



Department of Transportation
Board of Directors
Notice of Public Meeting
1263 South Stewart Street
Third Floor Conference Room
Carson City, Nevada
August 8, 2016 – 10:00 a.m.

AGENDA

1. Receive Director's Report – *Informational item only.*
2. Public Comment – limited to no more than three (3) minutes. The public may comment on Agenda items prior to action by submitting a request to speak to the Chairman before the Meeting begins. *Informational item only.*
3. Consideration of adopting a proposed amendment to a regulation, NAC 410.350, to allow the issuance of permits for commercial electronic variable message signs which conform to national standards pursuant to 23 U.S.C. sec.131; providing various related specifications and requirements; and other matters properly related thereto. – *For possible action.*
4. July 11, 2016 Nevada Department of Transportation Board of Directors Meeting Minutes – *For possible action.*
5. Approval of the Construction Contract with Granite Construction Company for the Incline Village to Sand Harbor Shared Use Path, Water Quality Improvements and Roadway Safety Improvements Along State Route 28 – Utilizing the Construction Manager at Risk (CMAR) Delivery Process – *For possible action.*
6. Briefing on Southern Nevada Traffic Study – *Informational item only.*
7. Approval of Contracts over \$5,000,000 – *For possible action*
8. Approval of Agreements over \$300,000 – *For possible action.*
9. Contracts, Agreements, and Settlements – *Informational item only.*
10. Amended and Restated Condemnation Resolution No. 449A – *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 – 1 owner; 1 parcel
11. Condemnation Resolution No. 456 – *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 – 1 owner, 3 parcels
12. Direct Sale – *For possible action.*

Disposal of a portion of NDOT right-of-way, Parcel U-395,CC-007.956 XS1, US-395 between College Parkway and Arrowhead Drive Interchange in Carson City, NV SUR 12-15

13. Direct Sale – *For possible action.*

Disposal of a portion of NDOT right-of-way located at IR-80 between Vine Street and Washington Street on 6th Street in the City of Reno, County of Washoe, State of Nevada SUR 13-15
14. Briefing on Naturally Occurring Asbestos (NOA) and Erionite Technical Services Statewide – *Informational item only.*
15. Briefing on the Draft Nevada State Freight Plan – *Informational item only.*
16. Quarterly Update on NDOT’s Stormwater Program – *Informational item only.*
17. Old Business
 - a. Project NEON Quarterly Report – Informational item only.
 - b. USA Parkway Quarterly Report – Informational item only.
 - c. Pedestrian Safety Quarterly Report – Informational item only.
 - d. I-11 Quarterly Report – Informational item only.
 - e. Report of Outside Counsel Costs on Open Matters – *Informational item only.*
 - f. Monthly Litigation Report – *Informational item only.*
 - g. Fatality Report dated July 19, 2016 – *Informational item only.*
18. 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.*
19. 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



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

MEMORANDUM

July 26, 2016

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: August 8, 2016 Transportation Board of Directors Meeting
Item # 3: Act upon a regulation proposed to be adopted under authority of NAC 410.350 Sign construction: Illumination; commercial electronic variable message signs. NRS 410.400 – *For possible action.*

Summary:

Approval is requested from the Department of Transportation Board of Directors to regulations proposed to be adopted under authority of NAC 410.350 Sign construction: Illumination; commercial electronic variable message signs. (NRS 410.400) The purpose of the proposed regulation is to: Amend the requirements for Commercial Electronic Variable Message Signs (CEVMS) including trivision signs and digital billboard signs; proposed revisions include content, movement and appearance during static displays, display time and change intervals on trivision signs, operating and monitoring systems to address the displays in the event of a malfunction, and brightness of billboards as ambient light conditions change.

Background:

During the 77th Legislative Session Assembly Bill No. 305 was passed. This bill amended NRS 410.400 to add a definition for "commercial electronic variable message signs", which then required the Department to amend Nevada Administrative Code ("NAC") Chapter 410 to formally recognize Digital Billboards. Preliminary revisions to the language of NAC 410.350 "Sign Construction: illumination; commercial electronic variable message signs" was drafted. The Department conducted three (3) workshops to present the proposed changes to the attendees.

The State Legislature created NRS Chapter 410 Beautification of Highways to establish a statutory basis for the regulation and control of Off-Premise Outdoor advertising and Junkyards to be consistent with the Federal Highway Beautification Act. These statutes provided a basis for NAC Chapter 410. The NAC provides further clarification of policies and rules in the management of permits for off-premise outdoor advertising signs and junkyards. State law and federal regulation require a permit for any junkyard or off-premise advertising sign (billboard) that is located within 660-feet of any Interstate and Primary Highway System which is readable from the main travel way. These regulations cover all Interstates, US routes and some state routes.

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Since the enactment of the Highway Beautification Act billboard signs have been strictly regulated especially when it comes to the use of lighting and movement. Signs were not allowed to use intermittent, flashing or moving lights. As technology evolved, the FHWA regulations were also modified to insure compliance with the Beautification Act. The NRS requires that the state regulation maintain consistency with federal regulation.

In compliance with federal regulations and the NAC's commercial electronic variable message signs ("CEVMS") are permissible signs adjacent to the controlled highway facilities. CEVMS include any sign that has a changeable message including Trivision signs and digital billboards. While digital billboards fall into the CEVMS category when they were first introduced, the Department had concern that the digital technology behind these signs may not comply with the Highway Beautification Act.

Because several other states shared similar concern, the FHWA provided a Guidance Memorandum dated September 25, 2007. This memo advised that CEVMS did not violate a prohibition on intermittent, flashing or moving lights and that issuing permits for these types of signs would be consistent with the Highway Beautification Act. After the FHWA issued this memo and after discussions with the local FHWA office the Department started issuing permits for digital billboards.

The FHWA guidance memo was challenged in the State of Arizona and the state appeals court there found inconsistency with Arizona state law and some of the technology used in CEVMS. This resulted in the State of Arizona proposing and passing legislation to formally recognize CEVMS in its state law.

The above ruling in Arizona caused the billboard industry to seek a similar legislative solution in Nevada. The passing of Assembly Bill 305 formally recognized CEVMS and thereby insured consistency with federal regulation.

Early in 2013 the Department began researching surrounding states regulations related to CEVMS and drafted new language. On April 21, 2014 the final draft was completed and public workshops were scheduled to present the proposed changes to the regulations. Workshops were held in May of 2014 in Las Vegas and in Sparks with teleconferencing in Elko.

Comments were received at the workshops, additional revisions were made to the proposed regulations and a second round of workshops was scheduled and conducted in October of 2015, again in Las Vegas and Sparks with teleconferencing in Elko. A final workshop was held on April 21, 2016 at the NDOT Headquarters main building presenting the final proposed revisions.

NAC 410.350 is being amended to account for the new digital technology being used by today's CEVMS and to be consistent with the NRS. During the workshops that were performed, the Department received significant interest in the proposed rules surrounding the digital billboards. Both the billboard industry as well as opposition groups participated in the workshops. Numerous questions were raised concerning brightness, acceptable standards for brightness, length of messages and hacking of the billboard system. The Department has also performed additional research and has contacted several other western states to learn from their experiences.

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Analysis:

On April 22, 2016 it was determined that the Department was prepared to submit the revisions to the Transportation Board for approval.

List of Attachments:

1. Agreement between the Federal Highway Administration and the Department executed March 5, 1999.
2. The proposed changes to NAC 410.350 Sign Construction: illumination; Commercial electronic variable message signs. (NRS 410.400)
3. NRS 410.400
4. NAC 410.350 (Existing)
5. Assembly Bill 305

Recommendation for Board Action:

Approval of the proposed change to NAC 410.350 Sign Construction: illumination/luminance; commercial electronic variable message signs. (NRS 410.400)

Prepared by:

Ruth Borrelli, Chief RW Agent

AGREEMENT

STATE OF NEVADA

FOR CARRYING OUT NATIONAL POLICY RELATIVE TO CONTROL OF OUTDOOR ADVERTISING IN AREAS ADJACENT TO THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS AND THE FEDERAL-AID PRIMARY SYSTEM

THIS AGREEMENT made and entered into this 27th day of October 1998 by and between the United States of America represented by the Secretary of Transportation acting by and through the Federal Highway Administrator, hereinafter referred to as the "Administrator", and the State of Nevada, acting by and through its Board of Directors of Department of Transportation, hereinafter referred to as the "State".

WITNESSETH

WHEREAS, Congress has declared that Outdoor Advertising in areas adjacent to the Interstate and Federal-aid primary systems should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel and to preserve natural beauty; and

WHEREAS, Section 131(d) of Title 23, United States Code, authorizes the Secretary of Transportation to enter into agreements with the several States to determine the size, lighting and spacing of signs, displays, and devices, consistent with customary use, which may be erected and maintained within 660 feet of the nearest edge of the right-of-way within areas adjacent to the Interstate and Federal-aid Primary Systems which are zoned industrial or commercial under authority of State law or in unzoned commercial or industrial areas, also to be determined by agreement; and

WHEREAS, the purpose of said agreement is to promote the reasonable, orderly, and effective display of outdoor advertising while remaining consistent with the national policy to protect the public investment in the Interstate and Federal-aid primary highways, to promote the safety and recreational value of public travel and to preserve natural beauty; and

WHEREAS, Section 131(b) of Title 23, United States Code, provides that Federal-aid highway funds apportioned on or after January 1, 1968, to any State which the Secretary determines has not made provision for effective control of the erection and maintenance along the Interstate System and the Primary System of outdoor advertising signs, displays, and devices which are within six hundred sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, shall be reduced by amounts equal to 10 per centum of the amounts which would otherwise be apportioned to such State under Section 104 of Title 23, United States Code, until such time as such State shall provide for such effective control; and

WHEREAS, the State of Nevada desires to implement and carry out the provisions of Section 131 of Title 23, United States Code, and the national policy in order to remain eligible to receive the full amount of all Federal-aid highway funds to be apportioned to such State on or after January 1, 1968, under Section 104 of Title 23, United States Code; and

ATTACHMENT 1

NOW, THEREFORE, the parties hereto do mutually agree as follows:

SECTION I.

1. Definitions

A. Act means Section 131 of Title 23, United States Code (1965) commonly referred to as Title I of the Highway Beautification Act of 1965.

B. Commercial or industrial activities for purposes of unzoned commercial or industrial areas mean those activities generally recognized as commercial or industrial by zoning authorities in this State, except that none of the following activities shall be considered commercial or industrial:

1. Outdoor advertising structures.
2. Agricultural, forestry, ranching, grazing, farming, and related activities, including, but not limited to, wayside fresh produce stands.
3. Transient or temporary activities.
4. Activities not visible from the main traveled way.
5. Activities more than 660 feet from the nearest edge of the right-of-way
6. Activities conducted in a building principally used as a residence.
7. Railroad tracks and minor sidings.

C. Zoned commercial or industrial areas mean those areas which are zoned for business, industry, commerce, or trade pursuant to a State or local zoning ordinance or regulation.

D. Unzoned commercial or industrial areas mean those areas which are not zoned by State or local law, regulation, or ordinance, and on which there is located one or more permanent structures devoted to a commercial or industrial activity or on which a commercial or industrial activity is actually conducted, whether or not a permanent structure is located thereon, and the area along the highway extending 600 feet from and beyond the edge of such activity. In addition, lands on the opposite side of the highway to the extent of the same dimensions will be considered as an unzoned commercial or industrial area provided those lands on such opposite side are not deemed scenic or as having aesthetic value. In the event the area on the opposite side of the highway is deemed scenic, then only the side of the highway having a commercial activity located thereon will be said to be unzoned commercial or industrial for the purpose of this Agreement.

All measurements shall be from the outer edges of the regularly used buildings, parking lots, storage or processing, and landscaped areas of the commercial or industrial activities, not from the property lines of the activities, and shall be along or parallel to the edge of pavement of the highway.

E. National System of Interstate and Defense Highways and Interstate System means the system presently defined in and designated pursuant to subsection (d) of Section 103 of Title 23, United States Code.

F. Federal-aid primary highway means any highway within that portion of the State highway system as designated, or as may hereafter be so designated by the State, which has been approved by the Secretary of Transportation pursuant to subsection (b) of Section 103 of Title 23, United States Code.

G. Traveled way means the portion of a roadway for the movement of vehicles, exclusive of shoulders.

H. Main-traveled way means the traveled way of a highway on which through traffic is carried. In the case of a divided highway, the traveled way of each of the separate roadways for traffic in opposition is a main-traveled way. It does not include such facilities as frontage roads, turning roadways, or parking areas.

I. Sign means any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, or other thing which is designed, intended, used to advertise or inform, any part of the advertising or information contents which is visible from any place on the main-traveled way of the Interstate or Federal-aid Primary Highway Systems.

J. Erect means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish, but it shall not include any of the foregoing activities when performed as an incident to the change of advertising message or normal maintenance or repair of a sign structure.

K. Maintain means to allow to exist.

L. Safety rest area means an area or site established and maintained within or adjacent to the highway right-of-way by or under public supervision or control, for the convenience of the traveling public.

M. Visible means that the advertising copy or informative contents are capable of being seen without visual aid by a person of normal visual acuity.

SECTION II. SCOPE OF AGREEMENT

This Agreement shall apply to the following areas:

A. All zoned and unzoned commercial and industrial areas within 660 feet of the nearest edge of the right-of-way of all portions of the Interstate and Primary Systems within the State of Nevada in which outdoor advertising signs may be visible from the main-traveled way of either or both of said systems.

SECTION III. STATE CONTROL

The State hereby agrees that, in all areas within the scope of this agreement, the State shall effectively control, or cause to be controlled, the erection and maintenance of outdoor advertising signs, displays, and devices erected subsequent to the effective date of this agreement other than those advertising the sale or lease of the property on which they are located, or activities conducted thereon, in accordance with the following criteria:

A. In zoned commercial and industrial areas, the State may notify the Administrator as notice of effective control that there has been established within such areas regulations which are enforced with respect to the size, lighting, and spacing of outdoor advertising signs consistent with the intent of the Highway Beautification Act of 1965 and with customary use. In such areas, the size, lighting, and spacing requirements set forth below shall not apply.

B. In all other zoned and unzoned commercial and industrial areas, the criteria set forth below shall apply.

Size of Signs

1. The maximum area for any one sign shall be 1,200 square feet with a maximum height of 30 feet and maximum length of 60 feet, inclusive of any border and trim but excluding the base or apron, supports, and other structural members.

2. The area shall be measured by the smallest square, rectangle, triangle, circle, or combination thereof which will encompass the entire sign.

3. The maximum size limitations shall apply to each side of a sign structure; and signs may be placed back-to-back, side-by-side, or in V-type construction with not more than two displays to each facing, and such sign structure shall be considered as one sign.

Spacing of Signs

1. Interstate and Federal-aid Primary Highways

a. Signs may not be located in such a manner as to obscure, or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device, obstruct or physically interfere with the driver's view of approaching, merging, or intersecting traffic.

2. Interstate Highways and Freeways on the Federal-aid Primary System

a. No two structures shall be spaced less than 500 feet apart.

b. Outside of urbanized area boundaries, as defined by 23 U.S.C. 101(a), no structure may be located adjacent to or within 500 feet of an interchange, intersection at grade, or safety rest area. Said 500 feet to be measured along the Interstate or freeway from the beginning or ending of pavement widening at the exit from or entrance to the main-traveled way.

3. Nonfreeway Federal-aid Primary Highways

a. Outside of incorporated villages and cities, no two structures shall be spaced less than 300 feet apart.

b. Within incorporated villages and cities, no two structures shall be spaced less than 100 feet apart.

4. The above spacing-between-structures provisions do not apply to structures separated by buildings or other obstructions in such a manner that only one sign facing located within the above spacing distances is visible from the highway at any one time.

5. Explanatory Notes

a. Official and "on-premise" signs, as defined in section 131(c) of Title 23, United States Code, and structures that are not lawfully maintained shall not be counted nor shall measurements be made from them for purposes of determining compliance with spacing requirements.

b. The minimum distance between structures shall be measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway and shall apply only to structures located on the same side of the highway.

Lighting

Signs shall not be placed with illumination that interferes with the effectiveness of, or obscures any official traffic sign, device or signal; shall not include or be illuminated by flashing, intermittent or moving lights (except that part necessary to give public service information such a time, date, temperature, weather or similar information) and shall not cause beams or rays of light to be directed at the traveled way if such light is of such intensity or brilliance or is likely to be mistaken for a warning or danger signal as to cause glare or impair the vision of any driver, or to interfere with any driver's operation of a motor vehicle.

At any time that a bona fide county or local zoning authority adopts regulations which include the size, lighting, and spacing of outdoor advertising, the State may so notify the Administrator and control of outdoor advertising in the commercial or industrial zones within the geographical jurisdiction of said authority will transfer to subsection A of this section.

Application to Existing Signs

The standards and criteria set forth in this Section III shall apply to signs erected in zoned and unzoned commercial and industrial areas on or after April 27, 1971. Signs lawfully erected in zoned and unzoned commercial and industrial areas prior to April 27, 1971, will be considered to be conforming to the standards and criteria and will not be required to be removed if they are in conformity with the laws relating to such signs enacted by the Nevada Legislature and in effect at that time.

SECTION IV. INTERPRETATION

The provisions contained herein shall constitute the standards for effective control of signs, displays, and devices within the scope of this agreement.

The State and local political subdivisions thereof shall have full authority respectively, to zone areas for commercial or industrial purposes, and the acts of the State or local political subdivisions in this regard will be accepted for the purpose of this agreement. Whenever a bona fide state, county, or local zoning authority has made a determination of customary use, such determination will be accepted in lieu of controls by agreement in the zoned commercial and industrial areas within the geographical jurisdiction of such authority. Nothing in this section shall apply to signs, displays and devices, advertising the sale or lease of, or advertising activities conducted on, the property on which they are located.

In the event the provisions of the Highway Beautification Act of 1965 are amended by subsequent action of Congress or the State legislation is amended, the parties reserve the right to renegotiate this agreement or to modify it to conform with any amendment.

Tourist-oriented signs will not be required to be removed until the Highway Beautification Commission, established by Public Law 91-605, December 31, 1970, under Section 123, has submitted its report.

SECTION V. EFFECTIVE DATE

This Agreement shall have an effective date of MAR 5 1999 ~~1998~~ and supersedes the previous Agreement entered into on January 21, 1972.

IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year first above written.

ATTEST:

BOARD OF DIRECTORS, STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

Jeffrey Fontaine
Jeffrey Fontaine, Secretary to the Board

Bob Miller
Bob Miller, Chairman

Presented by:

Thomas E. Stephens
Thomas E. Stephens, Director
Nevada Department of Transportation

Louise Hampergren
Louise Hampergren, Member

Frankie Sue Del Papa
Frankie Sue Del Papa, Member

Approved as to Legality and Form:

Brian Hutchins
Brian Hutchins, Chief Deputy Attorney General
Nevada Department of Transportation

Darrel R. Daines
Darrel R. Daines, Member

NOT PRESENT AT MEETING
James A. Thornton, Member

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION

Thomas G. Gust
Thomas G. Gust, Member

Kenneth R. Wykle
Kenneth R. Wykle
Federal Highway Administrator

Rev. Caesar J. Caviglia
Rev. Caesar J. Caviglia, Member

NAC 410.350 Sign construction: illumination / luminance; commercial electronic variable message signs. (NRS 410.400)

1. Signs shall not be erected or maintained which shall be so illuminated that they interfere with the effectiveness of or obscures any official traffic sign, device or signal. Signs must not include or be illuminated by flashing, intermittent or moving lights, except any parts necessary to give public service information such as the time, date, temperature, weather or similar information. The terms flashing, intermittent or moving lights is not limited to actual lighting, and includes stationary and or moving reflective disks and rotating slats that reflect light in a flashing or moving manner, and create the effect of moving or flashing light, or emit odors, smoke or sound. Signs must not cause beams or rays of light to be directed at the traveled way if the light is of such intensity or brilliance as to cause glare that impairs the vision of the driver of any motor vehicle or interfere with any driver's operation of a motor vehicle. Illumination or lights for signs must not resemble or simulate any lights used to control or warn traffic or provide danger signals.

2. Commercial electronic variable message signs (CEVMS) include trivision signs and digital billboard signs. A digital billboard shall contain static messages only, and shall not have movement, or the appearance or optical illusion of movement during the static display period, of any part of the sign structure. Each static message shall not include flashing or the varying of light intensity. CEVMS technology, shall, not, in itself, constitute the use of flashing, intermittent or moving light or lights. A CEVMS sign when operated in accordance with the operating standards in Section 3 below shall not constitute glare or the use of flashing, intermittent or moving light or lights hereunder. A CEVMS sign does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD).

3. A CEVMS including, without limitation, a trivision sign, may be approved as an off-premise outdoor advertising sign in an urban area if the sign does not contain flashing, intermittent or moving light or lights, does not impair the vision of the driver of any motor vehicle, or interfere with any driver's operation of a motor vehicle within the right-of-way, and the following conditions are met:

- (a) An existing sign may be modified or updated if the sign conforms with established criteria relating to zoning, size, lighting and spacing or meets the requirements of NAC 410.703.
- (b) A message on a trivision sign shall have a minimum static display time of six (6) seconds and a maximum change interval of three (3) seconds. A message on a digital billboard sign shall have a minimum display time of six (6) seconds and shall transition instantaneously to the human eye.
- (c) A trivision sign must contain a mechanism that will stop the sign in one position if a malfunction occurs. A digital billboard sign shall be operated with sufficient safeguard systems and monitoring in place to prevent unauthorized access, use or hacking, including infrastructure, hardware, software and networks by unauthorized users.
- (d) In the event of a malfunction the digital billboard owner must either turn the display off, show a "full black" image, or freeze an authorized image on the display in one position until such time as the situation has been corrected.

- (e) A digital billboard shall use automatic dimming technology to adjust the brightness of the digital billboard relative to ambient light so that at no time shall a digital billboard exceed a brightness level of three tenths (0.3) foot-candles above ambient light, as measured using a foot-candle meter and in conformance with the following distance table:

Sign Face Size	Distance of Measurement
681-1200 square feet	350 feet
385-680 square feet	250 feet
300-385 square feet	200 feet
200-300 square feet	150 feet

Each digital billboard shall be equipped with a light sensing device that will adjust the brightness as ambient light conditions change. The measurement shall be conducted at least thirty-minutes (30-minutes) after sunset or at least thirty-minutes (30-minutes) before sunrise.

- (f) If the foot-candle reading exceeds three tenths (0.3) foot-candles maximum, then the nighttime luminance shall not exceed two-hundred-fifty (250) nits (candelas per square meter (cd/m²)) which may be measured with a nit gun or luminance meter that can read to the accuracy of five (5) nits. To insure the proper measurement of a digital billboard using nits, the user should measure from a location that is as close to perpendicular both horizontally and vertically as possible due to the LED light output pattern decreasing dramatically from the perpendicular position to off angles.
- (g) A digital billboard when operated in accordance with the operating standards in this Section 3 shall not constitute glare or the use of flashing, intermittent or moving light or lights.
- (h) If a CEVMS display is installed that does not comply with the provisions of this section, the owner of the CEVMS display shall correct the violation or remove the CEVMS display at the owner's expense within sixty (60) days. If sixty (60) days after the receipt of written notice from the Department the owner has not corrected the violation or removed the CEVMS display, the Department may remove the CEVMS display at the owner's expense. Notwithstanding the foregoing, the owner may continue to operate the outdoor advertising structure with conventional non-CEVMS static display faces.
- (i) The permit may be amended when seeking to modify or upgrade existing signs to include a CEVMS. For any approved amendments for upgrade or modification, a permit fee of eight-hundred dollars (\$800.00) shall be charged to cover the Department's cost of administration and regulation of the signage. An existing static outdoor advertising sign may be upgraded to a CEVMS, or a CEVMS may be converted to a static display sign, provided that:
1. the sign has been approved by the local government, if applicable, or is a legal non-conforming sign, under local law only, and conversion has been approved by the local government; and
 2. is a conforming sign or meets the requirements of NAC 410.703; and
 3. all applicable and outstanding fees paid.

Definitions:

A Trivision sign means;

A type of CEVMS, is defined as an off-premise sign utilizing changeable message technology, capable of changing the static message or copy on the sign electronically or mechanically, or by remote control, by movement or rotation of panels or slats.

A Digital Billboard sign means;

A type of CEVMS, is defined as an off-premise sign utilizing digital message technology, capable of changing the static message or copy on the sign electronically. A Digital Billboard may be internally or externally illuminated. Digital Billboards shall contain static messages only, and shall not have animation, movement, or the appearance or optical illusion of movement, of any part of the sign structure. Each static message shall not include flashing or the varying of light intensity.

Glare means;

A visual condition in which there is excessive contrast or an inappropriate distribution of light sources that limits the ability to distinguish details and objects. A Digital Billboard operating at or below the maximum brightness allowed in this section, shall not be considered to be a source of glare.

Luminance means;

lu·mi·nance / lumənəns/ [loo-muh-nuhns]—noun

1. the state or quality of being luminous.
2. Also called luminosity. the quality or condition of radiating or reflecting light: the blinding luminance of the sun.
3. Optics. the quantitative measure of brightness of a light source or an illuminated surface, equal to luminous flux per unit solid angle emitted per unit projected area of the source or surface.

Illuminance means;

l·lu·mi·nance /ɪ lumənəns/ [i-loo-muh-nuhns]

Illumination, Also called illuminance, intensity of illumination. Optics. the intensity of light falling at a given place on a lighted surface; the luminous flux incident per unit area, expressed in lumens per unit of area.

Foot-candle means;

A traditional unit of illuminance or illumination, defined as the illuminance received by a surface at a distance of one foot from a source of intensity.

Also:

A unit of illuminance on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot

Nit means;

A unit of illuminative brightness equal to one candle per square meter, measured perpendicular to the rays of the source.

[Rev. 2/10/2015 5:23:44 PM--2014R2]

ATTACHMENT 3

CHAPTER 410 - BEAUTIFICATION OF HIGHWAYS

GENERAL PROVISIONS

NRS 410.030	Definitions.
NRS 410.040	"Automotive graveyard" defined.
NRS 410.043	"Board" defined.
NRS 410.045	"Department" defined.
NRS 410.047	"Director" defined.
NRS 410.050	"Edge of the right-of-way" defined.
NRS 410.060	"Interstate highway" defined.
NRS 410.070	"Junk" defined.
NRS 410.080	"Junkyard" defined.
NRS 410.090	"Primary highway" defined.

LOCATION AND SCREENING OF JUNKYARDS

NRS 410.095	Declaration of legislative intent.
NRS 410.097	Federal reimbursement prerequisite to continued effectiveness of NRS 410.095 to 410.210 , inclusive.
NRS 410.100	Permit required for establishment and operation of junkyard at certain locations.
NRS 410.110	Permit: Fee; disposition of proceeds.
NRS 410.120	Permit: Conditions for issuance.
NRS 410.130	Screening of certain junkyards: Requirement.
NRS 410.140	Screening of certain junkyards: Regulations.
NRS 410.150	Removal, relocation or disposal of junkyard.
NRS 410.160	Acquisition of property by Department.
NRS 410.170	Compensation for removal, relocation or disposal of junkyard.
NRS 410.180	Payment of costs.
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OUTDOOR ADVERTISING

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NRS 410.320	Outdoor advertising adjacent to highway prohibited; exceptions.
NRS 410.330	Agreement with Secretary of Transportation; regulations governing permits for outdoor advertising and submission of requests for retention of nonconforming signs.
NRS 410.340	Removal of prohibited outdoor advertising: Time limited; no compensation to owner of certain outdoor advertising.
NRS 410.350	Removal of prohibited outdoor advertising: Compensation to owners of outdoor advertising and real property.
NRS 410.360	Violation constitutes public nuisance; abatement; recovery of costs; penalty.
NRS 410.365	Remedies for obstruction of visibility of outdoor advertising structure by noise abatement project.
NRS 410.370	Safety rest area: Distribution of maps, directories and pamphlets; establishment of informational center.
NRS 410.380	Informational sign, display or device within right-of-way.
NRS 410.390	Inventory of existing outdoor advertising; contents; penalty.
NRS 410.400	Regulations; fee for permit; no fee for certain signs; disposition of fees.
NRS 410.410	NRS 410.220 to 410.400 , inclusive, supplementary to NRS 405.020 to 405.110 , inclusive; federal reimbursement prerequisite to continued effectiveness.

GENERAL PROVISIONS

NRS 410.030 Definitions. As used in this chapter, the words and terms defined in [NRS 410.040](#) to [410.090](#), inclusive, unless the context otherwise requires, have the meanings ascribed to them in those sections.
(Added to NRS by 1971, 559; A 1973, 212; [1979, 1783](#))

NRS 410.040 "Automotive graveyard" defined. "Automotive graveyard" means any establishment or place of business which is maintained, used or operated for storing, keeping, processing, buying or selling wrecked, abandoned, scrapped, ruined or dismantled motor vehicles or motor vehicle parts.

(Added to NRS by 1971, 559)

NRS 410.043 "Board" defined. "Board" means the Board of Directors of the Department of Transportation.

(Added to NRS by 1973, 211; A [1979, 1784](#))

NRS 410.045 "Department" defined. "Department" means the Department of Transportation.

(Added to NRS by 1973, 212; A [1979, 1784](#))

NRS 410.047 "Director" defined. "Director" means the Director of the Department of Transportation.

(Added to NRS by [1979, 1783](#))

NRS 410.050 "Edge of the right-of-way" defined. "Edge of the right-of-way" means the property line between the area acquired for state highway rights-of-way and the abutting property.

(Added to NRS by 1971, 559)

NRS 410.060 "Interstate highway" defined. "Interstate highway" means a portion of the Dwight D. Eisenhower National System of Interstate and Defense Highways located within this State as officially designated pursuant to the provisions of Title 23 of the United States Code.

(Added to NRS by 1971, 559; A [2005, 76](#))

NRS 410.070 "Junk" defined. "Junk" means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste or junked, dismantled or wrecked or abandoned motor vehicles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material, and all other secondhand used or castoff articles or material of any kind.

(Added to NRS by 1971, 559)

NRS 410.080 "Junkyard" defined. "Junkyard" means an establishment or place of business which is maintained, operated, or used for storing, keeping, processing, buying, or selling junk, or for the maintenance or operation of an automobile graveyard or scrap metal processing facility, and the terms shall include garbage dumps and sanitary fills.

(Added to NRS by 1971, 560)

NRS 410.090 "Primary highway" defined. "Primary highway" means a portion of the connected main highways, as officially designated pursuant to the provisions of Title 23 of the United States Code.

(Added to NRS by 1971, 560)

LOCATION AND SCREENING OF JUNKYARDS

NRS 410.095 Declaration of legislative intent. The Legislature hereby finds and declares that:

1. The establishment, use and maintenance of outdoor junkyards in areas adjacent to the interstate and primary highway systems of this state should be controlled in order to promote the safety and recreational value of public travel, to protect the public investment in such highways, and to preserve the natural beauty of areas adjacent to such highways.

2. It is the intent of the Legislature to:

(a) Provide for the state control of outdoor junkyards as required by 23 U.S.C. § 136.

(b) Establish by the provisions of [NRS 410.095](#) to [410.210](#), inclusive, minimum standards with respect to the regulation of outdoor junkyards.

(Added to NRS by 1971, 559)

NRS 410.097 Federal reimbursement prerequisite to continued effectiveness of [NRS 410.095](#) to [410.210](#), inclusive. [NRS 410.095](#) to [410.210](#), inclusive, shall remain effective only so long as federal-aid highway funds are apportioned to the State of Nevada and the Federal Government reimburses the State in accordance with 23 U.S.C. § 136 for its share of landscaping and screening costs and compensation required for the relocation, removal or disposal of junkyards.

(Added to NRS by 1971, 559)

NRS 410.100 Permit required for establishment and operation of junkyard at certain locations. A person shall not, after January 1, 1972, establish a junkyard any portion of which is within 1,000 feet of the nearest edge of the right-of-way and visible from the main-traveled way of the interstate or primary highway system, or continue to operate and maintain a junkyard in existence on December 31, 1971, in such a location, without obtaining from the Director the permit provided for in [NRS 410.110](#).

(Added to NRS by 1971, 560; A [1979, 1784](#))

NRS 410.110 Permit: Fee; disposition of proceeds. The Director shall collect a fee of \$10 for the issuance of a permit for the establishment, maintenance and operation of a junkyard any portion of which is within 1,000 feet of the nearest edge of the right-of-way and visible from the main-traveled way of an interstate or primary highway. The proceeds from such fees must be deposited with the State Treasurer and credited to the State Highway Fund in the State Treasury.

(Added to NRS by 1971, 560; A [1979, 1784](#))

NRS 410.120 Permit: Conditions for issuance. No permit may be granted for the establishment, maintenance or operation of a junkyard any portion of which is within 1,000 feet of the nearest edge of the right-of-way of an interstate or primary highway, except the following:

1. Those which are screened by natural objects, plantings, fences, or other appropriate aesthetic means, so as not to be visible from the main-traveled way, or otherwise hidden from sight;
2. Those located within areas which are zoned for industrial use under authority of state or local law or ordinance;
3. Those located in areas which, although not zoned by authority of state or local law or ordinance, are actually used for industrial purposes as determined from actual land uses and defined by regulations prescribed by the Director and approved by the Secretary of Transportation; and
4. Those which are not visible from the main-traveled way.

(Added to NRS by 1971, 560; A [1979, 1784](#))

NRS 410.130 Screening of certain junkyards: Requirement. Any junkyard lawfully in existence on April 15, 1971, any portion of which is within 1,000 feet of the nearest edge of the right-of-way of an interstate or primary highway, and visible from the main-traveled way, shall be screened, if feasible, by the Department at locations on the highway right-of-way or in areas acquired for such purposes outside the right-of-way so as not to be visible from the main-traveled way of such highways.

(Added to NRS by 1971, 560)

NRS 410.140 Screening of certain junkyards: Regulations. The Director may prescribe regulations governing the location, planting, materials used, construction and maintenance, in the screening or fencing required by [NRS 410.095 to 410.210](#), inclusive.

(Added to NRS by 1971, 560; A [1979, 1784](#))

NRS 410.150 Removal, relocation or disposal of junkyard. Whenever the Director determines that the topography of the land adjoining the highway will not permit adequate screening of such junkyards or the screening of such junkyards would not be economically feasible, the Director may require the relocation, removal or disposal of the junkyard, by negotiation or condemnation; but any junkyard in existence on April 15, 1971, which does not conform to the requirements of [NRS 410.095 to 410.210](#), inclusive, and which the Director finds, as a practical matter, cannot be screened is required to be relocated, removed or disposed of no later than July 1, 1973.

(Added to NRS by 1971, 560; A [1979, 1784](#))

NRS 410.160 Acquisition of property by Department. The Department is authorized to acquire such interests in real property as may be necessary to effect the screening, relocation, removal or disposal of junkyards required by [NRS 410.095 to 410.210](#), inclusive.

(Added to NRS by 1971, 561)

NRS 410.170 Compensation for removal, relocation or disposal of junkyard. Just compensation shall be paid by the Department to the owners of junkyards which must be relocated, removed or disposed of pursuant to [NRS 410.095 to 410.210](#), inclusive, and which fall into the following categories:

1. Those lawfully in existence on April 15, 1971; and
2. Those lawfully established on or after April 15, 1971.

(Added to NRS by 1971, 561)

NRS 410.180 Payment of costs. The cost of screening, relocation, removal or disposal of any junkyard shall be paid by the State from the State Highway Fund, provided a proportionate part of such cost shall be reimbursable from federal funds in accordance with 23 U.S.C. § 136.

(Added to NRS by 1971, 561)

NRS 410.190 Regulations to be consistent with federal laws and standards. The Director shall prescribe and enforce regulations governing the establishment, screening, relocation, removal or disposal of junkyards as provided in [NRS 410.095 to 410.210](#), inclusive, consistent with the provisions of 23 U.S.C. § 136 and the national standards promulgated thereunder by the Secretary of Transportation.

(Added to NRS by 1971, 561; A [1979, 1785](#))

NRS 410.200 Regulatory powers of local government unimpaired. The governing body of any incorporated city or county may enact ordinances, including, but not limited to, land use or zoning ordinances, imposing restrictions on junkyards equal to or greater than those imposed by the provisions of [NRS 410.095 to 410.210](#), inclusive.

(Added to NRS by 1971, 561)

NRS 410.210 Violation constitutes public nuisance; abatement; recovery of costs.

1. Any junkyard or automobile graveyard established after April 15, 1971, which violates the provisions of [NRS 410.095 to 410.210](#), inclusive, is hereby declared to be a public nuisance, and the Director shall abate any such junkyard or automobile graveyard which is not removed or screened prior to the expiration of 30 days after personal service of notice of such violation and demand for removal or screening upon the landowner and the owner or the owner's agents of such junkyard or automobile graveyard.

2. Abatement by the Department of such junkyard or automobile graveyard on the failure of such owners to comply with such notice and demand gives the Department a right of action to recover the expense of such abatement, cost and

expenses of suit.

(Added to NRS by 1971, 561; A [1979, 1785](#))

OUTDOOR ADVERTISING

NRS 410.220 Declaration of legislative intent.

1. The Legislature hereby finds and declares that:

(a) The erection and maintenance of outdoor advertising signs, displays and devices, in areas adjacent to the rights-of-way of the interstate highway system and the primary highway system within this state, is a legitimate commercial use of private property adjacent to roads and highways and that regulation and control or removal of such outdoor advertising is necessary to the system of state highways declared essential by [NRS 408.100](#).

(b) The erection and maintenance of such advertising in such locations must be regulated:

(1) To prevent unreasonable distraction of operators of motor vehicles, confusion with regard to traffic lights, signs or signals and other interference with the effectiveness of traffic regulations;

(2) To promote the safety, convenience and enjoyment of travel on the state highways in this state;

(3) To attract tourists and promote the prosperity, economic well-being and general welfare of the State;

(4) For the protection of the public investment in the state highways; and

(5) To preserve and enhance the natural scenic beauty and aesthetic features of the highways and adjacent areas.

(c) All outdoor advertising which does not conform to the requirements of [NRS 410.220](#) to [410.410](#), inclusive, is contrary to the public safety, health and general welfare of the people of this state.

