W. - 3,002.73' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	N. 54°42'23" W. - 28.60'
TB	N. 35°17'37" E. - 200.00'
TC	S. 54°42'23" E. - 38.91'
TD	S. 38°14'40" W. - 200.27'

041.091TE	
P.O.B. = 183.42' RT. "Le" 766+48.46 P.O.T. TIE: S. 83°12'03" W. - 2,772.66' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	S. 54°42'23" E. - 71.66'
TB	S. 35°17'37" W. - 100.00'
TC	N. 54°42'23" W. - 76.17'
TD	N. 38°14'40" E. - 35.61'
TE	N. 37°40'17" E. - 64.50'

041.112	
P.O.B. = 427.45' LT. "Le" 767+56.84 P.O.T. TIE: N. 89°33'10" E. - 1,939.01' FROM THE W 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	S. 2°42'02" W. - 12.00'
TB	N. 88°55'07" W. - 151.22'
TC	N. 2°42'02" E. - 10.00'
TD	S. 88°55'07" E. - 31.02'
TE	A = 7°56'04" R = 15.00' L = 2.08' T.B. = N. 18°23'24" W.
TF	S. 88°55'07" E. - 150.81'

041.128TE	
P.O.B. = 326.56' LT. "Le" 768+25.44 P.O.T. TIE: N. 89°38'38" E. - 2,060.98' FROM THE W 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	N. 88°55'07" W. - 122.00'
TB	N. 2°42'02" E. - 10.00'
TC	S. 88°55'07" E. - 130.56'
TD	S. 14°48'23" E. - 1.07'
TE	S. 46°42'05" W. - 12.82'

041.036	
P.O.B. = 153.60' RT. "Le" 763+48.46 P.O.T. TIE: S. 79°19'53" W. - 3,002.73' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	S. 38°14'40" W. - 100.13'
TB	N. 54°42'23" W. - 23.44'
TC	N. 35°17'37" E. - 100.00'
TD	S. 54°42'23" E. - 28.60'

041.054PE	
P.O.B. = 153.60' RT. "Le" 763+48.46 P.O.T. TIE: S. 79°19'53" W. - 3,002.73' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	N. 38°14'40" E. - 200.27'
TB	S. 54°42'23" E. - 15.00'
TC	S. 38°14'40" W. - 200.27'
TD	N. 54°42'23" W. - 15.00'

041.110	
P.O.B. = 158.42' RT. "Le" 766+48.46 P.O.T. TIE: S. 83°24'28" W. - 2,783.81' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	N. 54°42'23" W. - 43.42'
TB	N. 35°17'37" E. - 360.29'
TC	S. 88°54'17" E. - 72.93'
TD	S. 37°54'18" W. - 59.25'
TE	S. 37°40'17" W. - 342.38'

041.036PE	
P.O.B. = 153.60' RT. "Le" 763+48.46 P.O.T. TIE: S. 79°19'53" W. - 3,002.73' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	S. 54°42'23" E. - 15.00'
TB	S. 38°14'40" W. - 100.13'
TC	N. 54°42'23" W. - 15.00'
TD	N. 38°14'40" E. - 100.13'

041.054TE	
P.O.B. = 158.60' RT. "Le" 763+48.46 P.O.T. TIE: S. 79°07'30" W. - 2,992.32' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
TA	N. 38°14'40" E. - 200.27'
TB	S. 54°42'23" E. - 76.17'
TC	S. 35°17'37" W. - 200.00'
TD	N. 54°42'23" W. - 86.48'

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

DATE: MAY 1, 2014

R/W PLANS

APPROVED: _____

DIRECTOR OF HIGHWAYS

DATE OF LAST REVISION: 1/8/2015

R/W DIVISION

TRACKED: _____
 CHECKED: _____
 DESIGNED: _____
 PHONE: (775) 884-7470

PROPERTY SCHEDULE

ALL AREAS ARE SHOWN IN SQUARE FEET
UNLESS OTHERWISE NOTED

PROJECT NO.

E.A. NO.

COUNTY

SHEET NO.

STATE OF NEVADA DEPT. OF TRANSPORTATION

NH-STP-015-1(147)

73652

CLARK

34

PARCEL NO.	GRANTOR	GROSS AREA OF ACQSN.	PREV. ACQ.	NET AREA	R/W AREA	REMAINDER		ACQUISITION RECORDING DATA			SURPLUS LAND DATA			REMARKS
						LT.	RT.	INST. OR DOC.	BK. PG.	DATE TYPE	AREA	INST. OR DOC.	BK. PG.	
40.844	FLOWER FAMILY TRUST	13,004		13,004	13,004									Total Acquisition
40.884	MCKNIGHT, K.	8,557		8,557	8,557									Total Acquisition
40.883	MCKINLEY, R. & N.	8,052		8,052	8,052									Total Acquisition
40.898	1901 LOCH LOMOND WAY TRUST	8,046		8,046	8,046									Total Acquisition
40.910	LOCH LOMOND IRREVOCABLE TRUST	8,040		8,040	8,040									Total Acquisition
40.923	FAVELA, E.	8,034		8,034	8,034									Total Acquisition
40.936	JAROS, P.M. ET AL	8,028		8,028	8,028									Total Acquisition
40.949	YOUNG, Y.L.	8,022		8,022	8,022									Total Acquisition
40.961	T.B.S. HIGHLAND PROPERTIES LLC	752		752	752									
40.961PE	T.B.S. HIGHLAND PROPERTIES LLC	1,500		1,500										Maintenance Easement
40.961TE	T.B.S. HIGHLAND PROPERTIES LLC	10,756		10,756										Temporary Construction Easement
40.982	SEDLMEYER, S.G. & A.A.	8,015		8,015	8,015									Total Acquisition
40.975	SCHMIDT, J.N.	8,009		8,009	8,009									Total Acquisition
40.980	FERRIS INVESTMENTS INC	1,179		1,179	1,179									
40.980PE	FERRIS INVESTMENTS INC	1,500		1,500										Maintenance Easement
40.980TE	FERRIS INVESTMENTS INC	10,329		10,329										Temporary Construction Easement
40.988	TORRES, F.	8,003		8,003	8,003									Total Acquisition
40.988	O'ROURKE, P.J. & M.J. ET AL	1,580		1,580	1,580									
40.988PE	O'ROURKE, P.J. & M.J. ET AL	1,500		1,500										Maintenance Easement
40.988TE	O'ROURKE, P.J. & M.J. ET AL	9,928		9,928										Temporary Construction Easement
11.001	CLEMENSEN FAMILY TRUST	7,997		7,997	7,997									Total Acquisition
11.014	LOCH LOMOND TRUST	7,991		7,991	7,991									Total Acquisition
11.017	FERRIS INVESTMENTS INC	2,086		2,086	2,086									

STATE OF NEVADA

DEPT. OF TRANSPORTATION R/W DIVISION

DATE: MAY 1, 2014

R/W PLANS

SHEET 34 OF 40 SHEETS

DATE OF LAST REVISION: 1/13/2016

PROPERTY SCHEDULE

ALL AREAS ARE SHOWN IN SQUARE FEET
UNLESS OTHERWISE NOTED

PROJECT NO.

E.A. NO.

COUNTY

SHEET NO.

STATE OF NEVADA DEPT. OF TRANSPORTATION

NH-STP-015-1(147)

73652

CLARK

35

PARCEL NO.	GRANTOR	GROSS AREA OF ACQSN.	PREV. ACQ.	NET AREA	R/W AREA	REMAINDER		ACQUISITION RECORDING DATA			SURPLUS LAND DATA			REMARKS
						LT.	RT.	INST. OR DOC.	BK PG.	DATE TYPE	AREA	INST. OR DOC.	BK PG.	
11.017PE	FERRIS INVESTMENTS INC	1,500		1,500										Maintenance Easement
11.017TE	FERRIS INVESTMENTS INC	9,422		9,422										Temporary Construction Easement
11.027	LOCH LOMOND WAY TRUST	7,985		7,985	7,985									Total Acquisition
11.036	1916 HIGHLAND PROPERTIES LTD	2,602		2,602	2,602									
11.036PE	1916 HIGHLAND PROPERTIES LTD	1,500		1,500										Maintenance Easement
11.036TE	1916 HIGHLAND PROPERTIES LTD	8,906		8,906										Temporary Construction Easement
11.040	SHURTZ, T.A. & C.M.	7,979		7,979	7,979									Total Acquisition
11.054	PUEBLO HIGHLAND LLC	6,751		6,751	6,751									
11.054PE	PUEBLO HIGHLAND LLC	3,000		3,000										Maintenance Easement
11.054TE	PUEBLO HIGHLAND LLC	16,265		16,265										Temporary Construction Easement
11.091	O'ROURKE, MICHAEL ET AL	4,128		4,128	4,128									
11.091PE	O'ROURKE, MICHAEL ET AL	1,500		1,500										Maintenance Easement
11.091TE	O'ROURKE, MICHAEL ET AL	7,380		7,380										Temporary Construction Easement
11.110	O'ROURKE FAMILY LP	19,536		19,536	19,536									
11.110PE	O'ROURKE FAMILY LP	6,098		6,098										Maintenance Easement
11.110TE	O'ROURKE FAMILY LP	23,987		23,987										Temporary Construction Easement
1.112	ROUNDY REVOCABLE FAMILY TRUST	2,113		2,113	2,113	18,165								
1.112TE	ROUNDY REVOCABLE FAMILY TRUST	1,512		1,512										Temporary Construction Easement
1.128	GEORGESCU, F.A.	1,392		1,392	1,392	18,809								
1.128TE	GEORGESCU, F.A.	1,288		1,288										Temporary Construction Easement
1.176	CITY OF LAS VEGAS	5,582		5,582	5,582									
1.189	SU REVOCABLE TRUST	27,721		27,721	27,721	23,682								
1.189TE	SU REVOCABLE TRUST	518		518										Temporary Construction Easement

STATE OF NEVADA

DEPT. OF TRANSPORTATION

R/W DIVISION

DATE: MAY 1, 2014

R/W PLANS

DATE OF LAST REVISION: 1/13/2015

SHEET 35 OF 40 SHEETS

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

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

2. The resolution of the Board is conclusive evidence:

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

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

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

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

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

ATTACHMENT 3

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

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

ATTACHMENT 4



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

MEMORANDUM

April 13, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: April 13, 2015 Transportation Board of Directors Meeting
Item # 9: Action Item: Disposal of a portion of NDOT right-of-way located at SR-604 (Las Vegas Blvd. @ Lamont St.); in the City of Las Vegas, Clark County, NV
SUR CL-04-003 – For Board Approval

Summary:

Approval is requested from the Department of Transportation Board of Directors to dispose of the above-referenced right-of-way by Resolution of Relinquishment. The right-of-way parcel to be relinquished to Clark County is a portion of NDOT right-of-way located at SR-604 (Las Vegas Blvd. @ Lamont St.); in the City of Las Vegas, Clark County, NV. The parcel is currently unimproved consisting of approximately 924 sq. ft. as depicted on the attached sketch map labeled Exhibit "A".

Background:

On October 18, 1943, the Department acquired an easement interest from Eva Mae Kaltenborn for highway purposes. This easement is of no further contemplated use by the Department.

Clark County consented by resolution passed and adopted on February 7, 1995, to the Department's relinquishment of a portion of NDOT right-of-way located at SR-604 (Las Vegas Blvd. @ Lamont St.); in the City of Las Vegas, Clark County, NV. It was recently discovered that the Resolution of Relinquishment was not executed during the 1995 timeframe and has subsequently become a clean-up item. The City of North Las Vegas has expressed a definite interest in finalizing this transaction. The transfer will be a benefit to the Department with the elimination of all liability and future maintenance responsibilities.

Analysis:

On August 16, 1994, the Surplus Committee determined the easement is no longer required for highway purposes. The release of NDOT's interest in this parcel is being made in accordance with NRS 408.527. The Department currently holds an easement interest in this parcel.

Recommendation for Board Action:

Approval of disposal of NDOT right-of-way for a portion of NDOT right-of-way located at SR-604 (Las Vegas Blvd. @ Lamont St.); in the City of Las Vegas, Clark County, NV.

Department of Transportation Board of Directors
April 13, 2015

List of Attachments:

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

Prepared by: Paul A. Saucedo, Chief RW Agent



LOCATION MAP



SUR CL-04-003
DESCRIPTION: SR-604 (LAS VEGAS BLVD. @ LAMONT ST.);
IN THE CITY OF LAS VEGAS, CLARK COUNTY, NV.

EXHIBIT "A"

301

Ptn. of APN: 140-05-899-009

Control Section: CL-04

Route: SR-604 (Las Vegas Blvd.) Former Route: US-91

Surplus No.: SUR-CL-04-003

Parcel: S-604-CL-004.795 XS1 (formerly described as Parcel 2 on the Resolution Consenting to Relinquishment dated February 7, 1995)

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 an easement interest in that certain right-of-way for a portion of SR-604 (Las Vegas Blvd.), extending from Highway Engineer's Station "R" 260+82± P.O.T. to Highway Engineer's Station "R" 261+19± P.O.T.; and

WHEREAS, said right-of-way is delineated and identified as Parcel S-604-CL-004.795 XS1 on EXHIBIT "A" attached hereto and made a part hereof; and

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

WHEREAS, said right-of-way is of no further contemplated use by the Department due to that portion of SR-604 (Las Vegas Blvd.) being in excess of its needs; and

WHEREAS, the County of Clark has requested the relinquishment of aforesaid portion of highway for the purpose of public use; and

WHEREAS, the County of Clark has agreed to accept the relinquishment of said right-of-way for the aforesaid portion of SR-604 (Las Vegas Blvd.) together with any and all revocable leases and licenses entered into between the Department and the adjoining owners for the multiple use of the right-of-way; and

WHEREAS, the County of Clark entered into an agreement with the Department on February 7, 1995, to accept the hereinafter described designated street as a part of the County of Clark street system; and

WHEREAS, the Board of County Commissioners of Clark County, State of Nevada, consented by resolution passed and adopted on February 7, 1995, to the Department relinquishing the aforesaid portion of said street to the County of Clark; and

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

THEREFORE, it is hereby determined by the Board of Directors of the Nevada Department of Transportation, State of Nevada, that the following described right-of-way and incidents thereto, being all that land, delineated and identified as Parcel S-604-CL-004.795 XS1 on EXHIBIT "A" attached hereto and made a part hereof, is hereby relinquished to the County of Clark of the State of Nevada. Said right-of-way is described as follows:

...situate, lying and being in County of Clark, State of Nevada, and more particularly described as being a portion of the SW 1/4 of the SE 1/4 of Section 5, T. 20 S., R. 62 E., M.D.M., and more fully described as follows:

Being a parcel or strip of land lying within the right-of-way of SR-604 (Las Vegas Blvd.) 25.00 feet in width, described as all of that land lying northwesterly of a line 75.00 feet left of the centerline of said SR-604 (Las Vegas Blvd.) from approximate Highway Engineer's Station "R" 260+82 P.O.T. to approximate Highway Engineer's Station "R" 261+19 P.O.T.

The sidelines of the above described parcel are to be shortened or lengthened so as to begin on a line 30.00 feet west of the east one sixteenth section line of said Section 5 and to terminate on said east one sixteenth section line; said parcel contains an area of 922 square feet, more or less.

Said parcel is identified as Parcel S-604-CL-004.795 XS1 on EXHIBIT "A" attached hereto and made a part hereof.

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

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

DATED this ____ day of _____, 20__.

APPROVED AS TO LEGALITY AND FORM:

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

Dennis Gallagher, Deputy Attorney General

Brian Sandoval, Chairman

ATTEST:

Secretary to the Board

PARCEL NO. PREFIX: S-604-CL-

EXHIBIT "A"

004.795 XS1

922 SQ. FT. ±

ALEXANDER ROAD

LAMONT STREET

R/W

R/W

N. 54° 06' 00" E. "R" ☉

TO SR-610 (LAMB BLVD.)

260+82±

261+19±

5

260

SR-604 (LAS VEGAS BLVD.)

TO SR-612 (NELLIS BLVD.)

75.00'
75.00'

75.00'
100.00'
75.00'
100.00'

75.00'
75.00'

R/W

R/W



COUNTY OF CLARK

SEC. 5
SEC. 8



AREA TO BE RELINQUISHED

E. 1/16 SECTION LINE

TRACED: MRW CHECKED: **OMD**

Date of last revision: _____

CL-04

SUR-CL-04-003

STATE OF NEVADA

Dept. of Transportation

R/W Division

Date: OCTOBER 6, 2014

Sketch Map

Approved:

Malena Salazar
Manager, R/W Engineering

SCALE 1" = 100'

Sheet 1 of 1 Sheet

ORIGINAL
when this statement
appears in blue

Control Section CL-0
SR-604 (Former US-91
Las Vegas Blvd.
Parcels 2 & 3

RESOLUTION CONSENTING TO RELINQUISHMENT

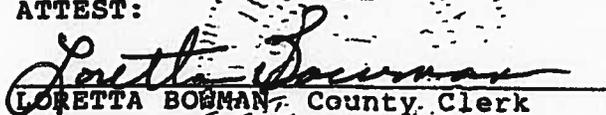
WHEREAS, the State of Nevada, Department of Transportation, desires to relinquish a portion of SR-604 (former US-91, Las Vegas Blvd.) lying within the County of Clark, State of Nevada, extending from approximate Highway Engineer's Station "R" 259+14± P.O.T. to approximate Highway Engineer's Station "R" 260+16± P.O.T. and from approximate Highway Engineer's Station "R" 260+82± P.O.T. to approximate Highway Engineer's Station "R" 261+40± P.O.T., a distance of approximately 0.03 of a mile, said right-of-way is delineated by hatching and identified as parcel numbers 2 and 3, on Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, the Board of County Commissioners of the County of Clark, State of Nevada, desires that the aforesaid portion of said highway be relinquished to the County of Clark.

NOW THEREFORE be it resolved that the Board of County Commissioners of the County of Clark, does hereby consent to the State of Nevada, Department of Transportation, Board of Directors, relinquishing to the County of Clark, that portion of SR-604 (former US-91, Las Vegas Blvd.) lying within the County of Clark, State of Nevada, extending from approximate Highway Engineer's Station "R" 259+14± P.O.T. to approximate Highway Engineer's Station "R" 260+16± P.O.T. and from approximate Highway Engineer's Station "R" 260+82± P.O.T. to approximate Highway Engineer's Station "R" 261+40± P.O.T., a distance of approximately 0.03 of a mile, being all that right-of-way delineated by hatching and identified as parcel numbers 2 and 3, on Exhibit "A" attached hereto and made a part hereof.

DATED this 7th day of February, 1995.

ATTEST:


LORETTA BOWMAN, County Clerk

BOARD OF COUNTY COMMISSIONERS

BY: 
YVONNE ATKINSON GATES, Chair

ATTACHMENT 3

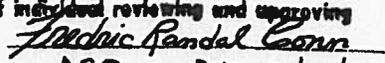
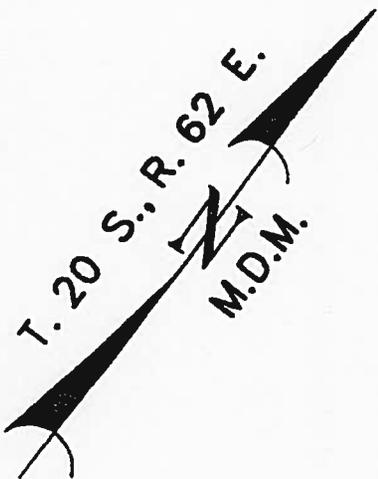
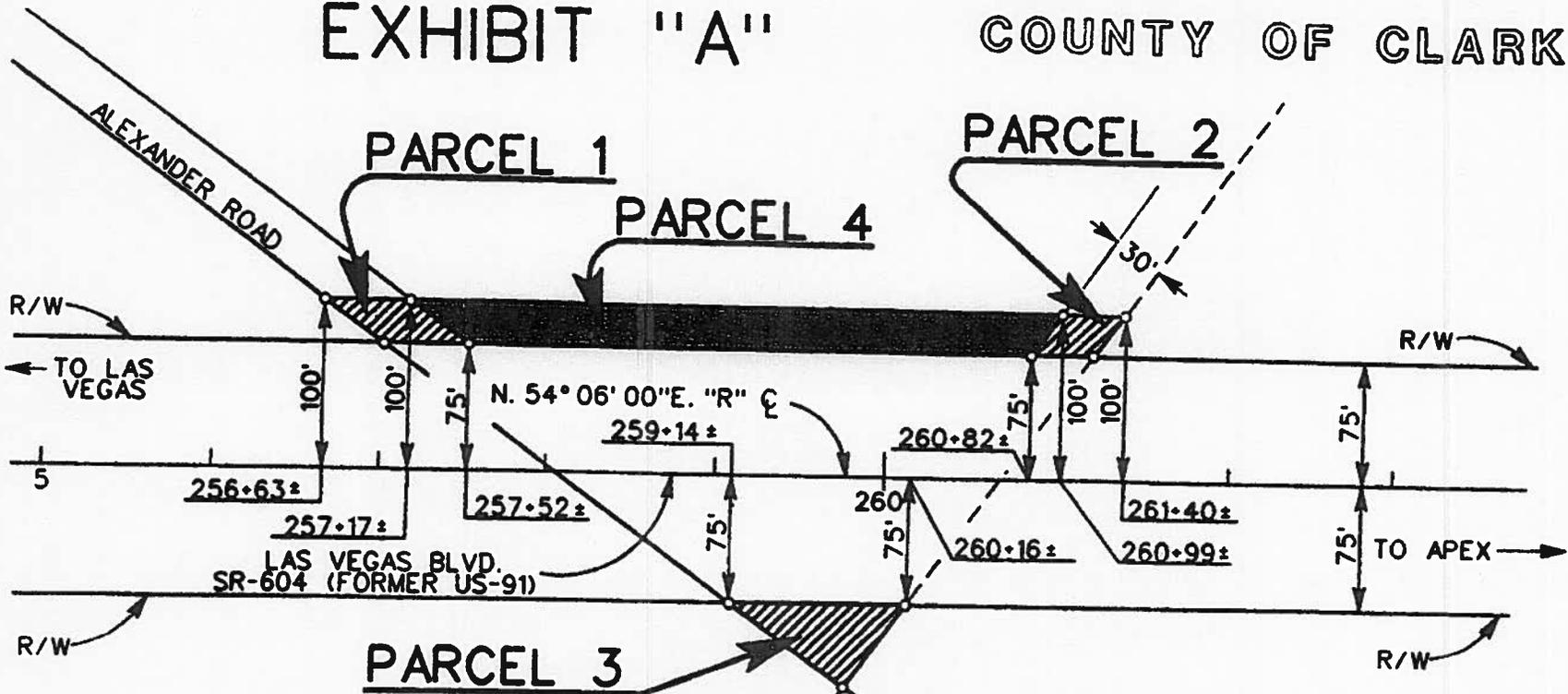
Signature of individual reviewing and approving
document 
Department ACQ. Date 2/16/95.

EXHIBIT "A"

COUNTY OF CLARK



Traced: LMB
JRC
Checked:
MORTON

 AREA TO BE RELINQUISHED
 AREA TO BE ABANDONED

STATE OF NEVADA
Dept. of Transportation R/W Division
Date: AUGUST, 1994
SKETCH MAP
Scale: 1" = 100'

Return To:

FRED CONN
Real Estate Acquisition Office
Department of Public Works
5051 Paradise Road
Las Vegas, Nevada 89119

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PUBLIC WORKS CLARK COUNTY

02-16-95 12:31 JMC 3
BOOK: 950216 INST: 00860

FEE: .00 RPTT: .00
RR RESOLUTION

CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL



1293 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7013
Fax: (775) 888-7104

MEMORANDUM

Environmental Services Division

February 26, 2015

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

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

Subject: Environmental Clearance for Transportation Board
Surplus No.: SUR CL-04-003
Parcel: S-604-CL-004.795 XS1, Clark County
SR604 (N. Las Vegas Blvd @ N. Lamont St)
Disposal by Relinquishment

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

ATTACHMENT 4

NRS 408.527 Procedure for relinquishment of roadways; regulations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ATTACHMENT 5



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

MEMORANDUM

April 13, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: April 13, 2015 Transportation Board of Directors Meeting
Item # 10: Action Item: Disposal of a portion of Wells Avenue, a strip of land over and across the Truckee River; in the City of Reno, Washoe County, NV

SUR 14-11

Summary:

Approval is requested from the Department of Transportation Board of Directors to dispose of the above-referenced right-of-way by Resolution of Relinquishment. The right-of-way parcel to be relinquished to the Nevada Department of Conservation and Natural Resources, Division of State Lands (Division of State Lands) is a portion of Wells Avenue, a strip of land over and across the Truckee River; in the City of Reno, Washoe County, NV. The parcel is currently improved with a bridge structure consisting of 0.56 acres (24,606 sq. ft.) as depicted on the attached sketch map labeled Exhibit "A".