(d) The removal of signs adjacent to the rights-of-way of the interstate or primary highway system within this state which provide directional information about goods and services in the interest of the traveling public and which:

(1) Were erected in conformance with the laws of the State of Nevada and subsequently became nonconforming under the requirements of 23 U.S.C. § 131; and

(2) Were in existence on May 6, 1976,

↳ could create substantial economic hardships in defined hardship areas within the State of Nevada.

2. It is the intent of the Legislature in [NRS 410.220](#) to [410.410](#), inclusive, to provide a statutory basis for regulation of outdoor advertising consistent with the public policy declared by the Congress of the United States in areas adjacent to the interstate and primary highway systems.

(Added to NRS by 1971, 1325; A [1977, 564](#))

NRS 410.230 Definitions. As used in [NRS 410.220](#) to [410.410](#), inclusive, the words and terms defined in [NRS 410.250](#) to [410.310](#), inclusive, have the meanings ascribed to them in those sections, unless a different meaning clearly appears in the context.

(Added to NRS by 1971, 1326; A 1973, 212; [1979, 1785](#); [2005, 982](#))

NRS 410.250 "Information centers" defined. "Information centers" means areas or sites established and maintained at safety rest areas for the purpose of informing the traveling public of places of interest within the State and providing such other information as the director of the Department of Transportation may consider desirable.

(Added to NRS by 1971, 1326; A [1979, 1785](#))

NRS 410.270 "Outdoor advertising," "outdoor advertising sign, display or device" and "sign, display or device" defined.

1. "Outdoor advertising," "outdoor advertising sign, display or device" and "sign, display or device" mean any outdoor sign, display, device, light, figure, painting, drawing, message, plaque, poster, billboard or other thing which is designed, intended or used to advertise or inform, any part of the advertising or information contents of which is visible from any place on the main-traveled way of the interstate or primary highway systems.

2. The terms do not include a sign that is required to be erected and maintained in a gaming enterprise district pursuant to [NRS 463.3092](#).

(Added to NRS by 1971, 1326; A [1997, 1712](#))

NRS 410.290 "Safety rest areas" defined. "Safety rest areas" means areas or sites established and maintained within or adjacent to the right-of-way by or under public supervision or control, for the convenience of the traveling public.

(Added to NRS by 1971, 1327)

NRS 410.300 "Unzoned commercial or industrial area" defined. "Unzoned commercial or industrial area" means an area which, although not zoned by authority of state or local law, ordinance or regulation, is actually used for commercial or industrial purposes as determined and defined by criteria embodied in the written agreement between the Secretary of Transportation and the Board.

(Added to NRS by 1971, 1327; A [1989, 1311](#))

NRS 410.305 "Urban area" defined. "Urban area" means an urbanized area, or in the case of an urbanized area encompassing more than one state, that part of the urbanized area in each such state, or an urban place, as designated by the Bureau of the Census of the United States Department of Commerce, having a population of 5,000 or more and not within any urbanized area, within boundaries to be fixed by responsible state and local officials in cooperation with each other, subject to approval by the Secretary of Transportation of the United States. Such boundaries shall, as a minimum, encompass the entire urban place designated by the Bureau of the Census.

(Added to NRS by 1975, 1179)

NRS 410.310 "Zoned commercial or industrial area" defined. "Zoned commercial or industrial area" means an area zoned for commercial or industrial uses by authority of state or local law, ordinance or regulation. (Added to NRS by 1971, 1327)

NRS 410.320 Outdoor advertising adjacent to highway prohibited; exceptions. Outdoor advertising shall not be erected or maintained within 660 feet of the nearest edge of the right-of-way and visible from the main-traveled way of the interstate or primary highway systems in this state, and, outside urban areas outdoor advertising shall not be erected or maintained beyond 660 feet from the nearest edge of the right-of-way of the interstate and primary highway systems which is visible and placed with the purpose of having its message read from the main-traveled way of the interstate and primary highway systems in this state, except the following:

1. Directional, warning, landmark, informational and other official signs and notices, including but not limited to signs and notices pertaining to natural wonders, scenic and historic attractions. Only signs which are required or authorized by law or by federal, state or county authority, and which conform to national standards promulgated by the Secretary of Transportation pursuant to 23 U.S.C. § 131, are permitted.
2. Signs, displays and devices which advertise the sale or lease of the property upon which they are located.
3. Signs, displays and devices which advertise the activities conducted or services rendered or the goods produced or sold upon the property upon which the advertising sign, display or device is erected.
4. Signs, displays and devices located in zoned commercial or industrial areas, when located within 660 feet of the nearest edge of the right-of-way and visible from the main-traveled way of the interstate and primary highway systems within this state.
5. Signs, displays and devices located in an unzoned commercial or industrial area as defined in [NRS 410.300](#), when located within 660 feet of the nearest edge of the right-of-way and visible from the main-traveled way of the interstate and primary highway systems within this state.
6. Nonconforming signs in defined hardship areas which provide directional information about goods and services in the interest of the traveling public and are approved by the Secretary of Transportation pursuant to 23 U.S.C. § 131(o). (Added to NRS by 1971, 1327; A 1975, 1180; [1977, 565](#))

NRS 410.330 Agreement with Secretary of Transportation; regulations governing permits for outdoor advertising and submission of requests for retention of nonconforming signs. The Board shall:

1. Enter into the agreement with the Secretary of Transportation provided for by 23 U.S.C. § 131(d), setting forth the criteria governing unzoned commercial or industrial areas and the spacing, size and lighting of outdoor advertising coming within the exceptions contained in subsections 4 and 5 of [NRS 410.320](#). The criteria must be consistent with customary use in the outdoor advertising industry in this state insofar as such customary use is consonant with the objectives of the Legislature as declared in [NRS 410.220](#) to [410.410](#), inclusive.
2. Prescribe regulations governing the issuance of permits by the Director for the erection and maintenance of outdoor advertising coming within the exceptions contained in subsections 4 and 5 of [NRS 410.320](#). The regulations must be consistent with the criteria governing size, lighting and spacing of outdoor advertising as established by agreement between the Secretary of Transportation and the Board pursuant to subsection 1 of this section.
3. Prescribe regulations governing the issuance of permits by the Director for the erection and maintenance of outdoor advertising coming within the exception contained in subsection 1 of [NRS 410.320](#). The regulations must be consistent with the national standards promulgated by the Secretary of Transportation pursuant to 23 U.S.C. § 131(c)(1).
4. Prescribe regulations governing the submission to the Director of any declaration, resolution, certified copy of an ordinance or other direction from the governing body of a county, city or other governmental agency that removal of signs which provide directional information about goods and services in the interest of the traveling public would cause an economic hardship in a specifically defined area. Any such declaration, resolution or ordinance must request the retention of the signs in the defined hardship area. Upon receipt of a declaration, resolution or ordinance, the Director shall forward it to the Secretary of Transportation for inclusion as a defined hardship area qualifying for exemption pursuant to 23 U.S.C. § 131 (o) and shall comply with the regulations of the Federal Highway Administration relating to applications for such exemptions. The regulations must provide that any local governing body submitting a request for exemption must perform the economic studies required by federal and state regulations to support the finding of economic hardship in the defined area, and submit the results of the studies to the director. This subsection does not apply to any highway which is a part of the interstate or primary highway system if such application would prevent this state from receiving federal funds or would result in sanctions against this state for noncompliance under 23 U.S.C. § 131.

(Added to NRS by 1971, 1327; A [1977, 566](#); [1979, 1785](#); [1989, 1311](#))

NRS 410.340 Removal of prohibited outdoor advertising: Time limited; no compensation to owner of certain outdoor advertising.

1. Any outdoor advertising sign, display or device located within 660 feet of the nearest edge of the right-of-way and visible from the main-traveled way of the interstate or primary highway systems in this state, and, in the case of any outdoor advertising sign, display or device located beyond 660 feet from the nearest edge of the right-of-way for interstate and primary highway systems, which is located outside of urban areas and placed with the purpose of having its message read from the main-traveled way of the interstate and primary highway systems, which was lawfully in existence and maintained on October 22, 1965, and which is not within one of the exceptions set forth in [NRS 410.320](#), shall be removed no later than July 1, 1973, or 3 years from the date funds are available for such removal, except as provided in subsection 3.
2. Any other outdoor advertising sign, display or device located within 660 feet of the nearest edge of the right-of-way and visible from the main-traveled way of any highway of the interstate or primary system, and, in the case of any outdoor advertising sign, display or device located beyond 660 feet from the nearest edge of the right-of-way for interstate and primary highway systems, which is located outside of urban areas and placed with the purpose of having its message read

from the main-traveled way of the interstate and primary highway systems, and which is not within one of the exceptions set forth in [NRS 410.320](#), shall be removed not later than the end of the fifth year after it becomes nonconforming.

3. Any outdoor advertising sign, display or device located within 660 feet of the nearest edge of the right-of-way and visible from the main-traveled way of the interstate or primary highway system, and, in the case of any outdoor advertising sign, display or device located beyond 660 feet from the nearest edge of the right-of-way for interstate and primary highway systems, which is located outside of urban areas and placed with the purpose of having its message read from the main-traveled way of the interstate and primary highway systems, and which is lawfully maintained on or after February 20, 1972, but which subsequently becomes nonconforming with the provisions of [NRS 410.220](#) to [410.410](#), inclusive, by reason of amendment of such provisions or change in regulations or agreements prescribed or entered into as authorized by [NRS 410.220](#) to [410.410](#), inclusive, may be maintained until the end of the fifth year after it becomes nonconforming.

4. No compensation shall be paid upon removal of any outdoor advertising sign, display or device erected after February 20, 1972, which as a result thereof become nonconforming. However, such outdoor advertising sign, display or device shall be removed only when all other outdoor advertising signs, displays or devices existing on February 20, 1972, have been removed.

(Added to NRS by 1971, 1328; A 1975, 1180)

NRS 410.350 Removal of prohibited outdoor advertising: Compensation to owners of outdoor advertising and real property.

1. Just compensation shall be paid upon the removal of any outdoor advertising sign, display or device lawfully erected and maintained and removed in accordance with the requirements of [NRS 410.340](#).

2. Such compensation shall be paid for the following:

(a) The taking from the owner of such sign, display or device of all right, title, leasehold and interest in and to such sign, display or device; and

(b) The taking from the owner of the real property on which the sign, display or device is located of the right to erect and maintain such existing signs, displays and devices.

3. Such compensation shall be paid by the State from the State Highway Fund, if a proportionate part of such compensation is reimbursable from federal funds in accordance with 23 U.S.C. § 131.

(Added to NRS by 1971, 1328; A 1975, 1181)

NRS 410.360 Violation constitutes public nuisance; abatement; recovery of costs; penalty.

1. Any outdoor advertising sign, display or device erected after February 20, 1972, which violates the provisions of [NRS 410.220](#) to [410.410](#), inclusive, is hereby declared to be a public nuisance and the Director shall remove any such sign, display or device which is not removed before the expiration of 30 days after notice of the violation and demand for removal have been served personally or by registered or certified mail upon the landowner and the owner of the sign or their agents. Removal by the Department of the sign, display or device on the failure of the owners to comply with the notice and demand gives the Department a right of action to recover the expense of the removal, cost and expenses of suit.

2. Any person who erects or causes to be erected an outdoor advertising sign, display or device which violates the provisions of [NRS 410.220](#) to [410.410](#), inclusive, shall pay to the Department:

(a) For the first violation, a fine of \$50;

(b) For the second violation, a fine of \$250;

(c) For the third or subsequent violation, a fine of \$500 per violation; and

(d) The reasonable costs of collection.

(Added to NRS by 1971, 1328; A [1977, 569](#); [1979, 1786](#); [1993, 898](#))

NRS 410.365 Remedies for obstruction of visibility of outdoor advertising structure by noise abatement project.

1. If any improvement project is caused to be constructed for purposes of noise abatement by the Department within the right-of-way of a controlled access freeway, which obstructs the visibility from the main-traveled way of the controlled access freeway of an outdoor advertising structure that adjoins the controlled access freeway, the Department shall:

(a) Authorize, with the consent of the affected city or county pursuant to [chapter 278](#) of NRS and at no cost to the State or any local government, the owner of the outdoor advertising structure to adjust the height or angle of the structure to a height or angle that restores the visibility of the structure to the same or comparable visibility as before the construction of the improvement project;

(b) Authorize, with the consent of the affected city or county pursuant to [chapter 278](#) of NRS and at no cost to the State or any local government, the owner of the outdoor advertising structure to relocate the structure to another location on the same parcel of land or on another parcel of land where the owner of the structure has secured the right to construct a structure pursuant to the applicable local ordinances in existence at that time and the relocation restores the visibility of the structure to the same or comparable visibility as before the construction of the improvement project;

(c) Evaluate the impact of the improvement project on the visibility of the outdoor advertising structure and may, in its discretion, implement design modifications to the project which maintain the integrity of the project and which eliminate the effect of the project on the visibility of the structure so that adjustments to or relocation of the structure are not required to maintain its visibility;

(d) Authorize, with the consent of the affected city or county pursuant to [chapter 278](#) of NRS and at no cost to the State or any local government, any other relief which is consistent with the public health, safety and welfare and which is mutually agreed upon by the governing body of the affected city or county, the Department and the owner of the outdoor advertising structure; or

(e) If the actions described in paragraphs (a) to (d), inclusive, would not result in the same or comparable visibility of the structure, let the visibility of the structure remain obstructed.

2. Any action authorized pursuant to subsection 1 must comply with applicable federal and state statutes and

regulations, agreements with the Federal Government or the State and, to the extent that their provisions do not conflict with this section, local ordinances governing the regulation of outdoor advertising structures.

3. The provisions of subsection 1 do not authorize the owner of an outdoor advertising structure to increase the size of the area of display of the structure.

4. The provisions of this section:

- (a) Apply to lawfully erected conforming and nonconforming outdoor advertising structures;
- (b) Are not intended to grant an express or implied right of light, air or view over a controlled access freeway if such a right is not otherwise provided by law;
- (c) Do not apply to an outdoor advertising structure whose visibility was obstructed on or before June 6, 2005, by an improvement project for noise abatement;
- (d) Do not change the designation of an existing nonconforming outdoor advertising structure from nonconforming to conforming; and
- (e) Do not authorize an increase in the number of nonconforming outdoor advertising structures.

5. As used in this section:

- (a) "Controlled access freeway" means every highway to or from which owners or occupants of abutting lands and other persons are prohibited from having direct private access, and where access is allowed only at interchanges; and
- (b) "Outdoor advertising structure" means a billboard, subject to a permit issued by the Department, that is designed, intended or used to disseminate commercial and noncommercial messages that do not concern the premises upon which the billboard is located.

(Added to NRS by [2005, 981](#))

NRS 410.370 Safety rest area: Distribution of maps, directories and pamphlets; establishment of informational center. In order to provide information in the specific interest of the traveling public, the Director is authorized to maintain maps and to permit informational directories and advertising pamphlets to be made available at safety rest areas. The Director is also authorized to establish information centers at safety rest areas for the purpose of informing the public of places of interest within the State and providing such other information as the Director may consider desirable.

(Added to NRS by 1971, 1329; A [1979, 1786](#))

NRS 410.380 Informational sign, display or device within right-of-way. The Director may, in consultation with the Secretary of Transportation, provide within the right-of-way of the interstate highway system for areas at appropriate distances from interchanges at which signs, displays and devices giving specific information in the interest of the traveling public may be erected and maintained. Such signs must conform to national standards prescribed by the Secretary of Transportation.

(Added to NRS by 1971, 1329; A [1979, 1787](#))

NRS 410.390 Inventory of existing outdoor advertising; contents; penalty.

1. A person engaged in the business of outdoor advertising, which includes, but is not limited to, the erection, maintenance and selling of advertising space on and along the interstate and primary highways of this state, shall, not later than January 1, 1972, furnish to the Director a written inventory of all outdoor advertising signs, displays or devices erected and being maintained by such person. Such inventory must include, with respect to each such sign, not less than the following information:

- (a) Location and dimensions of the sign;
- (b) Distance from the nearest edge of the right-of-way;
- (c) Date erected; and
- (d) Name and address of the owner of the property on which the sign is located.

2. For failure to comply with the conditions set forth in this section the Board may declare such outdoor advertising signs, displays or devices to be a public nuisance and remove them in the manner provided by [NRS 410.360](#).

(Added to NRS by 1971, 1329; A [1979, 1787](#); [1989, 1312](#))

NRS 410.400 Regulations; fee for permit; no fee for certain signs; disposition of fees.

1. The Board shall prescribe:

- (a) Except as otherwise provided in paragraph (b), regulations governing the issuance of permits for advertising signs, displays or devices and for the inspection and surveillance of advertising signs, displays or devices;
- (b) Regulations specifying the operational requirements for commercial electronic variable message signs which conform to any national standards promulgated by the Secretary of Transportation pursuant to 23 U.S.C. § 131; and
- (c) Such other regulations as it deems necessary to implement the provisions of [NRS 410.220](#) to [410.410](#), inclusive.

2. The Department shall assess a reasonable annual fee for each permit issued to recover administrative costs incurred by the Department in the issuance of the permits, and the inspection and surveillance of advertising signs, displays or devices.

3. No fee may be collected for any authorized directional sign, display or device, or for authorized signs, displays or devices erected by chambers of commerce, civic organizations or local governments, advertising exclusively any city, town or geographic area.

4. No fee may be collected for any temporary sign, display or device advertising for or against a candidate, political party or ballot question in an election if the sign, display or device is:

- (a) Erected not more than 60 days before a primary election and concerns a candidate, party or question for that primary or the ensuing general election; and
- (b) Removed within 30 days after:
 - (1) The primary election if the candidate, party or question is not to be voted on at the ensuing general election.
 - (2) The general election in any other case.

↪ The Department may summarily remove any temporary political sign for which no fee has been paid if the sign is erected before or remains after the times prescribed.

5. All fees collected pursuant to this section must be deposited with the State Treasurer for credit to the State Highway Fund.

6. As used in this section, "commercial electronic variable message sign" means a self-luminous or externally illuminated advertising sign which contains only static messages or copy which may be changed electronically.

(Added to NRS by 1971, 1329; A 1979, 436; 1981, 708; 1989, 1312; 2013, 567)

NRS 410.410 ~~NRS 410.220 to 410.400~~, inclusive, supplementary to ~~NRS 405.020 to 405.110~~, inclusive; federal reimbursement prerequisite to continued effectiveness. The provisions of ~~NRS 410.220 to 410.400~~, inclusive:

1. Are supplementary to the provisions of ~~NRS 405.020 to 405.110~~, inclusive. Where both such sets of provisions apply to any outdoor advertising sign, display or device, that set of provisions which prohibits the erection or maintenance of such sign, display or device or which imposes greater restrictions upon such sign, display or device shall prevail.

2. Shall remain effective only so long as federal-aid highway funds are apportioned to the State of Nevada and the Federal Government reimburses the State in accordance with 23 U.S.C. § 131 for its share of compensation required for the removal of outdoor advertising signs, displays and devices.

(Added to NRS by 1971, 1329)

NAC 410.350 Sign construction: Illumination; commercial electronic variable message signs. (NRS 410.400)

1. Signs must not be placed with illumination that interferes with the effectiveness of or obscures any official traffic sign, device or signal. Signs must not include or be illuminated by flashing, intermittent or moving lights, except any parts necessary to give public service information such as the time, date, temperature, weather or similar information. Signs must not cause beams or rays of light to be directed at the traveled way if the light is of such intensity or brilliance or is likely to be mistaken for a warning or danger signal or to cause glare or impair the vision of any driver, or to interfere with any driver's operation of a motor vehicle. Illumination or lights for signs must not resemble or simulate any lights used to control traffic.

2. A commercial electronic variable message sign, including, without limitation, a trivision sign, may be approved as an off-premise outdoor advertising sign in an urban area if the sign does not contain flashing, intermittent or moving lights, does not cause a glare on the roadway and the following conditions are met:

(a) An existing sign may be modified or updated if the sign conforms with established criteria relating to zoning, size, lighting and spacing.

(b) A message on a trivision sign may have a minimum display time of 6 seconds and a maximum change interval of 3 seconds.

(c) A trivision sign must contain a mechanism that will stop the sign in one position if a malfunction occurs.

(d) If a sign is installed that does not comply with the provisions of this subsection, the owner of the sign shall correct the violation or remove the sign at the owner's expense.

(e) Prior approval from the Department is required to modify existing signs to include the commercial electronic variable message sign, and a new permit fee of \$150 will be charged.

[Dep't of Highways, Outdoor Advertising Control Manual p. 11, eff. 1-28-77]—(NAC A by Dep't of Transportation by R058-97, 12-11-98)

ASSEMBLY BILL NO. 305—ASSEMBLYMEN HORNE
AND CARRILLO (BY REQUEST)

MARCH 15, 2013

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to highways.
(BDR 35-1030)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

EXPLANATION – Matter in *bolded italics* is new, matter between brackets ~~is material to be omitted~~

AN ACT relating to outdoor advertising; revising provisions relating to the promulgation of regulations by the Board of Directors of the Department of Transportation regarding permits for certain signs; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, the Board of Directors of the Department of Transportation
2 is required to prescribe regulations governing the issuance of permits for
3 advertising signs, displays or devices and the inspection and surveillance of such
4 signs, displays or devices. (NRS 410.400) This bill requires the Board to prescribe
5 regulations allowing the issuance of permits for signs known as commercial
6 electronic variable message signs which conform to regulations promulgated by the
7 Secretary of the United States Department of Transportation.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. NRS 410.400 is hereby amended to read as follows:
2 410.400 1. The Board shall prescribe:
3 (a) ~~Regulations~~ *Except as otherwise provided in paragraph*
4 *(b), regulations* governing the issuance of permits for advertising
5 signs, displays or devices and for the inspection and surveillance of
6 advertising signs, displays or devices; ~~and~~
7 (b) *Regulations allowing the issuance of permits for*
8 *commercial electronic variable message signs which conform to*



1 *national standards promulgated by the Secretary of*
2 *Transportation pursuant to 23 U.S.C. § 131; and*

3 (c) Such other regulations as it deems necessary to implement
4 the provisions of NRS 410.220 to 410.410, inclusive.

5 2. The Department shall assess a reasonable annual fee for each
6 permit issued to recover administrative costs incurred by the
7 Department in the issuance of the permits, and the inspection and
8 surveillance of advertising signs, displays or devices.

9 3. No fee may be collected for any authorized directional sign,
10 display or device, or for authorized signs, displays or devices
11 erected by chambers of commerce, civic organizations or local
12 governments, advertising exclusively any city, town or geographic
13 area.

14 4. No fee may be collected for any temporary sign, display or
15 device advertising for or against a candidate, political party or ballot
16 question in an election if the sign, display or device is:

17 (a) Erected not more than 60 days before a primary election and
18 concerns a candidate, party or question for that primary or the
19 ensuing general election; and

20 (b) Removed within 30 days after:

21 (1) The primary election if the candidate, party or question is
22 not to be voted on at the ensuing general election.

23 (2) The general election in any other case.

24 ↪ The Department may summarily remove any temporary political
25 sign for which no fee has been paid if the sign is erected before or
26 remains after the times prescribed.

27 5. All fees collected pursuant to this section must be deposited
28 with the State Treasurer for credit to the State Highway Fund.

29 6. *As used in this section, "commercial electronic variable*
30 *message sign" means a self-luminous advertising sign which uses*
31 *electronic or digital technology to depict changes of light, color or*
32 *message and which may include, without limitation, static images,*
33 *image sequences or full motion video.*

34 Sec. 2. This act becomes effective upon passage and approval
35 for the purpose of adopting regulations and on January 1, 2014, for
36 all other purposes.



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Governor Brian Sandoval
Lieutenant Governor Mark Hutchison
Controller Ron Knecht
Frank Martin
Len Savage
BJ AlMBERG
Rudy Malfabon
Dennis Gallagher

Sandoval: Good morning ladies and gentlemen, I will call the Nevada Department of Transportation, Board of Directors Meeting to order. Before we commence, I just want to make sure you can hear us loud and clear in Las Vegas?

Hutchison: Yes, we can Governor.

Sandoval: Thank you Mr. Lieutenant Governor. We'll proceed with Agenda Item No. 1, which is the presentation of Retirement Plaques to 25+ years employees. Mr. Director.

Malfabon: Thank you Governor and I'm going to go through Items 1 and then 2 and then we'll do the photo opportunity with the Board Members up here in Carson City.

Beginning with the presentation of retirement plaques, we'd like to acknowledge the years of service from several people that are former employees of NDOT that recently retired. Starting with, Ed Wilson, first name is Donald, but we call him Ed. He recently retired. He was a Program Officer III and worked in the public information section of NDOT. He did a lot of the responding to concerned citizen calls, questions and we wish him well. I know he moved to Washington State recently. 20 years of service.

Raymond Figueroa, Highway Maintenance Supervisor on the Reno Landscape Crew in the Reno Office District II. 31 years of service for Raymond.

This next one is kind of heartfelt for me, Tommy Burroughs was a Supervisor I, a Survey Crew Chief in Las Vegas, Crew 915, in Las Vegas, 34 years of service. It's heartfelt because he was on my crew when I was a Resident Engineer and he recently passed away. We wish his family, just to be in our thoughts and prayers.

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Dale Lindsey, I know is here today, Professional Engineer in the Planning and Performance Analysis in Carson City here. 30 years of service to Dale. Hold your horses Dale, we'll get your photo op.

Catherine Cuccaro, Transportation Analysis II in Planning and Traffic here in Carson City, with 26 years of service.

Dan Lightfoot, Supervisor III, Associate Engineer, just recently retired. He was on Crew 905 as the Assistant Resident Engineer there in District 2, 34 years of service.

Mike Bridges, another Assistant Resident Engineer. This one from District 1 in Las Vegas, Crew 914 with 28 years of service.

So, a total of 203 years of experience with those individuals that had served our Department very well in the State of Nevada as well. So, let's give them a round of applause. [applause] As I mentioned, we'll do the photo opportunity in just a second. If I may Governor, if there's any comments that you would like to make or the Board Members?

Sandoval: It's always difficult for me because I really do appreciate the years of service to these individuals that have spent so much time and committed their lives to public service and serving the people of the State and making sure that it's safe and connected, our slogan. I'm sure it's—I'm hope I'm there someday, in terms of being able to have the satisfaction of having committed your life to the betterment of the people of Nevada. Then having something to look forward to after that. To be able to, as I like to talk about, sit on that chair on the porch someday, be able to think back of all the great things that you did for the people of Nevada, and have that sense of satisfaction. For some, also have a second career. And for others, again, after spending 30 plus years, that's inconceivable to me. It's just such a badge of honor and a badge of service and is something that I truly appreciate. For everybody that we're recognizing today for their retirements, I truly appreciate their service.

Malfabon: Well said Governor. I'm going to move on to Item No. 2, Presentation of Awards. NDOT recently won the International Partnering Institute 2016 Partnered Project of the Year Award of the Under \$25M category for the Kingsbury Grade, State Route 207 Reconstruction Project. This was our project that was construction manager at risk, built by Q&D, managed by our Project

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Manager, Pedro Rodriguez. Our Resident Engineer was John Angel, assisted by Jerry Bradenberg. We just wanted to acknowledge the efforts also of our—lots of folks were involved in this project, from the design to the construction phase. People involved in our Water Quality Program and Environmental Program helped deliver this successful project. A lot of outreach was done with the community on the traffic impacts. You recall, this was a complete reconstruction of the highway, so a lot of residents, commuters and business owners were affected by this project, but all in all, it had a lot of positive comments after and during construction phase.

I'd like to have—I don't believe that Pedro Rodriguez, our Project Manager is here, but John Angel, I believe is here. Jerry Bradenberg, if you're here and a representative from Q&D, I think Brian Graham was the person that we contacted but if there's an individual from Q&D, we'd also like you to come up.

And, I'd also like to close award by saying that, it's really the leadership of our partnering program and I'm going to mention something about our partnering program during the Director's Report. Lisa Schettler has really worked with our Construction Division Office and the AGC and other construction stakeholders across the state to really ramp up our partnering program. There's some good news coming on an event that's going to be planned in Nevada in the coming months.

So, with that teaser, I'm going to have the group that I mentioned, if John Angel, Jerry or a Q&D representative are present, we'll take the photo op and then we'll have Dale Lindsay come up for the retirement plaque. Board Members, if you would.

[photo opportunity, set up, pictures]

Governor, if I may, I'll proceed with the Director's Report. Really great news this 4th of July weekend, zero fatalities. We really want to give our thanks to the Department of Public Safety, the Nevada Highway Patrol and the Office of Traffic Safety for helping us achieve that zero fatalities goal that weekend. Over the last 10 years, we've had fatalities over that weekend. Just looking at the snapshot over the last five years, we've had two per year and then it jumped up to four last year. It's really a great news to report with 2016, zero fatalities.

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What the Office of Traffic Safety and NHP did was partner with MADD and Uber to raise awareness about impaired driving. Uber offered discounted rate cards for rides as a promotion and NHP helped pass those out to drivers. It was really great news for Nevada as we strive to reach that zero fatalities goal.

Wanted to update the Board Members on the possible rescission of Transportation Funds. As I had reported previously, the Senate version of the appropriations bill for the next federal fiscal year did have a rescission of some funds. The House version does not. Unfortunately, when they had kind of some gridlock in Congress with other issues that caused a sit-in, they couldn't get their business done. It's unlikely they're going to pass something before the August recess in Congress. They'll have to reconcile between the House and the Senate on this issue. Definitely, we've been advising our delegation how it will impact us if funds are rescinded. It will really cost us some real money this time. In the past, when the rescissions occurred, it didn't hurt us because that money wasn't being put to use, they could take it off the top, nationally. This year, it would be different because there is another built in rescission in the fifth year of the FAST Act.

It's complicated but we're keeping in touch and communicating with our delegation to let them know about how we're concerned about it and we'll see what happens. We're likely to see an ominous bill where they collect all—several appropriations, acts into one bill and pass that before the end of the year.

We had submitted some Fastlane Grant Applications. One of the largest being that \$135M request for the Clark County 215 Beltway US-95 Interchange, which we call that Centennial Bowl. Other projects included 395 in Lemmon Valley Interchange. The applications, as typical for these grant programs at the federal level, exceeded the available funding. Just to give you a sense of that, there was \$800M available and that was nearly \$10B in applications received. 18 projects were selected, 10 State DOTs were recipients, National Park Service for a large bridge project, two cities and four ports were recipients for the large and the small projects.

It's unfortunate but under Item 10, we would like to look at the possibility of fuel revenue indexing vote in Clark County in November, assuming that that passes. When that passes, we are anticipating that we could continue doing our project that we've been building, the first phases of the Centennial Bowl, the two ramps that have been under construction. You'll be asked to consider approval of the

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design-build procurement process for that project. Although we weren't successful in the grant, we still feel that it's prudent to fast track so we don't lose three months of time in preparing that project based on the FRI2 passage in Clark County, anticipated in November.

I had mentioned a partnering issue. One of the things that the Federal Highway Administration is partnering with us on is funding a conference along with Ohio Department of Transportation. It's going to be held at the Reno/Sparks Convention Center in September. It will be an offer of free training to agency representatives and a nominal fee for construction/contractor representatives that want to attend. The first day is training. The next two days are sharing best practices. A lot about how we're using technology to assist us in our partnering efforts. We do a lot of surveys. We're using electronic construction documentation methods that are assisting with partnering. Better flow of some of the submittals from contractors and rapid approval. All those things keep a project on schedule and really help to partner with our contractor partners on these projects.

AASHTO, the national organization of State DOTs, the American Road and Transportation Builders Association and then the Associated General Contractors are also promoting the conference. Again, it's a testament to our folks that are leading the program, Lisa Schettler in Construction Division, Sharon Foerschler. It really is an effort by all the District Engineers as well to promote partnering with the Resident Engineers that work on the construction projects.

Governor, I wanted to thank you for the USA Parkway groundbreaking. It was a great event. There you see Ames' equipment behind the podium there. It was a pretty cool event with the large loader that dumped into that heavy—it gives you a sense of how much earthwork is going to have to be moved on this project. A great turnout for the project and I was very impressed with just the size of the buildings I saw at the Industrial Center on the way out there, that means jobs. That means employment for Nevadans. It also means commuters that are going to be benefitted by this USA Parkway Project. Opening up a whole new economic development area to people that could be—they could draw employment from Carson City, from Yerington area and Silver Springs. It's just going to open up that whole area to commuter traffic and we're glad to see this project advancing. We're about 50% complete with the design and the construction has just started with this kickoff.

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We recently, as part of our conducting county tours, we talk about transportation issues with each county in the State of Nevada. The Douglas County tour, a lot of discussion about Airport Road. We previously had reported to our Transportation Board about a consideration of a roundabout for this intersection. We're looking at plans to offset the northbound right turn lane. We've decide that it will be best to proceed with a High T signalized intersection, similar to what you see on Johnson Lane, up the road, less than two miles on US-395. With the High T, that green arrow represents the traffic southbound will not be impeded by a traffic light. The people turning left on to State Route 759, that are headed southbound to go to the east, will have to be stopped if traffic is allowed to turn left out of Airport Road. I think that it will improve safety at that intersection. We struggled with what was the best solution and I think that we've landed on a good solution there to advance. It won't please everybody because people don't like to be stopped on 395, but I think that it will improve safety.

We have a public meeting coming up for the SR-28, Shared Use Path and Safety and Storm Water Enhancement Project, up in Lake Tahoe, Tuesday, July 26th at the Chateau at Incline Village. Presentation will be made at 5:30. Also, we're tentatively scheduled for a groundbreaking event on August 19th. I wanted to make Board Members aware of that. The schedule still has to be tightened up, so we'll confirm that but it will be a great opportunity to showcase, really a good enhancement up to the trail system up at Lake Tahoe that will be attractive to residents and tourists.

Just to give you an update on Project NEON. On the right side, I have some graphics that I pulled off of the website. We have construction commencing on the east side of I-15, not on the freeway itself, but on the eastside, on the local streets and also at Grand Central Parkway and Western Avenue. Recent milestone as of July 1st, Kiewit is responsible for the maintenance of the project roads within that footprint. Local roads, any state routes that are affected within their project footprint, they're responsible for maintenance now.

We've had a lot of stakeholder meetings with the homeowner's associations, businesses, the Traffic Incident Management Coalition to coordinate on what impacts they should anticipate. Our website has a map that shows what activities are going on, what to anticipate as far as traffic impacts from work zones. And, soon we'll have our webcams up and operating on our website.

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By no means, not to forget our other major projects. On the right side, you see the project I was talking about, the Centennial Bowl. It's an amazing project to see that bridge being built on that tall false work. Then on the left side, the I-11 Boulder City Bypass, Phase 1. We recently did a YouTube video to highlight the efforts of the project and still anticipating completion at the end of next year.

We're using our communications staff to produce these YouTube videos on our NDOT Channel so that we can get the word out and get the public informed about the progress of these projects.

Sandoval: Do you have the ability to play that right now, Rudy?

Malfabon: We could. DJ, if you Google the NDOT YouTube I-11, it should come up. We could just wait a moment. I would like to acknowledge the efforts of Tony Illia, the Communications, Public Information Officer in Las Vegas. He's been working really well on these productions. Our staff up here has really done a great job with editing and production of these. They look very professional, well edited. They flow very well and give a lot of good information to the public. So, kudos to the communications staff. I know that Sean Sever has been doing a great job leading that group.

Sandoval: Rudy, if you want to keep going and then we can come back.

Malfabon: Sure. We do have a video that's actually—the next slide is actually intended to show you a video. It's related to Item 6, you'll be considering a bridge inspection contract to supplement state forces that perform bridge inspection. We have a video that we can play of the I-580 Galena Creek Bridge Inspection. Again, this was a YouTube video that our staff produced. I was not that involved in that Galena Creek Bridge construction project but it was amazing to see the interior of that bridge and how we improved the ventilation for the inspectors that have to go into that enclosed space. Other stair steps along that arch so it's easy access for the inspectors and that bridge inspection program for the Galena Creek Bridge.

Okay, I-11 first and then Galena Creek. [video plays] I would like to reiterate some of the things that Tony mentioned. Reconnecting the railroad tracks that had been severed by the highway and also having a new connection to the River Mountains Loop Trail with a new bridge so that pedestrians and bicyclists, it's a multi-modal path that folks can use to get across the new interstate freeway to maintain access to the trail system there in Southern Nevada.

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[video plays, for Galena Creek Bridge] So, great job by our staff producing that informative video. They did a great job as usual. It really gives us a chance to highlight some of our workers too, Doug Fromm in District 2 is one of the bridge inspection folks and I've been able to talk with him about it.

Governor, I wanted you to thank you for including bridge preservation as one of the elements in your strategic plan for Nevada. Your strategic framework establishes what the next Governor should really start thinking about, as well as setting us up for the next biennium, what to consider to put into our next biennium request. Thank you for including bridge preservation as one of the elements in your strategic initiatives.

Sandoval: Thank you Rudy, I'd like to compliment everyone who is involved on that video. It really gives you a perspective that you otherwise wouldn't have. We drive over and we look at it and we think—I'll speak for myself, I don't get a full appreciation for all the things that are going on there in terms of making sure that it's safe. So, Julie great job and Sholet, I guess you filmed that as well. Were your knees wobbling a little bit when you were in there, in that bucket.

Rudy, I just wanted to ask you, I saw that 'Rudy was here', underneath there...

Malfabon: That might have been Ruedy Edgington. I don't know.

Sandoval: That was well done. Then for the I-11 as well. Because we get these books and it's on paper and we might get a photograph or two but a video is just invaluable in terms of getting the perspective of what's going on and a much better understanding of the progress we've made there in Southern Nevada. That's going to be an exciting day. I agree with you Rudy, in terms of those connections so that there's public access to trails and such and that there aren't those man-made barriers, so more people will be able to appreciate and enjoy the great outdoors. That's very thoughtful planning and construction.

Malfabon: Thank you. Some recent settlements and verdicts. We did reach an agreement with the Watts Family. This was the group that previously talked to the Board about trying to achieve some kind of middle ground with the Department. It shows that we continue negotiations. We ask the Board to consider a condemnation resolution, which allows us to continue with the schedule of a project. It doesn't mean that we stop discussions with the home owners or the business owners on the affected properties that we're acquiring. Whether it's in

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part or in whole, we try to be fair on assessing the value of that property and following the federal process for right-of-way acquisition. I know that you have a condemnation resolution before you today and I think that the property owners want to talk to the Board during the public comment period. I just wanted to make a point about that. It doesn't stop discussions and negotiations.