Background:

Wells Avenue, along with the Wells Avenue Viaduct (the bridge) over the Truckee River are owned by the City of Reno (City). The City has been maintaining this facility since 1971. In 1976 the Department of Transportation (Department) deeded all the right-of-way for Wells Avenue to the City, from Virginia Street to Casazza Drive, making the City the formal owner of this facility. In 1987 the City and the Department entered into an Inter-local Agreement to replace the Wells Avenue bridge using federal bridge replacement funds. As part of the bridge replacement project it was discovered that the Department needed to obtain an easement from the Division of State Lands to cross the Truckee River to allow re-construction of the bridge. To clarify, the Department was performing the construction activities therefore the Division of State Lands required an easement with the Department. Subsequently on July 26, 1988, the Department acquired the property by an Easement Deed from the Division of State Lands for right-of-way for the bridge structure under Project BRM-663(1). Once construction was completed the Department was to relinquish the easement back to the Division of State Lands and they would in turn seek a new easement with the City. This did not occur. The Division of State Lands discovered this fact several months ago and made a request to the Department to start the relinquishment process. The Division of State Lands has been in contact with the City regarding this issue and the City has made an application with the Division of State Lands for a new easement. When granted the easement will be a non-monetary transaction.

Department of Transportation Board of Directors
April 13, 2015

The Division of State Lands, consented by resolution passed and adopted on November 5, 2014, to the Department's relinquishment of a portion of Wells Avenue, a strip of land over and across the Truckee River; in the City of Reno, Washoe County, NV. This transfer will be a benefit to the Department with the elimination of all liability and will not impact the maintenance or operation of the bridge.

Analysis:

As stated above the Division of State Lands signed a Resolution Consenting to Relinquishment and Land Transfer Agreement accepting the relinquishment of this parcel. The release of the Department's interest in this parcel is being made in accordance with NRS 408.527. The Department currently holds an easement interest in this parcel.

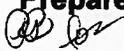
Recommendation for Board Action:

Approval of disposal of the Department right-of-way for a portion of Wells Avenue, a strip of land over and across the Truckee River; in the City of Reno, Washoe County, NV.

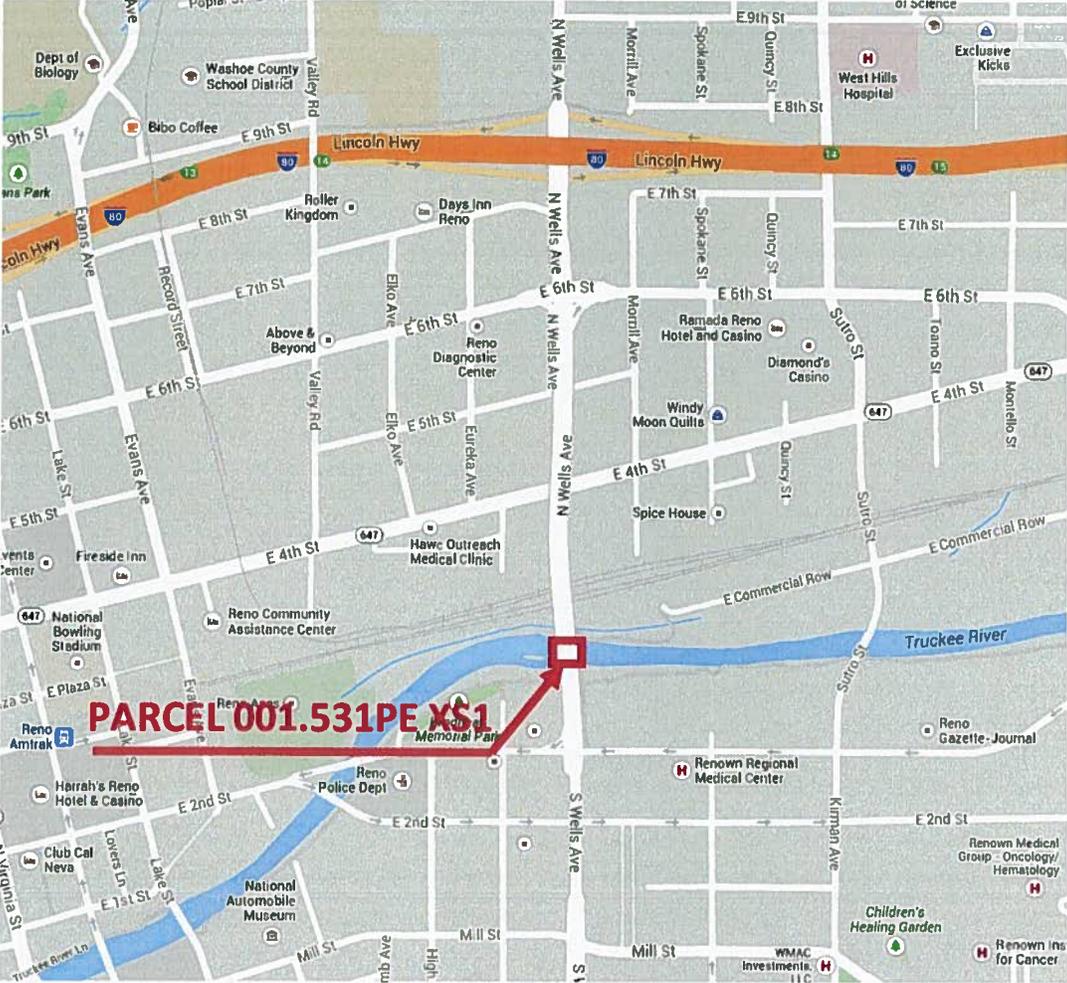
List of Attachments:

1. Location Map
2. Duplicate Originals of Resolution of Relinquishment with attached sketch map marked Exhibit "A"
3. Executed Copy of Resolution Consenting to Relinquishment and Land Transfer Agreement with attached location map depicted as Exhibit "A".
4. Environmental Approval
5. FHWA Approval
6. NRS 408.527
7. Inter-local Agreement
8. Division of State Lands Application from the City of Reno

Prepared by: Paul A. Saucedo, Chief R/W Agent



LOCATION SKETCH



SUR 14-11
PORTION OF WELLS AVENUE,
A STRIP OF LAND OVER AND ACROSS THE TRUCKEE RIVER;
in the City of Reno, Washoe County, NV

301SL

ATTACHMENT 2

Control Section: WA-06
Route: Wells Avenue (Off-System)
Former Route: FAU-663
Surplus No.: SUR 14-11
Project: BRM-663(1)
E.A.: 71453
Parcel: F-663-WA-001.531PE XS1

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

LEGAL DESCRIPTION PREPARED BY:
HALANA D. SALAZAR
NEVADA DEPT. OF TRANSPORTATION
RIGHT-OF-WAY DIVISION
1263 S. STEWART ST.
CARSON CITY, NV 89712

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

WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, presently holds an easement interest in that certain right-of-way for a portion of Wells Avenue, extending from Highway Engineer's Station "X" 10+28.07 P.O.T., to Highway Engineer's Station "X" 12+01.86 P.O.T.; and

WHEREAS, said right-of-way is delineated and identified as Parcel F-663-WA-001.531PE XS1 on EXHIBIT "A" attached hereto and made a part hereof; and

WHEREAS, as set forth in NRS 408.527, the Nevada Department of Transportation may, by resolution of the board, relinquish to the Nevada Department of Conservation and Natural Resources, Division of State Lands, hereinafter referred to as the Division, 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 that portion of Wells Avenue being in excess of its needs; and

WHEREAS, the Division has requested the relinquishment of aforesaid portion of right-of-way for the purpose of a bridge and appurtenances over the Truckee River; and

WHEREAS, the Division has agreed to accept the relinquishment of said right-of-way for the aforesaid portion of Wells Avenue 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 Division entered into an agreement with the Department on November 12, 2014, to accept the hereinafter described designated street as a part of the City of Reno street system; and

WHEREAS, the Nevada Department of Conservation and Natural Resources, Division of State Lands, consented by resolution passed and adopted on November 12, 2014, to the Department relinquishing the aforesaid portion of said easement interest to the Nevada Department of Conservation and Natural Resources, Division of State Lands.

THEREFORE, it is hereby determined by the Board of Directors of the Nevada Department of Transportation, State of Nevada, that the following described right-of-way and incidents thereto, being all that land, delineated and identified as Parcel F-663-WA-001.531PE XS1 on EXHIBIT "A" attached hereto and made a part hereof, is hereby relinquished to the Nevada Department of Conservation and Natural Resources, Division of State Lands. Said right-of-way is described as follows:

...situate, lying and being in the City of Reno, County of Washoe, State of Nevada, and more particularly described as being a portion of the S 1/2 of the NW 1/4 of Section 12, T. 19 N., R. 19 E., M.D.M., and more fully described by metes and bounds as follows:

COMMENCING at the north quarter corner of said Section 12, a 2.5" BRASS DISC, identified as a "Found 3" Brass Cap in monument well" on that certain Corner Record filed by TRI STATE SURVEYING, filed for record on October 2, 2000, as Document No. 2487730, in the Office of the Recorder, Washoe County, Nevada; thence S. 35°11'24" W., a distance of 2,391.15 feet to the POINT OF BEGINNING, said point of beginning being on the left or westerly right-of-way line of Wells Avenue (Former FAU-663), 61.83 feet left of and at right angles to Highway Engineer's Station "X" 10+28.07 P.O.T.; thence N. 8°53'37" W., along said westerly right-of-way line, a distance of 174.29 feet; thence N. 76°56'33" E. a distance of 151.67 feet to the easterly right-of-way line of said Wells Avenue; thence S. 1°57'10" W., along said easterly right-of-way line, a distance of 200.94 feet; thence S. 87°09'58" W. a distance of 114.09 feet to the point of beginning; said parcel contains an area of 24,606 square feet.

It is the intent of this document to convey and it does convey all of GRANTOR'S right, title and interest in and to all that real property described in that certain EASEMENT filed for record in Book 2788, Page 708, Document 1269635 on August 26, 1988, in the Office of the Recorder, Washoe County, Nevada.

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, West Zone as determined by the State of Nevada, Department of Transportation.

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

DATED this ____ day of _____, 20__.

APPROVED AS TO LEGALITY AND FORM:

Chief Deputy Attorney General
Chief Counsel, Department of Transportation

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

Brian Sandoval, Chairman

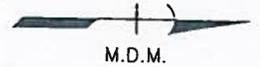
ATTEST:

Secretary to the Board

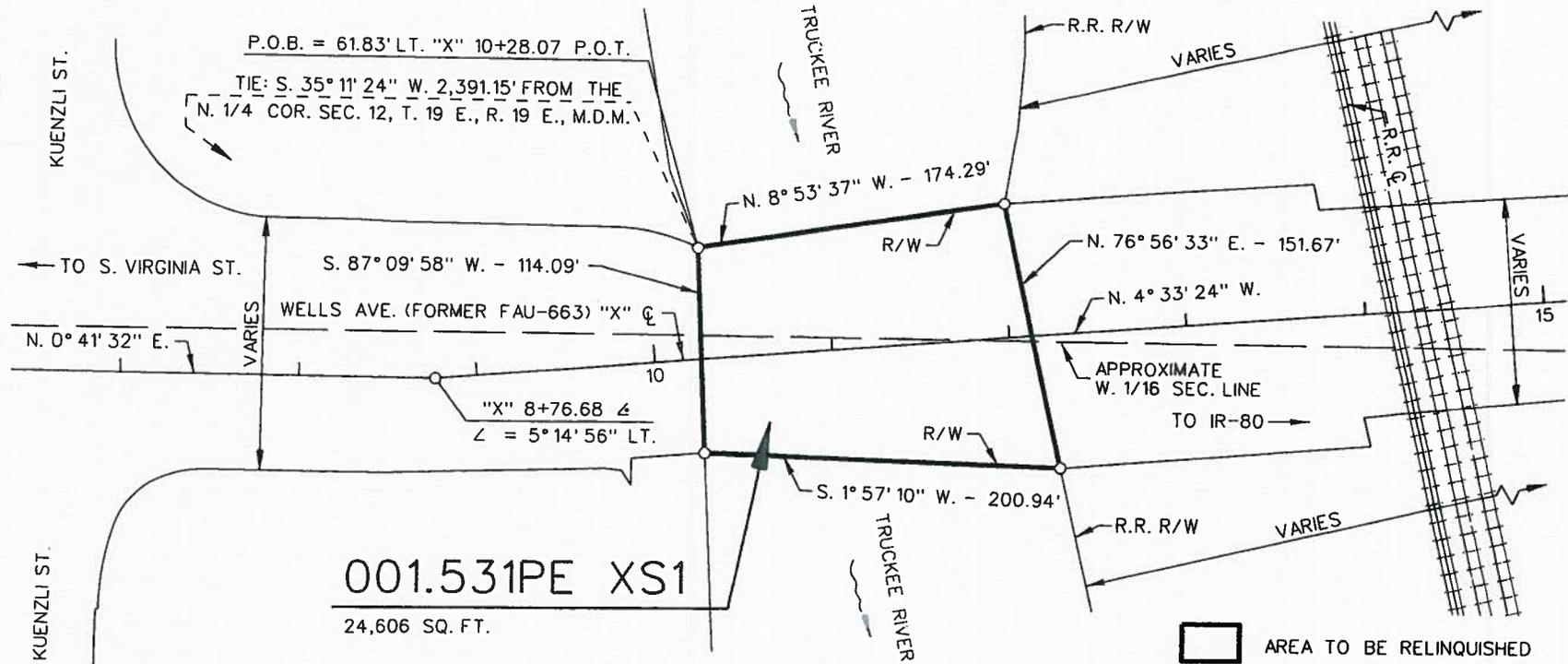
PARCEL NO. PREFIX: F-663-WA-

CITY OF RENO

S 1/2 NW 1/4 SEC. 12
T. 19 N., R. 19 E.



PROJECT: BRM-663(1)
E.A.: 71453
ALL OF PARCEL: F-663-WA-001.531PE



COUNTY OF
WASHOE

EXHIBIT "A"

OFF SYSTEM (FORMER WA-06) STATE OF NEVADA DEPARTMENT OF TRANSPORTATION SUR 14-11

DATE: NOVEMBER 20, 2014

SKETCH MAP

APPROVED: *Malana Salazar*
MANAGER, R/W ENGINEERING

SCALE 1"=100'

SHEET 1 OF 1



TRACED	CJH
CHECKED	<i>CJH</i>
DATE OF LAST REVISION:	

301SL

ATTACHMENT 2

Control Section: WA-06
Route: Wells Avenue (Off-System)
Former Route: FAU-663
Surplus No.: SUR 14-11
Project: BRM-663(1)
E.A.: 71453
Parcel: F-663-WA-001.531PE XS1

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

LEGAL DESCRIPTION PREPARED BY:
HALANA D. SALAZAR
NEVADA DEPT. OF TRANSPORTATION
RIGHT-OF-WAY DIVISION
1263 S. STEWART ST.
CARSON CITY, NV 89712

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

WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, presently holds an easement interest in that certain right-of-way for a portion of Wells Avenue, extending from Highway Engineer's Station "X" 10+28.07 P.O.T., to Highway Engineer's Station "X" 12+01.86 P.O.T.; and

WHEREAS, said right-of-way is delineated and identified as Parcel F-663-WA-001.531PE XS1 on EXHIBIT "A" attached hereto and made a part hereof; and

WHEREAS, as set forth in NRS 408.527, the Nevada Department of Transportation may, by resolution of the board, relinquish to the Nevada Department of Conservation and Natural Resources, Division of State Lands, hereinafter referred to as the Division, 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 that portion of Wells Avenue being in excess of its needs; and

WHEREAS, the Division has requested the relinquishment of aforesaid portion of right-of-way for the purpose of a bridge and appurtenances over the Truckee River; and

WHEREAS, the Division has agreed to accept the relinquishment of said right-of-way for the aforesaid portion of Wells Avenue 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 Division entered into an agreement with the Department on November 12, 2014, to accept the hereinafter described designated street as a part of the City of Reno street system; and

WHEREAS, the Nevada Department of Conservation and Natural Resources, Division of State Lands, consented by resolution passed and adopted on November 12, 2014, to the Department relinquishing the aforesaid portion of said easement interest to the Nevada Department of Conservation and Natural Resources, Division of State Lands.

THEREFORE, it is hereby determined by the Board of Directors of the Nevada Department of Transportation, State of Nevada, that the following described right-of-way and incidents thereto, being all that land, delineated and identified as Parcel F-663-WA-001.531PE XS1 on EXHIBIT "A" attached hereto and made a part hereof, is hereby relinquished to the Nevada Department of Conservation and Natural Resources, Division of State Lands. Said right-of-way is described as follows:

...situate, lying and being in the City of Reno, County of Washoe, State of Nevada, and more particularly described as being a portion of the S 1/2 of the NW 1/4 of Section 12, T. 19 N., R. 19 E., M.D.M., and more fully described by metes and bounds as follows:

COMMENCING at the north quarter corner of said Section 12, a 2.5" BRASS DISC, identified as a "Found 3" Brass Cap in monument well" on that certain Corner Record filed by TRI STATE SURVEYING, filed for record on October 2, 2000, as Document No. 2487730, in the Office of the Recorder, Washoe County, Nevada; thence S. 35°11'24" W., a distance of 2,391.15 feet to the POINT OF BEGINNING, said point of beginning being on the left or westerly right-of-way line of Wells Avenue (Former FAU-663), 61.83 feet left of and at right angles to Highway Engineer's Station "X" 10+28.07 P.O.T.; thence N. 8°53'37" W., along said westerly right-of-way line, a distance of 174.29 feet; thence N. 76°56'33" E. a distance of 151.67 feet to the easterly right-of-way line of said Wells Avenue; thence S. 1°57'10" W., along said easterly right-of-way line, a distance of 200.94 feet; thence S. 87°09'58" W. a distance of 114.09 feet to the point of beginning; said parcel contains an area of 24,606 square feet.

It is the intent of this document to convey and it does convey all of GRANTOR'S right, title and interest in and to all that real property described in that certain EASEMENT filed for record in Book 2788, Page 708, Document 1269635 on August 26, 1988, in the Office of the Recorder, Washoe County, Nevada.

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, West Zone as determined by the State of Nevada, Department of Transportation.

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

DATED this ____ day of _____, 20__.

APPROVED AS TO LEGALITY AND FORM:

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

Chief Deputy Attorney General
Chief Counsel, Department of Transportation

Brian Sandoval, Chairman

ATTEST:

Secretary to the Board

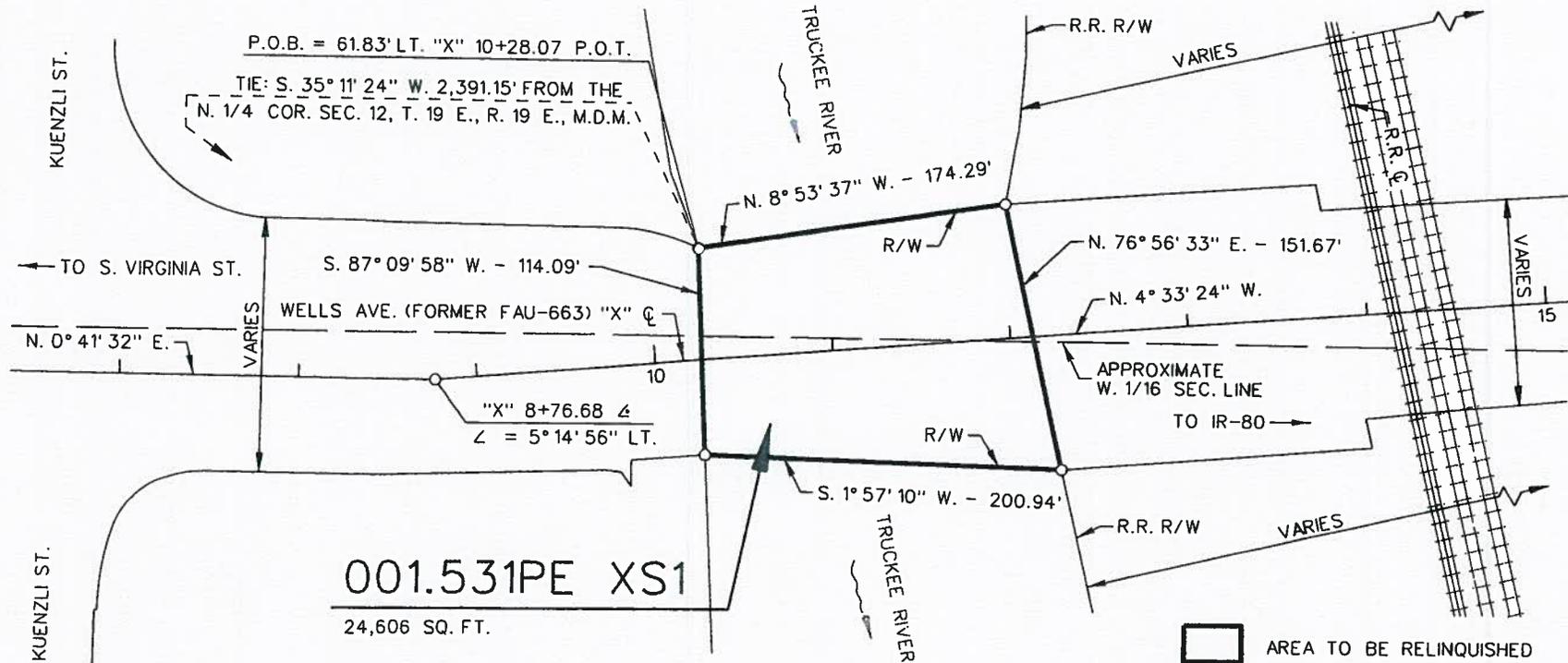
PARCEL NO. PREFIX: F-663-WA-

CITY OF RENO

S 1/2 NW 1/4 SEC. 12
T. 19 N., R. 19 E.