We had deferred from June to July, to tomorrow, the US EPA Consent Decree. Wanted to provide the Board of Examiners a little bit more detailed information on that consent decree and what's involved. We feel very confident with what was included in the consent decree that we can deliver that. We're going to work in partnership with the Division of Environmental Protection, at the State Office here across the street, to make sure that we meet our commitments on the permit that they issued to us on behalf of EPA.

Tentatively, we reached a settlement with Walker Furniture Parcel Owners for Project NEON and the owners of the K&L Dirt Parcel on the Boulder City Bypass Phase 1 Project that Tony Illia was providing information about, the project on the video earlier. We still have to get second party signatures on the paperwork and then eventually go before the Board of Examiners. We're hopefully going to be ready by August of this calendar year with those requesting BOE approvals of those settlements.

Just to give you an update on the August Transportation Board. We're going to commence that at 10:00 AM, but we will bring the digital billboard regulations back to the Board for consideration. We'll give you an update on the freight plan and update on the radio system replacement. An update or more detail on the consent decree and Dave Gaskin, are Deputy Director for Storm Water will give you an update on where we're at with our Storm Water Program, so you can have the confidence in the Department that we are meeting our obligations under the consent decree and the Clean Water Act.

With that, I'm willing to answer any questions from the Board.

Sandoval: Thank you Rudy. Back to the settlements, obviously you're aware that that's on the Board of Examiners agenda tomorrow and it was just kind of a little bit of a hiccup why it wasn't approved earlier in terms of situation with the Open Meeting Law and proper phrasing on the Agenda.

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I'll say it here and I'll say it again tomorrow, that was a phenomenal outcome. For me and for this Board to know where we were and the exposure that we had, and frankly, doing the right thing and how far we have come in such little time and how we've been able to minimize the result in terms of penalties. The penalties compared to what they were are a fraction of a fraction and half of that comes back to the State, to DEP. I really want to compliment everybody that was involved with that. I know that the team that we had together is moving full force, that project on Highway 50 is associated with that. Selfishly, it gives me something to talk about at the Tahoe Forum, in August. It's something really to brag about and point to California and say, look at Nevada and look at what we're doing up there. It's a proud moment for me and I'm really excited about what's been accomplished there.

On this Walker Furniture, Mr. Gallagher, I'm going to compliment you on the result in that case because it was another one of those situations where frankly the demand was really high. Through negotiation and discussion and reasonable heads getting together that we were able to achieve a result that I think is fair to both sides. I know that a lot of time and effort went into that as well. That's an important component to Project NEON and moving all of that forward. Little by little, we're chipping away on that property acquisition there to get that project done and I can't wait to see the video as we move forward on that. On Project NEON and how things are going with that.

Finally, thank you for resolving the Watts Family. That was very emotional for them. They presented here and it's a matter of sitting down and having these meaningful conversations. Being able to look someone in the eye and be able to share those thoughts and concerns. As you say, the State can't just give away money. We have to find a reasonable result. All of these speak well of everybody who was involved.

Does anyone else have any questions or comments with regards to the Director's Report?

Martin: Governor.

Sandoval: Yeah, Mr. Martin.

Martin: Thank you sir. Rudy, on the Project NEON update, you'd mentioned the website showing the points of impact and so on. A few meetings ago, we saw a

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presentation on Waze. I'm wondering, where does that stand? I've been looking at Waze and I haven't seen any updates or maybe I just don't know how to use it properly. Are we still headed in that direction, as far as the app on the phones?

Malfabon: Yes, we are Member Martin. With the Waze App, we're trying to get—along with the public agencies in Southern Nevada, we're trying to get the contractors, traffic control personnel to populate. It's a crowd source application, so people that drive, once they get to the destination that they observe something then they enter in the data on the application. We're asking—it's more beneficial if we get the contractors who are setting up and taking down traffic control devices to populate the app. That's definitely on top of what we're trying to do with Project NEON's website.

Martin: Okay, thank you sir.

Hutchison: Governor?

Sandoval: Mr. Lieutenant Governor.

Hutchison: Thank you. Just a follow-up on the Project NEON. Question, when do we expect the construction to commence, actually on either I-15 or Highway 95 so that we see lane closures? That's when I think we're going to begin to see the public become concerned and want to know what's going on there.

Malfabon: Mr. Lieutenant Governor. We anticipate that the US-95 work will start within a few months. Some of the bridge construction work there, as was previously presented—the I-15 work is still a ways off. I think it was anticipated in possibly early 2018. The primary amount of work initially is going to be some of that bridge work and on 95. We also did some viaduct work at the I-515 viaduct, south of Spaghetti Bowl there, I guess it's east of—I always get confused in Las Vegas with the east and west and south. We did add some additional viaduct deck work there.

The work that primarily will be on Martin Luther King, initially. A lot of demolition to still do on some of the properties. Basically, the footprint of the freeway will eventually go all the way out to where Martin Luther King Boulevard is currently. They're going to be doing work on that section on the local roads initially.

Hutchison: So we expect lane closures on Highway 95 within the next couple of months?

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Malfabon: We should see some. We'll get some clarification on that and next month is the quarterly reports on all the major projects to the Board Members.

Hutchison: Thank you.

Sandoval: Any other questions from Board Members on the Director's Report? Thank you very much Mr. Director. Agenda Item No. 4 is Public Comment. We have two individuals signed in for public comment from Carson City. Take the lectern please.

Clark: Thank you Governor. Governor, Members of the Board. I wasn't sure if we were going to speak to you in public comment or if you pulled a public comment for each individual item, but we're more than happy to address it at this time.

Sandoval: Now is the time, Governor.

Clark: Thank you. Mr. Passalalpi, would you like to join me? I'd like to introduce Dario Passalalpi. He's the property owner for the 303050 LLC, that's under Item 8 for the condemnation.

Passalalpi: Governor, Board, thank you for giving me this time to speak. I was hoping to talk after you guys discussed the condemnation process, but I just wanted to make some comments. I was hearing you guys discuss the Watts Family Acquisition and how that was done in face-to-face and you got to look someone in the eye and try to get a resolution on that.

We were approached in July. We met with your representatives on site. It's been over 12 months. We've been really open and tried to be fair and reasonable in this process and from July to December was the first time we got any kind of an offer. That's when we got the offer for \$207,000 for our property. What we were trying to do is understand that obviously this highway was going in and we totally support that. We're on board with that. We think it's great. We thought the road was going to go down Opal. It was moved to go right down the center of our property. So, all we've been trying to do since that July meeting was try to get a face-to-face sit down and get fair market value. We just don't think it should take over 12 months and all the money we've spent and not get communication from the NDOT acquisition team, routinely and have them meet the dates they set forth and told us they would meet.

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We're here to say, I'm representing my partners in this LLC, that we want to come to a resolution. It's our intent to be reasonable, but we feel like we need to sit down with the parties involved, NDOT representatives and try to get a resolution to this and not just keep dragging it on for 12 plus months. If \$207,000 if a fair market value, then as your own NDOT representative said, that was not a fair way to start the process. It was insulting to me. And, I told your representatives, why did it take us 12 months to get to that point. We should've been there six months ago. If we had been, we probably would've been resolved by this time now.

That's all I have to say. I'd like to have a face-to-face. I understand you guys are going to take our property, we just want a fair process that allows us to present our case and negotiate something that's fair and reasonable for us and for the State. Thank you.

Sandoval: If I may, when did you acquire the property?

Passalalpi: We went into contract in October of 2014.

Sandoval: And what was the purchase price?

Passalalpi: \$449,000.

Sandoval: And there has been a subsequent offer that's increased above the \$200,000, correct?

Passalalpi: Yes.

Sandoval: And what's that amount?

Passalalpi: \$484,000.

Sandoval: And have you had the property appraised?

Passalalpi: We've had different appraisals and different valuations done.

Sandoval: What's the amount of that appraisal?

Passalalpi: They vary from \$700,000 plus or minus to some broker opinion of values and different valuations go as high as \$1.6M.

Sandoval: That obviously was subsequent to October 2014.

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Passalalpi: Yes.

Sandoval: And then when were you first notified of the acquisition?

Passalalpi: NDOT contacted us end of June to meet, that's when we set the July 7th meeting.

Sandoval: June of 2016?

Passalalpi: '15.

Sandoval: All right. Any other questions? Okay, thank you sir.

Passalalpi: Thank you.

Clark: Governor, may I approach one more time? Thank you. Again for the record, Tom Clark, I just wanted to make one clarifying point as well. When Passalalpi and his partners purchased this property, it was with the understanding that USA Parkway was going to go down Opal. They didn't buy it because they wanted to sell it to NDOT at some later time for a better price. Then when the road design was moved over into their property, they had already closed escrow. It was a matter of, okay now we can go in negotiations, as best we possibly can, work with NDOT staff. As Mr. Passalalpi pointed out, it's been quite a long amount of time and they have put tremendous amount of money into the property, simply from the perspective of their own mortgage payment; but also because they can't plan ahead to do anything with the property without it having some level of indication and understanding of what the property was going to be like. Investors are looking at this property, big time. We want to get through this process as quickly and fairly as possible so we can increase that and make that corner a nice complement to the USA Parkway, which we totally support. Thank you Governor.

Sandoval: Thank you. All right, any further comment from Carson City? Yes sir.

Ault: I'm Don Ault, from Lyon County. I have the range land that this road is coming through for three miles. I have prescriptive easements on that road. The Supreme Court has said they're three miles wide. That's been the only court decision on that. I met with DOT for some underpasses, two underpasses and they haven't got back to me or anything. It's going to separate my shipping corrals, the well, from two reservoirs up above. Those are the prescriptive easements.

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I've been in conflict with BLM. They say they will not issue me a permit, but I still have the preference. When I die, my boy will pay inheritance tax on that preference. It is property and DOT has never got back to me. I need some sort of communication.

Sandoval: Thank you sir. Any other public comment from Carson City? Any public comment from Las Vegas?

Martin: None here sir.

Sandoval: All right. I'll close public comment and move to Agenda Item No. 5 which is the Consideration of the Board of Director's Meeting Minutes for June 6, 2016. Did the Board Members have any changes? Member Savage.

Savage: Thank you Governor. On Page 35 to 36, I was making comments. The correction comes on Page 36. At the top it says, this package is full of competitive bids in different sections. It can be a very brutal mystery at times, but at the same time, it's very gratifying. I want to thank—this is where the correction comes in. I want to thank the Department for their due diligence, specifically agreement services, construction, project management, and also the contractor's most importantly.

The second correction would be on Page 54, at the bottom. After I seconded, the Governor had chaired by saying, 'second by Member Savage', not Savage. The Governor was making that comment, I believe, at the very bottom.

That's all I have Governor, thank you.

Sandoval: Thank you. Any other changes? I have one at Page 34, Paragraph 6. There's the word elevators and it should say escalators.

Any other changes by Board Members? If there are none, the Chair will accept a motion to approve the Board of Directors Meeting Minutes of June 6, 2016 with the changes suggested by Member Savage and myself.

Savage: Move to approve.

Sandoval: Member Savage has moved to approve. The Controller has seconded the motion, any questions or discussion on the motion? Hearing none, all in favor, say aye. [ayes around] Oppose, no. That motion passes. Mr. Lieutenant Governor, with your permission, I'm going to say that you didn't participate in this—

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Hutchison: Yes Governor, I did not vote, thank you.

Sandoval: Yes, so would you mark the Lieutenant Governor as abstained. Before we commence with Agenda Item No. 6, I'd ask the Board if they would consider us taking on Agenda Item No. 8 right away since we just had the public comment on that, while that's all fresh in our minds. Is there any objection to us moving immediately to Agenda Item No. 8? All right, let's move to Agenda Item No. 8.

Malfabon: Agenda Item No. 8 is for the Board to approve a condemnation resolution for the property that was mentioned in the public comment period. 303050 LLC. As was indicated in some of the questions you asked Governor, the State made a counter offer. We're still far apart. Not as much as Project NEON's scope, but still far apart. We definitely will continue discussions with the property owner and his team to reach a resolution. We just want to keep the project on schedule so we request the Board approve a condemnation resolution so that—in a worse case scenario with condemnation, the court will decide how much that the property owner will be compensated for the taking of his property.

We respectfully request that the condemnation resolution be approved so that we can proceed with the right-of-way schedule and project schedule.

Sandoval: Thank you Rudy. Why can't we just keep it on Opal Road and not go through the property? Do you know the answer to that question?

Malfabon: I know that when we establish how much right-of-way we have to take, those kinds of considerations are thought through so that we only take as much as we absolutely need to. We attempt to only take partial acquisitions when we don't require a total take. Sometimes we determine that the impact to the property is enough that we need to take the entire property. In this case, it was thought through by the project team and with right-of-way division. Ruth, I don't know if you have anything to add, but we take a look at the engineering of the project, what is absolutely needed for the project to support it and do not try to take anymore than we absolutely need to. Is there anything you wanted to add Ruth?

Borrelli: Ruth Borrelli, Chief Right-of-Way Agent. Just briefly to expand on what Director Malfabon was stating. When we have a set right-of-way, we do look and talk to the designers to mitigate the taking and to slim it down as much as possible so we don't take even one square foot more than we absolutely have to for the successful construction of the project. That's all I wish to add, thank you.

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Sandoval: Just looking at the map, what's on the other side of the street? Who owns that?

Borrelli: I don't know off the top of my head. I can find out.

Sandoval: Do you know Rudy?

Malfabon: No, I do not know Governor.

Borrelli: I do know there's some development over there or plans for development, but I don't know the name of the owner.

Sandoval: It is private property over there?

Borrelli: Yes. I can check with my staff within seconds and get that information.

Sandoval: Okay, why don't we do that?

Borrelli: Thank you.

Sandoval: Thank you. I didn't do the math but right now the gap is a little under \$400,000, is that accurate, Rudy?

Malfabon: Yes, as he had mentioned, the last offer made was \$484,000. They counter offered \$854,000 or \$855,000 approximately.

Sandoval: I'm not going to negotiate this right now, but I would assume that the demand—are you saying that's not accurate sir?

Passalalpi: Governor, it's not. That wasn't the [inaudible, off mic] Again, Dario Passalalpi, 303050 LLC. In that offer that he's mentioning, the last one, we had stated that we believed after doing more analysis that a lower valuation of \$854,000 was what we felt was the true value that we would agree to. In that offer, we had stated that we were willing to accept \$754,000. We had lowered our demand and we stated it in that letter, in the interest of resolving the matter amicably and avoiding any further litigation or issues. We had offered that.

Sandoval: So, we just saved another \$100,000 Rudy. I guess, in all seriousness, I don't mean to be flippant and I shouldn't, I apologize. I just can't believe we're as close as we are that we can't sit down and maybe get this resolved. Because now we're at a less than \$300,000 in terms of resolving this. Perhaps we can—I'm not saying right at this moment, but schedule something to see where we are. It just is very similar to some other things that we've said. If we're getting this close and

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as we know, we usually spend a lot more than this in legal fees. I would really encourage staff to sit down again and see how much closer we can get.

There's a demand and then there's appraisal. We can't, as I said before, we've got to have some hard facts in order to be able to resolve a case. We factor in legal fees and those types of things when we do this but there has to be a justification on our part, being good stewards of the public's money. I want you to keep that in mind as well.

Passalalpi: I understand that Governor. I think that if you talk to your NDOT Board, you would find that the \$754,000 that we put on paper, there was actually another verbal offer that I extended to Ron Dietrich and Ruth on the phone verbally that was even less than that, if we could just sit down in a face to face, in a good faith effort to resolve this.

I understand that, I'm a taxpayer as well. I think there's two sides to that coin. We're trying to be reasonable and we've tried to deal openly and in good faith to resolve this. I appreciate it. Thank you.

Sandoval: Having said all that, Rudy, is it absolutely necessary that we do this today? Will this throw off our constructions schedule?

Malfabon: Governor, if I may, I would like to ask Pedro Rodriguez, our Project Manager to respond to that question.

Rodriguez: Good morning. Pedro Rodriguez for the record. I'm the Project Manager for the USA Parkway Project. Short answer Governor is yes. We are following a tight schedule with completion here, late summer and every bit of the schedule is planned out. We really don't have room for delay. Not to put you in any kind of pressure. Obviously we're here to offer any responses to questions you may have and a more detailed report regarding the schedule will be provided at next Transportation Board Meeting, but yes.

Sandoval: I'm going to take your word for it and we'll move forward, but I think there needs to be a little bit of a sense of urgency in terms of sitting down with the property owner. I think we're close enough where we can get this done. It just always casts a bit of a cloud over these projects, if we're this close and can be able to have these conversations. If I could ask Right-of-Way to sit down with the owners and their representatives to see if we can get a little bit closer on this and

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factor in costs and experts and all those things that we have to think about in terms of getting this done.

Having said all that, this is an important project and we did the groundbreaking. It does need to get done on time. It's going to have a massive benefit to the people of Lyon County and Yerington and Silver Springs and Dayton and all those that we previously talked about. I don't want to disturb the schedule, but at the same time, I don't want us moving forward on this condemnation resolution to in any way undermine the ability to negotiate with the property owners.

Malfabon: Understood.

Sandoval: Any further comments, Mr. Controller.

Knecht: Thank you Governor. I agree with all that. Pedro and Rudy, I'm a little bit concerned. If you negotiate a settlement with these folks promptly, won't that obviate the condemnation resolution that we're being asked to pass here and won't that keep you on schedule?

Malfabon: Mr. Controller, what we do is, the condemnation resolution approval by the Board allows us to go forward if we need to. It in no way stops us from negotiating. It just keeps us on schedule. If we have to use that, the court has the venue to determine the compensation to the owner. It keeps us on track for that schedule, for the project, but it doesn't prevent us from reaching a resolution. In fact, I think there's been a history of condemnation actions approved by the Board and we still reach a resolution before we actually go to the court to file with them.

Knecht: So then substantively, the matter is resolved earlier through negotiation and an agreement then it would be resolved if there weren't such an agreement and you acted on the condemnation resolution.

Malfabon: Yes. Yes, this just gives us the opportunity to maintain the project schedule and go to the court and file if we need to, to keep the project on schedule.

Knecht: And if you negotiate with the property owners in the next few days, weeks, I know we have issues of scheduling things for the next meeting, but I think that can be dealt with by timely notice for the next meeting. If you continue to negotiate with them and fail to reach a resolution, and this comes back a month from now, exactly what will the set back be to the process and what will be the jeopardy to timely and economic and adequate completion of this project?

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Malfabon: I could have Pedro speak to the specifics on the project. In general, we anticipate a certain acquisition schedule for the project. We certify to the Federal Highway Administration on federally funded project. This is a state funded project. It's important to maintain that schedule so that the contractor, who signed a contract with us has the property available to do his construction efforts. Even if it's early amount of work, if there is any kind of geotechnical work or investigation on this private property, it helps the contractor maintain its schedule on this important design-build project.

It's really a matter of whatever the promises, in effect, that we made, in signing that contract with the contractor that the property would be available on a certain schedule and keeping those commitments. That's what is critical. We don't have any construction delays as a result of not following our or meeting our obligations on provision of right-of-way.

Knecht: I have one other area, Governor and Mr. Malfabon, very quickly. Completely unrelated to that issue, but it's something that hangs over this. We're in the process of reviewing the I-11 Freight Corridor. As I understand it, we've reached the point where we're agreed to routing in general up through Tonopah and then there's a whole wide variety of possibilities going north from Tonopah. I guess my question is, is the choice of the northern part of that route, whether it goes to Reno or wherever, bypasses Reno. Is that essentially completely independent of what we do here today? Is that unaffected or does what we do here today tend to favor one I-11 option or another?

Malfabon: It's not affected. This condemnation resolution in general is specific to a project, after a very detailed assessment of what property we need. The I-11 Corridor is really to be determined later through the planning and environmental processes. A lot of transparency in public meetings, a lot of communication with elected boards and commissions to explain as that project advances.

They're unrelated. In fact, the imminent domain process doesn't come into effect until you have a real funded project that you have identified what property you need to acquire to deliver that project. Whether it's property rights or property or improvements on that property.

Knecht: I appreciate that answer and that's what I thought. I wanted to make sure we put that on the record. Governor, like you and everybody else, I want to see this go forward. Rapidly. I am going to, under the circumstances, register my

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displeasure with the failure of NDOT to be as responsive and as forthcoming and as timely as they could've been with regard to the property owners, by casting a no vote on this. I don't expect that I'll persuade everybody on the Board, but I do think that the administration of NDOT needs to know that we're concerned that property owners get a fair, timely, adequate deal and that they be responsive—that NDOT is responsive to property owners. Thank you.

Sandoval: Any other questions or comments? I don't know if I'd be as harsh as you are Mr. Controller, but I guess what I would just ask is, before the property owner and the representative leave, if we could schedule a time to sit down with them to have a conversation. At least when they leave today, there will be a fixed time to chat with them. That's not to suggest that there hasn't been conversations or what have you, but we're where we are right now and there's an opportunity here to sit down. I think there's been a really good faith effort on behalf of the property owner to come here today and have this public conversation about this. I think we can get this done. I look forward to that.

Any other questions from Board Members with regard to this agenda item?
Member Savage.

Savage: Thank you Governor. I'd just like to say that, I know this Board, the Department, department staff don't take these condemnation resolutions lightly. They're very serious. They affect families. It's all about doing it fair and reasonable, for the right reason. At the end of the day, it takes a lot of work on both sides. I believe, like the Governor said, that we will make every effort, as long as you make every effort in good faith to come to a fair and reasonable resolution for the right reason. That's all I had. Thank you Governor.

Sandoval: Thank you Member Savage. Any other questions or comments with regard to Agenda Item No. 8? If there are none, the Chair will accept a motion to approve Condemnation Resolution #455, as presented in Agenda Item No. 8.

Martin: So moved Governor.

Hutchison: Second.

Sandoval: Member Martin has moved for approval. Lieutenant Governor has seconded the motion. Any questions or discussion on the motion? Hearing none, all those in favor, please say aye. [ayes] Those opposed, say no.

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Knecht: No.

Sandoval: The motion passes, the Controller has voted no. That completes Agenda Item No. 8, let's move back to Agenda Item No. 6. I believe that's you Mr. Nellis, correct?

Nellis: Thank you Governor, Members of the Board. For the record, Robert Nellis, Assistant Director for Administration. There are four agreements under Agenda Item No. 6 that can be found on Page 3 of 43 for the Board's consideration.

The first item is with Stantec Consulting in the amount of \$9,335,294.58. This is for safety inspection of all bridges in the State of Nevada, as well as load rating analysis.

The second item is Amendment #2 for the eSTIP report. This is to increase authority by \$192,492 for the addition of the Planning and Needs Assessment Module.

Item No. 3 is with Wood Rodgers in the amount of \$1,898,787 for development of Nevada's Long Range Transportation Plan, necessary for bringing Nevada up to federal transportation requirements, defined in the FAST Act.

Finally, Item No. 4, with HDR Engineering in the amount of \$2,000,000 is to provide biological and compliance monitoring for threatened and endangered species.

Governor, that concludes Agenda Item No. 6. Does that Board have any questions on any of these four items?

Sandoval: Thank you. I have a question on the first contract for the bridge inspection. How much was our prior contract and what period of time did that cover, do you know?

Malfabon: I can respond to that Robert. Governor, the previous contract was a two-year agreement for \$1,900,000 and it was supplemented for an additional inspector. The two-year cost was \$4,300,000. It is a significant increase. One of the things that we asked our structures division is, why the big increase. It is because of the number of bridges that we've been adding to our system. Not only with Interstate 580, the Galena Creek Bridge, as you saw that we were inspecting with our own forces. The addition of bridges on the Carson Freeway, some of the recent new bridges we've added to our inventory.

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Currently we have projects on the Boulder City Bypass, I-11, 18 bridges there. This is just to give the Board a sense of what we're adding to our system. 30 bridges on Project NEON. And we're also including inspection of pedestrian bridges. If you've driven around Las Vegas, you see a lot more pedestrian bridges over the freeway system and over the beltway. It's important to, as you mentioned Governor, to have that connectivity of the trail system. NDOT is taking on over 60 pedestrian structures to inspect as well.

It's a combination of increasing that and the supplemental staff, adding another consultant bridge inspection crew to cover that because every bridge is inspected on a two-year cycle, at a minimum, so we can report that information to the federal government, as per requirements.

The other thing is the consultant under the contract before you provides different certifications. For instance, on the O'Callaghan-Tillman Memorial Bridge, over the Colorado River, they have to have a professional engineer licensed in the State of Arizona as well, and they provide that. They have a rope access inspection team that—that type of bridge really requires a unique type of inspection personnel and certifications.

It's a combination of additional staff doubling up on the number of consultant staff to assist us and additional amount of structures that we've taken on responsibility to inspect for; pedestrian bridges and the new bridges in our inventory, which every bridge in the State is inspected on a two-year cycle.

Sandoval: Thank you. That background is important because essentially, we're spending \$2,000,000 more but we have a larger volume of bridges and more sophisticated bridges, I guess for lack of a better term. I just want to make sure that we make a record as to why we went up another \$2,000,000. We have other contracts with Stantec, correct?

Malfabon: We do. They provide other services to the department. Design services. They do other work for the department.

Sandoval: I guess where I'm going is, do they use Nevada based individuals to conduct this testing?

Malfabon: Jessen Mortensen indicated that they do. Jessen, if you could approach the podium, in case there are any other questions. Jessen is our Chief of the Bridge Division.

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Mortensen: Governor, Member of the Board, for the record, Jessen Mortensen. Yes, Stantec actually maintains three offices here in the state currently, I believe. One in Elko, one in Reno and one in Las Vegas. So it is all performed, you know, I think we do have dedicated staff here to perform our inspections in-state.

Sandoval: No, I'm just selfish. I want to keep the money here. It's as simple as that. Thank you. That's the only question I had on that. On No. 1. Then on No. 4, for the biological compliance. I get that's for Desert Tortoise. I just have a vague recollection that we approved another contract for like \$1,000,000 for Desert Tortoise not long ago?

Malfabon: Yes Governor. Previously, we were making tortoise inspection services a responsibility of the contractor. In discussions with the Federal Highway Administration, we concurred that it was better if the state performed those services. We definitely trust our contractors but it was the perception of the fox in the hen house and we have an issue, an environmental issue with threatening an endangered species that we have to do our part.

You had seen a previous contract for another construction project for those types of services. It is very costly but it is necessary because the Desert Tortoise is a threatened species in Southern Nevada. I saw that you recently adopted—

Sandoval: I have a soft spot in my heart for the tortoise. Come visit him any time, Carson is doing really well. This is just from my nativity but \$2,000,000 in one year for these types of inspections seems like an awful lot of money.

Malfabon: It is. We pay them for the services they provide, no more, no less. It is expensive because you have to have a certified biologist performing these services. Steve Cooke, our Chief of Environmental Services can answer any questions.

Cooke: Good morning Board, my name is Steve Cooke, I'm the Chief of Environmental Services here at NDOT. The current agreement that's being discussed is going to be for one year and for \$1,000,000. We were originally looking at a two-year, \$2,000,000 contract but we've decided to limit it to one year. We're in the process of revising our whole process for this and rather than extend it to two-years, we decided to limit it to one year.

Sandoval: Did we just hire a single contractor or did we do an RFP for this?

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- Cooke: In the past, we have. The previous contract has been administered through our Construction Division. They decided that it was better that Environmental Services take care of this. I believe over the past two years, we've had two agreements. One for biological and environmental consultants for \$900,000. Then, one which was project specific for HDR and that was for \$600,000.
- Sandoval: Just out of curiosity, what is the hourly rate for the contractor?
- Cooke: I believe most of the staff involved with this, their hourly rate is around \$40.00 an hour. That's for the field staff.
- Sandoval: So, how does it add up to \$1,000,000 then?
- Cooke: Well, in this particular case, it's an open ended contract. It's project specific. Individual task orders will be issued for project specific. We may not have projects that extend to the amount of \$1,000,000. We may have several projects that are in the order of \$200,000, \$300,000.
- Sandoval: I get that it's necessary, that's just a really big number and I need a better appreciation of that.
- Cooke: It is. It is. This is required through the Endangered Species Act, Section 7. It's a responsibility really of Federal Highways. They rely on us to keep them in compliance.
- Sandoval: I can attest, those little guys move around. I just, like I said, I want a little more background as to that number. Now I feel a little better because it doesn't mean we're going to spend \$1,000,000.
- Cooke: No. These costs will be project specific. We're trying to be proactive in having a contract in place where we can accommodate several projects as opposed to try and issue it on a per project basis.
- Sandoval: That completes my questions for this agenda item. Member Savage.
- Savage: Thank you Governor. Mr. Cooke, while you're up there, I have a question on Item 4, the biological oversight contract for \$1,000,000. Thank you for clarifying the amount of time and the dollars. The question I had, you had stated that biological services is currently contracted under a \$900,000 contract?
- Cooke: No, their contract recently expired.

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Savage: It did expire.

Cooke: Yes.

Savage: And is it the same scope of work for this consultant?

Cooke: The scope is kind of broad based. Once the project is identified and we issue a task order, then we refine it to reflect the needs of the project. The work that B&E was working on, they had several different projects that they were working on. Each project would be, the scope would be revised to reflect those project needs.

Savage: And you did state that HDR as well, is currently doing a specific project for biological [crosstalk]

Cooke: Their project has been completed and that project agreement has expired.

Savage: So they're well versed on the tortoise as well.

Cooke: Yes.

Savage: Then lastly, and I should know this answer but I don't being a businessman, I don't see any federal reimbursement. It sounds like its required by the Feds, US Fish and Wildlife, as well as the US Army Corp of Engineers, but we don't get any reimbursement for this expense?

Cooke: No, that's incorrect. When it's a federal project, we will get reimbursement from Federal Highways.

Savage: Because it states 'no' in the package.

Malfabon: What we would do, Member Savage, is if it's a federal project that they provide assistance on, then it's eligible. We put no because it was uncertain about the specific projects. Project specific task orders will be assigned and the method of payment will be as appropriate. We put 'no', because it's initially anticipated to be state funded. It would be eligible for federal reimbursement though, if it's a federal aid project.

Savage: Thank you Mr. Director. Thank you Mr. Cooke. One last question on the Agenda Item No. 2, regarding the eSTIP. In June, there was a no cost extension. Then the cost extension comes out in July. It's always my pet peeve to try to get

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the cost extension—when we get the time extension to get the costs to go along with that extension. Why is this after the fact?

Rosenberg: For the record, Sondra Rosenberg, Assistant Director for Planning. That was just a timing issue. We were negotiating with Ecointeractive for the specific scope for this new year of services. We didn't want our agreement to lapse, so we did do a no cost time extension knowing that we were working on the details of this amendment. In the future, we will watch that much more carefully to make sure we get that all in at once.

Savage: Thank you Sondra. I know that the department does an excellent job with the eSTIP, and your people, we appreciate it very much. That's all I have Governor.

Sandoval: I was going to go to the Controller next, but just a quick question, Mr. Cooke, I don't know if you know or Mr. Nellis, or Rudy; did we exhaust all the funds in that prior tortoise contract? Mr. Cooke is nodding yes.

Malfabon: I do not know, but—where is he? I do not know Governor, but as you mentioned—

Cooke: [inaudible]

Sandoval: It doesn't need to be right now but I'm just curious because that may be an indicator of what we'll spend in this contract. All right, Mr. Controller.

Knecht: Thank you Governor. I want to go back first to Line No. 1, the Stantec Consulting where we've got \$9.3M as the original agreement amount here. What, Rudy, did you say was the previous total? Something like \$6.9M or something like that?

Malfabon: Mr. Controller, it was about half of that on an annual basis.

Knecht: Half of that on annual basis. But this is \$9.3M for four years, right?

Malfabon: Yes.

Knecht: So, would we actually be—do we expect to be spending more per year or less going forward? I certainly understand and appreciate your explanation about the additional work scope, the new bridges, etc., but are we increasing this spending on an annual actual cash basis or decreasing it or about the same?

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Malfabon: It should be increased. It is a cost—they only get paid for the effort that they actually produce for us, that we direct them to produce. Jessen, I don't know if you want to add anything to that. We do anticipate an increase on annual basis to be paid out to the consultant.

Mortensen: Yes, again, Jessen Mortensen. Yeah, the original—to clarify a little bit. The last agreement was an original two-year agreement with a possible two-year amendment. The original agreement was for \$1.9M. It was amended with an additional, I believe, \$2.5M or \$2.4M to get up to \$4.3M over the previous four years.

Knecht: Okay, that was over four years.

Mortensen: Yeah. And it was for one additional inspection squad which is a team leader and an assistant inspector, because of just the higher demand. As Rudy had indicated, we are asking now for two teams. It was originally two, an inspector and an assistant inspector. We now have two teams and an additional assistant inspector to aid our in-house staff. Again, that's just pure volume. As Rudy indicated, a lot of these bridges we're putting in. Like he indicated here, we're expecting better than 100 bridges to add to our inventory here in the next several years with these big projects. Not only is it that number but it's also the size. As you guys have seen, some of these bridges are—we're not building smaller bridges, they're getting bigger and so, as opposed to some of our—I-80 bridges, to give you an example, some of these 100 foot long, three span bridges may take our guys a couple hours to inspect. We're talking 2,300 foot long flyover we're building down there on 95. These take a significant amount of time and it's just, in addition to the number—that increase in our inspections almost just increased exponentially to some extent. We're just doing our best to keep up and meet all of our federal requirements.

Knecht: That's very helpful because I stick just a little bit on a doubling of the outflow, but I do understand what you said and I appreciate it. I guess I'll swallow really hard and live with that aspect of it. One thing you said Rudy caught my attention. You said on the bridge down South, we need an engineer whose got registration in Arizona as well as Nevada. Now, I happen to know firsthand that Nevada is very bad about issues like comity and that sort of thing. We don't recognize, for example, California licenses, for comity purposes. What are the differences between Nevada and Arizona and what are the comity arrangements? Does the

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fact that Arizona says, we want an Arizona engineer and Nevada says, we want a Nevada engineer, does that really add a cost and should it?

Malfabon: It's not. It's just a point made of different requirements for a neighboring state that maybe has a bridge connecting Nevada and that neighboring state. It doesn't add a significant amount of cost. In fact, maybe things have changed but I know the comity, getting reciprocity of your PE registration was a pretty easy process. You just have to go through the forms and go to the PE Board. For PEs, at least, Professional Engineers, it's an easy process. I received reciprocity in another state when I was working as a consultant and worked as a State DOT representative in Washington State DOT.

I think the process was—I know it was a long time ago when I got my PE in Washington but I think it's an easy process. There's probably other boards or commissions that might be a little more difficult to work through getting reciprocity or comity of licensing. The Professional Engineer's Board is easy to work with in Nevada.

Knecht: Well, I won't engage in a public argument, I'll just say this. When I moved over here with my PE license, the problem was real simple. I'd have to go back and find the people that I knew many years ago that signed for me and I think some of them weren't still with us. Okay so it's not always that simple. We'll let that go since you said it's not really a big cost factor here.

Let's go down to HDR Engineering, Item No. 4, biological compliance oversight. Page 3, the summary page shows this as a \$2,000,000 item, but Page 33, I think it is, shows it as \$1,000,000. If we approve this as requested, what are we approving?

Malfabon: You are approving \$1,000,000 contract for the first year with a one-year option for another year. It should've been clarified. I think it was confusing even for the people doing this spreadsheet. It should've either been \$2,000,000 for two years or \$1,000,000 for the first year with the option. In some of these contracts and agreements that are options, I think it's well noted that we need to explain that a little bit better. Steve Cooke from Environmental Services had mentioned that. Have I got that correct Steve? It's a \$1,000,000 contract for the first year with an option for another \$1,000,000 for the second year?

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Cooke: That is correct. As I mentioned previously—first of all, Steve Cooke. Our initial intent was to have a two-year, \$2,000,000 agreement and we retracted that and decided to go with a one-year, \$1,000,000 agreement. That's reflected on the negotiations summary sheet to John Terry.

Knecht: Okay. That's helpful. I'll just reemphasize the comments that, this is a lot of money and quite frankly, I'm not yet convinced of the value of what we're getting for it. I too am concerned that this is a federal mandate that causes us to incur some costs and sometimes we can get compensation if it's a federal project and sometimes we can't.

I would suggest that the Endangered Species Act is really one of the serious public policy problems here. Someday, I think we need an accounting of what it is we pay under these federal mandates and what value Nevada taxpayers and citizens get for them. Maybe that's something we should be showing to our Congressional Delegation. Thank you.

Sandoval: Other questions or comments on this agenda item?

Hutchison: Governor?

Sandoval: Mr. Lieutenant Governor.

Hutchison: Thank you very much. Let me just turn, if I can to, Item 2 and 3. Just sort of the macro view. I'm interested in what the relationship is between those items, in terms of the Long Range Transportation Plan. The reason I ask that sort of overarching question is, I looked at the materials and sort of the descriptions of what Agenda Item No. 2 for example, addresses. It addresses the—and I'm looking on Page 14 of 43, under Ecointeractive's letter or report that begins 'Current understanding of needs'. It states, NDOT has implemented eSTIP to meet the needs for managing transportation improvement program, TIP, and Long Range Transportation Plan, LRTP, Transportation Project Data. NDOT now wants to leverage and expand the current eSTIP system to support the initiation of an NDOT Transportation Project. Review of these proposed projects by Planning/Scoping Staff and the flow of these projects into the TIP capital. LRTP or an unconstrained wish list.

Let me just start with this unconstrained wish list. That's always a little bit of a concern when you see that kind of language. Can somebody clarify what that means?

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Rosenberg: For the record, Sondra Rosenberg, Assistant Director for Planning. Excellent question. Very simply, in terms of the macro of what these two things are, they're going to work very closely together. Ecointeractive, eSTIP, is essentially the tool while the Long Range Transportation Planning Process is just that it's the process. They're going to work very closely together.

In terms of the wish list, we probably should've termed that differently. In our current documents, we have, on the state side, the work program. We have our annual work program, our short-range element and our long-range element. The annual work program, the short-range element, tied closely with the STIP, which is the federally required four-year document, the four-year fiscally constrained list of projects. Everything outside of that four years all gets lumped into the long-range element. Some of those projects are projects or ideas that have been requested from the counties or the public. That's where we kind of hold them until more valuation can be done. Some of those projects are also future phases of our larger projects. It's all kind of lumped in together, into that long-range element.

Our goal with this, with actually both is to have a better process for valuating those ideas as they come in and kind of filtering those that are real projects, established, already identified as part of a future project or future phase of a project versus those that maybe will never happen or those that will require additional analysis. Ecointeractive is the tool, the database if you will. The larger agreement with Wood Rodgers is really to look at our process, make sure we're compliant with all the new federal regulations, which there are quite a few new requirements. But, even more importantly, do a lot of outreach. Create a more transparent and defensible process for how we prioritize projects and most likely using the tool that we already have in house. Does that clarify your questions?

Hutchison: Well, what I heard was that, I assume you're removing this sort of open ended and unconstrained wish list from the scope of services?

Rosenberg: Well, so that list already exists. What we're trying to do is better track that list so we can separate out those wish list items, if you will, that will ultimately be removed. Those real projects that are just further out than that four-year constrained list.

Hutchison: Okay. Does Wood Rodgers use the Ecointeractive system in their work or are these independent projects that are being implemented by NDOT independently?

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Rosenberg: They're two separate projects but they will work together. We will work with both entities so they're working together and Wood Rodgers is using the Ecointeractive tool. At the same time, they're going to do an analysis of other tools that might be out there. I think it's important to always see, even though we think we have a tool that we think is great and fantastic and probably the one we'll stick with at least for the foreseeable future. It's always a good idea to see what else is out there and if there are other tools that either integrate with the Ecointeractive tool or eventually replace it. We're going to do that analysis as well.

We anticipate them using that Ecointeractive tool for that long-range piece and helping develop the process that will move those projects from beyond the four years, as they integrate into the four-year STIP so that there's a seamless process for those projects.

Hutchison: Thank you. That's helpful. Do you know whether or not Wood Rodgers uses a different software system as they're performing their work for this long-range planning and they're just using this system that we have because it's something we purchased? Or, do they always look to their customers to provide a software application, to provide the data and information they're going to use for long-range planning?

Rosenberg: I believe they sort of take guidance from their customer. I don't believe they have an in-house software package that does the same thing as our tool does. They're going to work with us to develop any enhancements to it that we might need. However, we do have the consultant here in the room, if you'd like him to address that as well.

Hutchison: Okay. Then let me just ask, the request on Item No. 2 is for a new module. Was this need for the module not expected at the time we entered into the original agreement?

Rosenberg: At the time of the original agreement, our focus was the STIP, the four-year STIP. We knew that we wanted to add this at some point in the future. We didn't have it well defined enough and we wanted to create the electronic STIP as quickly as possible. As you know, we did it in about six months. Now that we have—we felt it was important to have that federally required four-year STIP up and running as quickly as possible. Now we're starting to add enhancements to it, including that long-range element and what we're calling the planning and needs system,

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which is that identification of needs and tracking until they become a project in the STIP.

Hutchison: Thank you. And then on Item 3, just the Wood Rodgers contract, do we just not have the capacity or the expertise or both within NDOT to perform this work?

Rosenberg: A little bit of both. Primarily the capacity. This is a big lift. Our current long-range plan was completed in 2008. It's very light. It's a policy document, which was all that was required at that time. Between MAP 21 and FAST Act, there are a lot more stringent requirements in terms of performance based planning. It's not even the same animal as our previous long-range plan. It's really pulling in all of our existing plans, like our Asset Management Plan, the Freight Plan. Enhanced coordination with the MPOs, we'll actually be rolling in their Regional Transportation Plans. It's a very heavy lift and at this point, we don't have those resources in house to conduct this.

Although part of the goal of this is to develop those skills in house so that this heavy lift is done by consultants and then updates beyond that, we're hoping to be able to accommodate those in house.

Hutchison: Okay. Thank you very much. Last comment is, I just don't want us on the record to confuse the difference between reciprocity and comity. Comity is a constitutional concept or principle that I think the State of Nevada is doing exactly what they're required to do. We may want to have a debate about reciprocity of professional licensing. Just for the record, the State of Nevada is complying with it's obligations to extend comity to sister states, I think, when needed. Thank you Governor.

Sandoval: Thank you Mr. Lieutenant Governor. It begs a response. Mr. Controller.

Knecht: I stand corrected. I thank the Lieutenant Governor. As you know, I'm a numbers nerd and sometimes words get in the way.

Sandoval: All right. Do we have any other questions or comments with regard to the agreements identified in Agenda Item No. 6? Before I take a motion, it does reflect the \$2,000,000 in our matrix here, I just want to make sure that the motion is for one year at \$1,000,000. Having said that, is there a motion for approval?

Knecht: So moved.

Sandoval: The Controller has moved for approval, is there a second?

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Almberg: I'll second it.

Sandoval: Second by Mr. Almberg. Any questions or comments on the motion? Hearing none, all those in favor, please say aye. [ayes around] Oppose, no. Go ahead, Frank.

Martin: Aye.

Hutchison: Aye.

Sandoval: There's that little bit of a delay that gets me every time. I apologize for that.

Hutchison: Frank is usually much quicker on the draw than that Governor. He's losing a little step here so we want to improve on that a little bit and he told me he's going to do that.

Martin: I will.

Sandoval: All right. That motion passes unanimously. Let's move on to Agenda Item No. 7, Contracts, Agreements and Settlements. Mr. Nellis.

Nellis: Thank you Governor. There are two attachments under Agenda Item No. 7 for the Board's information. Beginning with Attachment A, there are seven contracts that can be found on Pages 4-5 of 18 for the Board's reference.

The first is a chip seal project located on State Route 318 in Nye and White Pine Counties. There were four bids and the Director awarded the contract to Intermountain Slurry Seal in the amount of \$1,788,149.81.

The second project is located on US-395 and on Interstate 80 in Douglas and Washoe Counties to install an automated vehicle system. There were two bids. The Director awarded the contract to PAR Electric Contractors in the amount of \$192,938.

The third project is located on Interstate 580, Bridges near the Reno Spaghetti Bowl and on US-395 over 9th Street in Washoe County for bridge deck and approach slab rehabilitation. There were three bids and the Director awarded the contract to Truesdell Corporation in the amount of \$1,485,485.

The fourth project is a chip seal project located on US-93 and on SR-225 in Elko County. There were four bids and the Director awarded the contract to Sierra Nevada Construction in the amount of \$2,254,007.

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The fifth project located on Interstate 80 in Eureka County is to install scour, mitigation and erosion control on and under structures. The Director awarded the contract to MKD Construction in the amount of \$354,000.54.

The sixth project located on SR-667 and on SR-430 in Washoe County is for pedestrian safety, lighting and ADA improvements. There were two bids on this project and the Director awarded the contract to Sierra Nevada Construction in the amount of \$1,094,007.

Finally, the seventh project located at the Battle Mountain Maintenance Station in Lander County is for roof structure rehabilitation, asbestos abatement and roof replacement. There were two bids and the Director awarded the contract to Core International in the amount of \$308,982.72.

Governor, does the Board have any questions regarding these seven projects before we turn to Attachment B?

Sandoval: Just to—I want to go back on Contract No. 6. That, I would assume is, part of our effort to make the road safer throughout the state. Rudy, I don't know if you could provide a little more detail on that.

Malfabon: Yes Governor. We've been doing these pedestrian safety and ADA improvement projects and this is just another one of those projects under that program. On several projects, Kietzke Lane is the biggest one that we're looking at here at several intersections.

We did a safety study a few years ago. This is one of the first projects to come out of the shoot for the pedestrian safety improvements and the ADA improvements. We tried to do an assessment of all the—where there is lacking wheelchair ramps at some of the intersections, the corners, in the curb and gutter. We're addressing the ADA improvements as well.

Sandoval: Thank you. Other questions from Board Members with regard to Agenda Item No. 7? Mr. Nellis, please proceed.

Nellis: Thank you Governor. There are 53 executed agreements that can be found under Attachment B on Page 14 of 18 for the Board's information. Items 1-5 are Acquisitions and an Event. Items 6-9 are Facility and Interlocal Agreements. 10-28 are Leases and Right-of-Way Access Agreements. Lastly, Items 29-53 are

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service provider and stewardship agreements. With that, that concludes Agenda Item No. 7, does the Board have any questions on any of these agreements?

Sandoval: Questions from Board Members?

Hutchison: Governor?

Sandoval: Yeah. Mr. Lieutenant Governor.

Hutchison: Just a real quick couple of curiosity questions here. Item No. 5, on the Silver State Classic Challenge. We've got a payable amount of \$14,500 and then receivable amount of \$4,500. Is the \$4,500 the amount that we receive for the permit and that was paid to the State? Is that what that reflects?

Malfabon: The permit fee is a set fee so it's not in that amount. Tracy, is there a representative from District 1 present that can respond to that question? I'm assuming that sometimes when we have a receivable that's associated with a—

Hutchison: Overarching question, a road event that's listed and it shows a payable amount, did that cost the State \$14,500 and then the participants pay \$4,500 for the use of that road in that event?

Malfabon: Mr. Lieutenant Governor, Jenni Eyerly from Administrative Services will respond to your question.

Hutchison: Thank you.

Eyerly: Mr. Lieutenant Governor, Jenni Eyerly, Administrative Services Division Chief. The Silver State Classic Challenge pays us \$14,500 and when the event is completed, so long as there's no damage and it's left to our satisfaction, they receive a refund of \$4,500. The event will cost them \$10,000.

Hutchison: Okay, great. Thank you very much. My next question, just focuses on Items 40-48. There's a couple of different janitorial service contracts. I'm just curious what the duration of those contracts is for. Is it for multiple years or single years?

Malfabon: The services are usually procured for several years with the terms indicated in the dates.

Hutchison: Are these put out to bid or are these continued—

Malfabon: Yes. Yes, they are.

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

Sandoval: Thank you Mr. Lieutenant Governor. Any other questions from Board Members on contracts? Mr. Nellis, please continue.

Nellis: Governor, that concludes all the items under Agenda Item No. 7.

Sandoval: Board Members, before I move on to the next agenda item, any other questions or comments? Hearing none, thank you Mr. Nellis. That is an informational item so we will not be taking a vote on that. Let's move on to Agenda Item No. 9 which is, Resolution of Relinquishment.

Malfabon: Thank you Governor. And, in response to a previous question about USA Parkway. Staff did research that the property is owned by an individual named Ken Dietrich. It's 25.7 acres there along Opal Avenue and it's zoned for commercial and residential.

Moving on to Agenda Item No. 9, we're requesting disposal of a portion of NDOT Right-of-Way located at the Bull Run Creek Bridge. On May of 2004, the Department acquired the property as an easement for highway purposes for a project. Elko County consented by resolution passed and adopted an April 20, 2016 to the Department's relinquishment of the right-of-way at this bridge in Elko County. The Surplus Property Committee determined that the right-of-way is no longer required for highway purposes. It will benefit the Department by elimination of liability and future maintenance responsibility. We respectfully request Board approval of this disposal of a portion of NDOT right-of-way at Bull Run Creek Bridge, B-13-23, in Elko County.

Sandoval: Thank you Mr. Director. Do any Board Members have any questions with regard to Agenda Item No. 9? It's pretty straightforward. If there are none, the Chair will accept a motion to approve the resolution of relinquishment of a portion of state highway right-of-way as presented in Agenda Item No. 9?

Martin: So moved.

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

Knecht: Second.

Sandoval: Second by the Controller. Any questions or discussion on the motion? Hearing none, all in favor, please say aye. [ayes around] Oppose, no. That motion passes

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unanimously. Let's move on to Agenda Item No. 10 which is Approval of Design-Build Procurement for US-95 Northwest Phase III Centennial Bowl.

Malfabon: Thank you Governor. As mentioned previously, the Centennial Bowl is an important project to the Department of Transportation and Clark County. Jenica Keller is going to present, as the Project Manager for this project. What we're going to be requesting is Board approval to proceed with development of a design-build contract. The funding of the actual construction phase is going to be contingent on passage of fuel revenue indexing, a continuation of fuel revenue indexing in Clark County.

We are very supportive of this project, doing it in collaboration with the County. It's going to improve an interchange, as Jenica will show you, is really in need of some better, more direct connections. It's a confusing interchange, not only to residents but to visitors to Las Vegas. We're making some good improvements with the initial stage. Jenica will cover some of the future needs of the interchange that are going to be cover by this project. Jenica?

Keller: Good morning Governor, Members of the Transportation Board. Jenica Keller, NDOT Project Management for the Centennial Bowl Interchange in Clark County. Here's a diagram of the interchange as fully constructed. It provides high speed ramps connecting US-95 to the CC-215. It also will widen out the 215 to have three lanes in each direction with a divided highway, much like the rest of the other portions of the 215 on either end of the project. It will reduce the surface street use, congestion and idling and will improve freeway operations, safety and mobility.

As Rudy mentioned, Phase 3 is currently under construction. We've seen pictures of the bridge there before you. That's the westbound 215 to the southbound 95. It's scheduled to be open later next year. The northbound 95 to eastbound 215 opened just before the Memorial Day holiday. The contract is \$47M and Las Vegas Paving is the contractor.

Our next slide there's a—a Resident Engineer [inaudible] forwarded a video that was flown by a drone where you can get a great view of the construction. [music plays] [video plays] This project is going well and is ahead of schedule. A presentation earlier talked about bridges. The one you saw under construction is one. There's 15 more planned for this project.

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To complete the Centennial Bowl Interchange, the estimated cost to do that ranges from \$135M to \$162M. We talked about widening the 215. We will also construct a new interchange that will better serve the local connections to Sky Pointe Drive and Oso Blanca Road.

As you know, the NRS 408.338 talks about design-build and the three different criteria that needs to be met. One of the biggest ones of this project, as currently scheduled, we will construct it in several phases. With construction completing in 2034. With a design-build project, we can shave off about 14 years and get it open quite a bit quicker.

You've seen this slide before. The tail end of last year, Division Heads met to discuss the various delivery methods for this project and design-build was selected. We're here today to seek your approval to initiate a design-build procurement and to approval for the Department to pay a stipend to unsuccessful proposers in the amount of \$450,000.

Happy to answer your questions.

Sandoval: Thank you. That was a good presentation. Is there any participation by the RTC in this project?

Keller: The RTC contributed \$6.4M to the first phase. I don't know what plans are for future phases.

Malfabon: Governor, participation could be discussed with the RTC in Clark County and it would be contingent on passage and continuation of fuel revenue indexing. We can have those discussions about what level of participation we can receive, but it hasn't been negotiated and agreed to yet.

Sandoval: And just so I'm clear on what we're doing today. Just allows the process to continue. We won't be approving the project today.

Malfabon: That is correct Governor. You're approving that we can hire a consultant service provider that is going to help us develop the preliminary engineering and the design-build package. We will not issue that package out for competitive proposals until we're assured we have the funding from the fuel revenue indexing that passes in public vote in November. Then the County Commission has to enact it.

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- Sandoval: Then, I know it was in there, but just to again to help me be clear. We're finishing this project as it has been presented and as that video, as we showed. What will this new piece add to that?
- Keller: What will the new piece that's under construction now or—
- Sandoval: No, we're finishing this construction. What else are we adding to this?
- Keller: The rest of the interchange. That's only two of the system to system movements. The rest of the interchange is what we're proposing to deliver by design-build, subject to available funding.
- Malfabon: Jenica, can you go back to that map? That will be a more graphic depiction of the other ramps that are needed to complete the interchange.
- Keller: Sure. [pause] 95 is headed to the north on the picture and 215 runs east and west. The first ramp is the northbound 95. It's an [inaudible] ramp to eastbound 215, is under construction, actually excuse me, it opened right before Memorial Day holiday. The bridge that we've seen in the video is the westbound 215, to southbound 95. The rest of the movements that you see on the page are remaining to be designed to be constructed. Along with the widening of the 215.
- Sandoval: Thank you. I will say, it's impressive when you drive by it. Other questions from Board Members on this agenda item? Mr. Controller.
- Knecht: I have just one question. Looking at Attachment B, the justification for the \$450,000. I can—it has a table there, [inaudible] in Attachment 1 and the attachment before that. [inaudible] I understand the need, [inaudible] agonize regularly—we review and scrutinize with an occasional fine toothed comb for a lot lower amounts. Can you give me some further comfort on this Rudy?
- Malfabon: Great question Mr. Controlled. The stipend never compensates a design-build team for all of their efforts in developing their proposals. They have to take the initial engineering that the Department has done and advance that further to look at where they can apply some innovations, save us some costs during construction to may be accelerate the project and complete it earlier. In this realm of design-build procurement, the stipend never totally compensates them for their efforts. Primarily the engineering side of the house, but also the construction side of the house for the contractor and their subs.

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As I mentioned, the stipend amount will not be incurred unless we have a real funded project and issue the RFP for the design-build teams to then respond to. This just allows us to not lose three months off the schedule in developing the project. The preliminary engineering work is necessary to develop the project further in any event, even if it's a phased approach with design-bid-build, the traditional method of delivery.

Knecht: That's helpful. I'll just add this. I understand, looking at it from the point of view of contractors or potential contractors, but at the end of the day, our real concern, our real duty is to make sure that the taxpayers and the people of Nevada get full value. And I suppose if one could argue effectively, and I don't see how you could, that we won't get the participation then that might be something of a market price for it. Tell me a little bit more, what value Nevada taxpayers, residents and the economy will get for any of these \$450,000 stipends.

Malfabon: Another great question, Mr. Controller, the value that the taxpayers receive and that the Department receives is that once we pay the stipend, we receive the benefit of all those ideas from the other teams. The winning team, the winning proposer might be told, integrate this other great concept, this cost savings or time savings idea that another team had but they were unsuccessful. It does pay for some intellectual property there that was developed and compensates them for at least a substantial amount of their effort, but does provide some compensation and offsets their costs. We then own their ideas.

Knecht: That's helpful. Thank you. Thank you Governor.

Sandoval: Mr. Almborg.

Almborg: Thank you Governor. We did the same thing for Project NEON, as far as a stipend. As I recall, that stipend was actually more than what this stipend is. One of the things I didn't get out of the packet here is, are we pre-screening these design-build teams so that we get 10 design build teams, we're not paying \$4.5M for people that just want to, for lack of a better word, work. So, are we prescreening them? If we get 10 design teams, are we screening them down to the top four, the top two, that we actually go on and provide the stipend to.

Malfabon: Yes, Member Almborg, that's a great point in that we have a request for qualifications and basically a prequalification of the teams that are shortlisted so

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that we do have just a limited number of teams propose during the design-build phase. It's a two-step process.

For the design-build procurement, it's a request for qualifications initially. They assemble their team members and say what their past experience is, why they have the qualifications to deliver this type of project. Then, there's not a lot of expense in that effort. It's really during the proposal phase. First step, release the request for qualifications and then shortlist. That shortlisted number of teams receives the request for proposals and there's a lot more effort involved in development of the proposal. That does limit the exposure of teams that would actually receive a stipend.

Almberg: That's one thing I want to make sure of, that we are actually shortlisting them and in limited number of stipends that will potentially be out there. And, lastly, one other point, and I've made this in the past. On Project NEON, when we got into RFQ, we had a scoring system that would actually, the most qualified also ended up being the least expensive, so that was an easy selection as far as design-build team that was selected for Project NEON. When we came to our project right here, USA Parkway, that same scoring system didn't quite work out as easily as it did here. We actually had a more qualified design team based on our scoring system, but they were a little more costly so they weren't on the actual selected design team to do USA Parkway.

I just want to reiterate a point I made in the past there. I think we want to make sure that we carefully consider this point system where we do go out with our RFQ so that we make sure that—you know, price obviously is a very, very important factor in this thing, but I think also is the qualifications of that design-build team is also very highly important and needs to be considered.

Malfabon: Jenica, if you could go back to the flow chart of the process. I wanted to make the point that the Board will be asked to approve the actual release of the RFP. That's when we will make a recommendation of what percentage to put to cost, how much to the technical side of the proposal. That's when the Board will direct us appropriately for those percentages of cost and technical score so that combined, we determine who the best value is for the Department under the design-build procurement process. Good point.

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

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Sandoval: All right, thank you. Member Savage.

Savage: Thank you Governor and thank you Ms. Keller for the nice presentation. Thank you Mr. Director. I'm a little confused here. Bear with me. This is not for the design-build construction team solicitation. This is for a consultant as a project manager throughout the duration of the design-build project. Am I correct in that statement?

Malfabon: I can respond to that. You're correct. This is for the consultant that's going to support us. The consultant will perform a certain scope of work to develop an RFP for the design-build project. The consultant will also do preliminary engineering to develop the engineering of the project a bit further than the environmental document that NDOT had completed several years ago. A lot has happened with traffic movements and changes to the Las Vegas Valley. The consultant that we hire, you're being asked to allow us to proceed with using the design-build process to develop the project and then to eventually, you'll be asked to approve the consultant contract that is going to support us in that endeavor.

So, this is the initial phase. You're approving the procurement method being design-build. Then we can go out and hire a consultant through the competitive process, through an RFP process for the consultant. That's a separate RFP from the design-build contractor that will build the project. It's in the very initial phase of the project. We're just asking your approval of this delivery method. Then eventually you'll approve the contract. Multiple steps along the way of the development of the project, the Board will be asked for approval of those milestones.

Savage: Thanks for the clarification Mr. Director. To go a step further, I know we have given stipends to design-build contractors, for instance on NEON and other projects as part of that package. Has the Department ever given a stipend to a consultant on a project?

Malfabon: No. Jenica is giving you a heads up in that the stipend for the design-build contractor is going to be in that amount. We don't pay stipends for the support that we need for the development of the design-build package. Just to clarify that point. The stipend that she mentioned is for the design-build team. Eventually, you'll actually approve release of the RFP which will have the stipends identified in it. She's giving you a heads up ahead of time that the stipends are involved for the design-build team, the construction contractor that designs and builds it. The

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stipends are not for the support from the consultant to develop the project further to that point.

Savage: I'm glad you clarified that because I misinterpreted that. I thought this stipend was specifically for—

Malfabon: No, in fact, she's very sharp in catching that to advise you in advance. We neglected to advise you of the stipends for the other design-build project that we're proceeding with for the Apex Project. We still have to come back to the Board for the approval of those stipends for that project because the Board wasn't told what the stipend would be. Hats off to Jenica to catching that and letting you know in advance. For our design-build procurement, you should know what we're going to be paying out in stipends well in advance of selecting that method of procurement.

Savage: So this stipend, just bear with me here, is for the design-build contractors that submit their proposals. Not for the consultant.

Keller: That's correct.

Savage: Thank you. I appreciate the clarification.

Malfabon: And you will be asked to approve that separately when the time is right for issuance of the RFP for the design-build construction and engineering of the project.

Savage: Because this contract or request for consultant I should say is for the Program Manager, not the Project Manager, is that correct? And, is it for the—

Malfabon: Terminology. It's basically the support of services consultant that's going to help us develop the RFP that's going to be issued later, after Board approval. If you look at that, the Board first approves the method of procurement. In this case, we're asking the Board to approve design-build as the method of procurement over construction manager at-risk, CMAR or design-bid-build, the traditional low bid process.

Savage: Yes and I understand that but on Page 1 of the Memorandum, under background. It says, the Department is currently pursuing procurement of a technical advisor to assist in the development of design documents and to act as Program Manager for the duration of the design-build project.

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- Malfabon: Yes and that is contingent on the funding coming through for the project.
- Savage: Absolutely. But it's the Program Manager, not the Project Manager, am I correct in that?
- Malfabon: Right. Jenica is the Project Manager.
- Savage: For NDOT.
- Malfabon: They're managing the program which is the delivery of this project.
- Savage: The last question I have is, I can't remember the Las Vegas 3A Project that's in construction at this moment.
- Keller: Yes.
- Savage: Is that a design-build or was that a lump sum hard bid?
- Keller: It was a design-bid-build.
- Savage: Design-bid-build.
- Malfabon: It was a low bid.
- Savage: Yeah, low bid. Who is the consultant on that project?
- Keller: It was designed in-house. We had some support with the landscape architecture and also with one of our walls.
- Savage: Very good. Thank you Ms. Keller for your work. Thank you Mr. Director and thank you Governor.
- Sandoval: Any questions from Southern Nevada on this agenda item?
- Martin: No sir.
- Sandoval: Any further questions? Any further presentation?
- Keller: No.
- Sandoval: All right. The Chair will accept a motion for approval for the Department to begin the solicitation of a design-build project to complete the Centennial Bowl to tie the US-95 to the Bruce Woodbury Beltway, provide direct connectors that

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eliminate current surface road movement and provide local service connections to Oso Blanca Road and Sky Pointe Drive in Clark County.

Almberg: So moved

Martin: Second.

Sandoval: Member Almberg has moved, Mr. Martin has seconded the motion. Any questions or discussion on the motion? Hearing none, all in favor please say aye. [ayes around] Oppose, no. That motion passes unanimously. Let's move to Agenda Item No. 11, which is Formal Amendments and Administrative Modifications to the 2016-2019 STIP.

Malfabon: Sondra Rosenberg will cover this.

Rosenberg: Sondra Rosenberg, Assistant Director for Planning. This is your quarterly update to changes to the STIP. We have two attachments on there. The formal amendments and administrative amendments, that has to do with the size of the change. Typically a formal amendment is a new project into the STIP or a very significant change in the funding. The other items are primarily a shift in the year or minor modifications to the funding or the description of the project. I'd be happy to take any questions or call out any significant projects.

Formal amendments, there were two actions from the RTC of Southern Nevada and one from Campo. The Southern Nevada is primarily transit projects, changes to transit projects. Carson City, of note, they received a Federal Lands Access Program Grant. That was to add that project into the STIP. Then there's an item in there that has to do with Carson Street, where we're switching out federal funds for state funds as part of the agreement for Carson City taking over South Carson Street.

Those are the items of note that I'm aware of but we'd be happy to answer any questions.

Sandoval: Questions from Board Members? Member Savage.

Savage: Thank you Governor. Thank you Sondra, just a couple of questions. Under Attachment A, the pages aren't numbered so bear with me, it would be Page No. 4, Item No. 3 down. Southern Nevada Transit Coalition. Is that federally reimbursed?

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Rosenberg: Yes, it is. So that is, you'll see towards the bottom there, FTA5310, so that's a Federal Transit Administration, federal funding.

Savage: Very good. Then the following page, Page No. 5, the top item, the RTC Transit Fleet Vehicles. Historically has NDOT transmitted \$6,000,000 worth of funds to the RTC vehicles?

Rosenberg: That is CMAQ funding so that's another federal funding source. That is congestion management and air quality funds that have to be spent in areas of air quality non-attainment. And because those areas are only in Washoe and Clark Counties, we actually sub-allocate those funds to those MPOs. It's really at their discretion. It is fairly common that they buy upgraded buses that have a lower emissions to reduce or improve the air quality in that region.

Savage: Historically the Department has contributed to those—

Rosenberg: The Department is not contributing. Those are federal funds. The RTC is matching those federal funds. They just kind of pass-thru us.

Savage: Okay, thank you Sondra. Thank you Governor. That's all I had.

Rosenberg: You're welcome.

Sandoval: Other questions or comments? So, there's nothing else in here we should be aware of?

Rosenberg: It's a lot. I know it's a thick attachment there, but it's really we track all of our changes to that federal document. I know it's a lot to go through but it's primarily drive by the MPOs, changes in project year. Sometimes it's just a matter of months in a project, a schedule can actually change the fiscal year, it's programmed in. A lot of it is that and truing up the costs.

Sandoval: It's efficiency to make sure we spend, or project spend out all their money.

Rosenberg: Right.

Sandoval: And if we can't spend it here, we can perhaps move it somewhere else to make sure that it doesn't go unspent.

Rosenberg: Correct. That's one of the reasons for the spending on the buses. The CMAQ funding is one of the more challenging funding sources to expend. So because

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other projects had been delayed, that's sort of a way to spend that money quickly in something that still impacts air quality.

Sandoval: Not to give the wrong impression that we're just trying to spend money, if we don't, we have to return it, correct, on some of these?

Rosenberg: In some cases, yes, the funding does expire. We also have a limited obligation limit. If we spend all the money we have obligation limit for, sometimes we'll get additional authority. Typically, Nevada is one of the few states that does, at the end of the year, we get the authority to spend the remaining funds. We work very closely with our MPO partners, both NDOT and the MPOs to obligate all of the money that we have authority to and hope that we get additional funds. We also have projects that are eligible that are good projects, that are ready to go to spend that money on.

Sandoval: No, as you go through these, there's safety projects, there's transportation projects, there's some really good things in here. I can't imagine the amount of time that goes in to monitoring all this to make sure that they're going as they should and moving it around. My compliments to you and whoever else is responsible for keeping track of all this.

Rosenberg: It's a combination of planning and administrative staff, financial management and program development do an excellent job of tracking as things are moving and making adjustments to make sure that we spend every penny that we can.

Sandoval: All right. Questions or comments from Southern Nevada?

Hutchison: Yes, thank you Governor. Ms. Rosenberg, if you could just—I heard you very briefly describe the reason for transferring state funding and using state funding on the [inaudible] rather than federal funding. Can you explain that a little more detail, please?

Rosenberg: Sure, I will do my best. I might look to Mr. Malfabon for some help, but there's been an ongoing agreement with Carson City for transferring Carson Street upon completion of the freeway. Because that completion is not considered finalized until the interchange is built at Spooner, which has been delayed; we've worked out an agreement with Carson to—we were going to do some maintenance, some preservation work on that stretch. Carson wants to develop some Complete Streets elements down there and so, we've come to an agreement to, rather than use federal funds to do a preservation project that once they take over the road,

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they would take out and re-do. We're transferring state funds instead with the agreement that they will only spend that money on that Complete Streets project. In the meantime, we're doing some minor maintenance work on that stretch to keep it functional until Carson City does that, that Complete Streets project, along with that preservation work.

Malfabon: I can add to that Mr. Lieutenant Governor. The project was originally funded for the repaving of Carson Street was originally a combination of, I think it was a little over \$1M of federal funds and the bulk of it was going to be state funds. We took the state funds portion, [inaudible] to Carson City to repave the street under their Complete Streets project in the future. It didn't make sense for the Department to repave it now and then the City would basically tear up the road in a few years time. We went with a bare bones approach of surface treatment and some minor ADA improvements on the sidewalks that will hold for a few years while they develop their project.

Hutchison: So what's the amount that we are funding through the state instead of using federal funds?

Malfabon: The agreement is a net amount of \$5.1M for the state funds. There are some requirements, as Sondra had mentioned. The money can only be used for that project to basically improve the pavement, is what we're offsetting for their costs. They're going to have a lot bigger project than that, than the \$5M project to build a Complete Street. They're talking about possibly moving the center of the road but decreasing it from a six-lane highway to probably a four-lane with wider sidewalks and landscaping and other improvements that will make it more of a Complete Street approach.

Hutchison: What happens to that federal funding that was allocated to this project?

Malfabon: So that went back to be reallocated to other projects. It was a flexible category and we were able to reallocate it so we don't lose it.

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

Sandoval: Any other questions? Mr. Controller.

Knecht: Just a really brief request. I think this was implicit in the comment before. On Attachments A and B and similar documents in the future, can you put a page

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number on each page? Especially when there are this many of them and people want to refer to this or that item or page, it's a lot easier. Thanks.

Sandoval: Ms. Rosenberg, you brought up the Carson City Bypass, do you have an estimate when that's going to be finished?

Rosenberg: I would have to look up where we have it currently in our planning documents. It is outside of that four-year STIP and that's back to our earlier question.

Malfabon: The current project should be open about a year from now but the interchange phase is what Sondra is speaking to, we have to—it's in the out years. I think that it was anticipated to be sometime after 2020.

Sandoval: That wasn't quite what I was asking. I understand we decided not to do the interchange and put that money towards the bypass to get that done. There's going to be a little bit of a change where the 50 hits the 395, I'm just curious, without the interchange, how close we are to getting that project done. It looks close. You got rid of that huge mound.

Malfabon: Yes. So, that's about a year from now. If the weather is nice in the winter, might be able to open it. We have to negotiate that with the contractor. Typically when traffic is on a road that it wasn't anticipated to carry traffic during construction, we have to look at those issues and negotiate that with the contractor because they have a contract with us to complete it through the final surface layer of pavement and then open it to traffic. If we open it up early, we'll have to negotiate those terms.

Sandoval: I'm not suggesting that either. I'm just curious because I've been through there a few times lately. It seems like everything is going well.

Malfabon: It is. Our hats off to Road and Highway Builders is our contractor on that. I was just alluding to the fact that once people see paving on a new road, they start asking us, when is it going to open? Hey, it looks like it's done, so, we'll definitely anticipate those types of questions when the paving is ongoing on the project. We're very looking forward to that, opening of that freeway.

Sandoval: All right. Any other questions or comments? Thank you Ms. Rosenberg. If there are none, the Chair will accept a motion to approve the formal amendments and administrative modifications to the FFY 2016-2019 statewide—for the STIP.

Hutchison: So moved.

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

Savage: Second.

Sandoval: Second by Member Savage. Any questions or discussion? Hearing none, all in favor say aye. [ayes around] Those opposed say no. That motion passes unanimously. Thank you. We'll move to Agenda Item No. 12 which is Presentation on Variable Speed Limits.

Malfabon: Thank you Governor. In response to a question from Mr. Controller, you had asked us to bring back clarification and information on the issue of variable speed limits. Our Chief of Traffic Operations, Denise Inda is going to present how variable speed limits could help us to operate our system better and also improve safety. Denise.

Inda: Good morning Governor, Members of the Transportation Board. As Director Malfabon stated, I'll give you some high level information about variable speed limits and then we can have questions and dig in a little deeper in certain areas if you have more interest.

Variable speed limits, essentially are speed limits that change based on current roadway conditions such as traffic, weather, etc. There are sensors that are located along the road and they detect when conditions meet certain specified thresholds. Then what happens is, that triggers speed limit reductions and then those reductions get posted on electronic signs. The electronic signs slow the traffic down ahead of congestion, crashes, bad weather, those sorts of things and then that smooths the flow, it reduces stop and go conditions and essentially, it can decrease crashes.

Variable speed limits have been successfully implemented in Europe and installations in the United States are increasing month by month and year by year. In some cases, variable speed limit systems are standalone and in other cases they are installed in conjunction with a bigger, active traffic management system which could include lane control, ramp metering, things like that.

This graphic is a graphic showing the active traffic management system that is currently under construction on I-80 in California, between Richmond and Emeryville. It includes variable speed limits as a component of the bigger system.

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These photos are from I-80 in Wyoming. They have a standalone variable speed limit system and it's used during wind events, primarily in the winter to reduce huge, large multi-vehicle crashes due to poor visibility and treacherous weather. The bottom picture in the winter shows the speed reduction, it doesn't show some of the more treacherous situations where they've got trucks blown over and you know, 30 cars backed up in a situation. They're finding this to be really useful for their location across Wyoming.

These photos are from the system in Seattle along I-5. This is another active traffic management system so it includes lane control, variable speed limits, those kinds of things. In this situation, Seattle has experienced a 14% reduction in crashes on weekends and a 1.3% reduction on weekdays. They saw a 10% drop in injury related crashes in the section where they had the variables that included the variable speed limits. So, they've had some positive results from the implementation of this large system.

Then we get to Project NEON down on I-15 in Las Vegas. Active traffic management is included in the project. It's going to include lane assignments and variable speed limits. The system will be installed; a portion of the system will be installed during the early phases of the project so that it can be utilized during construction, which is anticipated to last through 2019. The system will include approximately 50 gantries, that's the over freeway sign that you see there. That's rendering—the design-build contractor is still finalizing the design. This is an idea of what it might look like. That's what we'll be going on in there.

The Department did extensive research on ATM systems and participated along with FAST, the Traffic Management Center down in Las Vegas, in pure exchanges with multiple states and other regions who have designed and implemented these active traffic management systems. We had the support and participation of FHWA as well.

We used this information and the lessons learned from the other locations to develop a concept of operations that's specifically for I-15 in the Las Vegas Casino Corridor. Because we have extensive data, freeway operations data prior to construction and then we will have that same sort of data coming out after the system is implemented. We'll be able to evaluate and compare the system for performance with this system. That will also help us to fine tune and tweak it both during construction, as well as upon final implementation.

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This is just a little graphic giving you an example, you might have seen this at a previous meeting when we talked about active traffic management systems. The gantries get laid out along the freeway. They show the posted speed. They can show a message about a crash ahead, lane closures, work zones, those sorts of things. Then they also can show the actual lane control, helping drivers move over in advance of whatever might be going on.

Project NEON will install some new infrastructure for the system but it's also going to utilize existing devices that are already out there along I-15. Cameras, the flow detectors which identify the speed of the vehicles, the ramp meters, those kinds of things.

We have an existing wind warning system on I-580/US-395. If you drive thru the area, you're familiar with it. It's a corridor that experiences high winds that can and do blow trucks over. We prohibit high profile vehicles under certain wind speed conditions. We're nearly completing an upgrade to the system. The majority of the system was finalized in February. That included a variable speed limit. You can see the small sign in the middle of the picture there. That's on Bowers Mansion Road, US-395A.

The idea is that by reducing the speed limit based on wind speeds, that allows a slightly larger window of opportunity for high profile vehicles to get through the corridor. We are still working with the manufacturer of those signs. They were not functioning adequately and satisfactorily. We're kind of taking a step back, working with the manufacturer trying to figure out what we need to do to make the system functionally accurately. The variable speed limit signs are not active but they are still a part of the system and we intend for them to be in the near future.

Then we get to I-80 in the area of Reno/Sparks. These are a couple of very simple renderings for a proposed variable speed limit system along the I-80 corridor, in that area. This concept was discussed with stakeholders at the recent Spaghetti Bowl Charrette and this idea was one of the ideas that bubbled to the top and received positive feedback.

We will be moving forward with a more detailed valuation and a development of a concept of operation specific to this corridor over the next couple of months and then the intent is to develop plans and advertise a contract for installation in the future.

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This last little thing I'd like to share with you is an excerpt of a video from Georgia DOT. It describes a variable speed limit system that they installed on a route, kind of a ring road around Atlanta, Georgia. It's a much bigger roadway section than I-80, it's got a lot more lanes, but it gives you a good idea of how a standalone variable speed limit system works. [video plays]

A similar kind of a system would be added into the ITS systems that we already have in place in the Reno/Sparks area. We already have some ramp metering. We have existing dynamic message signs. We have the ability to provide travel times, the cameras, flow detectors. We would be using that existing infrastructure and then sort of filling it out and flushing it out to provide a variable system. Variable speed limit system, through the corridor.