PROJECT: BRM-663(1)
E.A.: 71453
ALL OF PARCEL: F-663-WA-001.531PE



COUNTY OF
WASHOE

EXHIBIT "A"

OFF SYSTEM STATE OF NEVADA SUR 14-11
(FORMER DEPARTMENT OF TRANSPORTATION
WA-06)

DATE: NOVEMBER 20, 2014

SKETCH MAP

APPROVED: *Halana Salazar*
MANAGER, R/W ENGINEERING

SCALE 1"=100'

SHEET 1 OF 1



TRACED	CJH
CHECKED	<i>CJH</i>
DATE OF LAST REVISION:	

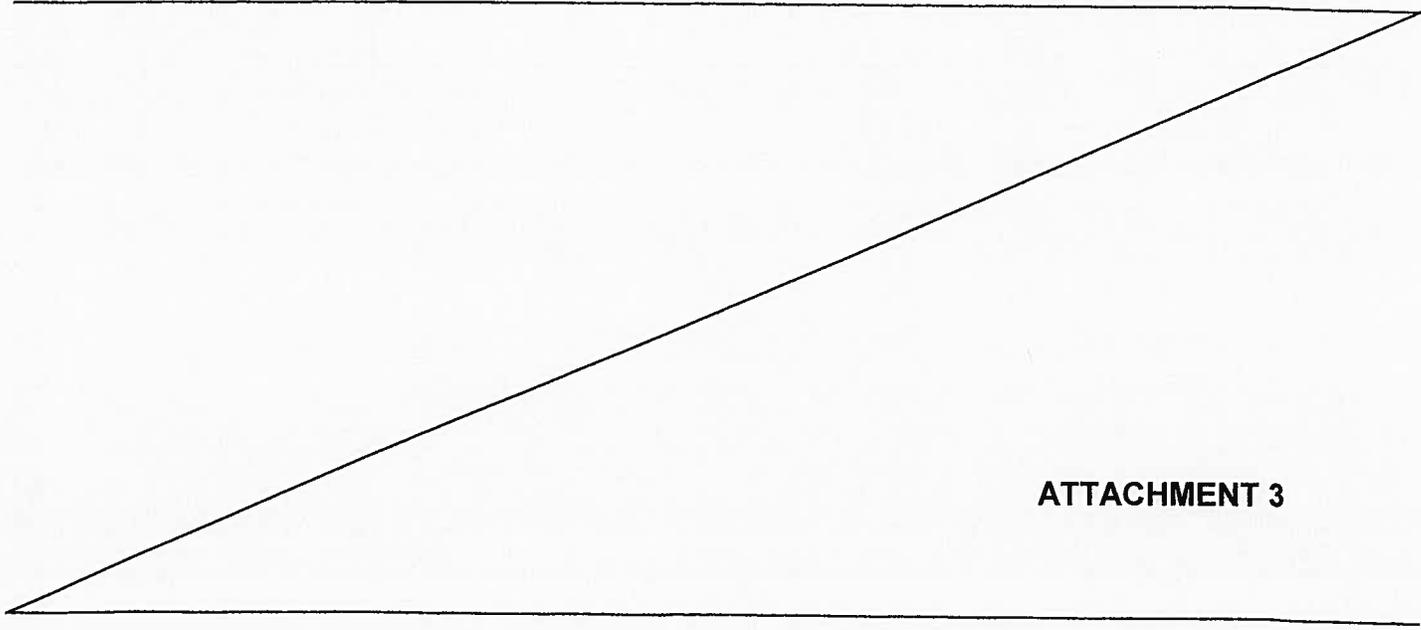
Control Section: WA-06
Route: Wells Avenue (Off System)
Former Route: FAU-663
Surplus No.: SUR 14-11
Project: BRM-663(1)
E.A.: 71453
All of Parcel: F-663-WA-001.531PE
Parcel No.: F-663-WA-001.531PE XS1

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

WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, desires to relinquish a portion of Wells Avenue lying within the City of Reno, State of Nevada, extending from Highway Engineer's Station "X" 10+28.07 P.O.T. to Highway Engineer's Station "X" 12+01.86 P.O.T., a distance of approximately 0.03 of a mile, said right-of-way is delineated and identified as Parcel F-663-WA-001.531PE XS1 on EXHIBIT(s) "A" and "B", attached hereto and made a part hereof; and

WHEREAS, the Nevada Department of Conservation and Natural Resources, Division of State Lands, hereinafter called the Division, desires that the aforesaid portion of said highway be relinquished to the Division; and

WHEREAS, the Division has requested the relinquishment of aforesaid portion of highway for the purpose of a transportation facility.



ATTACHMENT 3

NOW THEREFORE be it resolved that the Nevada Department of Conservation and Natural Resources, Division of State Lands 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 Division, that portion of Wells Avenue lying within the City of Reno, State of Nevada, extending from Highway Engineer's Station "X" 10+28.07 P.O.T. to Highway Engineer's Station "X" 12+01.86 P.O.T. a distance of approximately 0.03 of a mile, being all that right-of-way delineated and identified as Parcel F-663-WA-001.531PE XS1 on EXHIBIT(s) "A" and "B", attached hereto and made a part hereof.

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

IN WITNESS WHEREOF the parties hereto have executed this agreement dated this 12th day of November, 2014.

REVIEWED AND RECOMMENDED BY:

Charles Downham

Administrator and Ex-Officio
State Land Registrar

REVIEWED AND RECOMMENDED BY:

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

APPROVED FOR LEGALITY AND FORM:

[Signature]

Deputy Attorney General

APPROVED AS TO LEGALITY AND FORM:

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

ATTEST:

[Signature]

State Land Agent III

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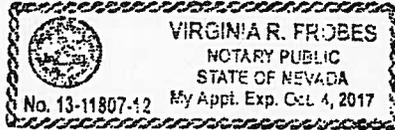
STATE OF NEVADA acting by and through its
Department of Transportation

[Signature]
Director

STATE OF NEVADA
CARSON CITY

On this 12th day of November, 2014, personally appeared before me, the undersigned, a Notary Public in and for Carson City, State of Nevada, Rudy Malfabor personally known (or proved) to me to be the _____ Director of the Department of Transportation of the State of Nevada who subscribed to the above instrument for the Nevada Department of Transportation under authorization of Nevada Revised Statutes, Chapter 408.205; that he/she affirms that the seal affixed to said instrument is the seal of said Department; and that said instrument was executed for the Nevada Department of Transportation freely and voluntarily and for the uses and purposes therein mentioned.

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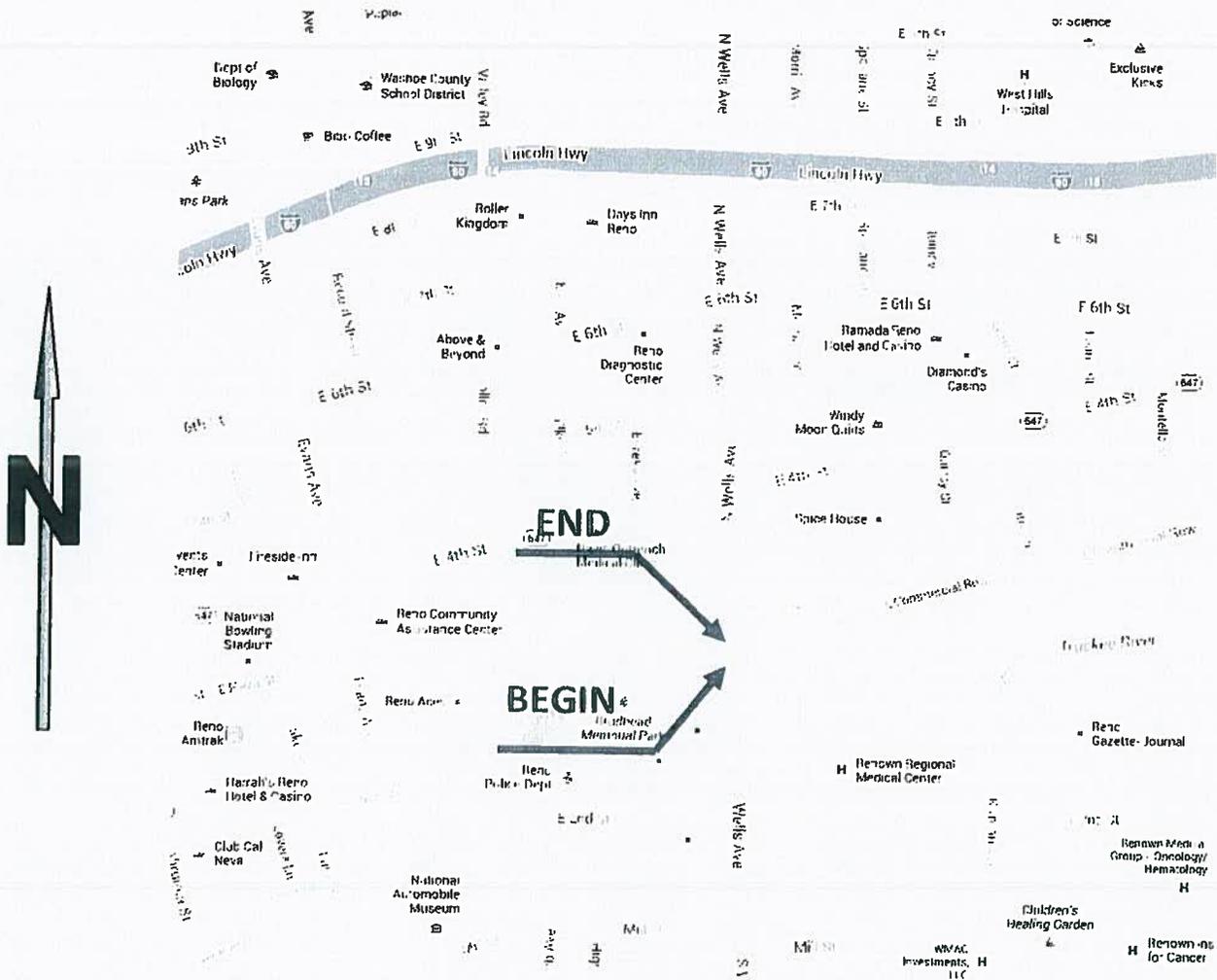


IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

V. R. Frobes

EXHIBIT "A"

LOCATION MAP



SUR 14-11
PORTION OF WELLS AVENUE,
A STRIP OF LAND OVER AND ACROSS THE TRUCKEE RIVER



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

MEMORANDUM

Environmental Services Division

November 13, 2014

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 14-11
Project No.: BHM-BRM-663(1)
EA: 71453
Parcel No.: F-663-WA-001.531PE XS1
Wells Ave viaduct, Wells Ave, Reno, NV
Disposal of excess right-of-way by relinquishment to Nevada Dept of
Conservation and Natural Resources, Div State Lands

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 November 13, 2014.

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

ATTACHMENT 4



BRIAN SANDOVAL
Governor

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

November 24, 2014

RUDY MALFABON, P.E., Director

In Reply Refer to:

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

**Disposal by Resolution of
Relinquishment**
Project: BRM-663(1)
E.A.: 71453
Parcel No.: F-663-WA-001.531PE XS1
Surplus No.: SUR 14-11
Description: Disposal of Wells Avenue
Viaduct

Dear Ms. Klekar:

Enclosed are Exhibits "A" (sketch map) and location map depicting the area of surplus property, proposed to be relinquished, pursuant to N.R.S. 408.527. It has been determined that the surplus property is no longer needed by NDOT. The aforementioned property is located in Clark County, Nevada.

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

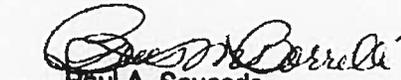
1. The subject property right will not be needed for Federal-aid Highway purposes in the foreseeable future;
2. The release will not adversely affect the Federal-aid Highway facility or the traffic thereon;
3. The property to be relinquished is not suitable for retention in order to restore, preserve,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

ATTACHMENT 5

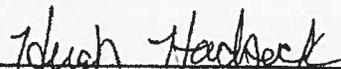
SUSAN KLEKAR DIVISION ADMINISTRATOR
ATTN HUGH HADSOCK R-W PROGRAM MGR
November 24, 2014

Your concurrence in the proposal is requested.

Sincerely,


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

CONCUR:



Hugh Haddock, Right-of-Way Program Manager



Date

pas/dtc/dc
Enclosures

cc: H. Salazar, Manager Right-of-Way Engineering
M. Orci, Asst. Chief Right-of-Way Agent - Realty

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)

BRM- 21433
663(1)

R 387-87-010

INTERLOCAL COOPERATIVE AGREEMENT

THIS AGREEMENT, made and entered into this 8th day of February, 1987 by and between the City of Reno, acting by and through its City Council, hereinafter referred to as CITY and the State of Nevada, acting by and through its Department of Transportation, hereinafter referred to as STATE.

WITNESSETH

WHEREAS, the CITY and STATE desire to replace the Wells Avenue Viaduct Structure in Reno, Nevada; and

WHEREAS, the Wells Avenue Viaduct Structure is on the STATE's Urban System and;

WHEREAS, the CITY owns the Wells Avenue Viaduct Structure; and

WHEREAS, the Wells Avenue Viaduct Structure is considered a substandard bridge structure; and

WHEREAS, CITY, and STATE are authorized by Nevada Revised Statute 277.180 to enter into interlocal cooperative agreements for the purpose of jointly performing governmental services including improvement of streets and highways within the State of Nevada,

NOW THEREFORE, in consideration of the promises and of the mutual covenants hereinafter contained, the parties hereto agree as follows:

STATE AGREES

1) To authorize the use of Federal Bridges Replacement - Rehabilitation Funds for eighty (80) percent of all costs associated with design of the facility including but not limited to the following: preliminary engineering by the STATE and the consultant, utility adjustments not covered by franchise and right of way costs. The STATE's eighty (80) percent share of construction and construction engineering is limited to \$10,800,000 granted by Federal Bridge Replacement Rehabilitation Discretionary Funds.

2) To bill the CITY for their twenty (20) percent share of work performed on a monthly basis.

3) To review and approve all documents and procedures associated with design and construction of the Wells Avenue facility to ensure compliance with all STATE and Federal standards and regulations.

- 4) To prepare or have prepared necessary plans, specifications, and estimates, and to acquire additional right-of-way required for the project.
- 5) To hold periodic meetings with CITY, STATE and consultant to keep all parties apprised of the status of the project.
- 6) To advertise, award and administer the construction contract in accordance with the STATE's rules and procedures.
- 7) To submit to the CITY for its review all change orders, modifications or supplemental agreements to the Construction contract.
- 8) To be responsible for the relocation or adjustment of utilities which occupy their present location by reason of holding the underlying fee, easement, prescription, or other valid compensable property interest, and for which said relocation or adjustment is necessary to accommodate the new improvements.

CITY AGREES

- 1) To reimburse STATE upon receipt of billing for the CITY's twenty (20) percent of the costs associated with design and construction of the facility including, but not limited to, the following: preliminary engineering by the STATE and the consultant, utility adjustments not covered by franchise, right-of-way costs, construction engineering and construction costs. In addition, the CITY will be responsible for all construction and construction engineering costs which exceed STATE's 80 percent share maximum of \$10,800,000 allocated by the federal aid discretionary money.
- 2) To review and approve construction plans, estimates and specifications.
- 3) To be responsible for the relocation or adjustment of utilities which are situated or occupy their existing location by a franchise granted by the CITY and for which said relocation or adjustment is necessary to accommodate the new improvements.
- 4) To continue to maintain and to own the Wells Avenue facility after construction is complete.

5) To allow the State's authorized agents and contractors to enter upon CITY owned properties for all purposes necessary to fulfill terms and conditions of this agreement, including the construction of the facilities described herein.

IT IS MUTUALLY AGREED

1) That all work performed and materials furnished shall be in accordance with the plans, change orders and specifications prepared by the STATE.

2) Any modification of this agreement shall be in writing, and shall be signed by the designated representatives of the STATE, and the CITY or their successors in office.

3) All written notices required under this agreement shall be delivered to the following addresses shown:

For CITY: Public Works Director
City of Reno
1205 Mill Street
Reno, NV 89502

For STATE: Director
Nevada Department of Transportation
1263 South Stewart Street
Carson City, NV 89712
Telephone: 885-5440

4) If any action is required to enforce the provisions of this agreement, the unsuccessful party shall pay all reasonable expenses of the prevailing party incurred thereby; including, but not limited to, attorney's fees, and interest at 12 percent annum.

5) This agreement is the complete and final expression of the intent and agreement of STATE and CITY. This agreement shall be ratified and executed by each party in the manner prescribed in NRS 277.180; and each party shall comply with all terms and provisions of said statute.

IN WITNESS WHEREOF, STATE and CITY have caused this Interlocal Cooperative Agreement to be executed by their duly authorized representatives on the date first written above.

Reviewed

STATE OF NEVADA by and through its Department of Transportation

Carl W. Demott
sn. Ivan Laird, Program Engineer

Ronald W. Gie
for Garth Dull, Director
CITY OF RENO

Attest:

Roger Laird
Roger Laird, Administrative Officer

Pete Sferazza
Pete Sferazza, Mayor

Approved as to Legality and Form:

Attest:

Norman Allen
Norman Allen
Deputy Attorney General
Department of Transportation

Thomas J. Decker
Thomas J. Decker, City Clerk
City Clerk

Approved as to Legality and Form

By: *Robert A. Strawn*
Robert A. Strawn
City Attorney



Reviewed *[Signature]*
Admin. Services

LEO DROZDOFF
Director

BRIAN SANDOVAL
Governor

State Land Office
State Land Use Planning Agency
Nevada Tahoe Resource Team
Conservation Bond Program – Q1

Department of Conservation
and Natural Resources

CHARLES DONOHUE
Administrator



Address Reply to

Division of State Lands
901 S. Stewart St, Suite 5003
Carson City, Nevada 89701-5246
Phone (775) 684-2720
Fax (775) 684-2721
Web www.lands.nv.gov

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Division of State Lands

APPLICATION FOR AUTHORIZATION
TO USE STATE OWNED LANDS

*No
Charge*

REQUIRED APPLICATION FEES			
<u>NEW APPLICATIONS</u>		<u>AMENDMENTS *</u>	
<input type="checkbox"/>	\$200 Commercial Uses	<input type="checkbox"/>	\$100 Commercial Uses
<input type="checkbox"/>	\$150 Agricultural Uses	<input type="checkbox"/>	\$75 Agricultural Uses
<input type="checkbox"/>	\$100 All Other Uses	<input type="checkbox"/>	\$50 All Other Uses
Notes: 1. The required application fee is for filing purposes only.			
2. * Includes amendments to: <ul style="list-style-type: none"> • Pending Applications • Existing authorized uses 			

1.	Application Number: (Assigned by Division)		2.	Date: January 13, 2015
3.	Name of Applicant: City of Reno, a municipal corporation			
4.	Contact Information:			
	Name:	Attn: Property Management		
	Mailing Address:	P.O. Box 1900 Reno, NV 89505		
	Telephone Number:	(775) 334-3396		
	Fax Number:	(775) 334-1226		
	Email Address:	milesl@reno.gov		
5.	Location of proposed use:			
	Assessor's Parcel Number:	N/A - Right of Way	PLSS Location:	Subdivision: NW 1/4
	Physical Address:	Well Ave Viaduct		Section: 12
	City:	Reno		Township: 19 North
	County:	Washoe		Range: 19 East

6. Project Summary:
 Provide a brief summary of the proposed use in narrative and on drawing, including the location, intended use, any structures or improvements, and any disturbance including removal or fill of material. **Submit SEVEN (7) copies of the narrative and drawings on 8 ½" x 11" paper in addition to one copy for each of the adjacent or interested property owners listed in Item #7 below.** Drawings should be accurate, to scale and show appropriate detail. (Note: for leases and easements, accurate legal descriptions are required).

Use additional sheets, if necessary.

This is an easement request by City of Reno for the Well Avenue bridge known as the Well Avenue Viaduct between Sixth Street and Kuenzli Avenue that is currently held by the State of Nevada Department of Transportation (NDOT), as Document # 1269635, BK 2788, PG 0705, Washoe County. NDOT would like to relinquish their interest in the Easement and request that City of Reno obtain their own easement.

Attached is the Easement to NDOT with the legal description that will be used for the easement to the City of Reno.

7. Names and Addresses for Notifications:

8. Proposed Start Date: N/A
Proposed Completion Date: N/A

9. Has any portion of the project for which authorization is sought been completed? If "yes", explain in remarks below.
Yes Bridge has been completed since the 80's.

10.	<p>List and submit copies of authorizations issued by any agencies, including but not limited to, federal, state, local, governing entities that have approved of the project.</p> <p>N/A</p>
11.	<p>Has any agency denied approval for the activity or any portion thereof described herein? If "yes", explain in remarks below. N/A</p>
12.	<p>Additional Remarks:</p> <p>Existing bridge - transferring prior easement.</p>
13.	<p>Is this application for a recreational purpose?</p> <p><input type="checkbox"/> Yes (If "Yes," attach required statement as described below)</p> <p><input checked="" type="checkbox"/> No</p> <p>Pursuant to NRS 322.1003, an applicant for a permit, license or other authorization to use state land or state facilities for a recreational purpose shall, if the permit, license or other authorization does not expire less than six (6) months after it is issued, submit to the State Land Registrar the statement prescribed by the Welfare Division of the Department of Human Resources pursuant to NRS 425.520. The statement must be completed and signed by the applicant. The statement must be attached to this application</p>
14.	<p>Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activity.</p>
<p>John L. Flansberg _____ Signature of Applicant</p> <p>Name of Applicant (Print)</p>	

**DECLARATORY STATEMENT BY APPLICANT
FOR A DIVISION OF STATE LAND'S PERMIT, LICENSE OR OTHER AUTHORIZATION
TO USE STATE LAND FOR A RECREATIONAL PURPOSE
PURSUANT TO NRS 322.1003 AND NRS 425.520**

Please mark the appropriate response:

- I am not subject to a court order for the support of a child**
- I am subject to a court order for the support of one or more children and am in compliance with the order or am in compliance with a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, or**
- I am subject to a court order for the support of one or more children and am not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.**

Failure to mark one (1) of the three (3) will result in denial of the application.

John L. Flansberg
Name of Applicant (print)


Signature of Applicant

1-26-15
Date



MEMORANDUM

Right-of-Way Division

April 13, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: April 13, 2015 Transportation Board of Directors Meeting
Item # 11: Disposal of Parcel U-395-WA-027.074 XS1, a portion of APN 004-293-03, 2470 Clear Acre Lane; in the City of Reno, Washoe County, NV
SUR 13-12 – 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 Parcel U-395-WA-027.074 XS1, a portion of APN 004-293-03, 2470 Clear Acre Lane; in the City of Reno, Washoe County, NV. The property is currently unimproved land consisting of 7,633 sq. ft. as depicted on the attached sketch map identified as Exhibit "A".

Background:

The Department originally obtained this parcel, in fee, on September 17, 2008 from the Regional Transportation Commission of Washoe County. The acquisition of the parcel was required for material storage.

On, May 23, 2013, Amanda Duncan, Records Technician with Truckee Meadows Water Authority, contacted the Department to request the sale of this surplus property for the replacement of an above ground pump station. The Surplus Property Committee met on January 29, 2014, and determined that the surplus property is no longer needed for the above mentioned project.

Analysis:

The Department has completed an appraisal of the surplus property to obtain fair market value in the amount of \$42,745.00 dated November 14, 2014, as required by N.R.S 408.533. The Department received the signed Direct Sale Intent to Purchase document on February 6, 2015, accepting the purchase price. A Direct Sale to the adjacent property owner will be beneficial to both the State and the property owner. The release of NDOT's fee interest in this parcel is being made in accordance with N.R.S. 408.533.

To: Department of Transportation Board of Directors
From: Rudy Malfabon, P.E., Director
April 13, 2015

Recommendation for Board Action:

Approval of disposal of Parcel U-395-WA-027.074 XS1, a portion of APN 004-293-03, 2470 Clear Acre Lane; in the City of Reno, Washoe County, NV.