That's the high level I have prepared for you today. I'm more than happy to answer any specific questions you might have or cover other areas that weren't covered.

Sandoval: Thank you. That was very informative. Do you know if all of this connects to the personal travel apps that people use in their cars? They've got their navigation systems that are in there, or they use Google Maps. Will this, I know you have an external way, but will it plug in internally those things?

Inda: Yes, because what we're doing here at NDOT is, we have created a data archive. We call it the Nevada Data Exchange Index. All of our data from the roads goes into this exchange. We make that data available to folks who want to use it. Businesses that might want to use it could be the navigational companies. It could be traffic information kinds of companies. You talked about ways a little bit earlier today, one of the things we are in the process of doing is, getting an agreement, signed with Waze. They call it their Citizen Reporting Program. What that essentially does is it allows us to exchange data with Waze/Google, traffic data and then each of the agencies can use it for their own purposes.

For example, our freeway data from either I-15, I-80, other routes throughout the state would be passed over directly to Waze and then incorporated into their systems as they see fit. So yes, once the systems are up and operating, those after market providers then incorporate that data as suites their needs into their systems.

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Sandoval: That's good because some people will only trust their own phones. I just want to make sure that it's consistent information. Some people will be in their car and their app is saying, well there's no wreck up there, they can't be right. Essentially it comes down to, as you say, that after market provider subscribing to this information. Everyone should trust what's up on the signs first, correct?

Inda: Correct. Absolutely. That's the first line of action.

Sandoval: Thank you. Other questions or comments from—Member Savage.

Savage: Yes. Thank you Governor. Thank you Ms. Inda, very informative, clear presentation. Very helpful. I think that moving forward, like you said, you're leading these efforts. It can help with the Spaghetti Bowl congestion. One of the questions I had was that you said, late 2017 to implement, on I-80 between East McCarran and West McCarran. So, the question would be, can we do it any sooner?

Inda: We will be—and by implement—I don't know if I said that specifically. I think it said it more specifically in the memo that was in the packet. We would be looking to advertise the contract in late next year and so there would be a period of construction from late 2017 out.

We will have to utilize consultant services for this. There is always a possibility of accelerating the design time frame. It just costs a little bit more generally speaking. We could absolutely consider accelerating that. We are in the process of finalizing agreements with several firms for consultant services and you, knock on wood, will be seeing those agreements at the August Board Meeting and we will be using the on-call process that was described to the Construction Working Group at the last meeting. Some of you are familiar with that. We'll be using that process to solicit a proposal from the approved firms and then move forward with a firm for that specific scope of work to design that project.

I can't give you a specific time frame on how much quicker we could make it, but we could certainly investigate that if that's the desire of the Board, or the Director's Office, for sure.

Savage: It's just a point I wanted to bring up. You said a lot of the infrastructure was in place at some of the locations. I'm specifically talking about I-80 between East McCarran and West McCarran. Some of that infrastructure is there and I know some of it's not. A sooner rather than later I think is really the message because

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of the congestion we have at the Spaghetti Bowl. I would appreciate just looking into it to see if we can accelerate the design portion of that.

Inda: Absolutely.

Savage: Then secondly, you had said there's 50, 5-0, or 15, 1-5, of the active management gantries on NEON?

Inda: On NEON, right now there are 52 signs along the I-15 corridor and US-95. There's a lot of those signs.

Savage: But not the gantries, not 52 gantries.

Inda: Yes. 52 overhead signs, yes. And the reason for that, we've been talking a lot about that internally and Rudy, please jump in if you want to. The reason for that is because of that type of information that we're providing on these signs, be it regulatory speed limits, lane control, you need those signs to be fairly close because for example, every time you get on an on-ramp, you need to know what the speed limit is. A driver needs to know which lanes might be open. Is the HOV lane functioning as an HOV or is there something going on ahead and general traffic is being pushed into the HOV lanes, those kinds of things. You need those gantries at a very regular interval to give drivers that information that you see.

In the Georgia video, if you caught it, they talked about 100 and some odd signs on their project spaced a mile to a mile and a half apart. That's based on the spacing of the interchanges. I think that's a newer route that has less closely spaced interchanges than we see here in our urban areas of Nevada. Maybe they can make do with a mile and a half spacing because there's nothing between one interchange and another. Where you have very closely spaced interchanges, the access roads that come in and go off, you really do have to provide that level of information to the drivers.

Savage: Thank you Ms. Inda. I don't pretend to be a traffic engineer. I have full confidence in the Department but as a businessman, I just think of paralysis by analysis. We don't want to fall into that bucket. I thank you for your time and thank you Governor.

Malfabon: If I could add to that Member Savage. When we normally think of Project NEON, we think of the construction footprint where they're widening and

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building bridges from Sahara to just north of the Spaghetti Bowl on I-15. These gantries, these active traffic management structures extend much further south and a little bit further north of that Project NEON roadway footprint but they're still part of Project NEON.

Sandoval: Any other questions, Mr. Controller?

Knecht: Thank you Governor. I'll agree with the previous two speakers. This was informative and appreciated. My question goes not so much to the interaction with apps and after market equipment and that sort of thing, which I think is very important and very foresighted. Overall, by the way, I just have to say, I really am pleased with this effort and with the things you're doing to use new technology.

Let's talk about one other aspect of the new technology here. Namely, automated vehicle control, which we discovered through certain press reports recently, isn't quite everything that we would hope it would be. Still, it's part of the future. It's an important part. When you look at I-80, I was through there a few weeks ago and it's still terrible in the Bay Area. When you look at Vegas and all those problems, it seems to me that you almost have to assume that the drivers are fully, fully, fully engaged.

When you look at that Wyoming example, it strikes me that that's an opportunity to interact with basically automated vehicle control and provide some feedback, some help, some assistance to the driver there under those circumstances, if not in the high traffic congestion circumstances. Is that something you're looking at?

Inda: Absolutely. Wyoming has been awarded a large connected vehicle grant and so they are actually taking their variable speed limit program and adding other aspects and technologies to it. Sort of moving to the direction you're referring to Controller Knecht. So, absolutely.

Nevada has a small federally funded pilot program for connected vehicles that we're working on. We have a corridor between Reno and Carson City and we're gathering real time data from some of our snow plows and maintenance vehicles, to see how that helps us in our snow and ice removal practices. That's just a small portion of what you can do with connected vehicle. We do plan to continue investigating other opportunities. Tracy Larkin-Tomasson is working very closely with the DMV and other areas within the State on the autonomous vehicle

Transcript of Nevada Department of Transportation
Board of Directors Meeting
July 11, 2016

and connected vehicle programs. We are paying very close attention and being engaged in that because it is an opportunity for us to move forward for sure.

Knecht: Again, thanks. Thank you Governor.

Sandoval: Questions or comments from Southern Nevada.

Martin: None here sir.

Sandoval: Any other comments from Board Members. Thank you, great presentation.

Inda: Thank you.

Sandoval: Agenda Item 13, Old Business. Mr. Director.

Malfabon: Thank you Governor. Good job Denise. On Old Business, we have the report of Outside Counsel Costs on Open Matters and the Monthly Litigation Report. Our Chief Counsel from the Attorney General Office, Dennis Gallagher is present to answer any questions that the Board may have. Seeing none—oh, go ahead.

Hutchison: Governor.

Malfabon: I thought so.

Sandoval: We knew it wouldn't go by without...

Hutchison: Just a couple of quick questions here. Mr. Gallagher, I see again that there's no new outside counsel matters but there are two new cases that the Attorney General's Office is handling under the tort section. Am I reading that correct?

Gallagher: For the record, Dennis Gallagher, Counsel to the Board. Lieutenant Governor, you are reading it correctly.

Hutchison: Okay. And just a couple of quick follow-up questions that were prompted by the description of these tort claims. The first one is this Heisman v. Las Vegas Paving and NDOT. I don't have to know the facts on that or anything, but it raises the question for me, when NDOT is included as a defendant with a contractor, do we have any provisions in those contracts with those contractors for indemnification of NDOT?

Transcript of Nevada Department of Transportation
Board of Directors Meeting
July 11, 2016

- Gallagher: For the record, Dennis Gallagher. Yes, Lieutenant Governor, we have a provision in the contract and typically we tender a defense to the insurance companies for the contractors.
- Hutchison: Okay. That was my question on that new one. Then on the inter-pleaded matter with the State Farm case, what is the basis for them seeking inter-pleader, do you remember?
- Gallagher: Mr. Lieutenant Governor, I don't recall at the moment but I will find out and get back to you separately.
- Hutchison: That'd be fine. Thank you Mr. Gallagher. Governor, thank you very much.
- Malfabon: The third item under Old Business is the report on Fatalities. We're pleased to report and in your packet you see that the change compared to this time, the date of the report was June 27th, seven less. I have a report from last week, as of July 5th, 13 less than last year. We're on the right, positive track to reduce fatalities in Nevada. That is a testament to all of our safety partners. Not only the folks in our Safety Division and the folks that deliver beneficial projects at NDOT but also NHP, Department of Public Safety, Office of Traffic Safety and our local law enforcement and medical responders and educators. That concludes that item Governor.
- Sandoval: Thank you Rudy. Any other questions or comments with regard to Agenda Item No. 13? That is 13 less tragedies. You can't even articulate how important that is. All right. If there are no further questions or comments on Agenda Item No. 13, we'll move to Agenda Item 14, Public Comment. Is there any member of the public who would like to provide comment to the Board? Yes sir. And if you'd please state your name for the record.
- Lake: Good morning Governor, my name is Ray Lake. I am the Vice Chair of the North Valley Citizen's Advisory Board in Washoe County. I also sit on the City of Reno Board for Neighborhood Advisory Board and the Golden Valley Property Owner's Association. The Property Owners have sort of sent me here to kind of keep the North Valleys traffic situation on the table so to speak. The seats on the cab and [inaudible] afford me the opportunity to see the development that's going on in the North Valleys. This morning I just took a quick inventory, I identified about 4,000 units, dwelling units going in in the North Valleys, north of and around Golden Valley.

Transcript of Nevada Department of Transportation
Board of Directors Meeting
July 11, 2016

We have a situation with traffic entering town where this morning traffic was backed up from North McCarran to roughly Parr Boulevard. It's two lanes in there. It looks to me like there's room to add a third lane south, but the real bottle neck is at Clear Acre Lane where it enters by 580 heading south. There's a very short entrance ramp and the traffic backs up there. Once you get beyond McCarran Boulevard, there's actually another lane that comes in and another on-ramp and traffic lightens up at that point. The real bottleneck for us is at McCarran Boulevard.

The proposed changes to the Spaghetti Bowl that I saw in the Director's Report last month look really good to me, but I don't think that will do anything for us because our problem is at McCarran Boulevard and north of that.

Thank you for your time. Thank you.

Sandoval: Mr. Lake, thank you for being here. Any other public comment?

Malfabon: Governor, I would like to add that the meeting that you requested with the property owner on USA Parkway has been set up for this week. To Mr. Lake's comment, the Board should be receiving, around September, I believe, the traffic study of the Washoe Valley area and the freeway system gets to the point of making some of the recommendations, the kind of near term and midterm recommendations to the Board. You'll be receiving more information about those types of projects, besides the Spaghetti Bowl.

Sandoval: And you said Washoe Valley, did you mean Golden Valley?

Malfabon: Washoe County, I meant.

Sandoval: Oh, Washoe County.

Malfabon: Yes.

Sandoval: Okay.

Malfabon: It's a very comprehensive traffic study that will have some recommendations for 395 north of the Spaghetti Bowl as well.

Sandoval: Mr. Lake, maybe September is the month for you to be here. All right, any other public comment from Northern Nevada? Any public comment from Southern Nevada?

Transcript of Nevada Department of Transportation
Board of Directors Meeting
July 11, 2016

Martin: No sir.

Sandoval: Is there a motion to adjourn?

Knecht: So moved.

Martin: Second.

Sandoval: The Controller has moved, Mr. Martin has seconded, all in favor say aye. [eyes around] The motion passes, this meeting is adjourned. Thank you ladies and gentlemen.

Secretary to Board

Preparer of Minutes



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

MEMORANDUM

July 29, 2016

To: Department of Transportation Board of Directors

From: Rudy Malfabon, P.E., Director

Subject: August 8, 2016 Transportation Board of Directors Meeting

Item #5: Approval of the Construction Contract with Granite Construction Company for the Incline Village to Sand Harbor Shared Use Path, Water Quality Improvements and Roadway Safety Improvements along State Route 28 – Utilizing the Construction Manager at Risk (CMAR) Delivery Process – *For possible action.*

Summary:

The Nevada Department of Transportation is seeking approval by the Board of Directors to award the following Construction Contract to Granite Construction Company (Granite) for a negotiated Guaranteed Maximum Price (GMP) not to exceed \$4,331,331.00. The GMP was achieved in accordance with the Department's Pioneer Program Process for Construction Manager at Risk (CMAR) procurements as approved by the Board on May 9, 2016, and in accordance with applicable sections of Nevada Revised Statute (NRS) Chapter 338 and the Department's Pioneer Program. The CMAR procurement process requires Board review and approval of the CMAR construction contract after its negotiation by the parties.

This is the first of two or more GMPs. Based on the current preconstruction schedule, The Board of Directors can expect a second GMP presented at the February-March 2017 Transportation Board meeting.

Background:

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

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

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

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

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

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

This first GMP will construct the shared used path under crossing at Tunnel Creek, relocate the IVGID sewer line, construct parking, and water quality improvements adjacent to the Ponderosa Ranch. Completion of this work will occur in a two and half month period between August 15th and October 30th. The second GMP will be negotiated for completion of the remainder project scope by February – March 2017

In May 2016, the Department assembled the Project Team consisting of Granite Construction Company (Granite), Stanley Consultants [Independent Cost Estimator (ICE)] and the CH2M Design Team (Engineer) to implement the CMAR delivery method. The Project Team developed the final design and construction documents in a manner to minimize overall project risk, improve the project delivery schedule, and apply innovation to meet the project goals. The contractor offered their expertise regarding the schedule, budget, and constructability.

Analysis:

Granite, Stanley Consultants, and the Engineer each evaluated the design plans, assessed project risks, and independently prepared an independent Opinion of Probable Construction Costs (OPCC) at specified Milestones during the design process:

- The CH2M Design team advanced design plans based on the input of Granite and the ICE.
- During the risk workshop, the project team identified, evaluated, and mitigated project risks. At each OPCC the Engineer, the ICE and Granite submitted independent estimates of construction costs which were reviewed and discussed by the Project Team. The estimates began to come closer together based upon a common understanding of the design and construction including risk, schedule, and methods of construction.

- Following the final OPCC and prior to the GMP, the Department began negotiations with Granite.
- The final Project documents were placed into NDOT's electronic bidding system and both Granite and Stanley Consultants bid the project separately and independently. The bids submitted by the Contractor and ICE were within 2.5% of one another, further verifying the reasonableness and accuracy of this bid.

Prepared by:

Nick Johnson, Senior Project Manager



1263 South Stewart Street
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MEMORANDUM

Date: July 27, 2016

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: August 8, 2016 Transportation Board of Directors Meeting
Item # 6: Briefing on Southern Nevada Traffic Study – *Informational item only*

Summary:

The Nevada Department of Transportation is proposing to start on the Southern Nevada Traffic Study, a region wide traffic forecasting, traffic analyses, alternatives evaluation, and Benefit Cost analyses of all urban Southern Nevada freeways in coordination with on-going projects and studies. The presentation will review the scope, deliverables, and benefits of this extensive study.

Background:

The purpose of this study is to evaluate the needs of the region's freeway system and develop improvement strategies to meet the short-term and long terms transportation needs; and maximize benefits of Department's investments. Alternatives will be considered and prioritized based on congestion relief, safety and travel time reliability.

Many Southern Nevada freeways were studied and Environmental Assessments (EA) were prepared between the years 2003 to 2009, including I-15 North, I-15 South, and US 95 North. I-515 was studied but the NEPA process was suspended with a withdrawal of the Notice of Intent in 2012. All of these studies and environmental documents were based upon older regional travel demand models. NDOT has established performance measures for traffic congestion and needs to update modeling and analyses of traffic to address Federal requirements. Due to the complexities of the Southern Nevada regional model and the extensive scope of this study NDOT requires the use of a consultant team to provide this effort.

Analysis:

The Southern Nevada Traffic Study will update the traffic projections and provide traffic analysis on critical freeway corridors in Southern Nevada. The regional travel demand model is prepared by the Regional Transportation Commission of Southern Nevada (RTCSN). The regional model has been updated to include mode-choice and projected to the year 2035. This study will use the 2035 model and project out further to the year 2040. Many of the NDOT projects in Southern Nevada, including the traffic studies and Environmental Assessments, were prepared using the older 2030 model that did not include mode-choice modelling. This Southern Nevada Traffic Study will coordinate with, but not reproduce, the traffic modelling and analysis on ongoing NDOT projects such as NEON, I-515 Charleston to I-15, I-15/CC-215 Interchange, and the Southern Nevada HOV Study update. A critical aspect of the study is the additional emphasis

on the modeling and alternatives analysis of the I-515/US 95 corridor as it is under consideration as I-11. The attached map shows the freeways being studied and the coordination with on-going projects. Also, per agreement with the Federal Highway Administration (FHWA) the Department will update traffic analyses to 2035 or 2040 for all older projects when submitting Change in Control of Access or other traffic studies in the Southern Nevada freeway system.

The Southern Nevada Traffic Study will include alternatives analysis, preliminary design, and cost-benefit analyses. The scope of the study includes the NDOT Planning and Environmental Linkage (PEL) process including a Final PEL Report which will assist in the any projects moving forward into the National Environmental Policy Act (NEPA) process.

This item on the Southern Nevada Traffic Study is for information but Item 8A-5 is the approval of the agreement with the HDR team as the Service Provider for the study.

Attachment:

A. Southern Nevada Traffic Study Map

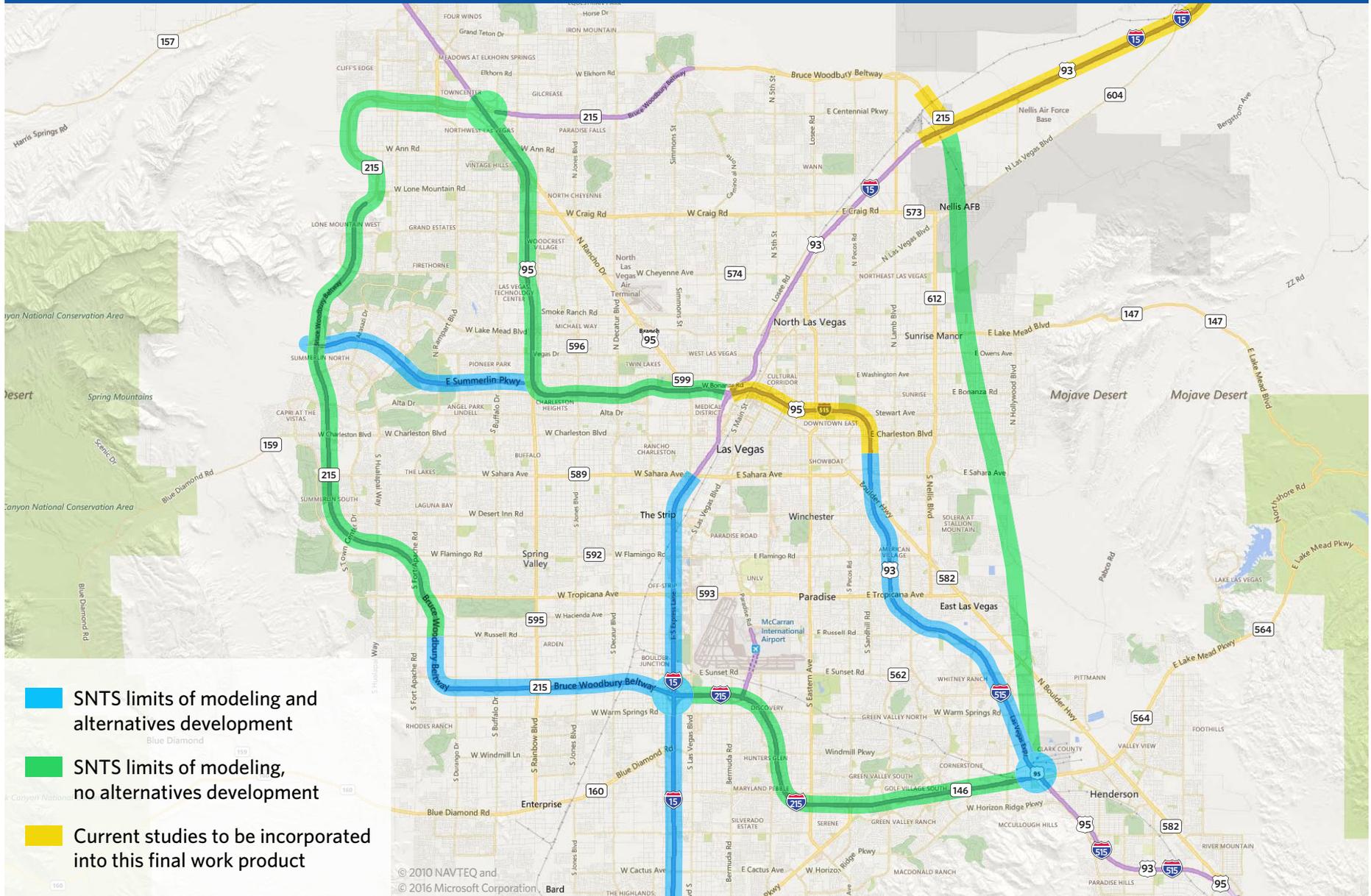
Recommendation for Board Action:

Informational item only.

Prepared by:

John Terry, Assistant Director of Engineering / Chief Engineer

Southern Nevada Traffic Study Work Limits



- SNTS limits of modeling and alternatives development
- SNTS limits of modeling, no alternatives development
- Current studies to be incorporated into this final work product



MEMORANDUM

July 29, 2016

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: August 8, 2016 Transportation Board of Directors Meeting
Item #7: Approval of Contracts Over \$5,000,000 – For Possible Action

Summary:

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

Background:

The Department contracts for services relating to the construction, operation and maintenance of the State's multi-modal transportation system. Contracts listed in this item are all low-bid (or guaranteed maximum price for Construction Manager at Risk (CMAR) contracts) per statute.

The attached construction contracts constitute all contracts over \$5,000,000 for which the bids were opened and the analysis completed by the Bid Review and Analysis Team and the Contract Compliance section of the Department from June 16, 2016, through July 14, 2016.

Analysis:

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

List of Attachments:

- A) State of Nevada Department of Transportation Contracts for Approval, June 16, 2016, through July 14, 2016.

Recommendation for Board Action:

Approval of the contracts listed on Attachment A.

Prepared by: Administrative Services Division

Attachment

A

STATE OF NEVADA DEPARTMENT OF TRANSPORTATION
CONTRACTS FOR APPROVAL
June 16, 2016, through July 14, 2016

1. July 22, 2016, at 12:00 PM the following GMP bids were opened for Contract 3649-READV, Project No. SPF-028-1(025), on SR 28 from the junction of US 50 to Country Club Drive, in Washoe County, to construct shared use path, water quality improvements, and parking areas.

Granite Construction Company	\$4,331,331.00
Estimate from Independent Cost Estimator – Stanley Consultants, Inc. ...	\$4,228,479.70
Engineer’s Estimate	\$4,231,043.89

The Director recommends award to Granite Construction Company for \$4,331,331.00.

Line Item 1



MEMORANDUM

July 29, 2016

To: Department of Transportation Board of Directors
From: Rudy Malfabon, Director
Subject: August 8, 2016 Transportation Board of Directors Meeting

Line Item #1: Approval of the first Guaranteed Maximum Price (GMP #1) for the SR 28 Shared Used Path, Safety, and Water Quality Construction Manager at Risk (CMAR) Project – For possible action

Summary:

The Nevada Department of Transportation is seeking approval by the Board of Directors to award the following Construction Contract to Granite Construction Company (Granite) for a negotiated Guaranteed Maximum Price (GMP) not to exceed \$4,331,331.00. The GMP was achieved in accordance with the Department's Pioneer Program Process for Construction Manager at Risk (CMAR) procurements as approved by the Board on May 9, 2016, and in accordance with applicable sections of Nevada Revised Statute (NRS) Chapter 338 and the Department's Pioneer Program. The CMAR procurement process requires Board review and approval of the CMAR construction contract after its negotiation by the parties.

This is the first of two or more GMPs. Based on the current preconstruction schedule, The Board of Directors can expect a second GMP presented at the February-March 2017 Transportation Board meeting.

Background:

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

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

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Analysis:

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- Following the final OPCC and prior to the GMP, the Department began negotiations with Granite.

- The final Project documents were placed into NDOT's electronic bidding system and both Granite and Stanley Consultants bid the project separately and independently. The bids submitted by the Contractor and ICE were within 2.5% of one another, further verifying the reasonableness and accuracy of this bid.

Prepared by:

Nick Johnson, Senior Project Manager



1263 South Stewart Street
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Phone: (775) 888-7070
Fax: (775) 888-7101

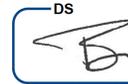
MEMORANDUM

Administrative Services

July 25, 2016

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

From: Teresa Schlaffer, Business Process Analyst III



Subject: Concurrence in Award for CMAR Contract No. 3649-READV, Project No. SPF-028-1(025), SR 28 from the California/Nevada Stateline to the junction with US 50 to Country Club Drive, GMP #1, Washoe County, described as construct shared use path, water quality improvements, and parking areas, Engineer's Estimate is \$4,231,043.89.

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

Granite Construction Company submitted their Guaranteed Maximum Price (GMP) on July 22, 2016, in the amount of \$4,331,331.00. Stanley Consultants, Inc., submitted their Independent Cost Estimate (ICE) on July 22, 2016, in the amount of \$4,228,479.70

The project is Federally funded; does not require DBE participation; and is not subject to State Bidder Preference provisions.

The subcontractor listing documentation by Granite Construction Company, have been reviewed and certified by Contract Services. The bid is within 102% of the Engineer's Estimate.

Your concurrence in award of this contract by endorsement hereon is respectfully requested. Upon receipt, a packet will be prepared to obtain Transportation Board approval of the award at the August meeting.

Concurrence in award:

DocuSigned by:

F8663DD9AE87415...
John Terry, Assistant Director

DocuSigned by:

22B87BD707CB4CD...
Reid Kaiser, Assistant Director

DocuSigned by:

C4C7CE5CD584445...
Rudy Malfabon, Director

Enclosures:
Unofficial Bid Results Report
Unofficial Bid Tab Report



Nevada Department of Transportation
Unofficial Bid Results
 July 25, 2016

Contract Number: 3649-READV	Bid Opening Date and Time: 7/22/2016 12:00 PM
Designer: TYLER WOOD	Liquidated Damages: \$3,400.00
Senior Designer: VICTOR PETERS	Working Days: 55
Estimate Range: R24 \$3,850,000.01 to \$4,600,000	District: DISTRICT 2
Project Number: SPF-028-1(025)	

County: WASHOE
Location: SR 28 from the California/Nevada Stateline to the junction with US 50 to Country Club Drive
Description: Construct shared use path, water quality improvements, and parking areas

	Actual Bid
Apparent Low Bidder: Stanley Consultants - ICE CMAR	\$4,228,479.70
Apparent 2nd: Granite Construction Company	\$4,331,331.00

Bidders:	Bid Amount
1 Stanley Consultants - ICE CMAR 383 West Vine Street Murray, UT 84123 (801) 965-4708	\$4,228,479.70
2 Granite Construction Company PO Box 50085 Watsonville, CA 95077-5085 (831) 724-1011	\$4,331,331.00

**Bid Tabulation
Nevada Department of Transportation**

Contract No.: 3649-READV
Project No(s): SPF-028-1(025)

Contract Description:
Construct shared use path, water quality improvements, and parking areas

Awarded To:

Bids Opened: July 22, 2016, 12:00 PM

Contract Location: SR 28 from the California/Nevada Stateline to the junction with US 50 to Country Club Drive

Amount: \$0.00
Date:

Certified by: _____
Administrative Services Officer

Item No.	Quantity	Unit	Description	Engineer's Estimate		Stanley Consultants - ICE CMAR 383 West Vine Street Murray, UT 84123		Granite Construction Company PO Box 50085 Watsonville, CA 95077-5085		Unit Price	Amount	Unit Price	Amount
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount				
2010120	2.400	ACRE	CLEARING AND GRUBBING	\$3,300.00	\$7,920.00	\$9,020.00	\$21,648.00	\$4,142.00	\$9,940.80				
2010270	47.000	EACH	REMOVE TREES (6-INCHES TO 12-INCHES)	\$275.00	\$12,925.00	\$275.00	\$12,925.00	\$136.00	\$6,392.00				
2010280	16.000	EACH	REMOVE TREES (13-INCHES TO 18-INCHES)	\$330.00	\$5,280.00	\$528.00	\$8,448.00	\$293.00	\$4,688.00				
2010290	5.000	EACH	REMOVE TREES (19-INCHES TO 24-INCHES)	\$550.00	\$2,750.00	\$1,045.00	\$5,225.00	\$708.00	\$3,540.00				
2010300	3.000	EACH	REMOVE TREES (25-INCHES TO 36-INCHES)	\$1,100.00	\$3,300.00	\$1,496.00	\$4,488.00	\$969.00	\$2,907.00				
2020475	360.000	LINFT	REMOVAL OF GUARDRAIL	\$22.00	\$7,920.00	\$22.55	\$8,118.00	\$27.00	\$9,720.00				
2020755	1.000	EACH	REMOVE EXISTING PEDESTAL MOUNT CONTROLLER	\$550.00	\$550.00	\$530.20	\$530.20	\$635.00	\$635.00				
2020840	1.000	LS	REMOVE BOULDERS	\$11,000.00	\$11,000.00	\$8,500.00	\$8,500.00	\$9,425.00	\$9,425.00				
2020860	4.000	EACH	REMOVAL OF STEEL POST	\$110.00	\$440.00	\$165.00	\$660.00	\$206.00	\$824.00				
2020955	360.000	LINFT	REMOVAL OF BITUMINOUS SHOULDER DIKE	\$4.40	\$1,584.00	\$6.27	\$2,257.20	\$7.20	\$2,592.00				
2021040	4.000	EACH	REMOVAL OF DROP INLET	\$3,300.00	\$13,200.00	\$1,414.00	\$5,656.00	\$2,025.00	\$8,100.00				
2021200	6.000	EACH	REMOVAL OF GUIDE POSTS	\$66.00	\$396.00	\$72.33	\$433.98	\$66.00	\$396.00				
2021222	1.000	EACH	REMOVE TREATMENT VAULT	\$3,300.00	\$3,300.00	\$4,950.00	\$4,950.00	\$2,500.00	\$2,500.00				
2021230	93.000	LINFT	REMOVAL OF STORM DRAIN PIPE	\$44.00	\$4,092.00	\$27.50	\$2,557.50	\$60.00	\$5,580.00				
2030140	7,433.000	CUYD	ROADWAY EXCAVATION	\$71.50	\$531,459.50	\$53.45	\$397,293.85	\$75.00	\$557,475.00				
2030160	169.000	CUYD	DRAINAGE EXCAVATION	\$60.50	\$10,224.50	\$61.35	\$10,368.15	\$60.00	\$10,140.00				
2030710	341.000	SQYD	GEOMEMBRANE	\$22.00	\$7,502.00	\$31.68	\$10,802.88	\$24.00	\$8,184.00				
2060110	2,949.000	CUYD	STRUCTURE EXCAVATION	\$148.50	\$437,926.50	\$139.07	\$410,117.43	\$85.00	\$250,665.00				
2070110	1,046.900	CUYD	GRANULAR BACKFILL	\$99.00	\$103,643.10	\$76.33	\$79,909.88	\$105.00	\$109,924.50				
2070150	24.000	CUYD	SLURRY CEMENT BACKFILL	\$330.00	\$7,920.00	\$132.32	\$3,175.68	\$345.00	\$8,280.00				
2090130	85.000	CUYD	TYPE 2 DRAIN BACKFILL	\$132.00	\$11,220.00	\$122.30	\$10,395.50	\$158.00	\$13,430.00				
2110110	518.000	CUYD	TOPSOIL (SALVAGE)	\$27.50	\$14,245.00	\$30.80	\$15,954.40	\$22.00	\$11,396.00				
2110260	.600	ACRE	HYDRO-SEEDING	\$7,700.00	\$4,620.00	\$12,467.00	\$7,480.20	\$11,300.00	\$6,780.00				
2110430	2,372.000	SQYD	EROSION CONTROL FABRIC	\$5.50	\$13,046.00	\$8.64	\$20,494.08	\$7.85	\$18,620.20				
2120320	58.000	CUYD	MULCH (WOOD CHIPS)	\$143.00	\$8,294.00	\$27.50	\$1,595.00	\$48.00	\$2,784.00				
2130120	5.000	EACH	CONCRETE VALVE BOX	\$550.00	\$2,750.00	\$228.00	\$1,140.00	\$1,365.00	\$6,825.00				
2130830	1,450.000	LINFT	6-INCH POLYVINYL CHLORIDE PIPE	\$22.00	\$31,900.00	\$33.00	\$47,850.00	\$31.50	\$45,675.00				
3020140	1,569.000	CUYD	TYPE 1 CLASS B AGGREGATE BASE	\$99.00	\$155,331.00	\$108.48	\$170,205.12	\$105.00	\$164,745.00				
4010120	200.000	SQYD	PAVEMENT REINFORCING FABRIC	\$11.00	\$2,200.00	\$20.90	\$4,180.00	\$8.65	\$1,730.00				
4020130	341.000	LINFT	PLANTMIX BITUMINOUS SHOULDER DIKES	\$22.00	\$7,502.00	\$22.79	\$7,771.39	\$19.50	\$6,649.50				
4020180	898.000	TON	PLANTMIX SURFACING (TYPE 2) (WET)	\$154.00	\$138,292.00	\$165.88	\$148,960.24	\$175.00	\$157,150.00				
4060100	4.000	TON	CUTBACK ASPHALT, TYPE MC-70NV	\$1,650.00	\$6,600.00	\$1,683.00	\$6,732.00	\$2,000.00	\$8,000.00				
4060180	1.000	TON	EMULSIFIED ASPHALT, TYPE SS-1H (DILUTED)	\$2,750.00	\$2,750.00	\$2,970.00	\$2,970.00	\$3,500.00	\$3,500.00				
5020750	2.700	CUYD	CLASS AA CONCRETE (MINOR)	\$3,850.00	\$10,395.00	\$3,858.00	\$10,416.60	\$4,900.00	\$13,230.00				