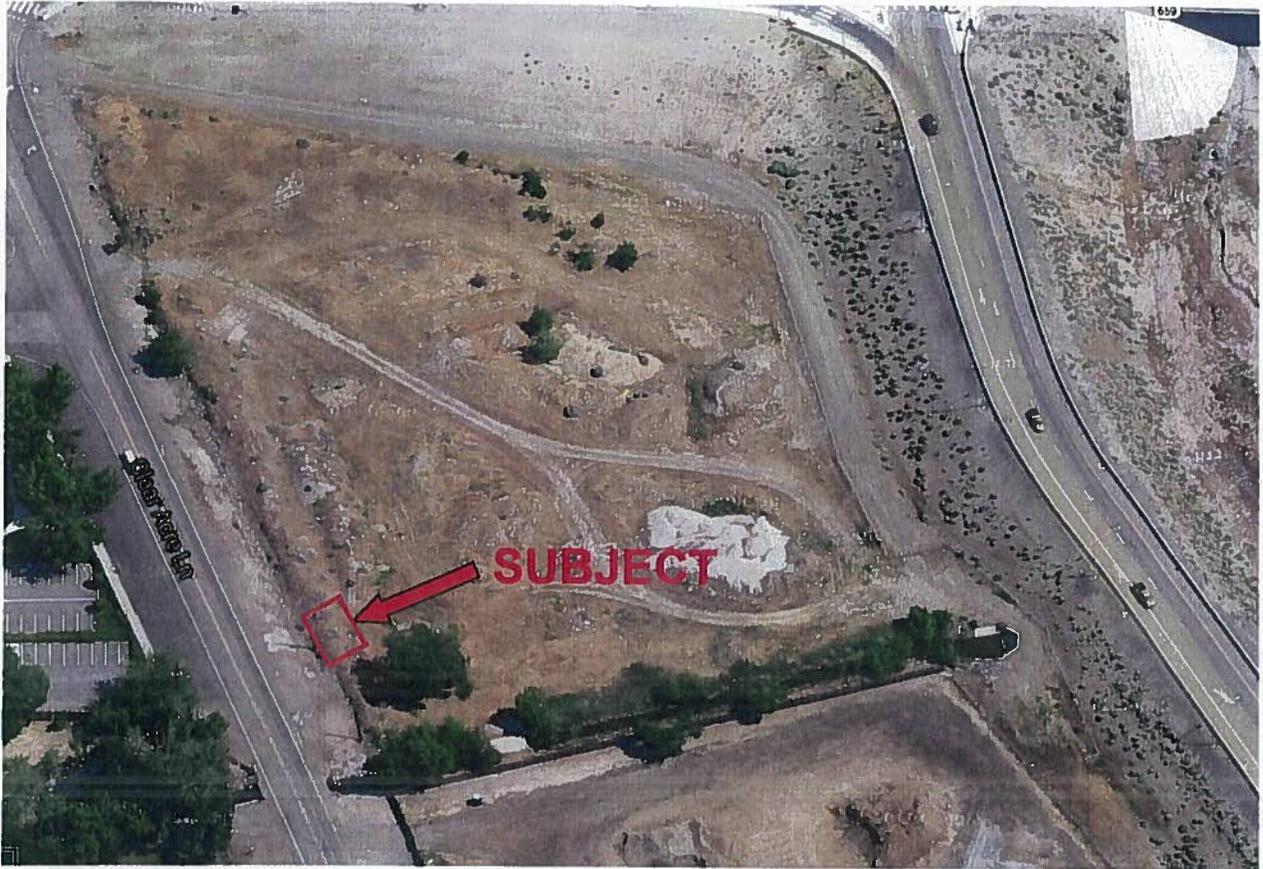
List of Attachments:

1. Location Map
2. Sketch Map depicted as Exhibit "A"
3. Copy of the Intent to Purchase (Form 894-C)
4. FHWA Approval
5. Environmental Approval
6. N.R.S. 408.533

Prepared by: Paul A. Saucedo, Chief RW Agent



LOCATION MAP



SUR 13-12
DESCRIPTION: Parcel U-395-WA-027.074 XS1
Portion of APN 004-293-03
2470 Clear Acre Lane;
in The City of Reno,
Washoe County, NV

ATTACHMENT 1

PARCEL NO. PREFIX: U-395-WA-

PROJECT: NH-STP-CM-395-2(032)
PTN. OF PARCEL: U-395-WA-027.074
E.A. 72580

CITY OF
RENO

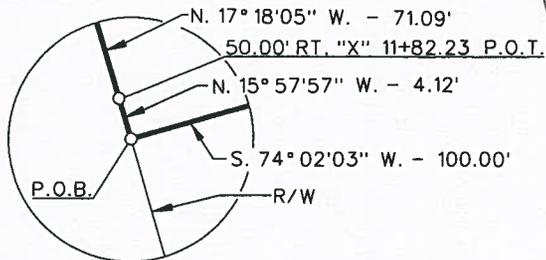
COUNTY OF
WASHOE

027.074 XS1

7,633 SQ. FT.

N. 17° 18' 05" W. - 71.09'

"X" 11+82.23 Δ
Z = 1° 20' 08" LT.



INSET
NOT TO SCALE

EXHIBIT "A"

\\037_RightOfWay\Sketch\Washoe\SUR 13-12.dgn



TRACED	BKL
CHECKED	
DATE OF LAST REVISION:	

SUR 13-12 STATE OF NEVADA OFF-SYSTEM
DEPARTMENT OF TRANSPORTATION

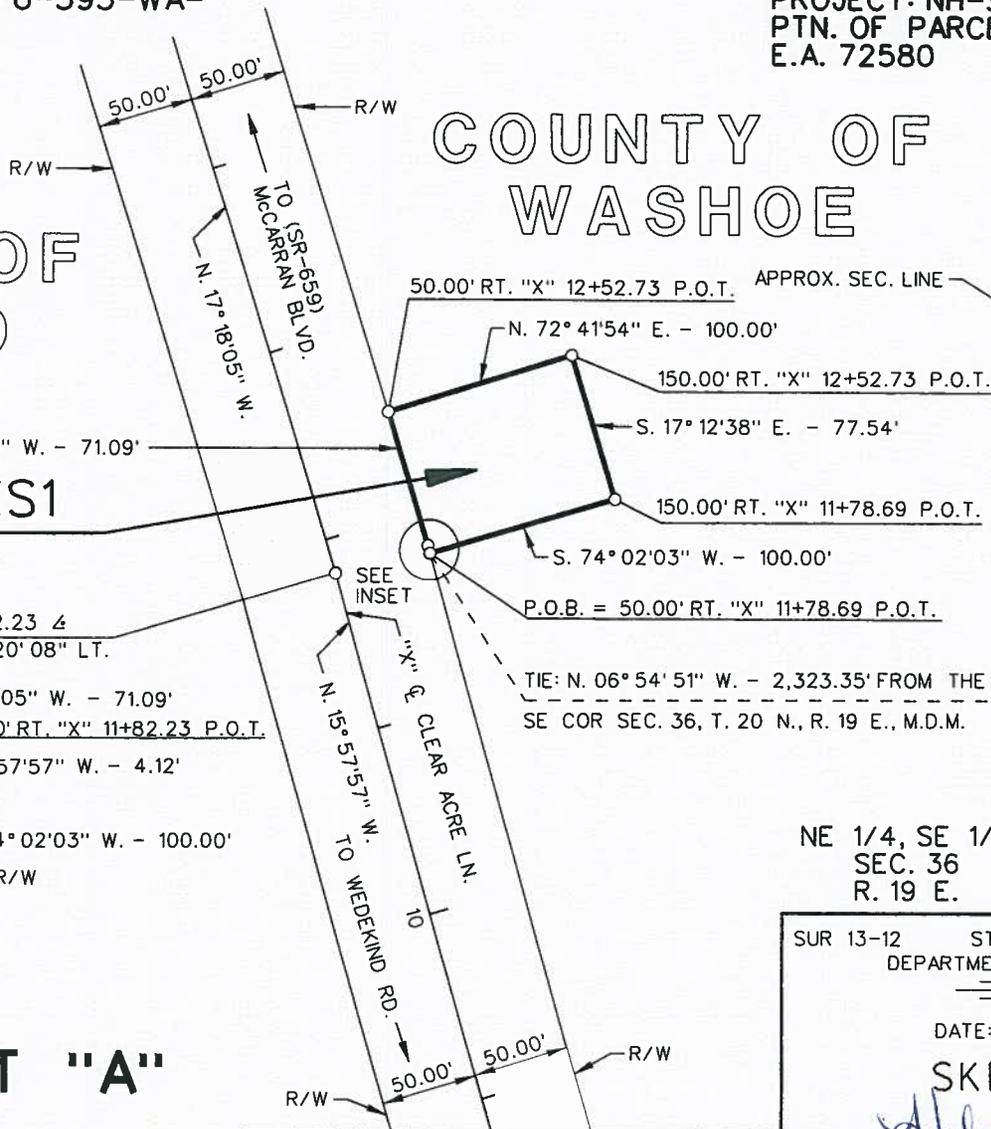
DATE: NOVEMBER 13, 2014

SKETCH MAP

APPROVED: *Alana Salazar*
MANAGER, R/W ENGINEERING

SCALE 1"=100'

SHEET 1 OF 1



NE 1/4, SE 1/4 NW 1/4, SW 1/4
SEC. 36 SEC. 31
R. 19 E. R. 20 E.

ATTACHMENT 2

Project: NH-STP-CM-395-2(032)
E.A.: 72580
Parcel: U-395-WA-027.074 XS1
Surplus Number: SUR 13-12
Date: February 6, 2015

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, \$42,940.30 as the full purchase price for said property, to be paid in a lump sum payment, without interest, on or before 90 Days from the Transportation Board approval date.

All terms and conditions of the Department of Transportation's procedures for a direct sale under Nevada Revised Statute 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:

Truckee Meadows Water Authority, a joint powers authority entity
Created pursuant to a cooperative agreement among the cities of Reno, Nevada, Sparks, Nevada, and the County of Washoe, pursuant to NRS Chapter 271
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:

Attn: Amanda Duncan
Truckee Meadows Water Authority
Name (Please Print)

2/11/2015
Date

P.O. Box 30013, Reno, NV 89520
Address

(775) 844-8035
Phone

Amanda Duncan
Signature

Land Agent
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: Gloria A. Crisostomo
1263 S. Stewart Street
Carson City, NV 89712

ATTACHMENT 3



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

BRIAN SANDOVAL
Governor

March 25, 2015

RUDY MALFABON, P.E., Director

In Reply Refer to:

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

Disposal by Direct Sale
Surplus No.: SUR 13-12
Project: NH-STP-CM-395-2(032)
Parcel No.: U-395-WA-027.074 XS1
E.A.: 72580
Description: Disposal of Parcel U-395-
WA-027.074 XS1, Portion of APN 004-
293-03 located at 2470 Clear Acre
Lane

Dear Ms. Klekar:

Enclosed are Exhibit "A" (sketch map) and a location map depicting the area of surplus property, proposed to be sold, pursuant to N.R.S. 408.533. It has been determined that the surplus property is no longer needed by NDOT. The aforementioned property is Parcel U-395-WA-027.074 XS1, Portion of APN 004-293-03 located at 2470 Clear Acre Lane.

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

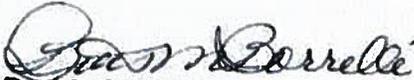
1. The subject property right will not be needed for Federal-aid Highway purposes in the foreseeable future;
2. The release will not adversely affect the Federal-aid Highway facility or the traffic thereon;
3. The property to be sold is not suitable for retention in order to restore, preserve, or improve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

ATTACHMENT 4

SUSAN KLEKAR DIVISION ADMINISTRATOR
ATTN HUGH HADSOCK R-W PROGRAM MGR
March 25, 2015

Your concurrence in the proposal is requested.

Sincerely,


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

CONCUR:



Hugh Haddock, Right-of-Way Program Manager

3/25/15

Date

pas/dtc/jl
Enclosures

cc: H. Salazar, Manager Right-of-Way Engineering
M. Orcl, Asst. Chief Right-of-Way Agent



1293 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 889-7013
Fax: (775) 889-7104

MEMORANDUM

Environmental Services Division

December 12, 2014

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 13-12
Project: NH-STP-CM395-2(032)
EA: 72580
Clear Acre Lane, Reno, NV
Surplus Property – 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 December 12, 2014.

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

ATTACHMENT 5

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



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

MEMORANDUM

March 31, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: April 13, 2015 Transportation Board of Directors Meeting
Item # 12: Proposed Rescission of Condemnation Resolution No. 437 -
I-15 Freeway, from Desert Inn Road to the US-95/I-515 Interchange; Project NEON; Martin Luther King Boulevard southerly of Charleston Boulevard and Charleston Boulevard at Grand Central Parkway; in the City of Las Vegas; Clark County. 4 Owners, 3 Parcels – For possible action.

Summary:

The department is acquiring property and property rights for the widening and reconstruction of the I-15 Freeway, from Desert Inn Road to the US-95/I-515 Interchange, in the City of Las Vegas, Clark County. These properties were identified as needed for Phase 1 of project NEON. With the approval of NEON Design Build, the need for these properties has changed. The department is seeking the Board's approval to rescind condemnation Resolution No. 437, which was approved by the Board on November 6, 2012.

Background:

Darrell E. Jackson, Thomas M. Strawn Jr. and Andrew S. Levy - The negotiation has been suspended for the acquisition from Darrell E. Jackson, Thomas M. Strawn Jr. and Andrew S. Levy. Phase 1 of project NEON required the acquisition of one fee parcel containing 8,461 square feet (0.19 acres) from the 64,049 square foot (1.47 acre) parcel. The Office-zoned parcel is unimproved. **The parcel in question, which is located on the west side of Martin Luther King Boulevard, approximately 1,300 north of Oakey Boulevard, in the City of Las Vegas, is highlighted in blue on the right-of-way plans that are part of the Condemnation Resolution (Attachment 1).** With the approval of NEON Design Build along with a design change to Martin Luther King Blvd, the area needed from this property has increased in size. In compliance with the Uniform Act (Relocation Assistance and Real Property Acquisition Policies Act of 1970) it was decided to rescind the offer to the property owner and seek a re-appraisal of the property. Therefore, we have informed the property owner of this change and have entered into the appraisal phase of the acquisition process. Once we have completed the appraisal process we will present a new offer to purchase the needed property and will work toward completing a successful negotiation.

LaPour Grand Central, LLC - The negotiation also has been suspended for the acquisition from LaPour Grand Central, LLC. It was originally necessary to acquire two temporary construction easements, totaling 1,272 square feet (0.03 acres), for a three-year period from the 2.59 acre, Industrial-zoned parcel. The parcel is improved with four commercial buildings totaling 41,441 square feet and two asphalt-paved parking lots. **The parcels in question, which are located on the south side of Charleston Boulevard, immediately east of its intersection with Grand Central Parkway, in the City of Las Vegas, are highlighted in red on the right-of-**

way plans that are part of the Condemnation Resolution (Attachment 2). The purpose for the temporary easements was for access to the property. After further consideration it has been determined that access to the property could be provided by obtaining an Agreement for Construction Outside Right-of-Way and the acquisition of the 2 temporary easements is not required. If approved by the Transportation Board we will reach out to the property owner and work with them to insure access is provided during construction and after the project is built. Therefore, there is no longer a need to acquire property from this property owner.

Analysis:

Since the department needs have changed for all of the above property owners, a request to rescind Condemnation Resolution No.437 in its entirety is in the best interests of all parties. Pursuant to Chapter 241 of the Nevada Revised Statutes, the required notices regarding this open meeting have been served.

Recommendation for Board Action:

Board to rescind Condemnation Resolution No. 437 is respectfully requested.

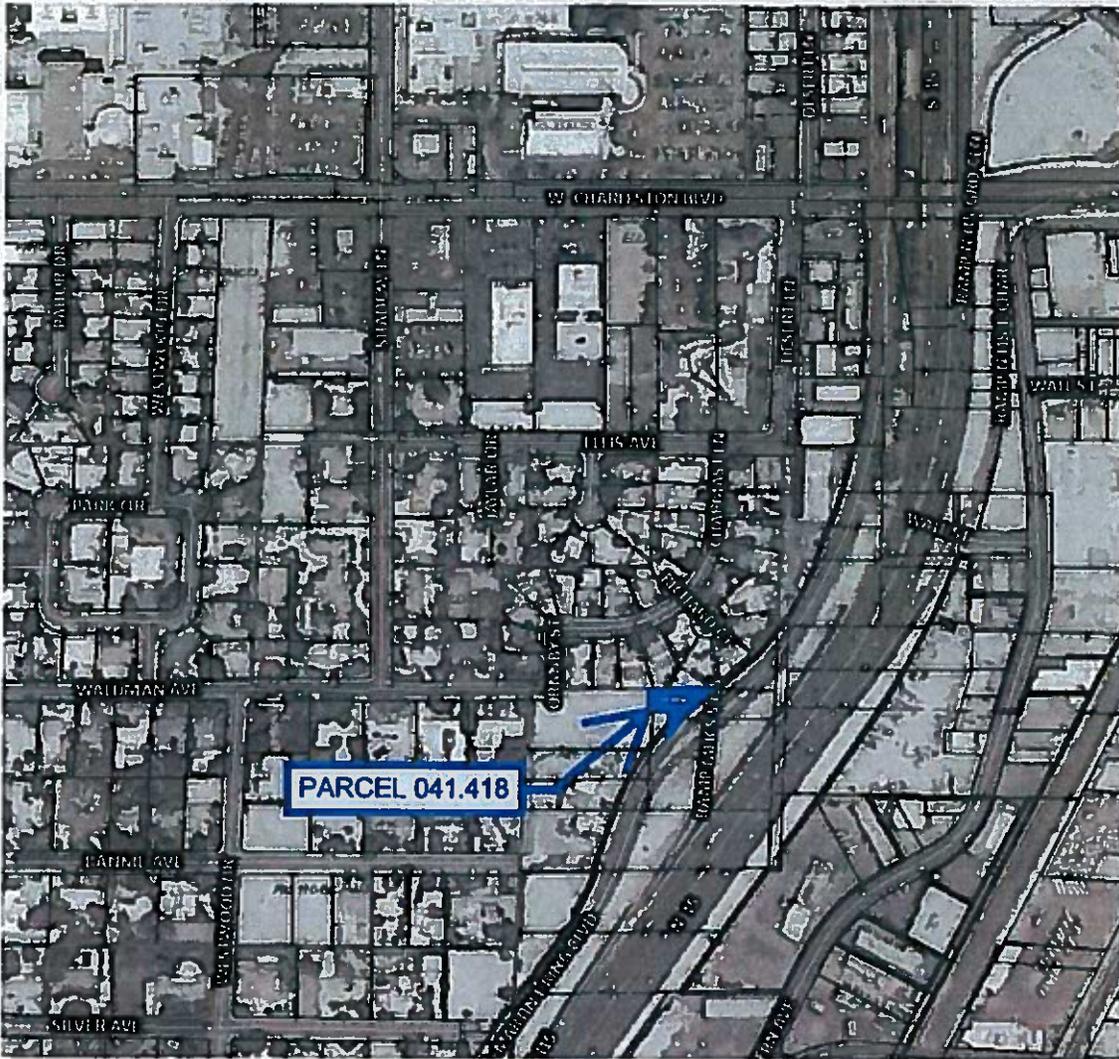
List of Attachments:

1. Jackson Exhibit/Condemnation Resolution No. 437 with Right-of-Way plans
2. LaPour Exhibit/Condemnation Resolution No. 437 with Right-of-Way plans
3. Section 408.523 of the Nevada Revised Statutes
4. Section 241.034 of the Nevada Revised Statutes

Prepared by:

Paul Saucedo, Chief R/W Agent

LOCATION MAP



RESOLUTION NO. 437

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

ATTACHMENT 1

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

CONDEMNATION RESOLUTION NO. 437

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

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

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

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

WHEREAS, pursuant to section 408.503 of the Nevada Revised Statutes, the Department shall not commence any legal action in eminent domain until the Board of Directors of the Department adopts a resolution declaring that the public interest and

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

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

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

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

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

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

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

To make application to said court for an order permitting the Department to take possession and use of said real property as may be necessary for construction of said

public highway improvement, and to pledge the public faith and credit of the State of Nevada as security for such entry or, should the Department deem such advisable, to deposit with the Clerk of such court, in lieu of such pledge, a sum equal to the value of the premises sought to be condemned as appraised by the Department, and to acquire the following real property:

PARCEL NO. I-015-CL-041.418 owned by DARRELL E JACKSON, a married man, as his sole and separate property, as to an undivided one-third (1/3) interest; THOMAS M. STRAWN JR, a married man, as his sole and separate property, as to an undivided one-third (1/3) interest; ANDREW S LEVY, a married man, as his sole and separate property, as to an undivided one-third (1/3) interest; to be acquired in fee simple.

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

COMMENCING at the northeast corner of said Section 4, shown and delineated as an "AL CAP PLS 5094" on that certain RECORD OF SURVEY FOR THE CITY OF LAS VEGAS, filed for record as Book No. 20031231, Instrument No. 01220, on December 31, 2003, File 135, Page 08 of Surveys, Official Records, Clark County, Nevada; thence S. 58°43'35" W. a distance of 2,799.91 feet to the POINT OF BEGINNING; said point of beginning described as being on the westerly right-of-way line of IR-15, 300.81 feet left of and at right angles to Highway Engineer's Station "Le" 783+21.46 P.O.T.; thence along said left or westerly right-of-way line the following four (4) courses and distances:

- 1) N. 19°59'33" E. - 63.72 feet;
- 2) N. 70°00'21" W. - 36.99 feet;
- 3) N. 19°59'39" E. - 54.00 feet;
- 4) N. 59°06'19" E. - 16.12 feet to the southerly boundary of
SARATOGA MEADOWS;

thence N. 89°35'26" E., along said southerly boundary, a distance of 126.38 feet to the former left or westerly right-of-way line of IR-15; thence S. 49°47'38" W., along said former left or westerly right-of-way line, a distance of 109.77 feet; thence from a tangent which bears the last described course, curving to the left, with a radius of 536.00 feet, through an angle of 9°20'29", an arc distance of 87.39 feet to the point of beginning; said parcel contains an area of 8,461 square feet (0.19 of an acre).

TOGETHER WITH the access rights, including the abutters rights, in and to IR-15.

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.

PARCEL NOS. I-015-CL-041.690TE and I-015-CL-041.723TE owned by
LAPOUR GRAND CENTRAL, LLC, a Nevada limited liability company.

Said real property situate, lying and being in the City of Las Vegas, County of Clark, State of Nevada, and more particularly described as being portions of the N 1/2 of the NE 1/4 of Section 4, T. 21 S., R. 61 E., M.D.M., and further described as being portions of LOT 1, as shown on that certain PARCEL MAP OF HOLSUM LOFT, filed

for record as Book No. 20040831, Instrument No. 0005814, on August 31, 2004, File 108, Page 05 of Parcel Maps, Official Records, Clark County, Nevada, and more fully described by metes and bounds as follows, to wit:

PARCEL NO. I-015-CL-041.690TE to be acquired for a temporary easement for roadway construction purposes for a three-year period commencing on the date of occupancy:

COMMENCING at the northeast corner of said Section 4, shown and delineated as an "AL CAP PLS 5094" on that certain RECORD OF SURVEY FOR THE CITY OF LAS VEGAS, filed for record as Book No. 20031231, Instrument No. 01220, on December 31, 2003, File 135, Page 08 of Surveys, Official Records, Clark County, Nevada; thence S. 69°49'27" W. a distance of 983.60 feet to the POINT OF BEGINNING; said point of beginning described as being on the southerly line of said Lot 1, 707.25 feet right of and measured radially from Highway Engineer's Station "Le" 797+60.37 P.O.C.; thence N. 0°08'05" W., along said southerly line, a distance of 5.00 feet; thence N. 89°50'55" E., departing said southerly line, a distance of 212.54 feet to the easterly line of said Lot 1; thence S. 27°47'26" W., along said easterly line, a distance of 5.66 feet to the southeast corner of said Lot 1; thence S. 89°50'55" W., along said southerly line, a distance of 209.89 feet to the point of beginning; said parcel contains an area of 1,056 square feet (0.02 of an acre).

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.

PARCEL I-015-CL-041.723TE to be acquired for a temporary easement for roadway construction purposes for a three-year period commencing on the date of occupancy:

COMMENCING at the northeast corner of said Section 4, shown and delineated as an "AL CAP PLS 5094" on that certain RECORD OF SURVEY FOR THE CITY OF LAS VEGAS, filed for record as Book No. 20031231, Instrument No. 01220, on December 31, 2003, File 135, Page 08 of Surveys, Official Records, Clark County, Nevada; thence S. 82°02'13" W. a distance of 1,088.24 feet to the POINT OF BEGINNING; said point of beginning described as being on the westerly line of said Lot 1, 534.31 feet right of and at right angles to Highway Engineer's Station "Le" 799+29.93 P.O.T.; thence N. 4°26'51" W., along said westerly line, a distance of 43.25 feet; thence departing said westerly line the following three (3) courses and distances:

1) N. 85°33'09" E. - 5.00 feet;

2) S. 4°26'51" E. - 43.25 feet;

3) S. 85°33'09" W. - 5.00 feet to the point of beginning;

said parcel contains an area of 216 square feet (0.00 of an acre).

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.

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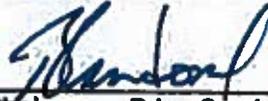
BE IT FURTHER RESOLVED that the Director, Deputy Director, and Chief Counsel of the Department have the power to enter into any stipulations or file any necessary pleadings in any condemnation proceeding and to bind the Department of Transportation in the completion of this project.

Adopted this 6th day of November, 2012.



Secretary to the Board
William H. Hoffman

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



Chairman – Brian Sandoval
Governor

APPROVED AS TO LEGALITY
AND FORM



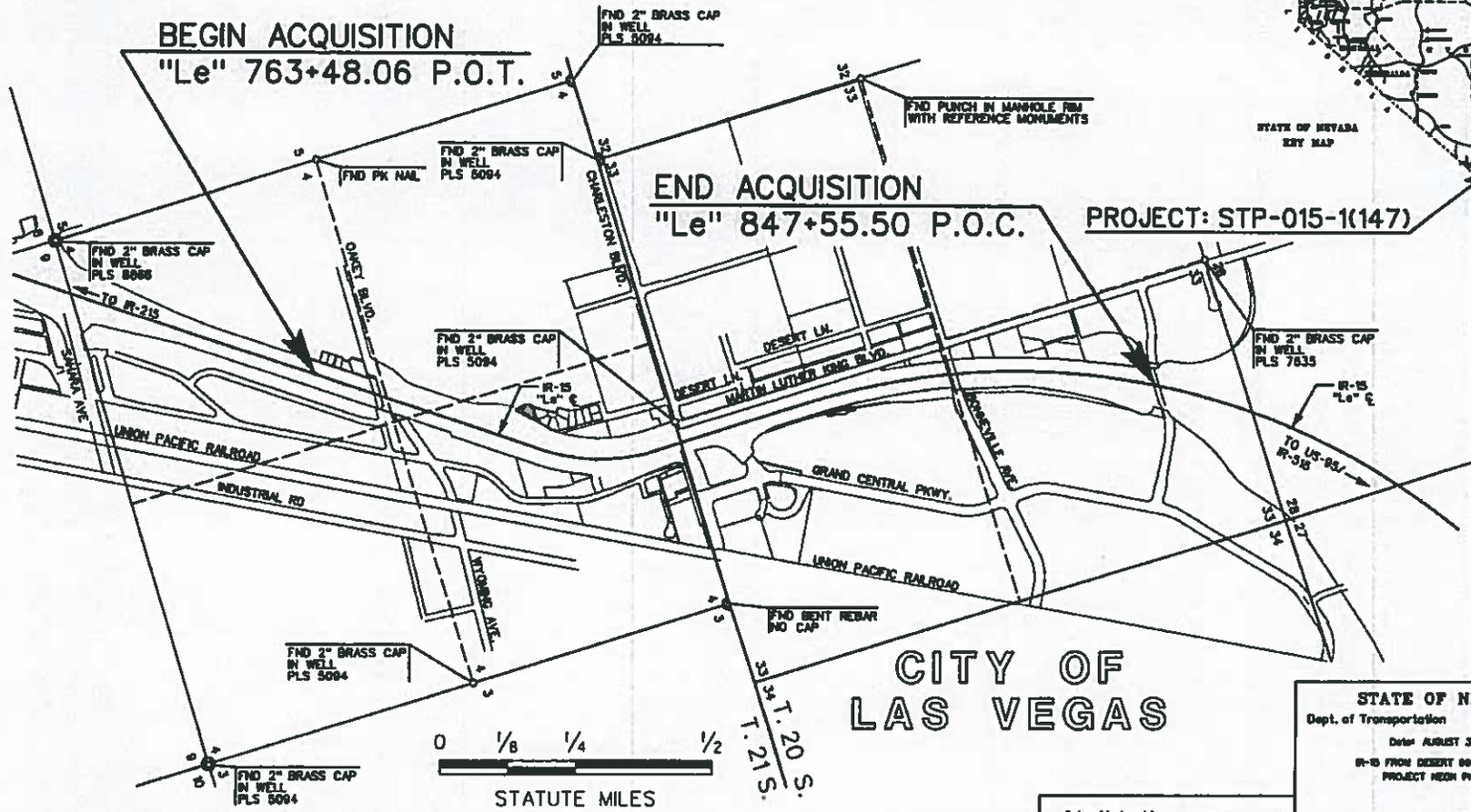
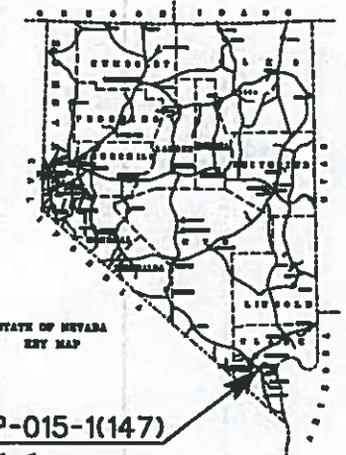
Dennis V. Gallagher, Chief Counsel
Department of Transportation

INDEX OF SHEETS CLARK

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2	LEGEND
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25-28	PROPERTY SCHEDULE

Fed. Rd. Dist. No.	State	Project No.	S.S. No.	County	Sheet No.
0	Nevada	NH-STP-015-KM7	73852	CLARK	1

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY PROJECT



CITY OF LAS VEGAS

STATE OF NEVADA
Dept. of Transportation R/W Division
Date: AUGUST 3, 2012
R-15 FROM DESERT 001 TO US-95
PROJECT NEIGH PHASE 1

Date of last revision: _____

Sheet 1 of 28 Sheets

Item #12 Attachment 1

PARCEL NO. PREFIX: I-015-CL-

Pub. No.	State	Project No.	R.A. No.	County	Sheet No.
0	Nevada	NH-STP-015-N1471	73662	CLARK	16

041.044	
P.O.B. - 125.00' LT. "L _a " 783+48.06 P.O.T. TIE: S. 73° 48' 08" E. - 2,018.06' FROM THE W 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
(A)	N. 54° 38' 14" W. - 113.89'
(B)	N. 35° 27' 46" E. - 70.00'
(C)	S. 54° 38' 14" E. - 113.88'
(D)	S. 35° 17' 37" W. - 70.00'

041.058	
P.O.B. - 125.00' LT. "L _a " 784+18.06 P.O.T. TIE: S. 77° 38' 21" E. - 2,037.31' FROM THE W 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
(C)	N. 54° 38' 14" W. - 113.88'
(E)	N. 35° 27' 46" E. - 70.00'
(F)	S. 54° 38' 14" E. - 113.78'
(D)	S. 35° 17' 37" W. - 70.00'

041.071	
P.O.B. - 125.00' LT. "L _a " 784+88.06 P.O.T. TIE: S. 78° 25' 36" E. - 2,063.59' FROM THE W 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
(F)	N. 54° 38' 14" W. - 113.78'
(H)	N. 35° 27' 46" E. - 45.57'
(I)	Δ - 44° 15' 48" R - 23.00' L - 19.31'
(J)	Δ - 11° 15' 50" R - 45.50' L - 8.84' T.B. - N. 78° 37' 32" E.
(K)	S. 54° 38' 14" E. - 101.02'
(L)	S. 35° 17' 37" W. - 70.00'

041.084	
P.O.B. - 125.00' LT. "L _a " 785+98.06 P.O.T. TIE: S. 81° 09' 58" E. - 2,093.83' FROM THE W 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
(K)	N. 54° 38' 14" W. - 101.02'
(M)	Δ - 73° 23' 10" R - 48.50' L - 38.41' T.B. - N. 88° 27' 42" E.
(N)	N. 84° 58' 16" E. - 138.98'
(D)	S. 35° 17' 37" W. - 142.99'

041.111	
P.O.B. - 125.00' LT. "L _a " 787+01.06 P.O.T. TIE: S. 84° 33' 31" E. - 2,163.33' FROM THE W 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
(H)	S. 84° 58' 16" W. - 138.98'
(P)	Δ - 48° 37' 27" R - 48.50' L - 38.41' T.B. - N. 88° 27' 42" E.
(Q)	N. 35° 27' 46" E. - 128.00'
(R)	S. 88° 54' 20" E. - 198.00'
(S)	S. 35° 17' 37" W. - 148.88'

041.137	
P.O.B. - 140.18' LT. "L _a " 788+40.83 P.O.T. TIE: S. 87° 52' 28" E. - 2,223.37' FROM THE W 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
(Q)	N. 35° 20' 34" E. - 84.88'
(R)	S. 88° 54' 20" E. - 271.31'
(P)	S. 2° 27' 06" W. - 30.01'
(T)	S. 88° 54' 20" E. - 29.54'
(V)	S. 35° 17' 37" W. - 38.27'
(A)	N. 88° 54' 20" W. - 302.28'
(S)	S. 35° 17' 37" W. - 42.09'
(C)	N. 88° 54' 20" W. - 18.35'

041.137PE	
P.O.B. - 140.18' LT. "L _a " 788+40.83 P.O.T. TIE: S. 87° 52' 28" E. - 2,223.37' FROM THE W 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
(Q)	N. 88° 54' 20" W. - 23.56'
(L)	N. 35° 04' 48" E. - 84.42'
(M)	S. 88° 54' 20" E. - 24.03'
(N)	S. 35° 20' 34" W. - 84.88'

041.386	
P.O.B. - 414.37' RT. "L _a " 781+91.44 P.O.T. TIE: N. 68° 43' 22" W. - 1,860.89' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
(O)	Δ - 12° 23' 56" R - 470.00' L - 101.99' T.B. - N. 35° 27' 45" E.
(P)	S. 62° 20' 08" E. - 5.33'
(Q)	Δ - 12° 34' 33" R - 485.00' L - 102.06' T.B. - S. 48° 07' 22" W.
(R)	N. 62° 20' 08" W. - 8.05'

041.386TE	
P.O.B. - 418.45' RT. "L _a " 781+70.51 P.O.T. TIE: N. 65° 10' 33" W. - 1,851.98' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
(U)	Δ - 3° 12' 15" R - 485.00' L - 28.00' T.B. - N. 37° 48' 32" E.
(V)	S. 50° 38' 57" E. - 10.00'
(W)	Δ - 3° 16' 28" R - 485.00' L - 28.00' T.B. - S. 41° 03' 18" W.
(X)	N. 50° 38' 57" W. - 10.00'

041.418	
P.O.B. - 300.87' LT. "L _a " 783+21.48 P.O.T. TIE: S. 58° 43' 35" W. - 2,798.97' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
(Y)	N. 88° 59' 33" E. - 63.72'
(Z)	N. 70° 00' 27" W. - 38.88'
(AA)	N. 88° 59' 38" E. - 54.00'
(AB)	N. 58° 06' 18" E. - 18.12'
(AC)	N. 88° 35' 26" E. - 128.38'
(AD)	S. 48° 47' 38" W. - 109.77'
(AE)	Δ - 9° 20' 28" R - 538.00' L - 87.38'

STATE OF NEVADA
 Dept. of Transportation R/W Division
 Date: AUGUST 3, 2012
 R/W Plans
 Date of last revision _____
 Sheet 16 of 28 Sheets

PARCEL NUMBER PREFIX: I-015-CL-

PROPERTY SCHEDULE

ALL AREAS ARE SHOWN IN SQUARE FEET, UNLESS OTHERWISE INDICATED

Sheet No.	State	Project No.	S.A. No.	County	Page No.
9	Nevada	MI-57P-015-12477	73982	CLARK	23

PARCEL NO.	GRANTEE	GRAND AREA	FRONT ACRES	NET AREA	R/W AREA	ACQUISITION RECORDING DATA				EXCESS LAND DATA		SBL. NO.	SBL. I.D.	REMARKS
						REL.	PG.	TYPE	DATE	AREA	DATE			
041044	MORSE, COLLEEN K. TRUSTEE	7,873		7,873	7,873									TOTAL ACQUISITION
041080	SCHEIDT, GLEN G. & MARGA L.	7,800		7,800	7,800									TOTAL ACQUISITION
041071	MOORE, MEREDITH E.	7,802		7,802	7,802									TOTAL ACQUISITION
041094	WONG, ALEXANDER AND VERA	8,870		8,870	8,870									TOTAL ACQUISITION
04110	INTERMILA, STELLA	8,870		8,870	8,870									TOTAL ACQUISITION
041137	CITY OF LAS VEGAS	8,530		8,530	8,530									
041509	CITY OF LAS VEGAS	1,000		1,000										ERREVE CONSTRUCTION AND IMPROVEMENT
041300	ANDREW T. WALKEZ, LLC	00		00	00						24,721			TO BE GIVEN TO CITY OF LAS VEGAS
041307E	ANDREW T. WALKEZ, LLC	200		200										BEH CONSTRUCTION
041410	ANDREW T. WALKEZ, LLC	0,401		0,401	0,401							24,800		
041443	LAS VEGAS GOLF & COUNTRY CLUB	2,87 AC		2,87 AC	2,87 AC									TOTAL ACQUISITION
041404	ONE, NERVA J. TRUSTEE	8,870		8,870	8,870									TOTAL ACQUISITION
041408	GALEN, JERRY & TERESA	7,700		7,700	7,700									TOTAL ACQUISITION
041473	CITY OF LAS VEGAS	3,800		3,800	3,800									
041405	JOHN, MARTIN & BESSIE	0,800		0,800	0,800									TOTAL ACQUISITION
041401	SACHSEL, ALBERT P.	0,800		0,800	0,800									TOTAL ACQUISITION
041800	GAURELLA, GARRIE V. JR	12,303		12,303	12,303									TOTAL ACQUISITION
041800	SHOFFER, JOHN & BONNIE	001		001	001							24,700		
041807E	SHOFFER, JOHN & BONNIE	200		200										BEH CONSTRUCTION
041800	MERNA, THOMAS & JEROMA	12,800		12,800	12,800									TOTAL ACQUISITION
041802	NEELAND 2000-11LC	43,700		43,700	43,700									TOTAL ACQUISITION
041803	SHEN, PETER CHE SUN	8,000		8,000	8,000									TOTAL ACQUISITION
041910	NELOAN, BYRON W & SORREN D	8,000		8,000	8,000									TOTAL ACQUISITION

STATE OF NEVADA
 Dept. of Transportation R/W Division
 Date: SEPTEMBER 17, 2012
 PROPERTY SCHEDULE

Date of last revision _____

Item #12 Attachment 1

LOCATION MAP



RESOLUTION NO. 437

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

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

CONDEMNATION RESOLUTION NO. 437

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

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

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

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

**WHEREAS, pursuant to section 408.503 of the Nevada Revised Statutes, the
Department shall not commence any legal action in eminent domain until the Board of
Directors of the Department adopts a resolution declaring that the public interest and**

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

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

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

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

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

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

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

To make application to said court for an order permitting the Department to take possession and use of said real property as may be necessary for construction of said

public highway improvement, and to pledge the public faith and credit of the State of Nevada as security for such entry or, should the Department deem such advisable, to deposit with the Clerk of such court, in lieu of such pledge, a sum equal to the value of the premises sought to be condemned as appraised by the Department, and to acquire the following real property:

PARCEL NO. I-015-CL-041.418 owned by DARRELL E JACKSON, a married man, as his sole and separate property, as to an undivided one-third (1/3) interest; THOMAS M. STRAWN JR, a married man, as his sole and separate property, as to an undivided one-third (1/3) interest; ANDREW S LEVY, a married man, as his sole and separate property, as to an undivided one-third (1/3) interest; to be acquired in fee simple.

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

COMMENCING at the northeast corner of said Section 4, shown and delineated as an "AL CAP PLS 5094" on that certain RECORD OF SURVEY FOR THE CITY OF LAS VEGAS, filed for record as Book No. 20031231, Instrument No. 01220, on December 31, 2003, File 135, Page 08 of Surveys, Official Records, Clark County, Nevada; thence S. 58°43'35" W. a distance of 2,799.91 feet to the POINT OF BEGINNING; said point of beginning described as being on the westerly right-of-way line of IR-15, 300.81 feet left of and at right angles to Highway Engineer's Station "Le" 783+21.46 P.O.T.; thence along said left or westerly right-of-way line the following four (4) courses and distances:

- 1) N. 19°59'33" E. - 63.72 feet;
- 2) N. 70°00'21" W. - 36.99 feet;
- 3) N. 19°59'39" E. - 54.00 feet;
- 4) N. 59°06'19" E. - 16.12 feet to the southerly boundary of
SARATOGA MEADOWS;

thence N. 89°35'26" E., along said southerly boundary, a distance of 126.38 feet to the former left or westerly right-of-way line of IR-15; thence S. 49°47'38" W., along said former left or westerly right-of-way line, a distance of 109.77 feet; thence from a tangent which bears the last described course, curving to the left, with a radius of 538.00 feet, through an angle of 9°20'29", an arc distance of 87.39 feet to the point of beginning; said parcel contains an area of 8,461 square feet (0.19 of an acre).

TOGETHER WITH the access rights, including the abutters rights, in and to IR-15.

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.

PARCEL NOS. I-015-CL-041.690TE and I-015-CL-041.723TE owned by
LAPOUR GRAND CENTRAL, LLC, a Nevada limited liability company.

Said real property situate, lying and being in the City of Las Vegas, County of Clark, State of Nevada, and more particularly described as being portions of the N 1/2 of the NE 1/4 of Section 4, T. 21 S., R. 61 E., M.D.M., and further described as being portions of LOT 1, as shown on that certain PARCEL MAP OF HOLSUM LOFT, filed

for record as Book No. 20040831, Instrument No. 0005814, on August 31, 2004, File 108, Page 05 of Parcel Maps, Official Records, Clark County, Nevada, and more fully described by metes and bounds as follows, to wit:

PARCEL NO. I-015-CL-041.690TE to be acquired for a temporary easement for roadway construction purposes for a three-year period commencing on the date of occupancy:

COMMENCING at the northeast corner of said Section 4, shown and delineated as an "AL CAP PLS 5094" on that certain RECORD OF SURVEY FOR THE CITY OF LAS VEGAS, filed for record as Book No. 20031231, Instrument No. 01220, on December 31, 2003, File 135, Page 08 of Surveys, Official Records, Clark County, Nevada; thence S. 69°49'27" W. a distance of 963.60 feet to the POINT OF BEGINNING; said point of beginning described as being on the southerly line of said Lot 1, 707.25 feet right of and measured radially from Highway Engineer's Station "Le" 797+60.37 P.O.C.; thence N. 0°09'05" W., along said southerly line, a distance of 5.00 feet; thence N. 89°50'55" E., departing said southerly line, a distance of 212.54 feet to the easterly line of said Lot 1; thence S. 27°47'26" W., along said easterly line, a distance of 5.66 feet to the southeast corner of said Lot 1; thence S. 89°50'55" W., along said southerly line, a distance of 209.89 feet to the point of beginning; said parcel contains an area of 1,056 square feet (0.02 of an acre).

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.

PARCEL I-015-CL-041.723TE to be acquired for a temporary easement for roadway construction purposes for a three-year period commencing on the date of occupancy:

COMMENCING at the northeast corner of said Section 4, shown and delineated as an "AL CAP PLS 5094" on that certain RECORD OF SURVEY FOR THE CITY OF LAS VEGAS, filed for record as Book No. 20031231, Instrument No. 01220, on December 31, 2003, File 135, Page 08 of Surveys, Official Records, Clark County, Nevada; thence S. 82°02'13" W. a distance of 1,088.24 feet to the POINT OF BEGINNING; said point of beginning described as being on the westerly line of said Lot 1, 534.31 feet right of and at right angles to Highway Engineer's Station "Le" 799+29.93 P.O.T.; thence N. 4°26'51" W., along said westerly line, a distance of 43.25 feet; thence departing said westerly line the following three (3) courses and distances:

- 1) N. 85°33'09" E. - 5.00 feet;
- 2) S. 4°26'51" E. - 43.25 feet;
- 3) S. 85°33'09" W. - 5.00 feet to the point of beginning;

said parcel contains an area of 216 square feet (0.00 of an acre).

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.

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

Adopted this 6th day of November, 2012.

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

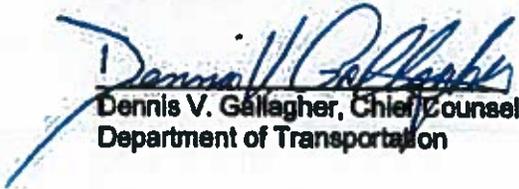


Secretary to the Board
William H. Hoffman



Chairman -- Brian Sandoval
Governor

**APPROVED AS TO LEGALITY
AND FORM**



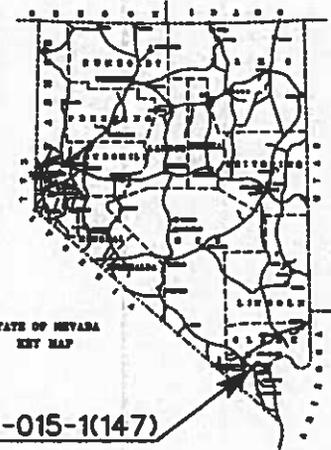
Dennis V. Gallagher, Chief Counsel
Department of Transportation

INDEX OF SHEETS CLARK

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- 3 SHEET INDEX
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- 16-24 R/W ENGINEERING SHEETS
- 25-28 PROPERTY SCHEDULE

Proj. No.	State	Project No.	S.L. No.	County	Sheet No.
0	Nevada	NH-STP-015-K147	73062	CLARK	1

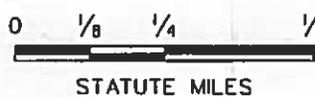
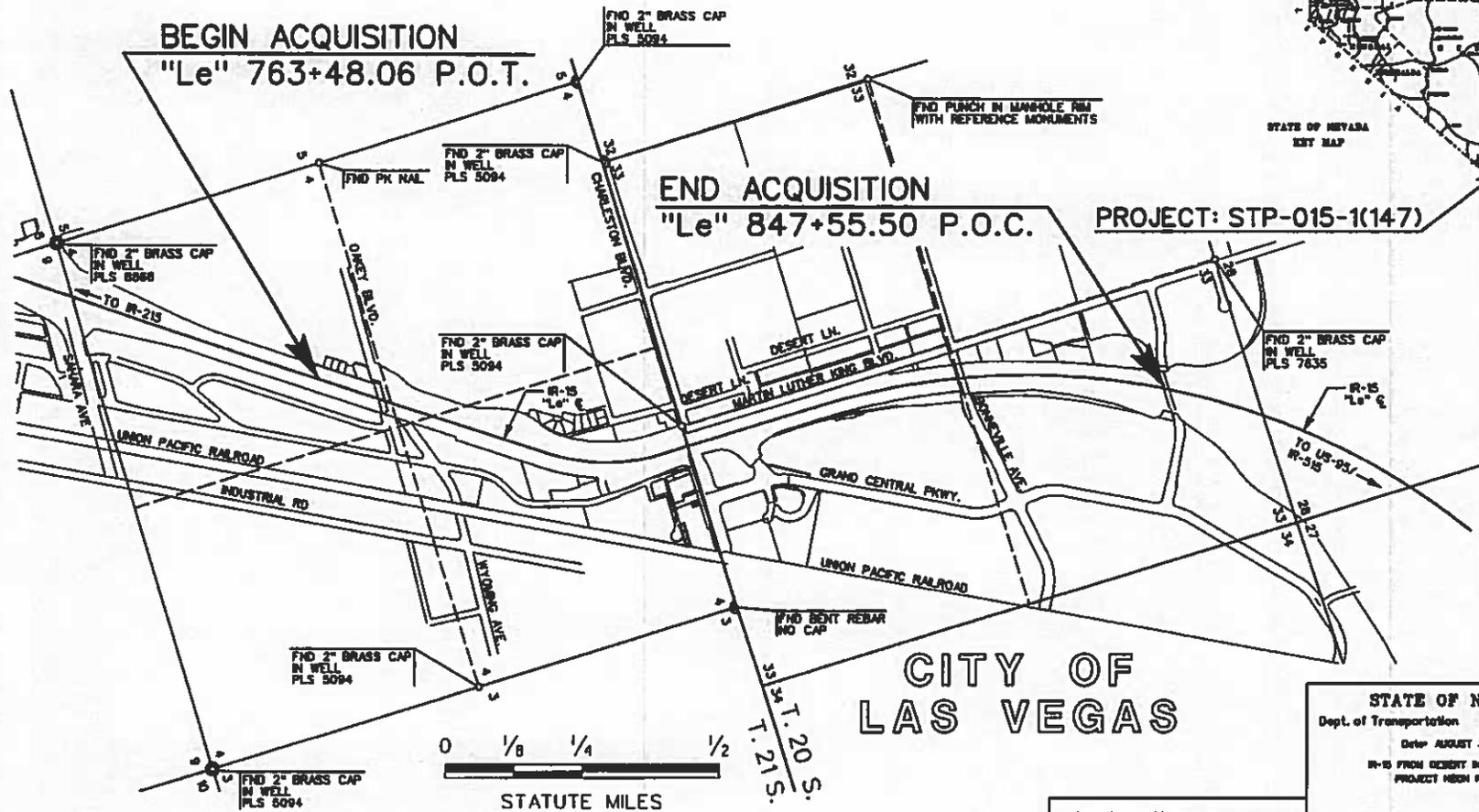
STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY PROJECT



BEGIN ACQUISITION
"Le" 763+48.06 P.O.T.

END ACQUISITION
"Le" 847+55.50 P.O.C.