Item No.	Quantity	Unit	Description	Engineer's Estimate		Stanley Consultants - ICE CMAR 383 West Vine Street Murray, UT 84123		Granite Construction Company PO Box 50085 Watsonville, CA 95077-5085		Unit Price	Amount	Unit Price	Amount
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount				
5021510	70.000	LINFT	14-FOOT X 10-FOOT PRECAST CONCRETE BOX CULVERT	\$3,850.00	\$269,500.00	\$4,101.90	\$287,133.00	\$4,000.00	\$280,000.00				
5022050	1.000	EACH	CONCRETE PIPE COLLAR	\$605.00	\$605.00	\$517.00	\$517.00	\$1,100.00	\$1,100.00				
5050100	136.000	POUND	REINFORCING STEEL	\$2.20	\$299.20	\$5.50	\$748.00	\$2.50	\$340.00				
6000110	13,977.000	LINFT	DRAIN SYSTEM	\$30.80	\$430,491.60	\$28.08	\$392,474.16	\$30.00	\$419,310.00				
6030170	1,111.000	LINFT	18-INCH REINFORCED CONCRETE PIPE, CLASS III	\$55.00	\$61,105.00	\$53.21	\$59,116.31	\$61.50	\$68,326.50				
6070870	142.000	LINFT	8-INCH PERFORATED CORRUGATED POLYETHYLENE PIPE	\$16.50	\$2,343.00	\$44.37	\$6,300.54	\$18.00	\$2,556.00				
6070910	60.000	LINFT	8-INCH (NON-PERFORATED) CORRUGATED POLYETHYLENE PIPE	\$16.50	\$990.00	\$11.34	\$680.40	\$16.00	\$960.00				
6090250	4.000	EACH	ADJUSTING MANHOLE COVERS (METHOD A)	\$1,100.00	\$4,400.00	\$1,540.00	\$6,160.00	\$1,025.00	\$4,100.00				
6090270	3.000	EACH	ADJUSTING MANHOLE COVERS (METHOD C)	\$1,100.00	\$3,300.00	\$880.00	\$2,640.00	\$1,030.00	\$3,090.00				
6090380	7.000	EACH	TYPE 1 MANHOLE (MODIFIED)	\$4,400.00	\$30,800.00	\$4,019.00	\$28,133.00	\$7,000.00	\$49,000.00				
6090400	1.000	EACH	TYPE 4 MANHOLE	\$16,500.00	\$16,500.00	\$15,958.00	\$15,958.00	\$23,200.00	\$23,200.00				
6090518	330.000	LINFT	4-INCH SANITARY SEWER PIPE	\$121.00	\$39,930.00	\$67.50	\$22,275.00	\$155.00	\$51,150.00				
6091040	715.000	POUND	STRUCTURAL STEEL GRATES	\$3.85	\$2,752.75	\$5.50	\$3,932.50	\$3.75	\$2,681.25				
6091530	125.000	LINFT	12-INCH POLYVINYL CHLORIDE PIPE	\$110.00	\$13,750.00	\$68.56	\$8,570.00	\$135.50	\$16,937.50				
6100050	1,484.000	SQYD	GEOTEXTILE (CLASS 1)	\$8.00	\$11,872.00	\$3.78	\$5,609.52	\$3.50	\$5,194.00				
6100170	27.000	CUYD	RIPRAP (CLASS 150)	\$110.00	\$2,970.00	\$166.00	\$4,482.00	\$151.00	\$4,077.00				
6100190	108.000	CUYD	RIPRAP (CLASS 300)	\$137.50	\$14,850.00	\$115.50	\$12,474.00	\$155.00	\$16,740.00				
6100460	20.000	CUYD	RIPRAP BEDDING (CLASS 150)	\$110.00	\$2,200.00	\$166.10	\$3,322.00	\$158.00	\$3,160.00				
6100470	28.000	CUYD	RIPRAP BEDDING (CLASS 300)	\$137.50	\$3,850.00	\$124.30	\$3,480.40	\$122.00	\$3,416.00				
6100585	65.000	SQYD	ARTICULATED CONCRETE BLOCK	\$220.00	\$14,300.00	\$140.80	\$9,152.00	\$235.00	\$15,275.00				
6130130	8.400	SQYD	DETECTABLE WARNINGS	\$385.00	\$3,234.00	\$495.00	\$4,158.00	\$430.00	\$3,612.00				
6130240	1,093.000	LINFT	CLASS AA CONCRETE CURB (TYPE 2)	\$33.00	\$36,069.00	\$41.80	\$45,687.40	\$35.00	\$38,255.00				
6130260	1,404.000	LINFT	CLASS AA CONCRETE CURB (TYPE 3)	\$33.00	\$46,332.00	\$45.10	\$63,320.40	\$39.00	\$54,756.00				
6130610	18.000	LINFT	CLASS AA CONCRETE VALLEY GUTTER (SPECIAL)	\$137.50	\$2,475.00	\$96.80	\$1,742.40	\$60.00	\$1,080.00				
6130850	1,010.000	LINFT	CLASS AA CONCRETE CURB AND GUTTER (TYPE 6)	\$38.50	\$38,885.00	\$36.10	\$36,461.00	\$50.00	\$50,500.00				
6131140	602.000	SQYD	CLASS AA CONCRETE SIDEWALK (4-INCH)	\$44.00	\$26,488.00	\$45.10	\$27,150.20	\$60.00	\$36,120.00				
6131440	47.000	SQYD	CLASS AA CONCRETE RAMP (6-INCH)	\$55.00	\$2,585.00	\$445.50	\$20,938.50	\$150.00	\$7,050.00				
6161470	441.000	LINFT	TEMPORARY FENCE	\$7.70	\$3,395.70	\$8.80	\$3,880.80	\$11.00	\$4,851.00				
6180400	2.000	EACH	GUARDRAIL- BARRIER RAIL CONNECTION (TRIPLE CORRUGATION)	\$2,200.00	\$4,400.00	\$6,655.00	\$13,310.00	\$7,900.00	\$15,800.00				
6180550	25.000	LINFT	GALVANIZED GUARDRAIL (TRIPLE CORRUGATION)	\$44.00	\$1,100.00	\$93.28	\$2,332.00	\$110.00	\$2,750.00				
6190200	62.000	EACH	GUIDE POSTS (RIGID)	\$77.00	\$4,774.00	\$72.33	\$4,484.46	\$66.00	\$4,092.00				
6230235	4.000	EACH	NO. 7 PULL BOX	\$550.00	\$2,200.00	\$2,262.00	\$9,048.00	\$1,800.00	\$7,200.00				
6231820	513.000	LINFT	3-INCH CONDUIT	\$33.00	\$16,929.00	\$55.98	\$28,717.74	\$55.00	\$28,215.00				
6240110	1,628.000	hour	FLAGGER	\$55.00	\$89,540.00	\$49.80	\$81,074.40	\$71.00	\$115,588.00				
6240130	1.000	FA	UNIFORMED TRAFFIC CONTROL OFFICER	\$77,000.00	\$77,000.00	\$77,000.00	\$77,000.00	\$77,000.00	\$77,000.00				
6240140	48.000	DAY	TRAFFIC CONTROL SUPERVISOR	\$1,980.00	\$95,040.00	\$1,540.00	\$73,920.00	\$2,278.00	\$109,344.00				
6250130	6.000	EACH	RENT CONSTRUCTION BARRICADES (TYPE IIIB)	\$165.00	\$990.00	\$220.00	\$1,320.00	\$170.00	\$1,020.00				
6250140	200.000	EACH	RENT TRAFFIC CONES	\$16.50	\$3,300.00	\$55.00	\$11,000.00	\$19.00	\$3,800.00				

Item No.	Quantity	Unit	Description	Engineer's Estimate		Stanley Consultants - ICE CMAR 383 West Vine Street Murray, UT 84123		Granite Construction Company PO Box 50085 Watsonville, CA 95077-5085		Unit Price	Amount	Unit Price	Amount
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount				
6250230	4.000	EACH	RENT CHANGEABLE MESSAGE SIGN	\$5,610.00	\$22,440.00	\$5,940.00	\$23,760.00	\$6,650.00	\$26,600.00				
6250310	49.000	EACH	RENT TRAFFIC DRUMS	\$60.50	\$2,964.50	\$137.50	\$6,737.50	\$69.00	\$3,381.00				
6250360	8.000	EACH	RENT TEMPORARY IMPACT ATTENUATOR	\$8,140.00	\$65,120.00	\$5,068.00	\$40,544.00	\$9,740.00	\$77,920.00				
6250500	453.000	SQFT	RENT CONSTRUCTION SIGNS	\$25.30	\$11,460.90	\$13.70	\$6,206.10	\$28.00	\$12,684.00				
6250510	2,635.000	LINFT	RENT PORTABLE PRECAST CONCRETE BARRIER RAIL	\$33.00	\$86,955.00	\$30.12	\$79,366.20	\$36.00	\$94,860.00				
6270190	75.800	SQFT	PERMANENT SIGNS (GROUND MOUNTED) (METAL SUPPORTS)	\$110.00	\$8,338.00	\$258.50	\$19,594.30	\$235.00	\$17,813.00				
6270220	60.000	SQFT	PERMANENT SIGN PANELS (PANELS ONLY)	\$33.00	\$1,980.00	\$60.50	\$3,630.00	\$60.00	\$3,600.00				
6270240	56.800	SQFT	PERMANENT SIGNS, REMOVE	\$11.00	\$624.80	\$18.70	\$1,062.16	\$17.00	\$965.60				
6270260	41.500	SQFT	PERMANENT SIGNS, RESET	\$77.00	\$3,195.50	\$291.50	\$12,097.25	\$265.00	\$10,997.50				
6280120	1.000	LS	MOBILIZATION	\$528,010.24	\$528,010.24	\$597,647.00	\$597,647.00	\$362,746.65	\$362,746.65				
6320570	700.000	LINFT	WATERBORNE PAVEMENT STRIPING (TYPE II) (SOLID WHITE)	\$4.40	\$3,080.00	\$1.10	\$770.00	\$1.00	\$700.00				
6320670	350.000	LINFT	WATERBORNE PAVEMENT STRIPING (TYPE II) (SOLID YELLOW)	\$4.40	\$1,540.00	\$2.00	\$700.00	\$1.00	\$350.00				
6370190	1.000	LS	DUST CONTROL	\$5,534.70	\$5,534.70	\$27,037.00	\$27,037.00	\$57,000.00	\$57,000.00				
6370260	2,398.000	LINFT	SILT FENCE	\$8.80	\$21,102.40	\$12.10	\$29,015.80	\$14.00	\$33,572.00				
6370280	1,656.000	LINFT	SEDIMENT LOG	\$11.00	\$18,216.00	\$9.08	\$15,036.48	\$19.00	\$31,464.00				
6370290	14.000	EACH	ROADWAY INLET PROTECTION	\$110.00	\$1,540.00	\$398.20	\$5,574.80	\$885.00	\$12,390.00				
6380280	330.000	LINFT	16-INCH DUCTILE IRON PIPE	\$495.00	\$163,350.00	\$637.37	\$210,332.10	\$765.00	\$252,450.00				
6460130	326.000	SQYD	DAMPPROOFING	\$16.50	\$5,379.00	\$11.00	\$3,586.00	\$13.00	\$4,238.00				
6500490	1.000	EACH	BLOW-OFF ASSEMBLY	\$13,200.00	\$13,200.00	\$13,075.00	\$13,075.00	\$16,800.00	\$16,800.00				
6501365	22.000	LINFT	12-INCH PIPE CASING	\$495.00	\$10,890.00	\$187.00	\$4,114.00	\$540.00	\$11,880.00				
6501430	22.000	LINFT	30-INCH PIPE CASING	\$550.00	\$12,100.00	\$712.80	\$15,681.60	\$675.00	\$14,850.00				
6670010	1.000	LS	RISK RESERVE	\$280,000.00	\$280,000.00	\$280,000.00	\$280,000.00	\$280,000.00	\$280,000.00				
Totals:					\$4,231,043.89		\$4,228,479.70		\$4,331,331.00				



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

MEMORANDUM

July 29, 2016

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: August 8, 2016, Transportation Board of Directors Meeting
Item #8: 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 June 16, 2016, through July 14, 2016

Background:

The Department contracts for services relating to the development, construction, operation and maintenance of the State's multi-modal transportation system. The attached agreements constitute new agreements and amendments which take the total agreement above \$300,000 during the period from June 16, 2016, through July 14, 2016.

Analysis:

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

List of Attachments:

- A) State of Nevada Department of Transportation Agreements for Approval, June 16, 2016, through July 14, 2016.

Recommendation for Board Action:

Approval of all agreements listed on Attachment A

Prepared by: Administrative Services Division

Attachment

A

**State of Nevada Department of Transportation
Agreements for Approval
June 16, 2016, through July 14, 2016**

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Notes
1	01215	01	SLATER HANIFAN GROUP	CIVIL ENGINEERING- EXPERT WITNESS	Y	250,000.00	200,000.00	450,000.00	-	8/8/2016	12/31/2017	-	Service Provider	PATRICE BURKE	08-08-16: INCREASING AUTHORITY BY \$200,000.00 FOR A TOTAL OF \$450,000.00, AND EXTENSION OF TERMINATION DATE FROM 12-31-16 TO 12-31-17. 01-14-15: CIVIL ENGINEERING AND EXPERT WITNESS SUPPORT SERVICES ARE NECESSARY FOR ACQUISITION OF PROPERTIES FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NVD20031430130
2	45216	00	ATKINS NORTH AMERICA	DESIGN SERVICES	N	2,000,000.00	-	2,000,000.00	-	8/8/2016	12/31/2018	-	Service Provider	ROD SCHILLING	08-08-16: RFP 079-16-016 ADVERTISED TO SELECT 3 FIRMS. PROJECT IS NECESSARY TO COMPLETE THE DESIGN STATEWIDE PROJECTS, PROGRAMS, AND NETWORK ANALYSES SCHEDULED FOR CONSTRUCTION IN FY17 AND FY18 OF THE FIVE YEAR PLAN. B/L#: NVF19981347315 - R SUBMITTED PROPOSALS: KIMLEY-HORN, JACOBS ENGINEERING, GCW, INC., CA GROUP
3	45316	00	CA GROUP	DESIGN SERVICES	N	2,000,000.00	-	2,000,000.00	-	8/8/2016	12/31/2018	-	Service Provider	ROD SCHILLING	08-08-16: RFP 079-16-016 ADVERTISED TO SELECT 3 FIRMS. PROJECT IS NECESSARY TO COMPLETE THE DESIGN STATEWIDE PROJECTS, PROGRAMS, AND NETWORK ANALYSES SCHEDULED FOR CONSTRUCTION IN FY17 AND FY18 OF THE FIVE YEAR PLAN. B/L#: NVD20081407877 - R SUBMITTED PROPOSALS: ATKINS NORTH AMERICA, KIMLEY-HORN, JACOBS ENGINEERING, GCW, INC.
4	45416	00	KIMLEY-HORN	DESIGN SERVICES	N	2,000,000.00	-	2,000,000.00	-	8/8/2016	12/31/2018	-	Service Provider	ROD SCHILLING	08-08-16: RFP 079-16-016 ADVERTISED TO SELECT 3 FIRMS. PROJECT IS NECESSARY TO COMPLETE THE DESIGN STATEWIDE PROJECTS, PROGRAMS, AND NETWORK ANALYSES SCHEDULED FOR CONSTRUCTION IN FY17 AND FY18 OF THE FIVE YEAR PLAN. B/L#: NV19911015458 - R SUBMITTED PROPOSALS: ATKINS NORTH AMERICA, JACOBS ENGINEERING, GCW, INC., CA GROUP.
5	74715	00	HDR ENGINEERING	SOUTHERN NEVADA TRAFFIC STUDY	Y	5,307,000.00	-	5,307,000.00	-	8/8/2016	6/30/2018	-	Service Provider	JEFF LERUD	08-08-16: CONDUCT A TRAFFIC STUDY TO COMPLETE A SYSTEM-WIDE EVALUATION, WITH A FOCUS ON EXISTING AND POTENTIAL FUTURE CONGESTION AND OTHER OPERATIONAL DEFICIENCIES, WHILE EMPLOYING PLANNING AND ENVIRONMENTAL LINKAGE (PEL) PRINCIPLES. B/L#: NVF19851010291 - R SUBMITTED PROPOSALS: CH2M HILL.

Line Item 1

012-15-030Amd1

Request to Solicit Services and Budget Approval (2A)
Amendments for time extensions (time only) do not require a form 2a

Initial Budget Request Request for Amendment #: Agreement #:

If Amendment, name of Company:

Project ID #(s): NH-STP-015-1(147)

Type of Services: Consultant - R/W

Originated by: Patrice

Division: Right-of-Way

Date Originated: 7/15/2016

DS
RB

Division Head/District Engineer: John Terry, P.E.

Budget Category #: 06

Object #: 814H

Organization #: C030

Estimated Cost: 200,000.00

Type of Funding: Fed/State

% of Fund: 95/5

Funding Notes:

State Fiscal Year(s): 2017

N/A

Financial Management:

DocuSigned by:
Donna Spelts
8A78D93AD715314
Signature

7/20/2016
Date

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

Project Accounting:

DocuSigned by:
Norfa Lanuza
3BAB63AE0205114
Signature

7/21/2016
Date

Director:

Requires Transportation Board Presentation

Does not require Transportation Board presentation

DocuSigned by:
Rudy May
C4C7CE5CD588114
Signature

7/21/2016
Date

012-15-030Amd1

Attachments:

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



If Amendment, attach original Agreement here:

Any additional information to attach: Yes



Purpose of, and Justification for, Budget Request:

This request for a budget approval is for the purpose of amending Service Agreement No. P012-15-030 with Slater Hanifan Group, Inc., whose civil engineering and expert witness services are necessary for the Department's acquisition of properties in conjunction with Project NEON. If approved, the amendment will increase the total cost of services needed to compensate Slater Hanifan Group, Inc. by an additional \$200,000.00, from \$250,000.00 to \$450,000.00. In addition, the amendment will also extend the termination date cited in the agreement from December 31, 2016 to December 31, 2017. This extension will allow for the continuation of the civil engineering and expert witness services in furtherance of the objectives of said Agreement for work not contemplated at the time the original agreement was entered into. Since that time several options have arisen, resulting from the progression of the NEON design-build project.

Scope of Services:

The Service Provider agrees to provide professional civil engineering services to support litigation during right-of-way acquisitions for Project NEON. These services may include analysis, evaluation and/or development of alternative design concepts in an effort to minimize acquisition costs and impacts to adjacent development.

The Service Provider shall also be available to the Department for provider-counsel conferences, subsequent pre-trial conferences, court appearances and expert testimony in their behalf, relating to the project, if necessary.

The Service Provider, upon completion of the inspections, investigations and studies, shall deliver written reports to Dennis Gallagher, Chief Deputy Attorney General/Chief Counsel, and Ed Miranda, Highway Project Manager, RPE, in care of the Department of Transportation.

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

7/26/2016

TO: John Terry, Assistant Director
FROM: Eduardo Miranda, Risk Manager
SUBJECT: Negotiation Summary for Amending P012-15-030

A negotiation meeting was held at 3014 West Charleston in Las Vegas on 6/14/16, with Randy Carroll and Eduardo Miranda 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.

Provide Engineering and expert witness support to NDOT Legal Team

The following schedule was agreed to by both parties:

DATE: December 31, 2019

Key personnel dedicated to this project are as follows:

NAME: Randy Carroll, P.E.

The DEPARTMENT's original estimate was \$220,000.

The SERVICE PROVIDER's original estimate was \$250,000, including direct labor, overhead rate, fee, and direct expenses at \$20,000 (including sub-consultant expenses).

The negotiations yielded the following:

1. Modifications to current rate schedule (July 2014 through July 2015)
2. The rates are slightly higher than previous contract. However, the Service Provider would hold these rates consistent for the duration of the contract.

Reviewed and Approved:


Assistant Director

Line Item 2

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

Request to Solicit Services and Budget Approval (2A)

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

If Amendment or Task Order, name of Company:

Agreement #: Project ID #(s):

Type of Services: Engineering Services

Originated by: Jonathan Dickinson Division: Traffic Ops Date Originated: 1/28/2016

Division Head/District Engineer: Denise Inda

Budget Category #: 06 Object #: 814E Organization #: C016

Estimated Cost: \$6,000,000 Type of Funding: State % of Fund: 100

Funding Notes: State Fiscal Year(s): 17-18

\$3,000,000 for FY 17 and \$3,000,000 for FY18

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

Purpose of, and Justification for, Budget Request:

Traffic Operations is requesting approval for the use of consultant services for the design of signals, lighting, ITS, highway signing and striping projects as well as support for operations programs and projects on a statewide basis. Consultant services will be used to help augment employee workloads as well as bringing in trained experts in areas where the Department lacks adequate experience. Traffic Operations requires these consultant services to complete the design of projects scheduled for construction in FY-17 and FY-18 in the Department's five year plan. One RFP will be issued and three consultant firms will be selected to perform \$2,000,000 of work each, \$6,000,000 total over the next 2 fiscal years.



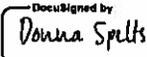
Scope of Services:

The scope of services will be to develop plans, specifications and estimates as needed to support the Traffic operations signals, lighting and ITS, highway signing and striping and operation programs and projects statewide

Additional Information Attached

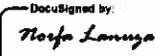
*Amendments for time extensions (time only) do not require a form 2a

**STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION**

Signed:  2/5/2016 **Approve**
Financial Management Date

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

Financial Management Comments:

Signed:  2/9/2016 **Approve**
Project Accounting Date

Project Accounting Comments:

Signed:  2/9/2016 **Approve**
Director Date

Director Comments:

- Requires Transportation Board presentation
- Does not require Transportation Board presentation

The 3 on call contracts will require Transportation Board approval. The backup information for the Board packet should be sufficient for the Asst. Director of Operations to respond to questions at the Transportation Board meeting.

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

July 11, 2016

TO: Reid Kaiser, Assistant Director Operations^{DS}

FROM: Rodney Schilling, Project Manager RS

SUBJECT: Negotiation Summary for RFP P079-16-016 Traffic Operation's Consultant Design Services

A negotiation meeting was held at Traffic Operations conference room in Carson City on July 7th, 2016, with Jim Hanson, Joey Paskey and Will Johnson of Atkins North America, Inc. (SERVICE PROVIDER) and Rodney Schilling, Jeannie Drown, Seth Daniels, and Hoang Hong 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. See attachment A – Scope of Services.

The schedule was agreed to by both parties in accordance with the scope of services described in the RFP P079-16-016.

Key personnel dedicated to this project are as follows:

Project Manager	Joey Paskey
Project Principal	James Hanson
QA/QC Manager	James Hanson
Design Services ITS	Will Johnson
Design Services Lighting/Electrical	Karen Purcell & Bob LaGatta
Design Services Traffic Signals	Tarin Velotta
Traffic Operations Programs	Karol Miodonski
Traffic Analysis/Modeling	Jamie Archambeau

Sub-consultant information regarding Project Descriptions on active Agreements (please include agreement numbers):

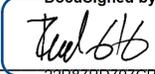
SUB-CONSULTANT	PROJECT DESCRIPTION	AGREEMENT No.
PK Electrical	Electrical Engineering	No Active Agreement

The DEPARTMENT's original estimate was one Million and No/100 Dollars (\$1,000,000.00) of work for any one task, and the sum of all tasks orders during each contract term shall not exceed Two Million and No/100 Dollars (\$2,000,000.00), including direct labor, overhead, fee, and direct expenses (including sub-consultant expenses). This is a task based contract and will be used on an as needed base.

The negotiations yielded the following:

1. The rates were established at the fully loaded hourly rate and include direct salary costs, indirect costs, other direct costs, and fixed fee.
2. The overhead rate is established at 152.36%.
3. A fixed fee of 10.0% was agreed to by both parties.
4. Direct expenses will be paid for approved tasks as incurred for sub-consultants, communication, meeting materials, travel, and training supplies.
5. The total negotiated cost for this agreement, including direct labor, overhead, fee and direct expenses will not exceed \$2,000,000.

Reviewed and Approved:

DocuSigned by:

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Assistant Director

Attachment A – Scope of Services

Traffic Operations has engineering needs in four main areas, Traffic Signals, Lighting and ITS Design, Signing, Striping and Traffic Control, Traffic Operations Programs, and Traffic Operational Analysis and Modeling services; as independent activities at various locations throughout the State of Nevada, including, but not limited to the following:

- Preliminary Design Field Survey – create a topographic base map to be used for design.
- Environmental – prepare and submit all necessary documents to assist the project to meet and comply with NEPA.
- Preliminary Design – submit preliminary plans and cost estimate for review.
- Intermediate Design – submit intermediate plans and cost estimate for review.
- QA/QC Design – submit QA/QC plans and cost estimate for review.
- PS&E Design – submit 100% plans, specifications, and cost estimate for review.
- Bid Documents – submit final stamped plans and cost estimate for bidding.
- Utility Coordination – submit plans to utility companies to determine any conflicts and to coordinate any conflict resolutions.
- Meetings and Reports – conduct review meetings and distribute meeting minutes.
- ROW Design – prepare and submit all necessary documents to assist the project to meet all ROW certifications.
- Transportation Management Plan – prepare and submit all necessary documents to meet project requirements.
- Change in Control of Access Report – prepare and submit all necessary documents to assist the project to meet and comply with FHWA policy points.
- Traffic Operations Programs – prepare and submit all necessary documents to assist the programs, which may include ITS Planning, Traveler Information Systems, Traffic Incident Management, Hazmat Cleanup, and Freeway Service Patrol.
- Traffic Operational Analysis and Modeling – prepare and submit all necessary documents to meet the project requirements.

All design services shall comply with the NDOT Standard Specifications and Plans for Road and Bridge Construction. Not all services will require compliance with all points within the Standard Specifications and Plans. Level of compliance will be assessed on a per task basis and is at the sole discretion of the DEPARTMENT.

Line Item 3

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

July 11, 2016

TO: Reid Kaiser, Assistant Director Operations

FROM: Rodney Schilling, Project Manager 

SUBJECT: Negotiation Summary for RFP 079-16-016 Traffic Operation's Consultant Design Services

A negotiation meeting was held at the Traffic Operations conference room in Carson City on June 20th, 2016, with Chad Anson of CA Group, Inc. (SERVICE PROVIDER) and Rodney Schilling, Jeannie Drown, Seth Daniels, and Hoang Hong 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. See attachment A – Scope of Services.

The schedule was agreed to by both parties in accordance with the scope of services described in the RFP 079-16-016.

Key personnel dedicated to this project are as follows:

Project Manager	Chad Anson, Fidel Calixto, and Dean Mottram
Project Principal	Chad Anson
QA/QC Manager	Chad Anson
Design Services ITS	Dean Mottram
Design Services Lighting/Electrical	Fidel Calixto
Design Services Traffic Signals	Fidel Calixto
Traffic Operations Programs	Chad Anson and Fidel Calixto
Traffic Analysis/Modeling	Fidel Calixto

Sub-consultant information regarding Project Descriptions on active Agreements (please include agreement numbers):

SUB-CONSULTANT	PROJECT DESCRIPTION	AGREEMENT No.
PK Electrical	Electrical Engineering	No Active Agreement
TJK Consulting Engineers	Electrical Engineering	No Active Agreement

The DEPARTMENT's original estimate was one Million and No/100 Dollars (\$1,000,000.00) of work for any one task, and the sum of all tasks orders during each contract term shall not exceed Two Million and No/100 Dollars (\$2,000,000.00), including direct labor, overhead, fee, and direct expenses (including sub-consultant expenses). This is a task based contract and will be used on an as needed base.

The negotiations yielded the following:

- The rates were established at the fully loaded hourly rate and include direct salary costs, indirect costs, other direct costs, and fixed fee.

2. The overhead rate is established at 106.80%.
3. A fixed fee of 10.0% was agreed to by both parties.
4. Direct expenses will be paid for approved tasks as incurred for sub-consultants, communication, meeting materials, travel, and training supplies.
5. The total negotiated cost for this agreement, including direct labor, overhead, fee and direct expenses will not exceed \$2,000,000.

Reviewed and Approved:

DocuSigned by:

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Assistant Director

Attachment A – Scope of Services

Traffic Operations has engineering needs in four main areas, Traffic Signals, Lighting and ITS Design, Signing, Striping and Traffic Control, Traffic Operations Programs, and Traffic Operational Analysis and Modeling services; as independent activities at various locations throughout the State of Nevada, including, but not limited to the following:

- Preliminary Design Field Survey – create a topographic base map to be used for design.
- Environmental – prepare and submit all necessary documents to assist the project to meet and comply with NEPA.
- Preliminary Design – submit preliminary plans and cost estimate for review.
- Intermediate Design – submit intermediate plans and cost estimate for review.
- QA/QC Design – submit QA/QC plans and cost estimate for review.
- PS&E Design – submit 100% plans, specifications, and cost estimate for review.
- Bid Documents – submit final stamped plans and cost estimate for bidding.
- Utility Coordination – submit plans to utility companies to determine any conflicts and to coordinate any conflict resolutions.
- Meetings and Reports – conduct review meetings and distribute meeting minutes.
- ROW Design – prepare and submit all necessary documents to assist the project to meet all ROW certifications.
- Transportation Management Plan – prepare and submit all necessary documents to meet project requirements.
- Change in Control of Access Report – prepare and submit all necessary documents to assist the project to meet and comply with FHWA policy points.
- Traffic Operations Programs – prepare and submit all necessary documents to assist the programs, which may include ITS Planning, Traveler Information Systems, Traffic Incident Management, Hazmat Cleanup, and Freeway Service Patrol.
- Traffic Operational Analysis and Modeling – prepare and submit all necessary documents to meet the project requirements.

All design services shall comply with the NDOT Standard Specifications and Plans for Road and Bridge Construction. Not all services will require compliance with all points within the Standard Specifications and Plans. Level of compliance will be assessed on a per task basis and is at the sole discretion of the DEPARTMENT.

Line Item 4

**STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION**

MEMORANDUM

July 11, 2016

TO: Reid Kaiser, Assistant Director Operations

FROM: Rodney Schilling, Project Manager DS
RS

SUBJECT: Negotiation Summary for RFP P079-16-016 Traffic Operation's Consultant Design Services

A negotiation meeting was held at Traffic Operations conference room in Carson City on June 24th, 2016, with Mike Colety and Michael Mosley of Kimley-Horn and Associates, Inc. (SERVICE PROVIDER) and Rodney Schilling, Jeannie Drown, Seth Daniels, and Hoang Hong 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. See attachment A – Scope of Services.

The schedule was agreed to by both parties in accordance with the scope of services described in the RFP P079-16-016.

Key personnel dedicated to this project are as follows:

Project Manager	Michael Mosley
Project Principal	Mike Colety
QA/QC Manager	John Kissinger
Design Services ITS	David Haines
Design Services Lighting/Electrical	Dene Egami
Design Services Traffic Signals	Ray Yparraguirre
Traffic Operations Programs	Lisa Burgess
Traffic Analysis/Modeling	Molly O'Brien

Sub-consultant information regarding Project Descriptions on active Agreements (please include agreement numbers):

SUB-CONSULTANT	PROJECT DESCRIPTION	AGREEMENT No.
Silver State Traffic Data Collection, LLC	Traffic Data Collection	No Active Agreement
Tri State Surveying, LLC	Land Survey, Expert Witness, and related Services	P258-13-030

The DEPARTMENT's original estimate was one Million and No/100 Dollars (\$1,000,000.00) of work for any one task, and the sum of all tasks orders during each contract term shall not exceed Two Million and No/100 Dollars (\$2,000,000.00), including direct labor, overhead, fee, and direct expenses (including sub-consultant expenses). This is a task based contract and will be used on an as needed base.

The negotiations yielded the following:

1. The rates were established at the fully loaded hourly rate and include direct salary costs, indirect costs, other direct costs, and fixed fee.
2. The overhead rate is established at 192.16%.
3. A fixed fee of 10.0% was agreed to by both parties.
4. Direct expenses will be paid for approved tasks as incurred for sub-consultants, communication, meeting materials, travel, and training supplies.
5. The total negotiated cost for this agreement, including direct labor, overhead, fee and direct expenses will not exceed \$2,000,000.

Reviewed and Approved:

DocuSigned by:



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Assistant Director

Attachment A – Scope of Services

Traffic Operations has engineering needs in four main areas, Traffic Signals, Lighting and ITS Design, Signing, Striping and Traffic Control, Traffic Operations Programs, and Traffic Operational Analysis and Modeling services; as independent activities at various locations throughout the State of Nevada, including, but not limited to the following:

- Preliminary Design Field Survey – create a topographic base map to be used for design.
- Environmental – prepare and submit all necessary documents to assist the project to meet and comply with NEPA.
- Preliminary Design – submit preliminary plans and cost estimate for review.
- Intermediate Design – submit intermediate plans and cost estimate for review.
- QA/QC Design – submit QA/QC plans and cost estimate for review.
- PS&E Design – submit 100% plans, specifications, and cost estimate for review.
- Bid Documents – submit final stamped plans and cost estimate for bidding.
- Utility Coordination – submit plans to utility companies to determine any conflicts and to coordinate any conflict resolutions.
- Meetings and Reports – conduct review meetings and distribute meeting minutes.
- ROW Design – prepare and submit all necessary documents to assist the project to meet all ROW certifications.
- Transportation Management Plan – prepare and submit all necessary documents to meet project requirements.
- Change in Control of Access Report – prepare and submit all necessary documents to assist the project to meet and comply with FHWA policy points.
- Traffic Operations Programs – prepare and submit all necessary documents to assist the programs, which may include ITS Planning, Traveler Information Systems, Traffic Incident Management, Hazmat Cleanup, and Freeway Service Patrol.
- Traffic Operational Analysis and Modeling – prepare and submit all necessary documents to meet the project requirements.

All design services shall comply with the NDOT Standard Specifications and Plans for Road and Bridge Construction. Not all services will require compliance with all points within the Standard Specifications and Plans. Level of compliance will be assessed on a per task basis and is at the sole discretion of the DEPARTMENT.

Line Item 5

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

Request to Solicit Services and Budget Approval (2A)

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

If Amendment or Task Order, name of Company:

Agreement #:

Project ID #(s):



Type of Services: For traffic study RFP for the I-15, US-95, I-515 and 215 corridors in Southern Nevada.

Originated by: Jeff Lerud

Division: Project Mgmt

Date Originated: 11/20/2015

Division Head/District Engineer: Amir Soltani

Budget Category #: 06

Object #: 814D

Organization #: C015

Estimated Cost: \$5,500,000

Type of Funding: Federal/State

% of Fund: 80/20

Funding Notes:

State Fiscal Year(s): FY16/17

\$2,000,000 in FY 16; \$3,500,000 in FY 17

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

Purpose of, and Justification for, Budget Request:

Due to the request for proposal to solicit consulting services, the Project Management Division will be contracting with an undetermined

Consultant for services to perform the designated scope of services as listed below.

The estimated cost for consultant services is \$5,500,000, Federal Funding (80%) \$4,400,000; State Funded (20%) \$1,100,000. Estimated \$2,000,000 for Fiscal Year 2016 and \$3,500,000 in Fiscal Year 2017.



Scope of Services:

The project scope of services include, but not limited to the following activities: project management, traffic forecasting (Southern Nevada RTC TransCAD model), Traffic Operational Analysis (CORSIM, SYNCHRO, HCS2010), Benefit Cost Analysis, and development of a Planning and Environmental Linkages (PEL) questionnaire for the purpose of evaluating capacity, operational, and safety improvements to prioritize a list of potential projects that can be advanced into the NEPA process and that can funded over the next twenty (20) years.

The scope also includes updating the traffic numbers for the traffic studies in the existing environmental documents and change in control of access reports, and show that they are still sufficient to handle the updated traffic numbers

Additional Information Attached

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

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

June 20, 2016

TO: John Terry, Assistant Director
FROM: Jeff Lerud, Project Manager
SUBJECT: Negotiation Summary for RFP 747-15-015 Southern Nevada Traffic Study

A final negotiation meeting was held in Carson City on June 2 2016, with Laycee Kolkman and Ruedy Edgington from HDR and Amir Soltani, Cole Mortensen, Rick Splawinski, and Jeff Lerud of the Nevada Department of Transportation (DEPARTMENT) in attendance. Negotiations took place between April 19 and May 23, 2016.

The DBE goal for this agreement has been established at three point two eight percent (3.28%).

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

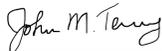
Both parties agreed to an eighteen month schedule. One of HDR's first tasks will be to develop a project schedule for Department approval.

The negotiations yielded the following:

1. There will be 39,204 total man-hours allotted throughout the course of this agreement.
2. Based upon the direct labor costs and an overhead rate of 156.80%, the overhead amount will be \$1,566,584.00.
3. A fee of 10.5% was agreed to by both parties, and will be \$269,397 for this agreement based upon direct labor costs and an overhead rate of 156.80%.
4. The direct expenses agreed to total \$2,471,982 for sub-consultants, reproduction, communication, travel and per diem. There will be no direct compensation for computer time.
5. The total negotiated cost for this agreement, including direct labor, overhead, fee and direct expenses will be \$5,307,000.00.

Reviewed and Approved:

DocuSigned by:



Assistant Director

NDOT Southern Nevada Traffic Study

Scope of Work

1.0 PROJECT DESCRIPTION

There are three main freeways in the Las Vegas Valley: I-15, US-95 (US95/US-93/I-515), and I-215. Over the last decade, there have been major widening projects on US-95 from the Spaghetti Bowl to the west; I-15 from the Spaghetti bowl to the north; and on I-15 from Tropicana south to Blue Diamond. In addition, there have been new interchanges constructed on I-15 at Silverado Ranch and at Cactus Avenue. A new interchange is being planned for I-15 at Starr Ave and Project NEON recently began.

To plan and prepare for future capacity needs, this PROJECT will conduct a traffic study to complete a system wide evaluation with a focus on existing and potential future congestion and other operation deficiencies and may employ Planning and Environmental Linkage (PEL) approach to take into account environmental, community, and economic factors.

The intent of this project is to develop travel demand forecasts, perform operational analysis and provide some of the initial documentation required to evaluate all potential solutions under PEL. This will set the stage for project-level coordination and environmental analysis once funding becomes available for construction.

2.0 STUDY AREA

The Study Area for this PROJECT includes the following freeway corridors/segments in the Las Vegas Valley in Clark County Nevada. The PROJECT limits include all major arterial and freeway corridors within the Las Vegas Valley with a focus on I-15, US-95, I-515 and I-215 as described below:

- I-15 South
 - Sahara to Sloan. This will include the system interchange at I-15/215.
- US-95/I-515
 - Northern Limit: 95/215 System Interchange
 - Southern Limit: I-515/215 System Interchange
- CC-215
 - 95/215 System Interchange to I-515/215 System Interchange
- Summerlin Parkway
 - CC 215 to US95
- System Interchanges
 - I-15/US-95/I-515 "Spaghetti Bowl"
 - I-15/ CC215/ I-215 System Interchange (South)
 - I-515/I-215 "Henderson Spaghetti Bowl" (Southeast)
 - I-15/I-215 System Interchange (North)
- East Link Potential Alignment

3.0 PROJECT MANAGEMENT

3.1 Task Management and Coordination

The CONSULTANT will follow the DEPARTMENT Project Management Guidelines. The CONSULTANT will perform a Project Approach and Resource Review for the PROJECT. The CONSULTANT will hold management reviews for scope schedule and budget on a monthly basis and in addition will conduct a project start review as well as project development reviews. The CONSULTANT shall review monthly invoices as well as subconsultant invoicing process to ensure it follows NDOT guidelines. The CONSULTANT shall coordinate with subconsultants on a regular basis to ensure consistency in reporting measures and formats.

3.2 Monthly Project Team Meetings

The CONSULTANT shall attend the monthly design coordination meetings, draft and submit meeting notes to the DEPARTMENT Project Manager and appropriate attendees for review. The CONSULTANT shall incorporate comments and distribute the meeting notes to all attendees and identified stakeholders (within 5 business days). The Consultant Project Manager, in coordination with DEPARTMENT PM, shall schedule Monthly Design Team Meetings. Meetings are anticipated to be held in the CONSULTANTS Las Vegas offices with video/tele conference setup.

3.3 Project Schedule

The CONSULTANT shall provide a detailed project design schedule to the DEPARTMENT using Microsoft Project, as part of the PMP. The schedule shall include milestone dates required by the DEPARTMENT PM and the CONSULTANT PM to achieve project completion.

The CONSULTANT shall be responsible for developing, updating and maintaining the schedule on a monthly basis. Should project milestone completion dates not be met, or are anticipated to be missed, the CONSULTANT shall submit a revised project schedule within one month detailing:

- How the project shall be brought back on schedule, if feasible, or
- Proposed changes to milestone and/or project completion deadlines if approved target dates are no longer feasible.

3.4 Project Management Plan

The CONSULTANT shall submit a proposed Project Management Plan to the DEPARTMENT within 30 days of NTP. This plan will follow NDOT PM Guidelines and shall include but is not limited to project communication protocols, project team members (including those from the HDR team, the NDOT Design Team and primary stakeholders), task assignments, task budgets, project administrative procedures (including documentation and filing requirements), the project quality control plan, health and safety requirements, document production requirements, decision log requirements, risk register, and design criteria (including design manuals, code requirements and units of measure).

3.5 Quality Control Plan

The CONSULTANT will develop a quality control plan to establish QA/QC procedures and submit the plan to the DEPARTMENT within 30 days of NTP. This plan will focus on the review of project deliverables.

This document will describe in detail the modeling development and peer review process for all traffic operations models. All traffic models will be subjected to a peer review by a firm other than the originating firm to identify and address modeling concerns prior to submission to the DEPARTMENT.

In addition the CONSULTANT will create and maintain a project filing system and records for documentation purposes. The CONSULTANT will create and maintain an administrative record for the project in accordance with the NDOT guidelines.