PROJECT: STP-015-1(147)



CITY OF LAS VEGAS

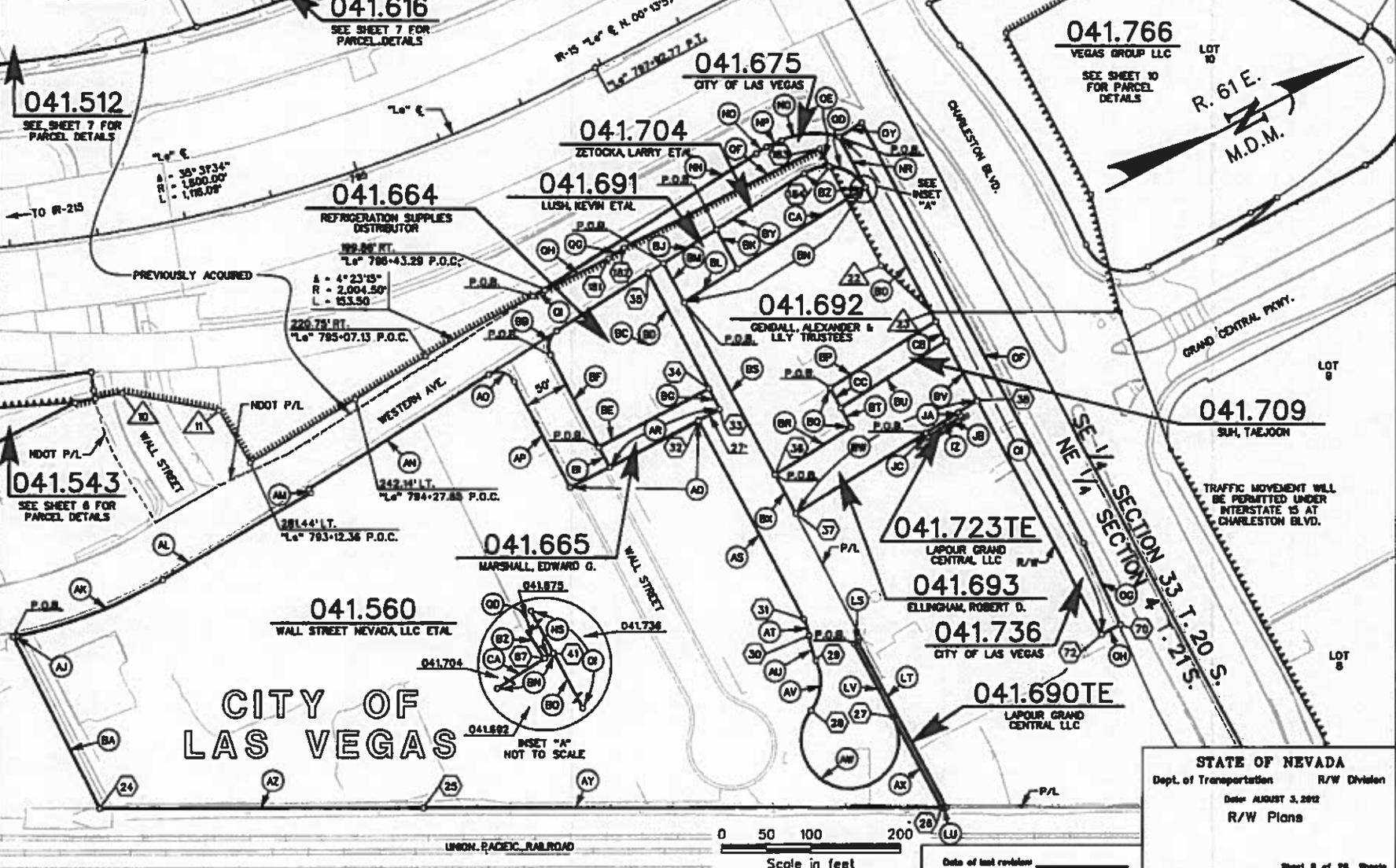
STATE OF NEVADA
Dept. of Transportation R/W Division
Date: AUGUST 3, 2012
R-15 FROM DESERT BLVD TO US-95
PROJECT NEON PHASE 1
Sheet 1 of 28 Sheets

Date of last revision _____

PARCEL NO. PREFIX: I-015-CL-

SEE SHEETS 18, 19, AND 20 FOR PARCEL DESCRIPTIONS

Plan No.	Sheet No.	Project No.	S.A. No.	County	Sheet No.
I-015-CL	18	NH-STP-015-NH177	73682	CLARK	8



Item #12 Attachment 2

PARCEL NO. PREFIX: I-015-CL-

Pub. No. Sheet No.	State	Project No.	S.S. No.	County	Sheet No.
0	Nevada	MT-STP-015-K1471	73832	CLARK	19

041.665	
P.O.B. - 384.80' RT. "La" 798-32.18 P.O.C. TE: S. 88° 37' 29" W. - 1,323.80' FROM THE NE COR. SEC. 4, T. 21 S., R. 81 E., M.D.M.	
Ⓢ	N. 0° 09' 05" W. - 140.00'
Ⓣ	N. 88° 50' 55" E. - 28.17'
Ⓤ	S. 0° 09' 05" E. - 140.00'
Ⓟ	S. 88° 50' 55" W. - 28.17'

041.675	
P.O.B. - 200.92' RT. "La" 786-28.39 P.O.C. TE: S. 7° 38' 19" W. - 1,494.16' FROM THE NE COR. SEC. 4, T. 21 S., R. 81 E., M.D.M.	
Ⓢ	N. 4° 42' 57" W. - 297.12'
Ⓣ	N. 5° 00' 15" W. - 13.73'
Ⓤ	N. 3° 53' 53" E. - 18.82'
Ⓟ	A - 40° 19' 28" R - 93.00' L - 88.48'
Ⓠ	N. 88° 57' 20" E. - 83.59'
Ⓡ	S. 5° 00' 57" E. - 0.19'
Ⓢ	A - 85° 23' 00" R - 50.00' L - 48.33' T.B. - S. 85° 08' 12" W.
Ⓣ	S. 88° 55' 28" W. - 22.56'
Ⓤ	S. 1° 04' 02" W. - 246.79'
Ⓟ	S. 7° 28' 57" E. - 20.37'
Ⓠ	S. 1° 04' 31" W. - 79.80'
Ⓡ	A - 0° 28' 34" R - 2,004.50' L - 19.49' T.B. - S. 1° 04' 01" W.

041.690TE	
P.O.B. - 707.29' RT. "La" 787-60.37 P.O.C. TE: S. 88° 48' 27" W. - 843.60' FROM THE NE COR. SEC. 4, T. 21 S., R. 81 E., M.D.M.	
Ⓢ	N. 0° 09' 05" W. - 5.00'
Ⓣ	N. 88° 50' 55" E. - 212.54'
Ⓤ	S. 27° 47' 26" W. - 5.88'
Ⓟ	S. 88° 50' 55" W. - 209.89'

041.691	
P.O.B. - 228.75' RT. "La" 797-82.20 P.O.C. TE: S. 76° 48' 43" W. - 1,420.28' FROM THE NE COR. SEC. 4, T. 21 S., R. 81 E., M.D.M.	
Ⓢ	N. 4° 42' 57" W. - 70.77'
Ⓣ	N. 88° 50' 28" E. - 50.00'
Ⓤ	S. 4° 42' 57" E. - 70.77'
Ⓟ	S. 88° 50' 55" W. - 50.00'

041.692	
P.O.B. - 278.75' RT. "La" 797-82.67 P.O.C. TE: S. 76° 27' 31" W. - 1,371.58' FROM THE NE COR. SEC. 4, T. 21 S., R. 81 E., M.D.M.	
Ⓢ	N. 4° 42' 57" W. - 240.88'
Ⓣ	N. 88° 57' 20" E. - 188.67'
Ⓤ	S. 4° 28' 50" E. - 139.78'
Ⓟ	N. 88° 52' 43" E. - 50.00'
Ⓠ	S. 4° 28' 52" E. - 101.00'
Ⓡ	S. 88° 50' 55" W. - 218.53'

041.693	
P.O.B. - 497.28' RT. "La" 797-85.47 P.O.C. TE: S. 73° 50' 23" W. - 1,883.37' FROM THE NE COR. SEC. 4, T. 21 S., R. 81 E., M.D.M.	
Ⓢ	N. 4° 28' 52" W. - 101.00'
Ⓣ	S. 88° 52' 43" W. - 25.00'
Ⓤ	N. 4° 28' 51" W. - 139.77'
Ⓟ	N. 88° 57' 20" E. - 75.00'
Ⓠ	S. 4° 28' 51" E. - 240.77'
Ⓡ	S. 88° 50' 55" W. - 50.00'

041.704	
P.O.B. - 222.83' RT. "La" 786-28.87 P.O.T. TE: S. 79° 40' 17" W. - 1,411.59' FROM THE NE COR. SEC. 4, T. 21 S., R. 81 E., M.D.M.	
Ⓢ	N. 4° 42' 57" W. - 175.86'
Ⓣ	A - 89° 48' 09" R - 50.00' L - 78.38'
Ⓤ	S. 4° 42' 57" E. - 169.93'
Ⓟ	S. 88° 50' 28" W. - 50.00'

041.708	
P.O.B. - 217.03' LT. "La" 789-11.52 P.O.T. TE: S. 84° 37' 18" W. - 1,837.10' FROM THE NE COR. SEC. 4, T. 21 S., R. 81 E., M.D.M.	
Ⓢ	S. 88° 50' 47" W. - 75.55'
Ⓣ	S. 2° 14' 17" W. - 80.00'
Ⓤ	S. 88° 50' 47" W. - 100.11'
Ⓟ	N. 2° 18' 50" E. - 158.58'
Ⓠ	A - 87° 37' 58" R - 20.00' L - 30.50'
Ⓡ	N. 88° 50' 48" E. - 103.58'
Ⓢ	A - 55° 38' 15" R - 52.50' L - 31.30' T.B. - N. 88° 57' 13" E.
Ⓣ	S. 8° 27' 36" E. - 28.60'
Ⓤ	S. 0° 08' 12" E. - 85.17'

041.709	
P.O.B. - 438.57' RT. "La" 788-58.78 P.O.T. TE: S. 79° 15' 51" W. - 1,183.10' FROM THE NE COR. SEC. 4, T. 21 S., R. 81 E., M.D.M.	
Ⓢ	N. 4° 28' 50" W. - 139.78'
Ⓣ	N. 88° 57' 20" E. - 25.00'
Ⓤ	S. 4° 28' 51" E. - 139.77'
Ⓟ	S. 88° 52' 43" W. - 25.00'

041.723TE	
P.O.B. - 534.37' RT. "La" 788-28.83 P.O.T. TE: S. 82° 02' 13" W. - 1,088.24' FROM THE NE COR. SEC. 4, T. 21 S., R. 81 E., M.D.M.	
Ⓢ	N. 4° 28' 51" W. - 43.25'
Ⓣ	N. 88° 33' 08" E. - 5.00'
Ⓤ	S. 4° 28' 51" E. - 43.25'
Ⓟ	S. 85° 33' 08" W. - 5.00'

STATE OF NEVADA
Dept. of Transportation R/W Division
Date: AUGUST 3, 2012
R/W Plans

Date of last revision _____

Sheet 19 of 28 Sheets

Item #12 Attachment 2

PARCEL NUMBER PREFIX: I-015-CL-

PROPERTY SCHEDULE

ALL AREAS ARE SHOWN IN SQUARE FEET UNLESS OTHERWISE INDICATED

Pub. No.	State	Project No.	S.A. No.	County	Sheet No.
0	Nevada	HS-STP-015-11471	73682	CLARK	26

PARCEL NO.	GRANTOR	GROSS AREA	PRESV. ACQV.	NET AREA	B/T AREA	ACCOUNTING RECORDING DATA				SUFPLUS LAND DATA		REM. BY.	EVAL. LT.	REMARKS	
						BL.	FO.	TYPE	DATE	AREA	DATE				
041543	LAS VEGAS GOLF & COUNTRY CLUB	10,074		10,074	10,074										TOTAL ACQUISITION
041569	EILER, ERIC C	10,838		10,838	10,838										TOTAL ACQUISITION
041580	BALL STREET NEVADA LLC ETAL	7.04 AC		7.04 AC	7.04 AC										TOTAL ACQUISITION
041570	KIMBEY, DEBORAH ANN	7,328		7,328	7,328										TOTAL ACQUISITION
041578	THE KEY FOUNDATION	7,117		7,117	7,117										TOTAL ACQUISITION
041598	HIGHLAND PARTNERSHIP 1990 ET AL	82,721		82,721	82,721										TOTAL ACQUISITION
041684	REFRIGERATION SUPPLIES DISTRIBUTION	10,838		10,838	10,838										TOTAL ACQUISITION
041686	MARSHALL, EDWARD G.	3,964		3,964	3,964										TOTAL ACQUISITION
041675	CITY OF LAS VEGAS	6,737		6,737	6,737										
041680TE	LAFOR GRAND CENTRAL, LLC	1,086		1,086											ROADWAY CONSTRUCTION
041691	LUSH, KEVIN ETAL	3,527		3,527	3,527										TOTAL ACQUISITION
041692	GEDDALL, ALEXANDER & LBY TRUSTEES	48,841		48,841	48,841										TOTAL ACQUISITION
041693	ELANGHAM, ROBERT D.	18,489		18,489	18,489										TOTAL ACQUISITION
041784	ZETOGKA, LARRY ETAL	7,834		7,834	7,834										TOTAL ACQUISITION
041708	TURNER, ROLLAND D. & BETTY M. TRUSTEES	25,813		25,813	25,813										TOTAL ACQUISITION
041709	SUN, TAEJON	3,484		3,484	3,484										TOTAL ACQUISITION
041721TE	LAFOR GRAND CENTRAL, LLC	218		218											ROADWAY CONSTRUCTION
041738	CITY OF LAS VEGAS	18,701		18,701	18,701										TOTAL ACQUISITION
041752	UNION PACIFIC RAILROAD COMPANY	4.88 AC	48,000	4.88 AC	4.88 AC										TOTAL ACQUISITION
041788	VEGAS GROUP, LLC	2.85 AC	7,104	2.85 AC	2.85 AC										TOTAL ACQUISITION
041875	SHOIVONHESEA LAS VEGAS DEV. LLC	17,828	2,882	17,828	17,828						35.31 AC				TO BE DEEDED TO CITY OF LAS VEGAS
041876TE	SHOIVONHESEA LAS VEGAS DEV. LLC	4,732		4,732											ROADWAY CONSTRUCTION

TRACED

CHANGED

STATE OF NEVADA
 Dept. of Transportation R/W Division
 Date: AUGUST 3, 2012
 PROPERTY SCHEDULE

Date of last revision _____

Item #12 Attachment 2

NRS 408.523 Summary vacation and abandonment of portion of state highway superseded by relocation or in excess of needs; resolution of Board; recordation.

1. The Board may retain or may summarily vacate and abandon any portion of a state highway if that portion has been superseded by relocation or has been determined to be in excess of the needs of the Department.

2. The Board shall act to abandon any easement, or to vacate any highway, by resolution. A certified copy of the resolution may be recorded without acknowledgment, certificate of acknowledgment, or further proof, in the office of the county recorder of each county wherein any portion of the easement to be abandoned, or the highway to be vacated, lies. No fee may be charged for such recordation. Upon recordation, the abandonment or vacation is complete.

3. When a highway for which the State holds only an easement is abandoned, or when any other easement is abandoned, the property previously subject thereto is free from the public easement for highway purposes. Where the State owns in fee the property on which the vacated highway was located, the Department shall dispose of that property as provided in NRS 408.533.

4. In any proceeding for the abandonment or vacation of any state highway or part thereof, the Board may reserve and except therefrom any easements, rights or interests in the highway deemed desirable and in the best interests of the State.

(Added to NRS by 1960, 68; A 1981, 707; 1987, 1811; 1989, 1307)

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

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

(Added to NRS by 2001, 1835; A 2001 Special Session, 155; 2005, 2247)



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

MEMORANDUM

Date: March 30, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: April 13, 2015 Transportation Board of Directors Meeting
Item #13: Authorizing Resolution with the Federal Transit Administration (FTA) – For Possible Action

Summary:

The Federal Transit Administration (FTA) reviewed NDOT's status and would like the attached Authorizing Resolution updated. This resolution gives the Director the legal authority to execute and file grant applications and other documents on behalf of NDOT with the Federal Transit Administration (FTA). This resolution gives the Director the legal authority to: execute and file the annual certifications, assurances and other documents with the FTA; execute grants and cooperative agreement with the FTA on behalf of NDOT; and draw against available grant funding from the ECHO web system.

Background:

NDOT oversees approximately \$8 Million dollars in FTA funds for rural transit operations across our state. These transit operators provide over a million rides annually. Since the program began in 1975, NDOT has purchased over 400 vehicles for rural transit providers. This program provides vital mobility options for our seniors, disabled, and residents lacking other modes of transportation.

Without this updated Authorizing Resolution NDOT will not be allowed to apply for any grants from the FTA. NDOT applies annually with the FTA for the rural transit operators and is also required by Map-21 to apply for some of the FTA funding for the small urbanized area of the Carson Area Metropolitan Organization (CAMPO).

Analysis:

NDOT administers this program. Beyond administration, no state funds are used for the program. The program uses federal funds and transit subrecipients are required to pay the local match.

List of Attachments:

- A. Authorizing Resolution

Recommendation for Board Action:

Recommend approval

Prepared by:

Michelle Gardner

AUTHORIZING RESOLUTION

Resolution No. _____

Resolution authorizing the filing of applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for Federal transportation assistance authorized by 49 U.S.C. chapter 53; and any other Federal statutes administered by the Federal Transit Administration.

WHEREAS, the Federal Transit Administration has been delegated authority to award Federal financial assistance for a transportation project;

WHEREAS, the grant or cooperative agreement for Federal financial assistance will impose certain obligations upon the Applicant, and may require the Applicant to provide the local share of the project cost;

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

NOW, THEREFORE, BE IT RESOLVED BY THE NEVADA DEPARTMENT OF TRANSPORTATION BOARD OF DIRECTORS:

1. That the Director the Nevada Department of Transportation (NDOT) is authorized to execute and file an application on behalf of Nevada Department of Transportation with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration. NDOT is the Designated Recipient as defined by 49 U.S.C. § 5302.
2. That Director of NDOT is authorized to execute and file with its applications the annual certifications and assurances and other documents the Federal Transit Administration requires before awarding a Federal assistance grant or cooperative agreement.
3. That Director of NDOT is authorized to execute the grant and cooperative agreements with the Federal Transit Administration on behalf of Nevada Department of Transportation.
4. That Director of NDOT has authority to draw against available grant funding using the ECHO web system.

CERTIFICATION

The undersigned duly qualified, Governor Brian Sandoval acting on behalf of the Nevada Department of Transportation, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the:

THE NEVADA DEPARTMENT OF TRANSPORTATION BOARD OF DIRECTORS meeting held on April 13, 2015.

[If the Applicant has an official seal, impress here]

(Signature of Recording Officer)

(Title of Recording Officer)

(Date)

[INSTRUCTION: Designations in the letter of incumbency and resolution should reflect sufficient internal control as required by the common grant rule,]



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

MEMORANDUM

March 30, 2015

TO: Department of Transportation Board of Directors
FROM: Rodolfo Malfabon, Director
SUBJECT: April 13, 2015 Transportation Board of Directors Meeting
Item #14: Equipment in Excess of \$50, 000 – Request for Approval of Purchase of Sweepers – For Possible Action

Summary:

Pursuant to NRS 408.389, approval of the Transportation Board is required for the purchase of equipment that exceeds \$50,000. Assembly Bill 374 (2011 legislative session) modified sections of NRS 408.389 to include the following requirements: the Department shall: (a) Prepare and present to the Board an analysis of the costs and benefits, including, without limitation, all related personnel costs, that are associated with: (1) purchasing, operating and maintaining the same item of equipment; (2) leasing, operating and maintaining the same item of mobile equipment; or (3) contracting for the performance of the work which would have been performed using the mobile equipment; and (b) Justify the need for the purchase based on that analysis.”

Accordingly, the Department of Transportation hereby requests approval to purchase the following equipment:

1. Five PM10 sweepers – These roadway sweepers capture Particulate Matter (PM) with a diameter of 10 micrometers or less. The budgeted amount combined is \$1,441,000 and is funded with federal aid.

Department staff have conducted the required financial analysis noted above and determined that the purchase of this equipment is the most cost-effective way to accomplish department goals.

Background:

Five PM10 sweepers:

The Department of Transportation’s legislatively-approved budget included the purchase of five PM10 sweepers funded with Congestion Mitigation and Air Quality (CMAQ) funding. The federal CMAQ program provides funding to state and local governments to support projects and programs that help improve air quality and reduce traffic congestion in areas that do not meet National Ambient Air Quality Standards (NAAQS) established by U.S. Environmental Protection Agency (EPA). These areas are known as non- attainment areas. CMAQ funds also support air quality improvement programs in areas that have returned to attainment and are required to develop and implement a maintenance plan. Truckee Meadows is a non-attainment area and the Tahoe Basin is an environmentally-sensitive area, with water clarity being a major issue.

This equipment will be purchased as part of a comprehensive air quality improvement plan in joint development by NDOT, the Washoe District Health - Air Quality Management Division, and the Departments of Public Works for the cities of Reno and Sparks, and Washoe County in effort to meet EPA’s air quality standards. The purchase of these five PM10-efficient street sweepers will allow NDOT to provide a higher level of service related to meeting these standards and reduce fines

and silt in drainage systems which will help with storm water pollution prevention.

The department has obligated federal funding for this project and has been given the authorization by the Federal Highway Administration (FHWA) through Federal-Aid Project Agreement No: CM-0031(094) to provide 100% reimbursement for this specialized equipment (Attachment 1).

Actual costs may vary from budgeted amounts based on current market prices. Please refer to Attachment 1 for current expenditures and the CMAQ project balance. All acquisitions will be made within existing CMAQ project spending authority, therefore no additional funding is requested to address these cost variances.

Cost Benefit Analyses:

Five PM10 sweepers:

A Cost and Benefit Analysis (Attachment 3) was performed for the PM10 Sweepers and the calculated average costs per curb mile swept (ACPCMS) are as follows:

1. Purchasing, operating and maintaining the same item of equipment was calculated via two scenarios. The ACPCMS was projected to be: **\$40.16** with amortization that does not take full federal reimbursement into account. **This is the lowest actual cost to NDOT.**

Sweepers also assist in the following tasks besides the routine sweeping task (Maintenance Management System – Task133) that was used for the calculation of the above stated cost:

- Emergency Response (average 20 times a year)
- Removing Debris
- Maintain Rest Areas
- Repair Slopes
- Cleaning Roadside Ditches and Drop Inlets
- Doing Flush/Scrub/Slurry Seals
- Clean up from mixing Sand/Salt
- Repairing Guard Rail and Impact Attenuators

2. Leasing, operating and maintaining the same item of mobile equipment resulted in an ACPCMS of \$53.42.
3. Contracting for the performance of the work that would have been performed using the mobile equipment resulted in an ACPCMS of \$47.95.

Recommendation for Board Action:

The Department recommends approval of the requested mobile equipment purchases.

List of Attachments:

- 1) Federal-Aid Project Agreement No: CM-0031(094)
- 2) PM10 Sweeper General Information
- 3) Cost and Benefit Analysis

Prepared by:

Anita Bush, Chief Maintenance and Asset Management Engineer

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

PROJECT APPROVAL
&
ENGINEERING AUTHORIZATION

FUNCTIONAL CLASS:

PROJ. ID NO.	<u>60462</u>	CONTRACT NO.	<u> </u>								
P.C.E.M.S. NO.	<u>8-31085</u>	PROJECT NO.	<u>CM-0031(094)</u>								
LOCATION	<u>WASHOE COUNTY NON-ATTAINMENT- SWEEPERS-NDOT</u>										
MILEPOST:	<u>NOT MILEPOSTED</u>										
LENGTH:	<u> </u>	FUND CODE:	<u>01</u> *								
APPN. CODE	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%;">L40E</td> <td style="width:25%;"></td> <td style="width:25%;"></td> <td style="width:25%;"></td> </tr> <tr> <td>CM-82</td> <td></td> <td></td> <td></td> </tr> </table>			L40E				CM-82			
L40E											
CM-82											
ITEM NO.											

YOU ARE HEREBY AUTHORIZED TO EXPEND THE FOLLOWING AMOUNTS FOR: Purchase 2 brine production systems, 1 storage and containment system, 7 brine tanks, 6 distribution tanks, 12 PM10 certified street sweepers, 5 dump boxes for sweeper waste, 40 covers for haul vehicles.

PRELIMINARY ENGINEERING - INITIAL AUTHORIZATION		LAST REVISION
STATE FORCES		
Design	\$	
Bridge	\$	
Environmental	\$	
Material	\$	
Survey	\$	
TOTAL P.E. BY STATE FORCES	\$	0.00
Consultants	\$	
TOTAL PRELIMINARY ENGINEERING	\$	0.00
RIGHT OF WAY - INITIAL AUTHORIZATION		LAST REVISION
Incidental Costs	\$	
Acquisition Costs	\$	
Utility Adjustments	\$	
TOTAL RIGHT OF WAY	\$	0.00
TOTAL ENGINEERING AUTHORIZATION	\$	0.00
CONSTRUCTION - INITIAL AUTHORIZATION		07/19/10 LAST REVISION
Utilities (Const. Item) & Railroads	\$	
Construction Engineering	\$	
State Forces	\$	
Consultants Payments	\$	
Other	\$	
Contractor Payments	\$	3,891,000.00
TOTAL CONSTRUCTION	\$	3,891,000.00
TOTAL PROJECT COSTS	\$	3,891,000.00

REMARKS:

APPROVED BY: *Alicia Demay*
For: CHIEF, FINANCIAL MANAGEMENT

NDOT 053-003
REV. 04/02

*Code according to activity---show Project ID No. on all payrolls & accounts submitted for this work. 01=Participating 09=Non-Participating

April 13, 2015 Transportation Board of Directors Meeting Item # __**NDOT MOBILE EQUIPMENT PURCHASE REQUEST - PM10 Sweeper General Information**

The federal Congestion Mitigation and Air Quality (CMAQ) program provides funding to state and local governments to support projects and programs that help improve air quality and reduce traffic congestion in areas that do not meet National Ambient Air Quality Standards (NAAQS) established by U.S. Environmental Protection Agency (EPA). These areas are known as non-attainment areas. CMAQ funds also support air quality improvement programs in areas that have returned to attainment and are required to develop and implement a maintenance plan. Truckee Meadows is a non-attainment area and the Tahoe Basin is an environmentally-sensitive area, with water clarity being a major issue.

This equipment will be purchased as part of a comprehensive air quality improvement plan in joint development by NDOT, the Washoe District Health - Air Quality Management Division, and the Departments of Public Works for the cities of Reno and Sparks, and Washoe County in effort to meet EPA's air quality standards. The purchase of these five PM10-efficient street sweepers will allow NDOT to provide a higher level of service related to meeting these standards and reduce fines and silt in drainage systems which will help with storm water pollution prevention.

The department has obligated federal funding for this project and has been given the authorization by the Federal Highway Administration (FHWA) through Federal-Aid Project Agreement No: CM-0031(094) to provide 100% reimbursement for this specialized equipment.

A PM10-efficient street sweeper is a street sweeper that is certified by the South Coast Air Quality Management District (SCAQMD) as meeting the testing and performance standards set forth in SCAQMD Rule 1186.



NDOT is required to sweep up anti-icing chemicals and abrasives within 72 hours after a snow storm. Increasing the number of sweepers operated in the Truckee Meadows and the Tahoe Basin will allow for increased sweeping frequency and will increase removal of fine sediment and nutrient amounts that contribute to pollutant generation. The reduction in fine sediment from the roadways will allow the department to better meet the EPA requirements.

The Pollutant Reduction Opportunity Report (2008) estimates that paved roads contribute 44.1% of the total annual fugitive dust emissions, further heightening the importance of controlling this source of atmospheric pollutants. The purchase and use of high efficiency sweepers will have a direct result in a reduction of nutrient loading from urban roadways and reduce the amount of fine sediment particles that can become airborne. This will result in direct benefits to the Environmental Improvement Program goals of reducing the pollutants that impact air quality and water quality.

It is imperative that NDOT purchase these sweepers with reimbursement from the federal CMAQ funds at this time.

April 13, 2015 Transportation Board of Directors Meeting Item # __

NDOT MOBILE EQUIPMENT PURCHASE REQUEST - COSTS AND BENEFITS ANALYSIS

Equipment	Quantity	Price	Total Costs
PM-10 Compliant Sweepers Total Purchase Price	5 Units	\$ 288,135	\$ 1,440,675
Federal Reimbursement	5 Units	\$ 288,135	\$ 1,440,675

(1) Costs for Purchasing Equipment, Operating and Maintaining

WASHOE COUNTY PICKUP BROOM SWEEPING COSTS PER YEAR (w/ PM-10 Compliant Sweepers) :

Item	Description	Rate	Total Costs
1	Equipment Cost (assuming 6 years Depreciation)		\$ 45,000
2	Other Equipment used for the Task (Impact attenuator, garbage truck, etc.)		\$ 10,638
3	Equipment Maintenance, Insurance, and Fuel Costs		\$ 31,027
4	Labor Costs related to the Task (from MMS)		\$ 16,222
	Department Labor Overhead	62.83%	\$ 10,192
5	Materials Disposal for the Task		\$ 4,943
Total			\$ 118,022
6	Administration Cost	Added 30%	\$ 153,428

Equipment Costs are from the Equipment Division.

3,821 Curb Miles

Average Cost per Curb Mile = **\$40.16**

(2) Costs for Leasing, Operating and Maintaining

COSTS FOR LEASING THE EQUIPMENT TO DO THE SWEEPING :

Item	Description	Quantity	Rate	Total Costs
1	PM-10 Compliant Street Sweepers (Annual lease rate includes all maintenance & insurance costs)	1 Unit	\$ 111,192	\$ 111,192
2	Other Equipment used for the Task (Impact attenuator, garbage truck, etc.)			\$ 10,638
3	Fuel Cost			\$ 3,805
4	Labor Costs Related to the Task			\$ 16,222
	Department Labor Overhead		62.83%	\$ 10,192
5	Materials Disposal for the Task			\$ 4,943
Total				\$ 156,990
6	Administration Cost	Add 30%		\$ 204,087

Average Cost per Curb Mile = **\$53.42**

(3) Costs for Contracting for the Performance of the Work which would have been Performed using the Mobile Equipment.

COSTS FOR CONTRACTING OUT THE SWEEPING :

Item	Description	Quantity	Rate	Total Costs
1	All Inclusive Street Sweeping (Average from 2 NDOT contracts)	3821 Curb Miles	\$ 43	\$ 164,747
2	Department Contract Administration:			
	Procurement and Contract Management	200 Man Hours	\$ 40	\$ 8,000
	Payables Management	24 Man Hours	\$ 31	\$ 744
	Quality Management	104 Man Hours	\$ 25	\$ 2,600
3	Department Labor Overhead		62.83%	\$ 7,127
Total				\$ 183,220

Average Cost per Curb Mile = **\$47.95**



MEMORANDUM

March 19, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: April 13, 2015 Transportation Board of Directors Meeting
ITEM #15: Receive a Report on Decision Lens -- *Informational item only*

Purpose:

The purpose of this agenda item is to provide an update on Decision Lens, a software tool being used for prioritization of NDOT's portfolio of programs.

Summary:

This item is in response to a question raised at the March 9, 2015, Transportation Board meeting. Decision Lens is a software tool which is proprietary. It will be used by the Department to provide a structured decision framework for its entire work program, or portfolio of projects. Inputs from 14 key areas will be used to develop a prioritized 5-year plan of capital improvements.

Although the NDOT project is still in its initial stages, a live demonstration of the software tool will be provided to the Transportation Board under this agenda item.

Analysis:

The Decision Lens tool is used nationally by 18 transportation agencies, including state departments of transportation in Washington State, Minnesota, Utah, Wisconsin, Tennessee, Missouri, Arkansas, Virginia, Delaware and New Hampshire.

This software tool was first used by NDOT on the Project NEON legal risk analysis. As NDOT became more familiar with the software tool, it became apparent that NDOT could apply it to prioritizing its capital improvement program as well as more efficiently prioritizing projects within a specific program, such as IT projects.

NDOT currently has capital improvement projects identified in the following programs:

- Capacity (interchanges, new bridges, new highways, freeway widening, etc.)
- Bridges and structures
- Highway Traffic Safety (federal)
- Bike and Pedestrian
- Preservation (3R – Resurfacing, Restoration, and Rehabilitation)
- Traffic Operations (Intelligent Transportation Systems or ITS, Roadway Weather Information Systems or RWIS, etc.)
- Americans with Disabilities Act (ADA)

- Districts 1 Maintenance Projects (through District 1 or Maintenance & Asset Management)
- District 2 Maintenance Projects
- District 3 Maintenance Projects
- Hydraulics (drainage improvements) & Lake Tahoe Water Quality
- Landscape & Aesthetics
- Storm Water Improvements (Highways and NDOT Facilities)
- Architectural (Maintenance Facilities & Rest Areas)

Each of these areas has various funding sources and distinct criteria for ranking projects, such as pavement or bridge condition, reducing fatalities and serious injuries, or benefit-cost ratio. NDOT develops a plan is subject to input and final approval from the Transportation Board for the Annual Work Program and Statewide Transportation Improvement Program (STIP). As the plan is developed, NDOT receives input from stakeholders such as metropolitan planning organizations (MPOs), local governments, developers and business owners, and the public. All of these factors can be considered by the Decision Lens software tool as NDOT develops its capital improvement program.

While NDOT can apply engineering judgment in development of its capital improvement program, project prioritization is becoming more complex due to forthcoming federal requirements for states to develop investment strategies passed on a risk-based asset management system. The Federal Highway Administration published a Notice of Proposed Rule-Making (NPRM) on February 20, 2015. The final rules will be developed after comments are compiled and addressed, however, a multi-objective prioritization process is anticipated for management of assets on the National Highway System (NHS).

As the NDOT 5-year plan is developed, it is very useful as a resource allocation tool for engineering resources and projected funding.

NDOT will benefit from using the Decision Lens tool as follows:

- It will allow NDOT to quickly determine its portfolio based on various funding scenarios. While uncertainty and variability have always been present as NDOT develops its capital improvement program, these factors have been exerting influence on a more frequent basis. Recent examples where NDOT was asked for affected projects include:
 - If NDOT receives additional funds from voter approval of fuel revenue indexing applied to the state portion of the fuel tax (AB 191)
 - If Congress reduced the amount of federal transportation funds that NDOT must obligate due to the “fiscal cliff” (approximate 30% reduction if no federal revenue increase is identified during reauthorization of MAP-21)
 - If Congress increased the amount of federal transportation funds that NDOT must obligate (President Obama’s GROW America Act increases highway funds to Nevada by an estimated \$71 million in FY 2016)
 - If a specific federal program was eliminated or consolidated (Safe Routes to School program was consolidated into the Transportation Alternatives Program (TAP) and funding levels were reduced)
 - If the Transportation Board directed NDOT to accelerate a major project or a program area (for example, USA Parkway design-build project)

- If other priorities take precedence in order to comply with federal, state or local requirements (for example, storm water program and Clean Water Act compliance)
- It will provide more transparency with respect to the Division and District level inputs used to prioritize projects
- It will improve internal communication among NDOT divisions and districts with respect to programs and priorities
- It will improve external communication on multi-year plans.

In summary, NDOT will benefit from expanding its current efforts to efficiently manage a comprehensive, optimized and accountable capital improvement program. It will also be able to process various funding scenarios more efficiently and effectively. The software tool is not a “black box” and engineering judgment and Transportation Board direction and approvals will still be applied to optimize NDOT’s capital improvement program.

Recommendation for Board Action:

For information purposes only

Prepared by:

Rudy Malfabon, P.E., Director



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

MEMORANDUM

March 31, 2015

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: April 13, 2015 Transportation Board of Directors Meeting
Item #16: Old Business

Summary:

This item is to provide follow up and ongoing information brought up at previous Board Meetings.

Analysis:

- a. Report of Outside Counsel Costs on Open Matters - *Informational item only.*
Please see Attachment A.
- b. Monthly Litigation Report - *Informational item only.*
Please see Attachment B.
- c. Fatality Report dated March 31, 2015 - *Informational item only.*
Please see Attachment C.
- d. Annual Report on Freeway Service Patrol- *Informational item only.*
Please see Attachment D.
- e. Quarterly Report on Freeway Service Patrol – *Informational item only.*
Please see Attachment E.

List of Attachments:

- a. Report of Outside Counsel Costs on Open Matters - *Informational item only.*
- b. Monthly Litigation Report - *Informational item only.*
- c. Fatality Report dated March 31, 2015- *Informational item only.*
- d. Annual Report on Freeway Service Patrol - *Informational item only.*
- e. Quarterly Report on Freeway Service Patrol – *Informational item only.*

Recommendation for Board Action:

Informational item only.

OPEN NDOT - OUTSIDE COUNSEL CONTRACTS AS OF MARCH 20, 2015						
Vendor	Case/Project Name	Contract Period	Contract and Amendment Date	Contract and Amendment Amount	Total Contract Authority	Contract Authority Remaining
Nossaman, LLP	Project Neon Legal and Financial Planning NDOT Agmt No. P014-13-015	3/11/13 - 12/31/17 Amendment #1	3/11/13 1/14/14	\$ 1,400,000.00	\$ 3,400,000.00	\$ 805,156.66
				\$ 2,000,000.00		
				\$ 3,400,000.00		
Chapman Law Firm	NDOT vs. Roberts 1981 Decedents Trust 8th JD - 12-665880-C Project Neon - Las Vegas NDOT Agmt No. P452-12-004	10/23/12 - 9/30/16 Amendment #1	10/23/12 9/12/14	475725 Extension of Time	\$ 475,725.00	\$ 345,958.25
Chapman Law Firm	NDOT vs. MLK-ALTA 8th JD - A-12-658642-C Project Neon - Las Vegas NDOT Agmt No. P508-12-004	1/14/13 - 1/14/16	1/14/13	\$ 455,525.00	\$ 455,525.00	\$ 240,088.37
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	\$ 2,700,000.00	\$ 563,366.06
				\$ 850,000.00		
				\$ 750,000.00		
				\$ 800,000.00		
Lemons, Grundy, Eisenberg	NDOT vs. Ad America (Appeal) 8th JD - A-11-640157-C Project Neon - Las Vegas NDOT Agmt No. P037-13-004	1/22/13 - 1/31/16 Amendment #1	1/22/13 1/22/15	\$205,250.00 Extension of Time	\$ 205,250.00	\$ 41,197.82
Sylvester & Polednak, Ltd.	NDOT vs. Wykoff 8th JD - A-12-656578-C Warm Springs Project - Las Vegas NDOT Agmt No. P071-13-004	2/27/13 - 1/31/17 Amendment #1	2/27/13 1/23/15	\$275,000.00 Extension of Time	\$ 275,000.00	\$ 42,861.55
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	\$ 174,304.92
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	\$ 45,163.47
** Varela, Lee, Metz & Guarina, LLP - Novation Agreement 2/28/14 from Watt, Tieder, Hoffar & Fitzgerald	Pacific Coast Steel vs. NDOT K3292 - I-580 2nd JD CV12-02093 NDOT Agmt No. P160-13-004	4/30/13 - 4/30/17	4/30/13	\$ 275,000.00	\$ 275,000.00	\$ 59,870.66
Sylvester & Polednak	Fitzhouse Enterprises (acquired title as Westcare) 8th JD - A-13-660564-C Project Neon - Las Vegas NDOT Agmt No. P201-13-004	5/31/13 - 5/31/15	5/31/13	\$ 290,000.00	\$ 290,000.00	\$ 173,169.06
Snell & Wilmer	Meadow Valley Public Records, K3389 NDOT Agmt No. P273-13-004	7/18/13 - 7/30/15 Amendment #1 Amendment #2	7/18/13 7/29/14 12/9/14	\$ 30,000.00	\$ 170,000.00	\$ 30,582.14
				\$ 50,000.00		
				\$ 90,000.00		
Kemp, Jones, Coulthard	Nassiri vs. NDOT 8th JD A672841 NDOT Agmt No. P290-13-004	7/17/13 - 2/28/17 Amendment #1	7/17/13 2/12/15	\$ 280,000.00	\$ 755,000.00	\$ 347,199.89
				\$ 475,000.00		
Chapman Law Firm	Ad America vs. NDOT (Project Neon) 8th JD A640157 NDOT Agmt No. P291-13-004	7/25/13 - 7/30/15 Amendment #1	7/25/13 4/28/14	\$ 200,000.00 \$ 250,000.00	\$ 450,000.00	\$ 90,424.06

OPEN NDOT - OUTSIDE COUNSEL CONTRACTS AS OF MARCH 20, 2015						
Vendor	Case/Project Name	Contract Period	Contract and Amendment Date	Contract and Amendment Amount	Total Contract Authority	Contract Authority Remaining
Chapman Law Firm	Ad America vs. NDOT (South Point) 8th JD A-11-653502-C NDOT Agmt No. P293-13-004	7/25/13 - 7/30/15	7/25/13	\$ 70,000.00	\$ 70,000.00	\$ 2,401.66
Kemp, Jones & Coulthard	NDOT vs. City of Los Angeles 8th JD A-13-687717-C Boulder City Bypass Project NDOT Agmt No. P405-13-004	9/1/13 - 9/30/15	9/1/13	\$ 250,000.00	\$ 250,000.00	\$ 195,467.62
Sylvester & Polednak	NDOT vs. Smith Family Trust 8th JD A-13-687895-C Project Neon NDOT Agmt No. P465-13-004	9/7/13 - 9/30/15	9/7/13	\$ 280,000.00	\$ 280,000.00	\$ 252,720.49
Chapman Law Firm	NDOT vs. LGC, 231, LLC 8th JD NDOT Agmt No. P561-13-004	12/20/13 - 12/15/15	12/20/13	\$ 453,650.00	\$ 453,650.00	\$ 385,443.76
Laura FitzSimmons, Esq.	Risk Management Analysis for Project NEON Costs for Risk Management Analysis NDOT Agmt No. P006-14-004	1/13/14 - 12/13/17 Amendment #1	1/13/14 8/21/14	\$ 900,000.00 \$ 310,000.00	\$ 1,210,000.00	\$ 214,326.92
Chapman Law Firm	McCarran Widening 2nd JD - Various Temporary Easements NDOT Agmt No. P142-14-004	5/14/14 - 5/30/16	5/14/14	\$ 200,000.00	\$ 200,000.00	\$ 122,311.56
*** 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	\$ 253,688.61
Carbaial & McNutt, LLP	Las Vegas Golf & Country Club 8th JD A-14-705477-C Project Neon NDOT Agmt No. P362-14-004	9/8/14 - 8/30/15	9/8/14	\$ 375,000.00	\$ 375,000.00	\$ 369,844.70
Kemp, Jones & Coulthard	Walker Furniture Project Neon NDOT Agmt No. P431-14-004	10/13/14 - 11/30/16	10/13/14	\$ 350,000.00	\$ 350,000.00	\$ 292,548.14
Lambrose Brown	Grant Properties Project Neon NDOT Agmt No. P433-14-004	10/14/14 - 10/30/16	10/14/14	\$ 275,000.00	\$ 275,000.00	\$ 275,000.00
Lambrose Brown	Sharples Project Neon NDOT Agmt No. P434-14-004	10/16/14 - 10/30/16	10/16/14	\$ 275,000.00	\$ 275,000.00	\$ 268,720.00
Laura FitzSimmons, Esq.	Project Neon Eminent Domain Actions NDOT Agmt No. P480-14-004	11/10/14 - 11/30/15	11/10/14	\$ 600,000.00	\$ 600,000.00	\$ 536,800.00

OPEN NDOT - OUTSIDE COUNSEL CONTRACTS AS OF MARCH 20, 2015						
Vendor	Case/Project Name	Contract Period	Contract and Amendment Date	Contract and Amendment Amount	Total Contract Authority	Contract Authority Remaining
Varela, Lee, Metz & Guarino	Sequoia Electric K3409 NDOT Agmt No. P526-14-004	10/16/14 - 10/30/16	10/16/14	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00
Lambrose Brown	Paralegal Services - Project Neon NDOT Agmt No. P547-14-004	11/20/14 - 11/30/16 Amendment #1	11/20/14 2/12/15	\$ 250,000.00 Define Provider	\$ 250,000.00	\$ 225,385.00
* BH Consulting Agreement	<i>Management assistance, policy recommendations, negotiation support and advice regarding NEXTEL and Re-channeling of NDOT's 800 Mhz frequencies.</i>	6/30/12 - 6/30/16	6/30/12	\$ 77,750.00	\$ 77,750.00	\$ 76,340.00
					\$ 77,750.00	\$ 76,340.00

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

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

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

Contracts Closed Since Last Report:

Chapman Law Firm	<i>NDOT vs. Carrie Sanders</i> 8th JD - A-12-664693-C Project Neon - Las Vegas NDOT Agmt No. P192-12-004	6/12/12 - 6/12/15	6/12/12	\$ 541,800.00	\$ 541,800.00	\$ 150,171.97
Chapman Law Firm	<i>NDOT vs. Gendall</i> 8th JD - A-12-666487-C Project Neon - Las Vegas NDOT Agmt No. P325-12-004	8/21/12 - 2/21/15 Amendment #1	8/21/12 8/19/14	\$,541,800.00 Extension of Time	\$ 541,800.00	\$ 111,870.10
Chapman Law Firm	<i>NDOT vs. Highland Partnership 1980</i> 8th JD - Project Neon - Las Vegas NDOT Agmt No. P507-12-004	1/14/13 - 1/14/16	1/14/13	\$ 449,575.00	\$ 449,575.00	\$ 407,356.97
Chapman Law Firm	<i>NDOT vs. Highland 2000-I, LLC</i> 8th JD - A-12-671915-C Project Neon - Las Vegas NDOT Agmt No. P501-12-004	1/14/13 - 1/31/16 Amendment #1	1/14/13 1/21/15	\$ 449,575.00 Extension of Time	\$ 449,575.00	\$ 616.77
Sylvester & Polednak, Ltd.	<i>NDOT vs. Railroad Pass</i> 8th JD - A-12-665330-C Boulder City Bypass Project NDOT Agmt No. P072-13-004	2/27/13 - 2/27/15 Amendment #1	2/27/13 5/12/14	\$ 275,000.00 \$ 275,000.00	\$ 550,000.00	\$ 219,774.45
Chapman Law Firm	<i>54 B LLC vs. Clark County & NDOT</i> 8th JD - A-12-674009 NDOT Agmt No. P217-13-004	6/6/13 - 11/30/15	6/6/13	\$ 250,000.00	\$ 250,000.00	\$ 196,466.92

Monthly Litigation Report to the Nevada Department of Transportation - March 20, 2015				
Case Name	Nature of Case	Outside Counsel to Date		
		Fees	Costs	Total
Condemnations				
NDOT vs. Chavez, Dawn R.	Eminent domain - McCarran Widening *	\$ 60,830.00	\$ 16,858.44	\$ 77,688.44
NDOT vs. City of Los Angeles, et al.	Eminent domain - Boulder City Bypass	\$ 51,714.50	\$ 2,817.88	\$ 54,532.38
NDOT vs. Custom Landco. (Walker Furniture)	Eminent domain - Project Neon	\$ 54,233.50	\$ 3,218.36	\$ 57,451.86
NDOT vs. Fitzhouse/Westcare	Eminent domain - Project Neon	\$ 75,925.00	\$ 40,905.94	\$ 116,830.94
NDOT vs. Hackler, Connie L.	Eminent domain - McCarran Widening *	\$ 60,830.00	\$ 16,858.44	\$ 77,688.44
NDOT vs. I-15 and Cactus, LLC	Eminent domain - I-15 Cactus	\$ 135,075.00	\$ 19,761.53	\$ 154,836.53
NDOT vs. Jensen, Allan B.	Eminent domain - McCarran Widening *	\$ 60,830.00	\$ 16,858.44	\$ 77,688.44
NDOT vs. K & L Dirt Company, LLC	Eminent domain - Boulder City Bypass	\$ 86,900.00	\$ 13,795.08	\$ 100,695.08
NDOT vs. LGC 231, LLC - (Holsom Lofts)	Eminent domain - Project Neon	\$ 65,680.00	\$ 2,528.24	\$ 68,208.24
NDOT vs. Las Vegas Golf & Country Club	Eminent domain - Project Neon	\$ 5,132.75	\$ 22.55	\$ 5,155.30
NDOT vs. Manaois, Randy M.	Eminent domain - McCarran Widening *	\$ 60,830.00	\$ 16,858.44	\$ 77,688.44
NDOT vs. Marsh, Nita, et al.	Eminent domain - McCarran Widening *	\$ 60,830.00	\$ 16,858.44	\$ 77,688.44
NDOT vs. Miller, Bruce B.	Eminent domain - McCarran Widening *	\$ 60,830.00	\$ 16,858.44	\$ 77,688.44
NDOT vs. MLK-ALTA	Eminent domain - Project Neon	\$ 187,707.20	\$ 27,729.43	\$ 215,436.63
NDOT vs. Sharples, John; Sharples, Bonnie	Eminent domain - Project Neon	\$ 6,280.00	\$ -	\$ 6,280.00
NDOT vs. Smith Family Trust, et al	Eminent domain - Project Neon	\$ 25,225.00	\$ 2,054.51	\$ 27,279.51
NDOT vs. Stanford Crossing, LLC	Eminent domain - McCarran Widening *	\$ 60,830.00	\$ 16,858.44	\$ 77,688.44
NDOT vs. Turner, Ronald Lee	Eminent domain - McCarran Widening *	\$ 60,830.00	\$ 16,858.44	\$ 77,688.44
NDOT vs. Wykoff Newberg Corporation	Eminent domain - I-15 and Warm Springs	\$ 199,300.78	\$ 32,837.67	\$ 232,138.45
Inverse Condemnations				
AD America, Inc. vs. NDOT (NEON)	Inverse condemnation - Project Neon	\$ 513,748.06	\$ 113,858.70	\$ 627,606.76
AD America, Inc. vs. NDOT (NEON-Silver Ave.)	Inverse condemnation - Project Neon			
Eastman, Brandon vs. NDOT	Inverse condemnation - Project Neon			
First Presbyterian Church of LV vs. NDOT	Inverse condemnation - Project Neon	\$ 25,125.00	\$ 1,186.39	\$ 26,311.39
Nassiri, Fred vs. NDOT	Inverse condemnation	\$ 360,767.78	\$ 47,032.33	\$ 407,800.11
Robarts 1981 Decedents Trust vs. NDOT	Inverse Condemnation - Project Neon	\$ 122,803.58	\$ 6,983.17	\$ 129,786.75
Cases Closed and Removed from Last Report:				
54 B LLC	Inverse condemnation	\$ 43,668.53	\$ 9,864.55	\$ 53,533.08
NDOT vs. Gendall Trust	Eminent domain - Project Neon	\$ 360,826.30	\$ 69,103.60	\$ 429,929.90
NDOT vs. Highland Partnership 1980, LLC	Eminent domain - Project Neon	\$ 36,761.25	\$ 5,456.78	\$ 42,218.03
NDOT vs. Jenkins, Carrie, aka Carrie Sanders	Eminent domain - Project Neon	\$ 291,797.75	\$ 99,830.28	\$ 391,628.03
NDOT vs. Railroad Pass Investment Group	Eminent domain - Boulder City Bypass	\$ 152,000.00	\$ 178,225.55	\$ 330,225.55
* McCarran Widening fees and costs are under one contract.				