3.6 Project Coordination

3.6.1 Coordination with Other Agencies

The CONSULTANT shall coordinate design activities with other agencies that are considered project stakeholders by the DEPARTMENT's Project Manager. The DEPARTMENT's Project Manager shall be invited to all such meetings. The CONSULTANT shall be responsible for coordinating, attending and preparing meeting minutes and agendas for those meetings required. Coordination meetings will also be held with the SNRTC to discuss traffic forecasting assumptions and edits to the regionally approved TransCAD model.

3.6.2 Coordination with NDOT Modeling and Traffic Operations Staff

The CONSULTANT will hold a workshop with NDOT Traffic Operations and Forecasting staff to obtain concurrence on all modeling assumptions and methodology. In addition the CONSULTANT will hold additional meeting with traffic operations staff for comment resolution on technical memorandums and concurrence with traffic modeling assumptions.

3.7 Project Closeout

When requested by the DEPARTMENT's Project Manager, the CONSULTANT shall provide the DEPARTMENT's Project Manager with electronic copies of project documentation which includes, but is not limited to, correspondence, electronic copies of all reports, memorandums, model output documentation. The CONSULTANT shall provide the project electronic files.

3.8 Project Management Deliverables

- Agendas
- Meeting Minutes
- Project Management Plan
- Monthly Progress Report
- Summary of Lessons Learned
- Final Planning Report Documents
- Project Closeout - electronic files on CD or portable hard drives

4.0 DATA COLLECTION

4.1 Past and Future Project Identification and model coding

Potential projects on the freeway corridors will be identified and defined, these projects will then be coded into the regionally approved travel demand model.

4.2 Traffic Data Collection

Collection of the following traffic information:

- The DEPARTMENT will obtain and provide to the CONSULTANT original CORSIM models created by the previous CONSULTANTS used in the project corridors.
- The DEPARTMENT will obtain originally submitted Environmental Documents for the project area.
- The CONSULTANT will obtain the 2035 travel demand model from SNVRTC.
- The CONSULTANT will perform field reviews as necessary to obtain existing conditions verification.

4.2.1 Traffic Coordination

- Hold a preliminary meeting with traffic operations and traffic planning divisions at NDOT in Carson City.
- Discuss appropriate measures of effectiveness (MOE's).
- Determine changes to underlying model assumptions that may need to be updated.

4.2.2 Data Collection for Current and Future Conditions

- Develop a data gap study to determine the extent of available data for the project area.
- Develop a traffic data collection plan to collect data that is incomplete and /or inadequate to support the traffic analysis for the project. This may include performing traffic volume counts on roadways, and peak hour turning movements at intersections according to methods and procedures approved by the NDOT Traffic Information Division.
- Implement the traffic data collection plan, after receiving approval of the NDOT Traffic Information Division, and provide the results to the DEPARTMENTS Project Manager in the manner and formats prescribed by the Traffic Information Division.

4.3 Traffic Analysis Work Products

Deliverable: Technical Memorandum #1 summary of existing data and data gap study, including data collection plan.

5.0 TRAFFIC FORECASTING & PLANNING

5.1 Measures of Effectiveness

5.1.1 Performance Measures and Project Comparison Process

The CONSULTANT team will coordinate with NDOT to determine performance measures for comparing project alternatives as well as projects along corridors. The CONSULTANT team will hold a workshop with NDOT Traffic Operations and Traffic Information to identify the MOEs.

As a reference, the national transportation performance management (TPM) goals established under MAP-21 for Federal highway programs identify potential performance measures. The national performance goals cover a number of areas:

- Safety;
- Infrastructure condition;
- Congestion reduction;
- System reliability;
- Freight movement and economic vitality;
- Environmental sustainability; and
- Reduced project delivery days.

A subset of these goals (e.g., safety and congestion reduction) may be appropriate for prioritizing improvements in Southern Nevada.

Further potential performance measures are the measures of effectiveness used in the traffic forecasting. For example, the change in VMT and VHT during congested conditions and the change in travel time index may capture aspects of improvements important to NDOT. Another option is to link the performance measures for the Southern Nevada Traffic Study to the NDOT Statewide Long Range Multimodal Transportation Plan (LRTP). The California Corridor System Management Plans (CSMPs) may also provide examples of appropriate performance measures. For example, these studies use a measure called “lost lane-miles” to measure the effectiveness of various alternatives.

The identification of measures of effectiveness will also reference the Project Neon and I-515 Corridor MOEs for consistency.

Performance measure selection will be made prior to the CONSULTANT team completing the benefit-cost model because many of these performance measures may be calculated during interim BCA steps and could be reported in the benefit-cost model results. The model can also report the dollar value of individual user benefits, such as travel time, safety, and emissions that may be appropriate performance measures. NDOT may decide that BCA alone is a suitable method for comparing projects and alternatives.

If NDOT decides that performance measures beyond BCA are required for making comparisons, the CONSULTANT team will work with NDOT to ensure that the traffic study produces the right data to compute these measures. Some measures may be rejected if they cannot be calculated using the data available in the study.

Deliverable: List of performance measures to be computed for comparing projects and alternatives

5.2 Traffic Forecasting

To accomplish the intended goals of the Southern Nevada Traffic Study within the 18 month schedule, the CONSULTANT team will utilize the RTC TransCAD travel demand model to forecast future year travel demands. The output from this model provides forecast daily traffic volumes and transit ridership for individual roadway corridors in a region. It is assumed that the calibrated and validated RTC model with mode choice is available to forecast travel demand at a regional level, with base and future year networks and adopted socio-economic datasets.

5.3 Travel Demand Model Review

The CONSULTANT team will review and identify potential minor updates for the travel demand model that are cost effective and achievable in a timely manner, to prepare the model for this study. The CONSULTANT team will coordinate with the RTC modeling staff regarding these potential model improvements. This effort is not intended as a full model update and calibration effort. Critical items in the model, such as corridor roadway network coding and assessment of the model's ability to model the HOV system, will be reviewed and potential alterations identified. Readily available data, such as traffic counts and speeds, will be used for reviewing the model.

The review will first consist of comparing base year observed traffic volumes with base year model output volumes along the project's major corridors. This will include using HOV volumes on US-95 and I-15 from the HOV study. Adjustments to the model may include changes to speed parameters, link coding variables, use codes, and other minor network or program script changes. Major changes to the socio-economic parameters, trip generation, trip distribution, mode choice, and traffic assignment model procedures are outside of this work scope. Refining and validating a travel model is an iterative effort. The base year model will be run for the validation and updating effort.

Deliverable: Draft Technical Memorandum to summarize the updates and changes made to the model to improve model performance for this Study. This technical memorandum will be finalized following review by incorporating it in into the Traffic Forecasting Memorandum (see Task 5.6).

5.4 Traffic Forecasting Methodology & Assumptions Memorandum

The CONSULTANT team will develop a technical memorandum describing the methodology and assumptions to be used in the analysis, demonstrating that NDOT guidelines will be followed. The memorandum will include the following:

- Introduction
- Analysis Years/Periods
- Scenarios for Evaluation
- Technical Guidance and Analysis Tools
- Traffic Data Sources
- Travel Demand Modeling
- Post-Processing Model Adjustments

HDR will prepare and submit the *Traffic Forecasting Methodology and Assumptions Memorandum* to NDOT for approval by the traffic operations division. A review of the methodology will be ongoing throughout the forecasting efforts. As circumstances may warrant, this methodology may be refined accordingly in coordination with NDOT as the study proceeds.

5.5 Travel Demand Model Analysis

After the RTC TransCAD model has undergone review and updates are made where appropriate, the CONSULTANT team will begin to apply the model for travel demand forecasting efforts.

5.5.1 Project Definition for Modeling Purposes

Based on the data collection work regarding projects, the CONSULTANT team will coordinate with the RTC and NDOT to prepare a comprehensive definition of NDOT freeway projects, categorized by corridor. The list will include detailed description of each project's improvement, including:

- Number of additional lanes,
- Lane types,
- Facility type improvement (for modeling purposes),
- Clearly defined extents, and
- Expected year of implementation

Potential corridors for I-11 will also be identified. I-11 corridor improvements will also be defined in coordination with NDOT.

Projects with committed funding will need to be identified, for potential inclusion in the No Build model network.

5.5.2 Travel Demand Model Runs

Future year daily travel demand forecasts will be extracted from the RTC TransCAD model and adjusted using standard industry procedures. Model runs will be performed for several scenarios as listed below. Land use will not be reviewed or adjusted during the modeling process. The following model runs (each including network coding, operation, results extraction, and preparation of data for input to microsimulation) will be performed:

- Base Model (2016) – Model will be based on year 2013 roadway network updated for year 2016 conditions. Because of the size of the RTC model, updates will be restricted to major highways within the roadway network, such as I-15 and US 95. Interchange on- and off-ramp locations along the highways will be verified for proper inclusion in the model. A list of highway projects completed between 2013 and 2016 within the model's extents will be provided by RTC or NDOT. If the DEPARTMENT and the CONSULTANT determine additional roadways need to be included, it will be under a separate task order.
- Year 2035 No Build – Utilizing the 2035 model with all identified prior NDOT freeway projects REMOVED from the roadway network.

- Year 2035 I-11 Corridor Model Runs - model runs will be performed with various proposed alignments for the I-11 corridor included in the 2035 roadway network. The intent is to gauge the general effect of I-11 on the prospective corridors, to inform the study assumptions.
- Year 2035 Corridor Maximum Build Model Runs - model runs will be performed with a maximum build for each corridor. Project packages will be confirmed with project staff.
- Year 2035 Corridor Project Model Runs - model runs will be performed with a selection of projects for each corridor. Project packages will be confirmed with project staff.
- Year 2035 System Interchange Runs – model runs will be performed, anticipated to be three scenario runs for I-515&I-215 and two scenario runs at I-15&I-215.
- Year 2035 Post-Micro-Simulation Runs - model runs will be performed with a “2nd round” set of corridor project “packages” based upon the findings from the micro-simulation process.
- Interim Year Model Runs – interim year model runs will be performed with select project packages to assist in prioritization of projects based upon future needs illustrated in the model results.

Results from the year 2035 model runs will be projected out five years for year 2040 traffic volumes.

5.5.3 Select Link Analyses

Where desired for corridor analysis purposes, select link analyses will be performed in order to identify travel patterns and origin-destination patterns along project corridors. These analyses can assist in providing additional information regarding the benefits of particular roadway improvement. Select link analyses will be performed for the PM peak, as opposed to the AM peak, in order to capture traffic volumes at their greatest in the model. The CONSULTANT team will perform select link analyses.

5.5.3.1 Sensitivity Analysis with Updated RTC Model

Using the new updated RTC TransCAD model, expected to be available early spring 2017, the CONSULTANT team will conduct sensitivity analysis model runs to investigate differences between the current RTC model, and the new updated model run. A sensitivity model run will be performed for each the base year, future year, and additional alternative future year scenarios.

5.6 Traffic Forecasts – Post-processed raw model volumes

After the model has been reviewed and updated where appropriate and the travel demand modeling tasks are complete post-model processing will be required as is standard industry practice to prepare the volumes for micro-simulation operations analysis. This will follow Nevada’s Traffic Forecasting Guidelines to develop approvable traffic forecasts.

5.7 Traffic Forecasting Memorandum

The CONSULTANT team will develop a technical memorandum describing the TransCAD model application and forecast results that will demonstrate the process followed NDOT guidelines.

The memorandum will include the following:

- Introduction
- Model Runs
- Coding Summary
- Results Summary
- Select Link Analyses Results
- Measures of Effectiveness Results Summary

Deliverable: Technical memorandum describing the travel demand model application and summary of results

5.7.1 Coordination with CONSULTANT Modeling and Traffic Staff

The CONSULTANT will hold regular coordination meetings to include all traffic forecasting and traffic operations staff. These meetings will be utilized to maintain a consistent forecasting and modeling methodology as well as consistent reporting of traffic operations results.

6.0 TRAFFIC OPERATIONAL ANALYSIS

6.1 Develop Traffic Modeling Methodology & Assumptions Memorandum

The CONSULTANT team will develop a technical memorandum describing the methodology and assumptions to be used in the traffic analysis, demonstrating that NDOT guidelines will be followed.

Deliverable: HDR will prepare and submit the *Traffic Forecasting Methodology and Assumptions Memorandum* to NDOT for approval by the traffic operations division.

A review of the methodology will be ongoing throughout the traffic modeling efforts. As circumstances may warrant this methodology may be refined accordingly in coordination with NDOT as the study proceeds.

6.2 Highway Capacity Software Analysis Locations

Highway Capacity Methodology will be used when VISSIM is not necessary. This will be determined based on the complexity and the congestion levels of the area/corridor. HCM will be used for the following areas:

- CC 215 North of Summerlin Parkway to US 95
- CC 215 South of Summerlin Parkway to Russell Rd
- US 95 South of CC 215 to Martin Luther King Blvd

Highway Capacity Software (HCS) facility module will be performed directly for all basic freeway segments, freeway merge and diverge areas, and freeway weaves. Signals will be optimized for future condition scenarios. We anticipate using both the facilities as well as individual modules of HCS to ensure that the results are reliable. Minor improvements (operations/maintenance related) will be examined and included in the future conditions analysis (these would be considered as possible routine mitigating improvements). These will be discussed with NDOT prior to analysis; documentation will include details of any such improvements.

HCS results will be reported and summarized in table format. More detailed HCS output sheets will be provided separately in appendix format. Areas too complex for HCS will be considered for analysis in VISSIM if necessary following discussion with the Traffic Operations.

All base condition modeling will be for base year 2016 (existing year) and 2040 horizon year.

6.3 VISSIM Analysis Locations

Version 7 of PTV's VISSIM software will be used to perform microsimulation analysis. This software will be used on congested corridors and/or when there are complex situations that require more detailed analysis. VISSIM will be used on the following project areas:

- Summerlin Parkway freeway, interchanges and ramp terminal intersection modeling
- I-15 South from Sahara to Sloan
- CC 215 mainline, interchanges and ramp terminal intersections modeling (SW section from Russell to I-15)
- I-215 / I-515 System Interchange (Henderson System Interchange)
- I-215 mainline (I-15 to I-515, Russell to 95/215 on the north end)
- US 95 mainline from 95/215 system interchange to MLK Blvd and ramp terminal intersection modeling
- I-515 mainline from Charleston to CC215/515 system interchange and ramp terminal modeling
- New East Las Vegas Freeway Connection

6.3.1 Summerlin Parkway

The Summerlin Parkway will be modeled in VISSIM. Baseline conditions and 1 alternative will be analyzed. The study will include the following interchanges and the ramp terminal intersections:

- CC 215, Anasazi Drive, Town Center Drive, N. Rampart Blvd, Durango Drive, N. Buffalo Drive, US 95

The CONSULTANT will model the Summerlin Parkway with VISSIM (2016 and 2040). The scope of work will include the verification and validation the previously developed alternative from GC Wallace report. No additional analysis is included in this scope of work. The CONSULTANT will include Summerlin / CC 215 interchange and Rainbow curve in this analysis.

6.3.2 I-15 South Corridor

The I-15 South corridor from Sahara to Sloan will be modeled in VISSIM. Baseline conditions including HOV facilities will be modeled. This corridor will include the following interchanges, plus the ramp terminal intersections:

- W Sahara Ave, W Flamingo Road, Spring Mountain, W Tropicana Ave, W Russell Road, CC 215 / I-215, Blue Diamond Road, W Silverado Ranch Blvd, W Cactus Ave, St Rose Pkwy, Sloan Road and the proposed HOV drop ramps and connectors (SNVHOV Plan).

We anticipate that the VISSIM Models will include:

1. I-15 Sahara to Tropicana: The CONSULTANT will model I-15 Sahara to Tropicana (2016 and 2040), one alternative (1- Trop Hacienda/Harmon HOV1), and a second alternative (TBD) if necessary. The CONSULTANT will also prepare preliminary design on all alternatives modeled in this area.
2. I-15 Tropicana to Blue Diamond: The CONSULTANT will model I-15 Tropicana to Blue Diamond (2016 and 2040), and model one or more alternatives as necessary. The CONSULTANT will develop the alternative(s) to be modeled, which are expected to include the I-15/CC215 system interchange to address S to W and E to N movement. The CONSULTANT will develop preliminary designs of the alternative(s) modeled.
3. I-15 Blue Diamond to Sloan: The CONSULTANT will model I-15 from Blue Diamond to Sloan (2016 and 2040). The 2040 model will be the baseline No-Action (or No-Build) model. Additionally, one Build alternative may be developed and modeled for this section. If one build alternative is to be developed, then the CONSULTANT will develop a preliminary design of this alternative.

6.3.3 CC 215

The CC 215 Southwest section study will be modeled in VISSIM and will include baseline conditions plus future project alternative(s). The following interchanges plus the ramp terminal intersections are anticipated to be included in the study:

- W. Russell Road, W. Sunset Road, S. Durango Drive, S. Buffalo Drive, S. Rainbow Blvd, S. Jones Blvd, S. Decatur Blvd
- The CONSULTANT will model the CC215 SW section from Russell to I-15. The CONSULTANT will design an alternative for this segment.

6.3.4 215/515 System Interchange

The Henderson System Interchange will be analyzed with VISSIM. This will be a full CCOAR study and report. Baseline conditions plus future conditions alternatives will be analyzed. The following interchanges and corresponding ramp terminal intersections will be included for analysis:

- Auto Show Drive, I-215 / I-515, N. Gibson Road, Eastgate Road, E. Van Wagenen St, E. Horizon Drive

The CONSULTANT will develop the VISSIM 2016 and 2040 model for the system interchange. The CONSULTANT will develop and model alternatives for this system interchange, and design the alternatives to screen resulting in one preferred alternative.

6.3.4.1 Change in Control of Access Report (CCOAR) for I-215/I-515 System Interchange

Design Meetings: There will be technical team milestone meetings between the CONSULTANT, NDOT and FHWA to ensure the appropriate steps are being followed to gain process and document approval. The meetings are anticipated to include a preliminary traffic operation meeting, a draft change in control of access report meeting, and a final change in control of access report meeting.

Introduction to CCOAR: The CCOAR will include the project study area, overview of proposed improvements, project purpose and need, and compliance with the FHWA eight policy points criteria.

CCOAR Process Documentation: The traffic modeling documentation will include the calibrated existing conditions for the peak periods, plus the Opening Year and Horizon Year no-build and build conditions. The modeling assumptions for all Existing, Opening Year and Horizon Year traffic will be documented, as well as the comparative output results. This will include data, figures and tables developed in previous traffic subtasks that include the system to system interchange and studied area.

6.3.5 CC 215 Mainline

The CC-215 Mainline section between I-15 and I-515 will be modeled in HCS. This section will include baseline modeling only. The following intersections will be included in the model:

- I-15, Airport Connector, E Warm Springs Road, E Windmill Lane, S Eastern Avenue, St Rose Parkway, S Green Valley Parkway, N Valle Verde Drive, N Stephanie Street, S Gibson Road, I-515

6.3.6 US 95 Mainline (CC 215 System Interchange to MLK)

The US 95 Mainline and ramp terminal intersections from CC 215 to I-15 (excluding the system interchanges of CC215 and I-15) are to be analyzed for baseline conditions only and will be modeled in HCS. The future HOV drop ramp at Smoke Ranch and all elements of the HOV system on US 95 will not be analyzed. The analysis will use traffic volumes and factors approved by NDOT Traffic Information in the Traffic Forecasting Memorandum. The interchanges are expected to be:

- W. Azure, W. Ann Road, N. Rancho Drive, W. Craig Road, W. Cheyenne Ave, W. Lake Mead Blvd, E. Summerlin Parkway/Rainbow, S. Jones Blvd, N. Decatur Blvd, S. Valley View Blvd, S. Rancho Drive
- An additional task if necessary will be to analyze the US 95/Summerlin/Rainbow curve interchange in VISSIM if it is determined that the HCS results are not sufficient in describing its operations. In this case as well, only baseline conditions will be examined (Build alternatives will not be tested and are excluded)

6.3.7 I-515 Mainline

The I-515 mainline traffic analysis will be performed in VISSIM and will only include baseline conditions. The interchanges and ramp terminal intersections that will be included are I-15, Casino Center/ 4th Street, N. Las Vegas Blvd, S. Eastern Ave, E. Charleston Blvd, Boulder Highway, E. Flamingo Road, E. Tropicana Ave, E. Russell Road, W. Sunset Road, and I-215.

6.3.8 US 95/515 from MLK to Charleston including I-15 System interchange.

This segment will include verification and validation of short term projects included in the current 515 study, and will consider long term solutions as well.

6.3.9 I-15/CC 215 system interchange

This project will include verification and validation of existing modeling developed by PB; no additional modeling will be included in this scope of work.

6.3.10 East Side Link

The New East Las Vegas Freeway connection analysis will be performed in VISSIM. The connection is anticipated to be studied as one future alternative and will include all interchanges and ramp terminal intersections. The connection will be from the I-515/I-215 interchange area to approximately the NE I-15/CC215 system interchange area along an alignment to be directed by the Department.

6.3.11 Existing Baseline Conditions

Existing conditions modeling will be performed for the peak periods based on the various study areas existing conditions geometry and traffic volumes. From the most recent data collection, a balanced traffic flow map will be developed and an origin-destination matrix for each VISSIM network will be developed that represents individual project/ corridors existing conditions network, in which inputs and routes will be created in VISSIM. Appropriate truck data will be included for modeling purposes based on the existing conditions data (separate truck routes may or may not be necessary depending on the project). The modeling area for each corridor is anticipated to be one interchange and one intersection outside of the study area to be analyzed. Ramp terminal intersections will be included unless not critical to the operations on the freeway or if there is ramp meter.

The existing conditions VISSIM models will be validated to match existing volume data within 10 percent of the balanced flow map for 90 percent of all links within the model. The models will also be calibrated to match collected queue and travel time data to within 15 percent. NDOT simulation guidelines will be followed for methodology to achieve validation of volumes and calibration of queues and travel time data.

The adjustment parameters used to calibrate the model will be categorized to be used across all modeled areas. The parameters will meet thresholds defined in the WSDOT VISSIM protocol manual (while following general simulation guidelines followed by NDOT's thresholds). If no existing conditions exist in an area of new development, no calibration will be necessary, basic driver behavior parameters will be used.

Calibration modeling will include building multiple freeway behavior types to replicate the capacity and representative behaviors of the various types of roadway sections (from high capacity basic freeway to low capacity weaves). These various behavior types will

be built and used in an attempt to gain consistency across various VISSIM models for this project. This is also being done to simplify the calibration process.

Due to the dynamic nature of simulation modeling, each model scenario will be run eleven times and averaged for final results. Individual runs will be checked for outlying results. Network performance results will be tabulated and graphed, travel time results will be shown in tables and speed results will be shown graphically or in table and charts.

An assumption and calibration memo will be developed to document how the model was built, validated and calibrated. Assumptions and parameter changes will be documented in the memo.

6.4 Future Conditions Scenarios Modeling

Future conditions VISSIM corridor modeling will be based from the existing conditions models, using the calibrated parameters and characteristics. The future model year will be 2040, based on the travel demand modeling traffic developed in the previous sections. The travel demand modeling will provide the future conditions origin-destination volumes for the specific area model networks to develop the inputs and routes for the VISSIM models. One hour of each peak period will be modeled (with 30 minute seeding and dissipation periods), with 30 min. intervals providing variability in the flow rates during each hour. Origin destination matrices for cars and trucks should be considered for each model whenever truck percentages vary significantly within the corridor. Origin destination matrices do not need to change for each time slice of the peak periods.

The future conditions VISSIM geometry changes will be based off a scaled design background image. The existing conditions model will be changed based on the future geometry and all VISSIM elements must be updated to correctly reflect the changes.

Error checking must be performed to validate the future model geometric and control coding as well as the volume inputs and outputs. Comparisons between the demand and output volumes should be performed and compared to validate the model.

Output comparisons of the future conditions models should show the average results of eleven simulation runs.

6.5 Technical Memorandums

The CONSULTANT will develop technical memorandums for each corridor describing the outcome of the traffic operations analysis. The traffic modeling documentation will include the calibrated existing conditions for the peak periods and Horizon Year no-build conditions. The modeling assumptions for all Existing and Horizon Year traffic will be documented, as well as the comparative output results. This will include data, figures and tables developed in previous traffic subtasks that include the studied area.

7.0 BENEFIT-COST ANALYSIS AND PERFORMANCE MEASUREMENT

In Task 7, the CONSULTANT team will develop a process for Department approval a process to identify the benefits of improvements along Southern Nevada corridors and compare project alternatives. In earlier Task 5, the CONSULTANT team will work with NDOT to select

appropriate performance measures. In Task 7, the CONSULTANT will apply benefit-cost analysis (BCA) to the microsimulation modeling conducted in Task 6. This task will occur concurrently with Task 6, so the calibration and adjustment of microsimulation models can take advantage of the detailed modeling of user benefits. This will also allow the CONSULTANT team to test the transfer of data from the microsimulation models to the BCA model.

7.1 Benefit-Cost Assumptions and Model

In Task 9, the CONSULTANT team will develop traffic forecasting for US-95, I-15, and CC 215, and a link on the east side. The CONSULTANT team will calibrate microsimulation models (VISSIM) to 2016 current conditions. Once these calibrated models are accepted the CONSULTANT team will prepare 2040 baseline models for the corridors. The 2016 and 2040 models will be used as the baseline for comparing Build projects and alternatives. The CONSULTANT team will develop simulations of Build options using the 2040 models. The traffic impacts in these Build models will be compared to the baseline models to estimate user benefits over an established lifecycle.

The CONSULTANT team will begin Task 7 by developing a sketch planning, spreadsheet model that can estimate benefits directly from the microsimulation model. These benefits include:

- Travel time savings;
- Vehicle operating cost savings; and
- Emission savings.

The CONSULTANT team will build on Cal-B/C Corridor, which is a post-processing benefit-cost model developed by Caltrans. This will allow NDOT to avoid “reinventing the wheel” and target study resources to modeling and comparing projects and alternatives. The spreadsheet model will be specific to the US-95, I-15, and CC 215 corridors and will use economic values consistent with DEPARTMENT standards. It will also be modified to report the performance measures established in Task 5 (if these measures are available from the BCA calculations).

The CONSULTANT team will hold a meeting to discuss each of the parameters necessary for the model with the DEPARTMENT and suggest values, such as the value of time and discount rate to use in the analysis. These values will build on federal guidelines and usual economic practices when DEPARTMENT standards are not available. In addition, the CONSULTANT team will work with the DEPARTMENT to establish a standard lifecycle for considering each project and alternative. A common standard for this lifecycle is 20 years.

The CONSULTANT team will calculate safety benefits associated with each project and alternative tested. These benefits will be calculated using information from DEPARTMENT safety statistics, microsimulation model results, and literature reviews (if necessary) to estimate the change in crash rates and severity. The CONSULTANT team will work with NDOT to develop the best approach for estimating the safety benefits of each project and alternative. This approach will not be a full safety analysis for each corridor. Rather, the analysis will be high level and provide data appropriate for a benefit-cost analysis.

There are multiple methods that can be used for estimating safety impacts. The DEPARTMENT has a tool that calculates reduction factors, but the level of design for the alternatives may not be detailed enough to use this approach. Other options include using methods from the Highway Safety Manual (HSM), relating safety benefits to operational impacts captured in the microsimulation data, and using detailed crash rate group forecasts from Caltrans or another state. In addition, another consultant is developing an approach for analyzing safety as part of a

separate study for I-515. The CONSULTANT team will coordinate with the I-515 and ensure consistency. The CONSULTANT team will develop a preliminary approach in consultation with the DEPARTMENT. This approach may be modified based on data available as the BCA is conducted in later tasks.

An important consideration will be to make sure that the calculations account for the safety exposure rates experienced by all vehicles in the No Build and Build conditions. For example, a braided ramp may increase throughput in the vicinity of the interchange. While the average crash rate may decrease, the higher throughput may result in higher total VMT. If the safety calculation does not account for the crash rates for corridors previously taken by vehicles encouraged to use the interchange, the safety calculation might mistakenly indicate that safety worsens when it actually improves.

The BCA will not consider the impact of projects and alternatives on travel time reliability. This capturing this benefit would require significant additional modeling or, using a simple approach, not differentiate among alternatives.

Deliverables: Technical memorandum documenting BCA approach and assumptions; spreadsheet benefit-cost model specific to NDOT

7.2 Benefit-Cost Model to Support Micro-Simulation Calibration and Alternative Modeling

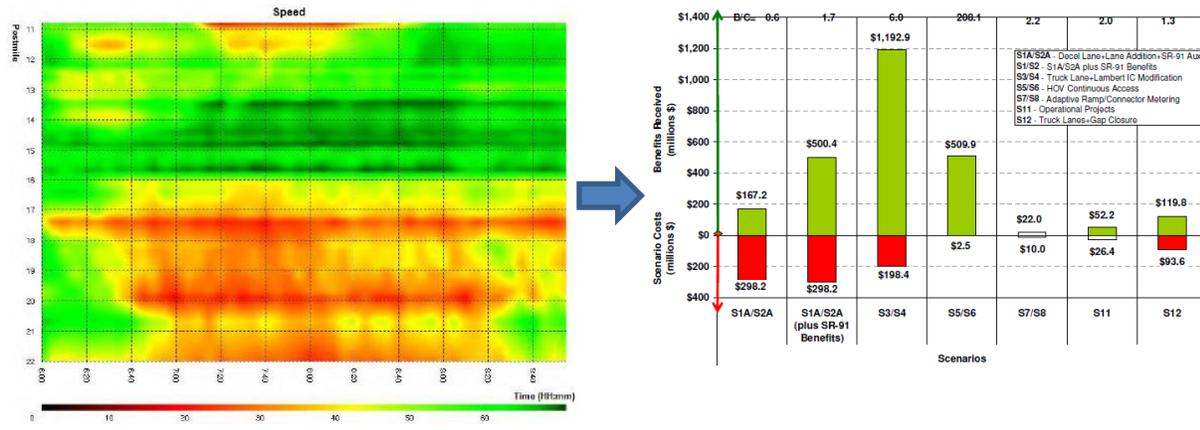
In Task 7.2, the CONSULTANT team will use the benefit-cost model developed in Task 7.1 to support traffic operational analysis in the microsimulation models (VISSIM) and interpretation of model results. In previous studies, we have found that early estimation of the user benefits by segment helps microsimulation modelers adjust alternative results and capture operating conditions better than relying on measures of effectiveness (MOEs) alone.

The CONSULTANT team will start by breaking each corridor into appropriate segmentation. This segmentation will correspond to bottlenecks areas (segmentation according to congestion and queuing from downstream bottlenecks) and account for differences in volume and geometry. Ramp segments will be reported separately from the freeway segments in the aggregate output from the microsimulation models. Arterial segments will also be reported separately for corridor models that include arterials. In addition, automobile data will be reported separately from truck data.

For each segment, direction, hour, and vehicle type, the CONSULTANT team will report aggregate statistics, such as vehicle-miles traveled (VMT) and vehicle-hours traveled (VHT). The CONSULTANT team will develop a standard spreadsheet to facilitate the importation of results from the microsimulation models into the benefit-cost model. The CONSULTANT team will estimate user benefits by segment and facility as well as in aggregate to help the modelers pinpoint where model results make sense and where they need to be adjusted.

The goal is to adjust the microsimulation results until the alternative models make sense and truly capture the operational impacts along the corridors. Ultimately, the benefit-cost model will be able to turn the micro-simulation model results from measures of effectiveness, such as the speeds in a time-space diagram into benefit-cost results as illustrated in Figure 1.

Figure 1. Using Micro-Simulation Data for Benefit-Cost Analysis



Adapted from Caltrans, Orange County SR-57 Corridor System Management Plan, August 2010.

For each alternative, the CONSULTANT team will estimate travel time, vehicle operating costs, and emissions impacts using the spreadsheet model developed in Task 7.1. These preliminary results will be reported to the DEPARTMENT as an indication of initial corridor-level user impacts.

Deliverable: Improved model calibration and preliminary tests of benefit-cost modeling

7.3 Model Benefits of Project Alternatives

In Task 7.3, the CONSULTANT team will use microsimulation data and the benefit-cost model to estimate benefits for the project alternatives associated with the corridor evaluations and the change in control of access reports. The CONSULTANT team will test preferred work with the DEPARTMENT during the project to determine the appropriate alternatives to model, but the list is anticipated to include the following:

- Summerlin Parkway – 1 CONSULTANT-developed alternative and 1 GCW alternative
- US 95 – 1 alternative for east-west segment
- CC 215 – 1 CONSULTANT-developed alternative
- I-15 – 1 CONSULTANT-developed alternative for Sahara to Tropicana and 1 HOV connector alternative
- I-15/CC 215 Interchange – 1 CONSULTANT-developed alternative for south to west movements
- East link – 1 alternative to add link on east side of Valley
- I-215/I-515 Interchange – 3 CONSULTANT-developed alternatives for CCOAR.

Note that the term “project alternative” in this case means a project with a preferred alternative or one of multiple options (alternatives) for a project. The CONSULTANT team will need to prepare a BCA for every scenario run in the microsimulation models. This is necessary for the DEPARTMENT to have the benefit-cost information needed to compare alternatives and prioritize projects.

The CONSULTANT team will develop a CCOAR for the I-215/I-515 Interchange. As part of the CCOAR, a separate BCA will be conducted for each of the preferred alternatives included in the report. The BCA results will be incorporated directly into the CCOAR.

For other corridors and project locations, the CONSULTANT team will conduct BCAs as part of the corridor evaluations.

For each alternative (whether for the CCOAR or the corridor evaluations), the CONSULTANT team will prepare a BCA that includes the following user benefits:

- Travel time
- Safety
- Vehicle Operating Costs
- Emissions

The analyses will focus on benefits that occur on the freeway network only and focus on benefits in the immediate project area.

The CONSULTANT team will begin the benefit-cost analyses by collecting cost data for each alternative being tested. The CONSULTANT team will work with the DEPARTMENT to collect data on construction and incremental operating costs for the alternatives. Figure 2 shows an example of the types of project costs expected to be included in the analysis. The initial costs will include construction, right-of-way (ROW), and project support costs. The subsequent costs will cover the annual maintenance, operating, and rehabilitation costs for the alternative. These costs will be compared to the costs that would have occurred in the No Build to estimate the incremental costs over the project lifecycle.

Figure 2. Example of Organizing Necessary Capital and Operating Costs

Year	DIRECT PROJECT COSTS						TOTAL COSTS (in dollars)	
	INITIAL COSTS			SUBSEQUENT COSTS			Constant Dollars	Present Value
	Project Support	R / W	Construction	Maint./ Op.	Rehab.	Mitigation		
Construction Period								
1							\$0	\$0
2							0	0
3							0	0
4							0	0
5							0	0
6							0	0
7							0	0
8							0	0
Project Open								
1							\$0	\$0
2							0	0
3							0	0
4							0	0
5							0	0
6							0	0
7							0	0
8							0	0
9							0	0
10							0	0
11							0	0
12							0	0
13							0	0
14							0	0
15							0	0
16							0	0
17							0	0
18							0	0
19							0	0
20							0	0
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

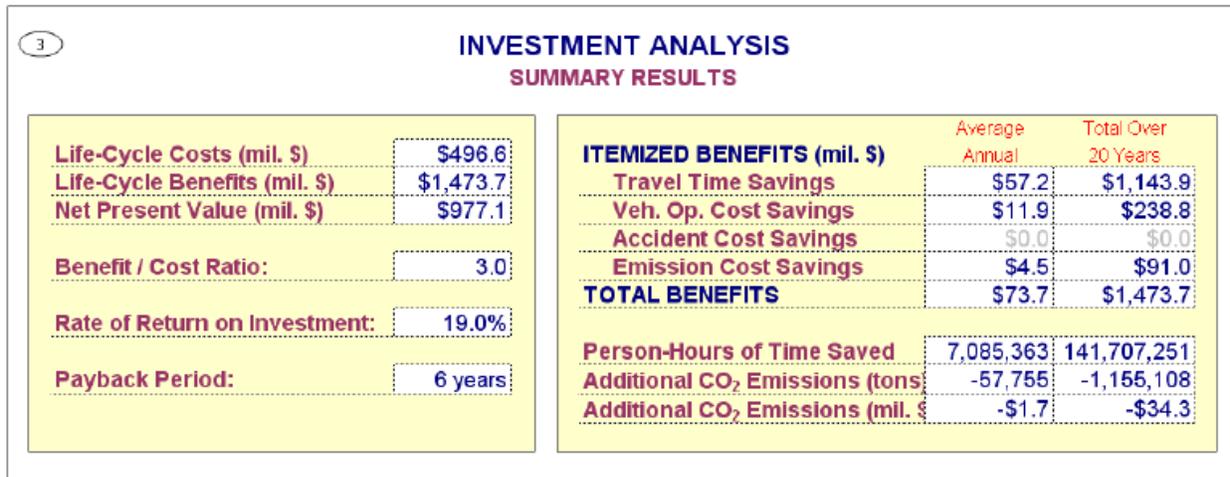
The DEPARTMENT will provide preliminary project cost estimates for project alternatives that have already been determined. The CONSULTANT will work with the DEPARTMENT to prepare high-level cost estimates for additional CONSULTANT-developed alternatives. Note that these cost estimates are for estimating the cost effectiveness of the project alternatives rather than for costing projects in design or procurement. The CONSULTANT team will work with the DEPARTMENT to refine the cost estimates throughout the scenario testing.

The CONSULTANT team will then use data from the microsimulation models to estimate user benefits. The CONSULTANT team will simulate a build alternative for each alternative using the

2040 models. These will be compared to the 2040 baseline models and the 2016 current conditions models over the standard lifecycle selected in Task 7.1. The BCA analysis will assume that the percentage improvement in traffic conditions modeled in 2040 applies to all years in the BCA lifecycle.

Benefits for each alternative will be summarized using output from the benefit-cost model developed in Task 7.1. Figure 2 shows an example of how benefit-cost results could be summarized using an example from Cal-B/C Corridor. The CONSULTANT will work with the DEPARTMENT to determine an appropriate benefit-cost summary that will also incorporate relevant performance measures. Note that this output will reflect the use of Nevada-specific parameters as determined in Task 7.1

Figure 2. Example of Summary Benefit-Cost Results



Adapted from Caltrans, Orange County SR-57 Corridor System Management Plan, August 2010.

The example in Figure 2 shows only benefits calculated directly from the microsimulation results. The benefit summaries produced for NDOT will also include crash cost savings. The alternative will be incorporated directly into the CCOAR.