Monthly Litigation Report to the Nevada Department of Transportation - March 20, 2015				
Case Name	Nature of Case	Outside Counsel to		
		Fees	Costs	Total
Torts				
Ariza, Ana, et al. vs. Wulfenstein, NDOT	Plaintiff alleges wrongful death			
Discount Tire Company vs. NDOT; Fisher	Plaintiff alleges negligence and personal injury			
Francois, John A. vs. NDOT	Plaintiff alleges negligence and personal injury			
Harris Farm, Inc. vs NDOT	Plaintiff alleges negligence and personal injury			
Jorgenson & Koka, LLP	Plaintiff alleges negligence causing property damage			
Knowlton, Jane vs. NDOT	Plaintiff alleges personal injury and property damage			
NDOT vs. Tamietti	NDOT seeks injunct. relief to prevent closing access			
Nevada Power Co., Inc. vs. KAG Development; NDOT	Plaintiff seeking quiet title			
Oneal, Brenda vs. NDOT	Plaintiff alleges negligence causing personal injury			
Richard, Eboni vs. NDOT	Plaintiff alleges negligence causing personal injury			
Road & Highway Builders vs. NDOT	Petition for Judicial Review of Prevailing Wage			
Windrum, Richard & Michelle vs. NDOT	Plaintiff alleges negligence and personal injury			
Woods, Willaim and Elaine	Plaintiff alleges wrongful death			
Zito, Adam vs. NDOT	Plaintiff alleges negligence and property damage			
Contract Disputes				
None currently in litigation				
Personnel Matters				
Akinola, Ayodele vs. State, NDOT	Plaintiff alleges 14th Amendment - discrimination			
Cerini, Cheri	Petition for Judicial Review			
Cases Removed from Last Report:				
None				

Outside Counsel
Total Fees and Costs for Open Cases in Litigation

<u>Category</u>	<u>Fees</u>	<u>Costs</u>	<u>Total</u>
Condemnation Litigation	\$ 1,379,813.73	\$ 280,536.71	\$ 1,660,350.44
Inverse Condemnation Litigation	\$ 1,022,444.42	\$ 169,060.59	\$ 1,191,505.01
Construction Litigation	0	0	0
Personnel Litigation	0	0	0
Tort Claim Litigation	0	0	0
	<u>\$ 2,402,258.15</u>	<u>\$ 449,597.30</u>	<u>\$ 2,851,855.45</u>

3/31/2015

TO: PUBLIC SAFETY, DIRECTOR NDOT, HIGHWAY SAFETY COORDINATOR, NDOT TRAFFIC ENGINEERING, FHWA, LVMPD, RENO PD.

FROM: THE OFFICE OF TRAFFIC SAFETY, FATAL ANALYSIS REPORTING SYSTEM (FARS)

SUBJECT: FATAL CRASHES AND FATALITIES BY COUNTY, PERSON TYPE, DAY, MONTH, YEAR AND PERCENT CHANGE.

	CURRENT		SAME DATE LAST YEAR		# CHANGE		
	Crashes	Fatals	Crashes	Fatals	Crashes	Fatals	
3/30/2015	3	4	3/30/2014	2	2	1	2
MONTH	21	23	MONTH	24	26	-3	-3
YEAR	68	72	YEAR	55	59	13	13

CRASH AND FATAL COMPARISON BETWEEN 2014 AND 2015, AS OF CURRENT DATE.

COUNTY	2014 Crashes	2015 Crashes	% CHANGE	2014 Fatalities	2015 Fatalities	% Change	2014 Alcohol Crashes	2015 Alcohol Crashes	% Change	2014 Alcohol Fatalities	2015 Alcohol Fatalities	% Change
CARSON	1	0	-100.00%	2	0	-100.00%	0	0	0.00%	0	0	0.00%
CHURCHILL	1	1	0.00%	1	1	0.00%	0	0	0.00%	0	0	0.00%
CLARK	33	44	33.33%	36	46	27.78%	10	5	-50.00%	12	6	-50.00%
DOUGLAS	1	1	0.00%	1	1	0.00%	0	1	100.00%	0	1	100.00%
ELKO	2	1	-50.00%	2	1	-50.00%	1	0	-100.00%	1	0	-100.00%
ESMERALDA	0	1	100.00%	0	1	100.00%	0	0	0.00%	0	0	0.00%
EUREKA	0	2	200.00%	0	2	200.00%	0	0	0.00%	0	0	0.00%
HUMBOLDT	2	0	-100.00%	2	0	-100.00%	1	0	-100.00%	1	0	-100.00%
LANDER	3	2	-33.33%	3	2	-33.33%	0	0	0.00%	0	0	0.00%
LINCOLN	0	2	200.00%	0	2	200.00%	0	1	100.00%	0	1	100.00%
LYON	3	2	-33.33%	3	2	-33.33%	3	1	-66.67%	3	1	-66.67%
MINERAL	0	1	100.00%	0	2	200.00%	0	0	0.00%	0	0	0.00%
NYE	1	3	200.00%	1	3	200.00%	0	1	100.00%	0	1	100.00%
PERSHING	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
STOREY	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
WASHOE	8	8	0.00%	8	9	12.50%	1	0	-100.00%	1	0	-100.00%
WHITE PINE	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
YTD	55	68	23.64%	59	72	22.03%	16	9	-43.75%	18	10	-44.44%
TOTAL 14	263	----	-74.1%	286	----	-74.8%	----	----	#DIV/0!	----	----	#DIV/0!

2014 AND 2015 ALCOHOL CRASHES AND FATALITIES ARE BASED ON VERY PRELIMINARY DATA.

COMPARISON OF FATALITIES BY PERSON TYPE BETWEEN 2014 AND 2015, AS OF CURRENT DATE.

COUNTY	2014 Vehicle Occupants	2015 Vehicle Occupants	% Change	2014 Peds	2015 Peds	% Change	2014 Motor-Cyclist	2015 Motor-Cyclist	% Change	2014 Bike	2015 Bike	% Change	2014 Other moped,at v	2015 Other moped,at v
CARSON	0	0	0.00%	0	0	0.00%	2	0	-100.00%	0	0	0.00%	0	0
CHURCHILL	1	1	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
CLARK	16	17	6.25%	9	17	88.89%	8	5	-37.50%	0	4	400.00%	3	3
DOUGLAS	1	1	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
ELKO	2	1	-50.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
ESMERALDA	0	1	100.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
EUREKA	0	2	200.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
HUMBOLDT	2	0	-100.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
LANDER	2	1	-50.00%	1	1	0.00%	0	0	0.00%	0	0	0.00%	0	0
LINCOLN	0	2	200.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
LYON	1	2	100.00%	0	0	0.00%	1	0	-100.00%	1	0	-100.00%	0	0
MINERAL	0	2	200.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
NYE	1	3	200.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
PERSHING	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
STOREY	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
WASHOE	3	6	100.00%	3	1	-66.67%	2	2	0.00%	0	0	0.00%	0	0
WHITE PINE	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0
YTD	29	39	34.48%	13	19	46.15%	13	7	-46.15%	1	4	300.00%	3	3
TOTAL 14	145	----	-73.10%	69	----	-72.46%	55	----	-87.27%	8	----	-50.00%	9	----

Total 2014 286



The Freeway Service Patrol (FSP) program reduces congestion and enhances safety by reducing incident detection times and providing quick traffic incident clearance. The Las Vegas Incident Response Vehicles (IRV) are equipped to assist NDOT and first responders during traffic accidents requiring lane closures in addition to mitigating incidents. In recent years, Las Vegas freeway traffic has reached 65 to 85 million motorists and Reno freeway traffic has reached 40 to 60 million motorists. In 2014, 1 out of 3,000 motorists required Las Vegas FSP support with average clearance times ranging from 5 to 33 minutes; and 1 out of 10,000 motorists required Reno FSP support with average clearance times ranging from 4 to 23 minutes. This document provides the first annual report for the FSP program under the contract with United Towing, effective October 1, 2013 through September 30, 2017. The following is a summary of the program's progress.

1. The Reno FSP and Las Vegas IRV graphs shown on page 3 indicate good progress as depicted by the increasing trend lines. The Las Vegas FSP graph indicates a decline in performance during July and August, but significantly improves after the routes were adjusted in September.
2. The DBE Goal table shown on page 2 indicates that both Las Vegas and Reno are exceeding the 3% Disadvantaged Business Enterprise goal.
3. Sponsorship activities are currently underway for the FSP program. If negotiations are successful with State Farm, sponsorship will begin in early 2015.



4. The Holiday and Special Events table shown on page 2 indicates that event preplanning and increased coverage yielded positive results for major holidays and special events such as Burning Man and Street Vibrations in Reno, NASCAR and the Electric Daisy Carnival in Las Vegas, Labor Day, and Independence Day. The table also indicates that holidays such as Martin Luther King Jr. Day, Presidents Day, and Veterans Day will require a revised strategy in 2015.



5. Special coverage was provided for the I-15 Pavement Replacement Project near Moapa Valley. The project started with coverage provided by an IRV, but we quickly learned that FSP was better suited for the task given the location of the project and the availability of compressed natural gas (CNG) fueling stations. By switching to a gasoline operated FSP vehicle, the driver was able to spend more time patrolling due to less frequent and shorter refueling trips. The Moapa Construction Project table indicates that the mitigations per vehicle hours increased from 0.6 to 0.8 when we switched the IRV to the FSP. This means that more mitigations were conducted with fewer vehicle hours and less cost for the remainder of the coverage.

6. Emergency response was provided for the I-15 washout near Moapa Valley. The flooding ravaged a 2-mile portion of I-15, washing away entire sections of road and leaving behind a wake of debris and stranded vehicles. The damage led to a complete shutdown of the interstate, with all lanes in both directions being closed. FSP coverage was provided along a 142 mile detour route on US93: from Panaca to I-15 and impacted an estimated 180,000 to 200,000 motorists (25% truck traffic) at a cost of \$18,098. This service helped facilitate the smooth flow of traffic for four days while NDOT and the contractor re-constructed I-15.





The performance of the program is currently being measured and analyzed in terms of mitigations per vehicle hour (MPVH) of each route. This metric allows for evaluation of each route and service hours of operation to ensure the most effective application of FSP/IRV resources.

Statistics	RN FSP	LV FSP	LV IRV
Disabled Vehicle	2,919	13,133	3,626
Abandoned Vehicle	705	2,567	597
Scene Safety	610	1,443	476
Crashes	337	1,070	400
Roadway Debris	293	711	225
Other	35	460	111
Total Mitigations	4,899	19,384	5,435
Total Vehicle Hours	4,923	24,799	7,038
Total Cost	\$319,995	\$1,525,108	\$485,605
Mitigation/Veh- Hrs	1.0	0.8	0.8

Holidays and Special Events	Mitigation/Veh-Hr	
	RN	LV
Nevada Day, Oct-25-13	0.7	No Data
Veterans Day, Nov-11-13	0.7	0.6
Thanksgiving Day, 11/27/13	Off	Off
Christmas Day, 12/25/13	Off	Off
New Year's Day, 1/1/14	1	0.6
Martin Luther King Day Jr., 1/20/14	0.7	0.5
Presidents Day, 2/17/14	0.7	0.6
NASCAR, 3/8-9/14	n/a	0.8
Memorial Day, 5/26/14	0.9	0.9
Electric Daisy, 6/19-23/14	n/a	1
Independence Day, 7/4/14	1.3	1
Burning Man, 8/30 & 9/1/14	1.6	n/a
Labor Day, 9/1	1.5	1.1
Street Vibrations, 9/27/14	1.2	n/a

Avg. Clearance Times (minutes)	RN FSP	LV FSP	LV IRV
Disabled Vehicle	10	12	16
Abandoned Vehicle	4	5	5
Scene Safety	4	19	19
Crashes	23	29	33
Roadway Debris	4	6	7
Other	7	7	9

DBE Goal	RN	LV
Total Expenditures	\$319,995	\$2,010,713
DBE Participation	\$69,700	\$103,380
DBE Percentage	21.78%	5.14%

I-15 Moapa Emergency Response	LV FSP	LV IRV
Total Mitigations	17	44
Total Vehicle Hours	71	199
Total Cost	\$4,367	\$13,731
Mitigation/Veh- Hrs	*	*

* Refer to narrative

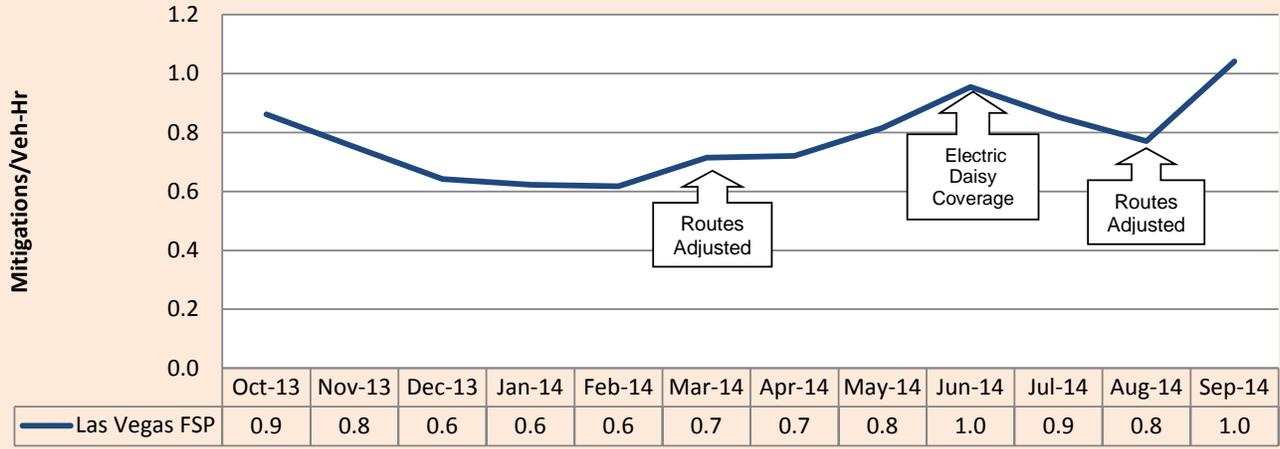
I-15 Moapa Construction Project	LV FSP	LV IRV
Total Mitigations	26	22
Total Vehicle Hours	32	34
Total Cost	\$1,968	\$2,346
Mitigation/Veh- Hrs	0.8	0.6



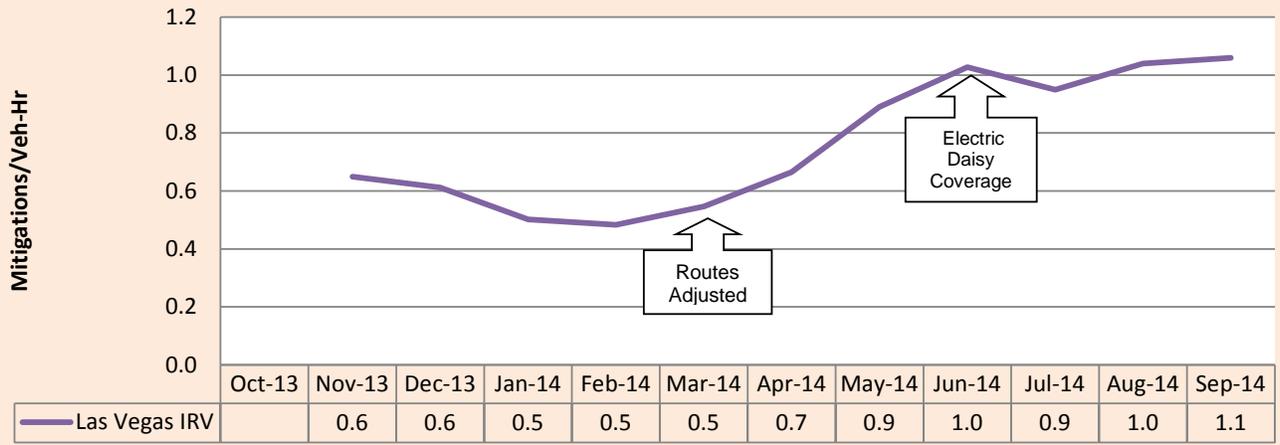
“National statistics indicate that for every minute that a lane is blocked, the resulting congestion takes four minutes to dissipate and the chance of secondary crashes increase by 2.8%”



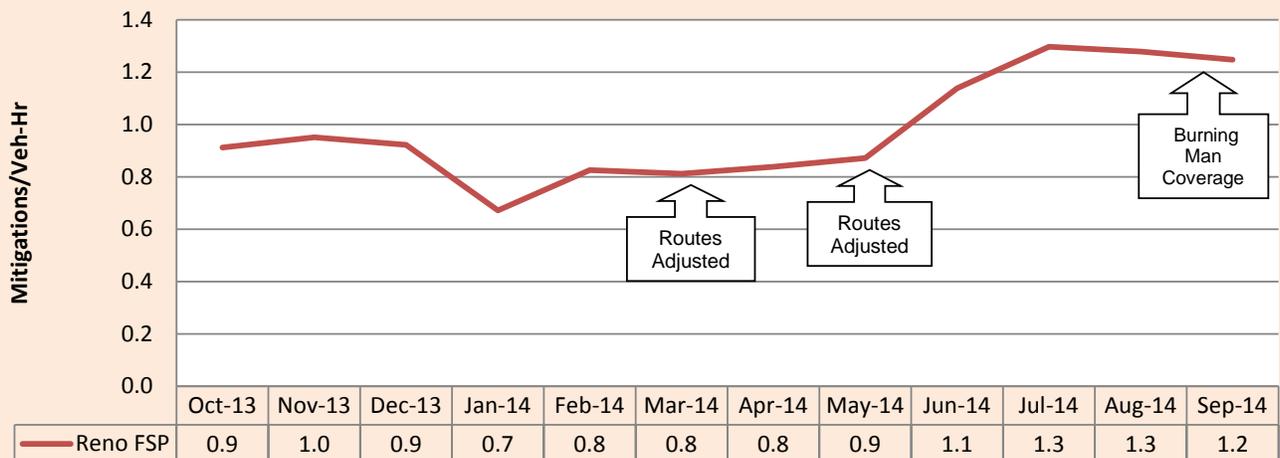
Las Vegas FSP Performance Measure



Las Vegas IRV Performance Measure



Reno FSP Performance Measure





This document provides the FYY 2015, 1st quarter average performance measures for the Las Vegas and Reno Freeway Service Patrol (FSP) program under the contract with United Road Towing, effective October 1, 2013 through September 30, 2017.

The performance of the program is currently being measured and analyzed in terms of mitigations per vehicle hour. This metric allows for evaluation of each route and service hours of operation to ensure the most effective application of FSP/IRV resources. When FFY14, Q1 data is compared to FFY15, Q1 data: Reno FSP improved 13%, LV FSP improved 15%, and LV IRV improved 40%. The program's overall performance for Reno and Las Vegas also shows sustained improvements through seasonal variations as depicted in the trendline graph below:

Reno FSP improved 3.9%, LV IRV improved 4.3%, and LV FSP improved 2.5%

The Average Clearance Time metric allows for the evaluation of mitigations by type to ensure vehicles are being removed off the roadway safely and effectively. If an increasing trend is identified, the procedures for the specific mitigation will be analyzed and updated in coordination with NDOT Maintenance, NDOT Road Operations Center, RTC FAST, Nevada Highway Patrol and other members of the Traffic Incident Management (TIM) Coalition.

Reno and Las Vegas are both exceeding the minimum 3% Disadvantaged Business Enterprise Goal

Routes and/or hours of operation for holidays and special events are carefully planned with the help from the TIM Coalition to ensure effective use of FSP resources during non-standard traffic volumes. Compared to previous year data:

Veterans Day improved 14% for Reno FSP and 50% for Las Vegas FSP/IRV

The following tables depict the quarterly performance for October - December 2014:

Mitigations	RN FSP	LV FSP	LV IRV
Disabled Vehicles	278	1,053	385
Abandoned Vehicles	67	194	48
Scene Safety	51	213	57
Crashes	52	145	64
Roadway Debris	22	80	27
Other	1	99	22
Total Mitigations	472	1,784	603
Total Vehicle Hours	450	2,057	683
Total Cost	\$29,228	\$126,495	\$47,127
Mitigations/Veh- Hr	1.0	0.9	0.9

Holidays and Special Events	Mitigation/Veh-Hr	
	RN	LV
Oct - Nevada Day	N/A - Off	1.2
Nov - Veterans Day	0.8	0.9
Nov - Thanksgiving	N/A - Off	N/A - Off
Dec - Christmas	N/A - Off	N/A - Off

DBE Goal	RN	LV
Total Expenditures	\$29,228	\$173,622
DBE Participation	\$4,997	\$13,900
DBE Percentage	17.14%	8.00%

Clearance Times (minutes)	RN FSP	LV FSP	LV IRV
Disabled Vehicles	10	10	11
Abandoned Vehicles	4	4	5
Scene Safety	3	17	17
Crashes	26	28	36
Roadway Debris	4	7	6
Other	5	4	7