Deliverable: Benefit summaries for 12 project alternatives to be included in CCOAR and corridor reports

7.4 Model Benefits of Combined Alternatives

One limitation of the analysis conducted in Task 7.3 is that the traffic operation analysis and the resulting BCA consider each project alternative in isolation. However, improvements made along a corridor may affect portions of the corridor downstream of the improvement or along other corridors. For example, an improvement on I-15 from Sahara to Tropicana may affect the benefits of improvements at the I-15/CC 215 Interchange or along CC 215. In Task 7.4, the CONSULTANT team will bundle alternatives testing in Task 7.3 into combined alternatives. For example, the I-15, I-15/CC 215 Interchange, and CC 215 alternatives could be bundled into one combined alternative. This will allow NDOT to understand the cumulative effect of improvements that can influence each other.

Since separate micro-simulation models will be developed for each corridor in Task 6 and the combined alternatives may involve more than one corridor, the estimation of benefits for the combined alternatives will require the CONSULTANT team to run the micro-simulation models iteratively and in combination with the travel demand models. The BCA will need to incorporate the results of each of these model runs into a combined analysis.

The CONSULTANT team will prepare BCAs for combined alternatives. The CONSULTING team will work with the DEPARTMENT to select appropriate combinations to model and conduct BCA.

Deliverable: Benefit summaries for combined alternatives

7.5 Coordinate with Other Studies and Incorporate BCA Results

In Task 7.5, the CONSULTANT team will incorporate the results of two concurrent studies of the I-15 and I-515 corridors. The team will coordinate with the other studies to ensure that they are using a similar simulation methodology and producing consistent results. The CONSULTANT team will work with the teams conducting the other studies to ensure that they are using a consistent BCA methodology. The results of these studies will be validated and recalculated if necessary for consistency across the Las Vegas Valley.

Deliverable: Benefit summaries for I-15 and I-515 corridors

7.6 Summarize Corridor-Level Benefits

In Task 10.6, the CONSULTANT will develop a technical memorandum that describes the analysis methodology and summarizes the results of the BCAs conducted for project alternatives in Task 7.3, combined alternatives in Task 7.4, and I-15 and I-515 alternatives in Task 7.5. The memorandum will present the results of every model scenario tested and provide the information needed for the DEPARTMENT to compare projects across corridors in the Las Vegas Valley.

Deliverable: Technical memorandum summarizing BCA methodology and BCA results for all corridors analyzed

8.0 APPLYING BCA FOR ADDITIONAL ALTERNATIVES

In Task 8, the CONSULTANT will estimate BCA for an anticipated two additional alternatives. This will involve the following steps:

- Collecting cost data and refining throughout the scenario testing
- Calculating a preliminary BCA for each alternative using the spreadsheet model to support microsimulation model calibration
- Estimating traffic safety benefits in addition to the other benefits in the spreadsheet model.
- Integrating the benefits to estimate a complete BCA for each alternative.

This task will essentially involve the same steps as Task 8, but the process will be abbreviated because the benefit-cost model has already been built. The DEPARTMENT may choose to have the CONSULTANT team conduct Task 8 simultaneously with Task 7.

Deliverable: Benefit-cost results for additional alternatives

9.0 ALTERNATIVE PRELIMINARY DESIGN

Perform preliminary engineering and layout for various alternatives in the Las Vegas Valley:

1. At the I-515 and I-215 interchange
2. Along I-15 from Tropicana to Sahara and at the I-15/ CC215 System Interchange
3. Along the Southern/Western CC-215 from I-15 to Tropicana
4. Along US 95

The DEPARTMENT will provide The CONSULTANT with any available information including mapping, right of way, design files of adjacent on-going or recently completed Department projects and studies, and any available aerial photography. Where mapping or previous design files are unavailable, aerial imagery will be used to develop the design layout and tie-ins (right of way lines will be estimated). The CONSULTANT shall prepare conceptual preliminary design level linework and exhibits showing preliminary footprint for proposed improvements at the locations noted previously:

1. At the I-515 and I-215 interchange Alternatives are expected to include three design concepts.
2. Along I-15 from Tropicana to Sahara: Alternatives are expected to include one that accommodates/includes future HOV drop ramp installation locations, one additional concept between Sloan and Tropicana, and one alternative for the I-15/ CC215 System interchange.
3. Along the Southern/Western CC-215: Alternatives are expected to include one design concept based on the Traffic Study recommendations.

The preliminary designs will include general typical sections; horizontal and vertical alignments; striping plans, including existing tie-in tapers; edge of pavement locations; tie-ins to future projects as provided by the DEPARTMENT; approximate toe-of-slope limits; and any significant drainage and/or utility impacts.

Design linework to include reviewing impacts to Interstates I-15, I-215 and I-515 and Clark County 215 Rights of Way (R/W) from widening and relocated footprint to accommodate the proposed conceptual improvements, and will include exhibits to depict limits of R/W impacts.

The CONSULTANT shall prepare preliminary cost estimates for each proposed design concept to identify future funding needs. Estimates will be prepared corresponding in detail to available project mapping and design level linework. The estimate will be prepared using the DEPARTMENT'S Wizard cost estimation tool. The CONSULTANT will work with the DEPARTMENT'S PM and DESIGN TEAM to set the parameters for risk and other factors.

Signing estimate will be based on estimated number of overhead sign structures and additional percentage for post mounted signs. All other estimates will be based on a percentage of overall roadway costs unless readily obtainable quantities are identifiable from background information (i.e. mapping). Estimates will also include estimated area (SQFT) of needed right-of-way and easements.

The CONSULTANT shall assist in the review and preparation of a Technical Memorandum containing recommendations for the number and types of lanes within the project limits as determined by the Traffic Study. The CONSULTANT will provide write-up of the design elements of the work/project as needed to supplement the Technical Memorandum; and review the Consultant prepared sections. The CONSULTANT to provide exhibits showing work accomplished (and the associated electronic files) for inclusion in the Final deliverables to the DEPARTMENT.

10.0 PUBLIC & STAKEHOLDER OUTREACH & INFORMATION PROGRAM

10.1 Establish Public Information Plan

The CONSULTANT shall provide the NDOT Project Manager (PM), Public Hearings Officer, (PHO) and Public Information Officer (PIO) a Draft and Final public outreach plan, to be updated as appropriate for the duration of the project. The final outreach plan will be completed within 30 days from notice to proceed. This comprehensive plan will outline a detailed public outreach approach and strategies designed to address key stakeholder concerns while also maintaining the project's overall goals and priorities.

The CONSULTANT shall assist the NDOT PM and PIO with creating, preparing and releasing relevant and timely information to the media regarding project status. Materials may include news releases, advisories, fact sheets, press kits, and any other collateral materials prepared especially for news media.

10.2 Outreach Coordination with Jurisdictions and Stakeholders

The CONSULTANT will obtain information and background data for ongoing and planned projects and maintain that information in a living document for accurate relevance. The CONSULTANT will provide project information and planning issues to local jurisdictions. The CONSULTANT will coordinate public outreach efforts with any studies and/or projects currently underway within the project area of Clark County.

The CONSULTANT will support the NDOT Project Manager with attendance at applicable public workshops, stakeholder meetings, local government meetings, and Community Advisory Board (CAB) meetings to keep abreast of local activities.

The CONSULTANT will support the PM with attendance at one-on-one meetings with community stakeholder groups to identify issues and gather input. (The list and number of key stakeholders is subject to NDOT PM, PIO, and project team approval). The CONSULTANT will summarize the results of the one-on-one meetings to NDOT PM and PIO.

The CONSULTANT will participate in project presentations to local entities, organizations, stakeholder associations, and speakers' bureau. Presentations will include project information; visual displays-color handouts as applicable for the presentations. Presentations will be coordinated through the NDOT PM and PIO.

10.3 Outreach Coordination with the Public

This scope of services will include the CONSULTANT attending public information meetings for other projects within the Study area and presenting a SNTS poster display, fact sheet and ways to comment on the Southern Nevada Traffic Study.

The CONSULTANT, in coordination with NDOT PM and Public Hearings Officer (PHO), shall be responsible for:

- a) Preparing and printing project exhibits for the public meetings
- b) Preparing and printing fact sheets/handouts
- c) The CONSULTANT will also provide qualified professional staff members who are knowledgeable of the project, overall public information practices and procedures, and NDOT's specific procedures to provide comprehensive public information services for the project.

10.4 Study Website and Social Media

The CONSULTANT, in coordination with NDOT PM, Communications website staff and PIO, shall procure a website domain name. All additional website and social media content will be developed and maintained by the DEPARTMENT.

10.5 Project Summary Report

Upon project completion, the CONSULTANT shall provide the NDOT PM, Public Hearings Officer (PHO) and Public Information Officer (PIO) a Draft and Final Summary Report on public and stakeholder outreach efforts, including the final public outreach plan and documentation of all outreach activities, materials, and media coverage.

Public Involvement Deliverables:

- Draft Public Outreach Plan
- Final Public Outreach Plan
- Document of ongoing and planned projects
- SNTS project display. fact sheet and project packets
- SNTS presentation
- Website domain name

11.0 PLANNING AND ENVIRONMENTAL LINKAGES (PEL)

The PEL portion of the project may include development and evaluation of alternatives based on a consideration of Purpose and Need, geometric, planning and environmental factors, a traffic feasibility analysis, and public and agency input. PEL Study alternatives will initially include the areas shown in blue on the attached Southern Nevada Traffic Study basemap. The intent of the PEL Study analysis is not to identify impacts, but rather to identify major environmental constraints that could impede or slow implementing those PEL Study alternatives which best meet meeting the Purpose and Need and other study goals.

During the development of the environmental document, preliminary alternatives will be developed at a conceptual design level as described above.

11.1 Existing Environmental Conditions

Areas of social, economic, and environmental interest may be reviewed to identify issues of concern within the study area. Data collection will begin at the onset of the study and be used to collect environmental constraints to inform the alternatives evaluation. Social, economic, and environmental issues to be examined are listed below. Geological investigation is not considered to be part of this scope of work.

The Consultant shall conduct an environmental desktop analysis of critical environmental issues within the project limits described above that include the following tasks:

- A. Map environmental resources and prepare a list of environmental issues. Data collection will be conducted at a broad, planning level for the study area, using available GIS data sources from the City of Las Vegas, Clark County, RTC-SN, US Geological Survey (USGS), and the Nevada Natural Heritage Program. Where available, more detailed mapping and reports will be referenced. Include, at a minimum:
 - i. Floodplains
 - a. Digital Flood Insurance Rate Map (DFIRM) for Clark County
 - b. Clark County Master Plan Flood Control Conveyances
 - c. FEMA Designated 100-year Flood Zones
 - ii. Wetlands
 - a. National Wetlands Inventory (NWI)
 - b. National Hydrography Dataset (NHD)
 - iii. Cultural and Historic Sites
 - a. City of Las Vegas Historic Areas
 - iv. Hazardous Waste Sites
 - a. NDEP Active Cases
 - b. NDEP BCA sites
 - c. EPA Hazardous Waste Sites
 - d. EPA Brownfields
 - e. EPA Toxic Releases
 - v. Wildlife and Vegetation Resources
 - a. Southern Nevada Vegetation Classification
 - b. SW Regional Gap Analysis Program Land Coverage
 - vi. Public Parks and Recreation Facilities
 - a. City of Las Vegas Parks
 - b. City of Las Vegas Trails
 - c. Clark County Community Centers
 - vii. Section 6(f) Properties
 - a. Review of online 6(f) database
 - viii. Prime Agricultural Land
 - ix. Pedestrian and Bicycle Facilities
 - a. City of Las Vegas Bike Trails (on and off street)
 - x. Environmental Justice
 - a. US Census Bureau and American Community Survey data to identify low-income and minority populations
 - xi. Community Facilities
 - a. Clark County Private Schools

- b. Clark County Library
- c. Clark County Law Enforcement Facilities
- d. Clark County Fire Stations
- e. Clark County Schools
- xii. Other Neighborhood Facilities (e.g., churches, banks, groceries)
- xiii. Land Use
 - a. Clark County Zoning
 - b. Clark County Planned Land Use
 - c. Clark County Mixed Use
 - d. City of Las Vegas Zoning
 - e. City of Las Vegas Redevelopment Areas
 - f. City of Las Vegas Live Work
 - g. City of Las Vegas Master Plan Streets and Highways

- B. All third party data collected in Task 12.0 (a) will be compiled into a single project GIS database covering the study area. This database will serve as the primary data repository for the project and used for evaluating alternatives as part of the PEL process. All data sources will be migrated to a project specific coordinate system as defined by a project survey control system or based on an agreed upon grid coordinate system. All data created for this project will conform to the common coordinate system. The data will be stored in an esri file geodatabase developed in ArcGIS Desktop version 10.3.1, unless otherwise noted. Metadata will be stored for all existing data where it exists. If no metadata exists then only a data source and data provider will be documented. All new project data will have full metadata developed.
- C. Supplement the GIS data collection by reviewing relevant NEPA studies along the study corridors to identify differentiating environmental resources, to include Section 4(f) and 6(f) properties and critical habitat for protected species. Add or amend critical resources mapping in GIS database.

The Consultant shall generally assess potential effects to environmental resources from study alternatives. This will involve GIS analysis using the data collected in 11.1(a), as well as a summary (max of 4 pages) describing major environmental issues or impediments to study alternatives. The Consultant will prepare environmental maps and graphics map to be included in the Draft and Final Summary Report for the projects. Entry permits will not be obtained.

Deliverable: Single-project GIS database (electronic file only).

11.2 Purpose and Need Statements

Develop a Purpose and Need Summary for each corridor that will:

- A. Identify the visions NDOT and the Stakeholders County have for the future of the facilities and points of disagreement and congruence.
- B. Reference the list of issues that resulted from contacts with stakeholders and general knowledge of the corridor to identify a list of key needs in the corridor.

- C. Prepare a preliminary list of existing and anticipated deficiencies on the corridor. The list should describe the existing or anticipated deficiencies in the transportation system and the growth or changing needs in the study area.
- D. Include a concise written statement of Purpose and Need and provide to the DEPARTMENT for review. This statement should be an "umbrella" statement for the each project or corridor, based on identification of needs and deficiencies. It should include the following:
 - i. Description of project location, length, and a definition of the project study area.
 - ii. Description of existing transportation facilities and services, including transit, highway, bus service, park-n-Rides, bicycles and pedestrian, etc.
 - iii. Identification of specific transportation problems and deficiencies
 - iv. System linkage information.
 - v. Safety problems.
- E. Summarize previous and current transportation studies, community plans, and planning efforts relevant to the project.

Where needed, tailor the umbrella Purpose and Need statement for those corridors where alternatives are being considered (see 11.3.d) below. Corridor-specific statements will be concise and geared toward guiding the evaluation of alternatives.

11.3 Alternatives Evaluation

- A. Prepare an alternatives screening memorandum for the five corridors where alternatives are expected to be evaluated. These corridors are:
 - i. I-15 South Corridor from Sahara to Sloan
 - ii. CC 215 - Southwest Section
 - iii. 215/515 System Interchange
 - iv. New East Las Vegas Freeway
 - v. Summerlin Parkway
- B. Identify which potential alternatives satisfy the purpose and need of the project and briefly outline why. For alternatives that do not satisfy the project purpose and need, the evaluation will provide documentation why those alternatives do not meet the project purpose need and should not be considered further. This will include summary of items from Section 11.2 above (e.g. Purpose and Need and Goals). Detail the process to be used in evaluating concepts and ensure it meets PEL/NEPA requirements. Prepare draft memo, submit to FHWA and NDOT for review, address comments, and prepare final memo.
- C. Develop a draft set of screening criteria for the five corridors for review with the project team and finalize the criteria based on input from stakeholders. Assist in applying the evaluation criteria for each alternative improvement to each other, to the No Action

Alternative, and to existing conditions. It is assumed that screening results will be tabulated in spreadsheet format with minor comments summarizing results.

- D. Use additional screening criteria to evaluate the ability of each alternative to address the Purpose and Need and identify potential impacts to environmental resources. At this stage, very limited design information will be available; only generalized information about the type of improvement will be used for impact identification. The “fat-line” drawings will be used to evaluate the relative magnitude of impacts to environmental resources. The evaluation of impacts will be on a cursory level and will not include detailed quantitative impact analysis. This documentation is intended to limit the need to re-analyze alternatives during subsequent planning or National Environmental Policy Act (NEPA) documentation efforts.
- E. Conduct GIS analysis to generally assess potential effects to environmental resources from study alternatives.
- F. Summarize major environmental issues or impediments to study alternatives for each of the five corridors listed in item D above. Identify those areas expected to require further analysis for NEPA purposes, and provide input on potential future NEPA class of action (i.e. EIS, EA, or CE).

Deliverables:

- Spreadsheet evaluations of study alternatives
- Alternative effect summaries

11.4 PEL Outreach

The CONSULTANT will:

- A. Obtain updated ITS list from NDOT Environmental. Develop draft mailing list to include environmental resource agencies, elected officials, and other stakeholders listed on the ITS list. Submit draft mailing list to NDOT Environmental and FHWA for review. Revise and prepare final mailing list.
- B. Prepare scoping letters, provide to NDOT and FHWA for review, and distribute letters. Compile comments received.
- C. Review public meeting materials identified in Section 10 and include information necessary for the PEL process.
- D. Participate in coordination meetings with FHWA NV-Division, NDOT Environmental and Planning, and resource agencies to discuss the PEL process and results of evaluations.

11.5 PEL Documentation

The CONSULTANT will:

- A. Provide documentation for a final PEL report. The document will include the following information:

- i. Existing conditions as identified in other tasks of this scope.
 - ii. Environmental documentation and evaluation for the resources listed above.
Revisions will be made for drafts.
 - iii. Summary of the PEL process used.
 - iv. Identification and prioritization of alternatives by potential class of NEPA action (CE, EA, EIS). Provide the following information for each alternative:
 - a. Potential logical termini
 - b. Future data collection needs
 - c. Future agency outreach and procedural requirements
- B. Complete NDOT Questionnaire and PEL Checklist for each corridor evaluated.
Address comments from NDOT and FHWA and finalize questionnaire and checklists.
- C. Summarize stakeholder, agency and public meetings, including date, purpose, attendees, issues, and outcomes as part of Public Outreach tasks. This summary will be appended as part of the PEL documentation.



MEMORANDUM

July 29, 2016

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: August 8, 2016, Transportation Board of Directors Meeting
Item #9: 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 June 16, 2016, through July 14, 2016
- Agreements under \$300,000 executed June 16, 2016, through July 14, 2016
- Settlements entered into by the Department which were presented for approval to the Board of Examiners June 16, 2016, through July 14, 2016

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

Background:

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

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

The attached construction contracts, settlements and agreements constitute all that were awarded for construction from June 16, 2016, through July 14, 2016, and agreements executed by the Department from June 16, 2016, through July 14, 2016. There was one (1) settlement during the reporting period.

Analysis:

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

List of Attachments:

- A) State of Nevada Department of Transportation Contracts Awarded - Under \$5,000,000, June 16, 2016, through July 14, 2016
- B) State of Nevada Department of Transportation Executed Agreements – Under \$300,000, June 16, 2016, through July 14, 2016
- C) State of Nevada Department of Transportation Settlements - Informational, June 16, 2016, through July 14, 2016

Recommendation for Board Action: Informational item only

Prepared by: Administrative Services Division

Attachment

A

**STATE OF NEVADA DEPARTMENT OF TRANSPORTATION
 CONTRACTS AWARDED - INFORMATIONAL
 June 16, 2016, through July 14, 2016**

1. May 19, 2016, at 1:30 PM the following bids were opened for Contract 3640, Project No. SPSR-0529(001), on SR 529, South Carson Street, from Overland Street to Fairview Drive, in Carson City County, for micro-surfacing, patching and pedestrian safety improvements.

Sierra Nevada Construction, Inc.....	\$1,244,007.00
Road and Highway Builders LLC.....	\$1,464,464.00
Spanish Springs Construction, Inc.....	\$1,524,444.00

Engineer's Estimate..... \$1,107,049.86

The Director awarded the contract, June 20, 2016, to Sierra Nevada Construction, Inc. for \$1,244,007.00.

2. May 19, 2016, at 2:00 PM the following bids were opened for Contract 3636, Project No. SPFR-PEO1(2), on I 80, Frontage Road south of Lovelock, in Pershing County, for a 2 inch plant-mix overlay and repairing concrete columns.

Granite Construction Company	\$2,775,775.00
A & K Earth Movers, Inc.	\$2,822,000.00
Road and Highway Builders LLC.....	\$2,838,838.00
Q & D Construction, Inc.....	\$2,849,847.17
Sierra Nevada Construction, Inc.....	\$3,068,007.00

Engineer's Estimate..... \$3,295,802.31

The Director awarded the contract June 21, 2016, to Granite Construction Company, for \$2,775,775.00.

3. June 2, 2016, at 1:30 PM the following bids were opened for Contract 805-16, Project No. SP-000M(228), on Yerington, Wellington, Gardnerville, Blue Jay Maintenance Stations, in Douglas, Lyon, and Nye Counties, for fuel station upgrades.

Bramco Construction Corporation	\$1,099,447.00
MKD Construction	\$1,800,000.00

Engineer's Estimate..... \$900,000.00

The Director awarded the contract June 22, 2016, to Bramco Construction Corporation, for \$1,099,447.00.

4. June 16, 2016, at 1:30 PM the following bid was opened for Contract 3642, Project No. SPSR-0278(011), on SR 278, Eureka Road, in Eureka County, for placing plant-mix bituminous surface.

Road and Highway Builders LLC..... \$1,686,686.00

Engineer's Estimate..... \$1,558,303.23

The Director awarded the contract July 11, 2016, to Road and Highway Builders LLC, for \$1,686,686.00.

5. June 23, 2016, at 2:00 PM the following bids were opened for Contract 3643, Project No. SPSR-0443(002), on SR 443, Sun Valley Blvd., at 6th Ave., at Gepford Pkwy., and at Skaggs Circle, in Washoe County, for pedestrian safety, lighting and ADA improvements.

Q & D Construction, Inc..... \$1,110,000.00

Sierra Nevada Construction, Inc..... \$1,304,007.00

Spanish Springs Construction, Inc..... \$1,391,444.00

MKD Construction, Inc..... \$1,430,000.00

Engineer's Estimate..... \$981,959.10

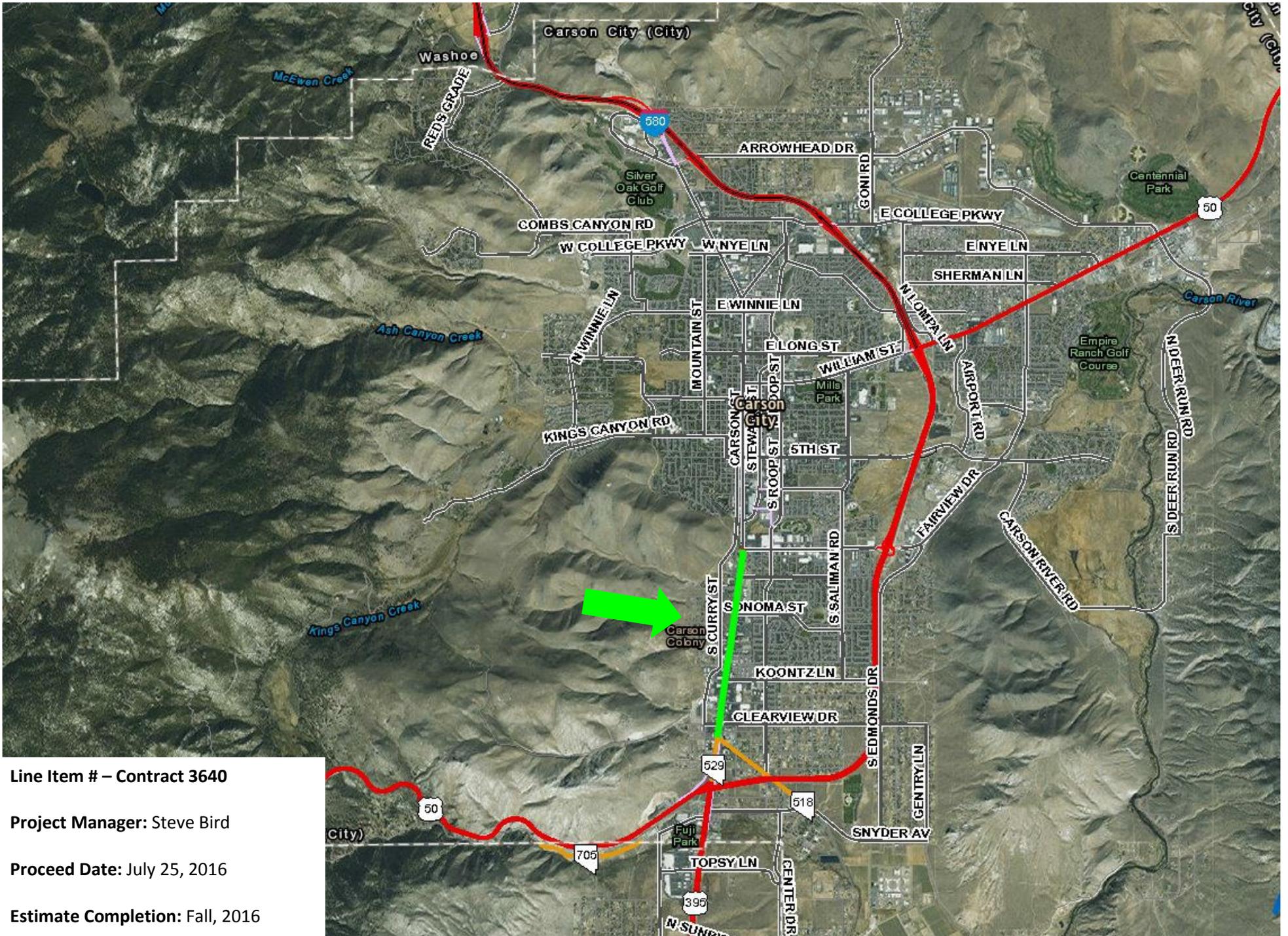
The Director awarded the contract July 13, 2016, to Q & D Construction, Inc., for \$1,110,000.00.

6. June 23, 2016, at 2:30 PM the following bid was opened for Contract 3644, Project No. SPSR-0293(002), on SR 293, in Humboldt County, to chip seal and seal coat.

Sierra Nevada Construction, Inc..... \$589,007.00

Engineer's Estimate..... \$659,370.89

The Director awarded the contract June 2, 2016, to Sierra Nevada Construction, Inc., for \$589,007.00.

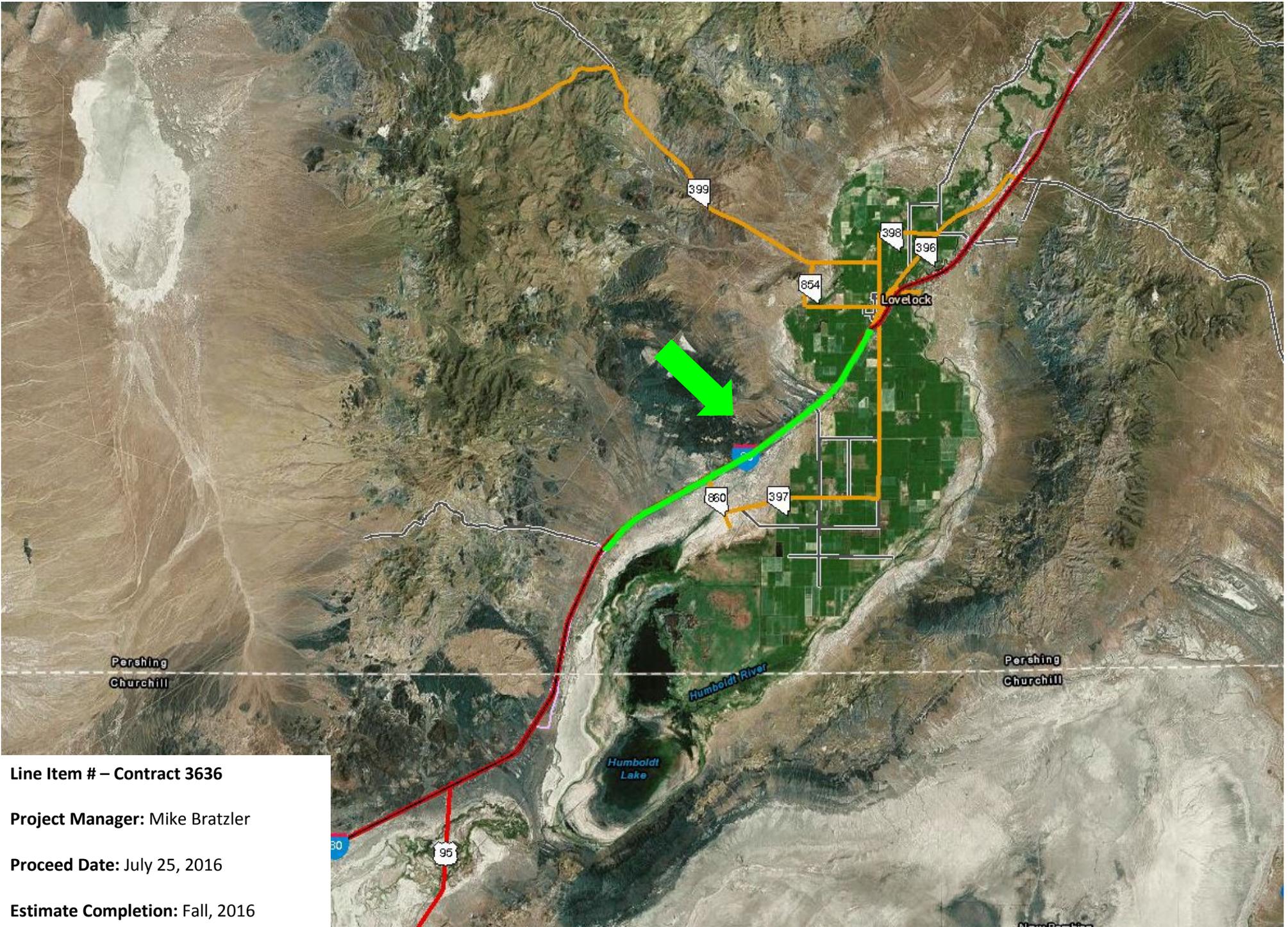


Line Item # – Contract 3640

Project Manager: Steve Bird

Proceed Date: July 25, 2016

Estimate Completion: Fall, 2016

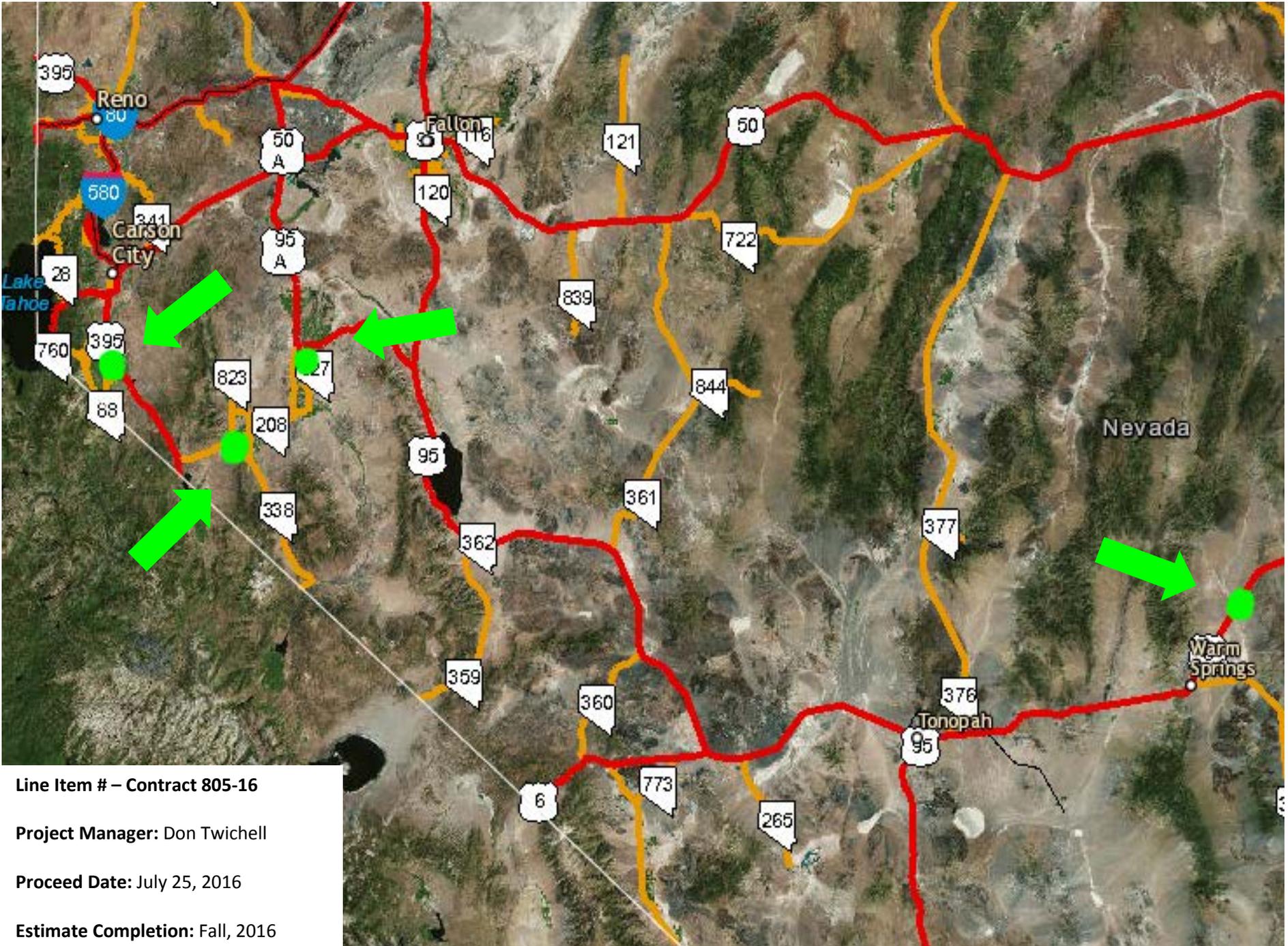


Line Item # – Contract 3636

Project Manager: Mike Bratzler

Proceed Date: July 25, 2016

Estimate Completion: Fall, 2016

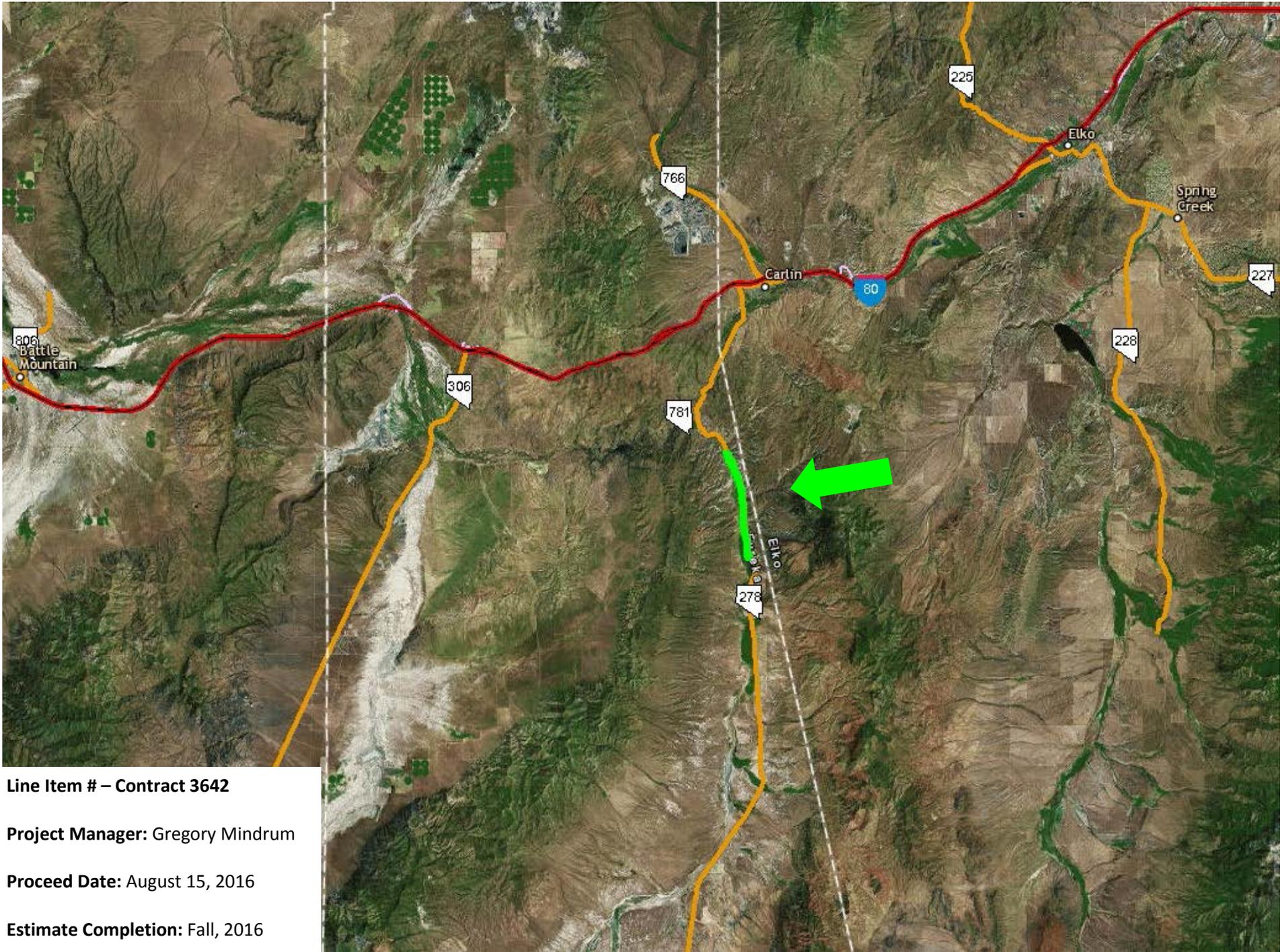


Line Item # – Contract 805-16

Project Manager: Don Twichell

Proceed Date: July 25, 2016

Estimate Completion: Fall, 2016

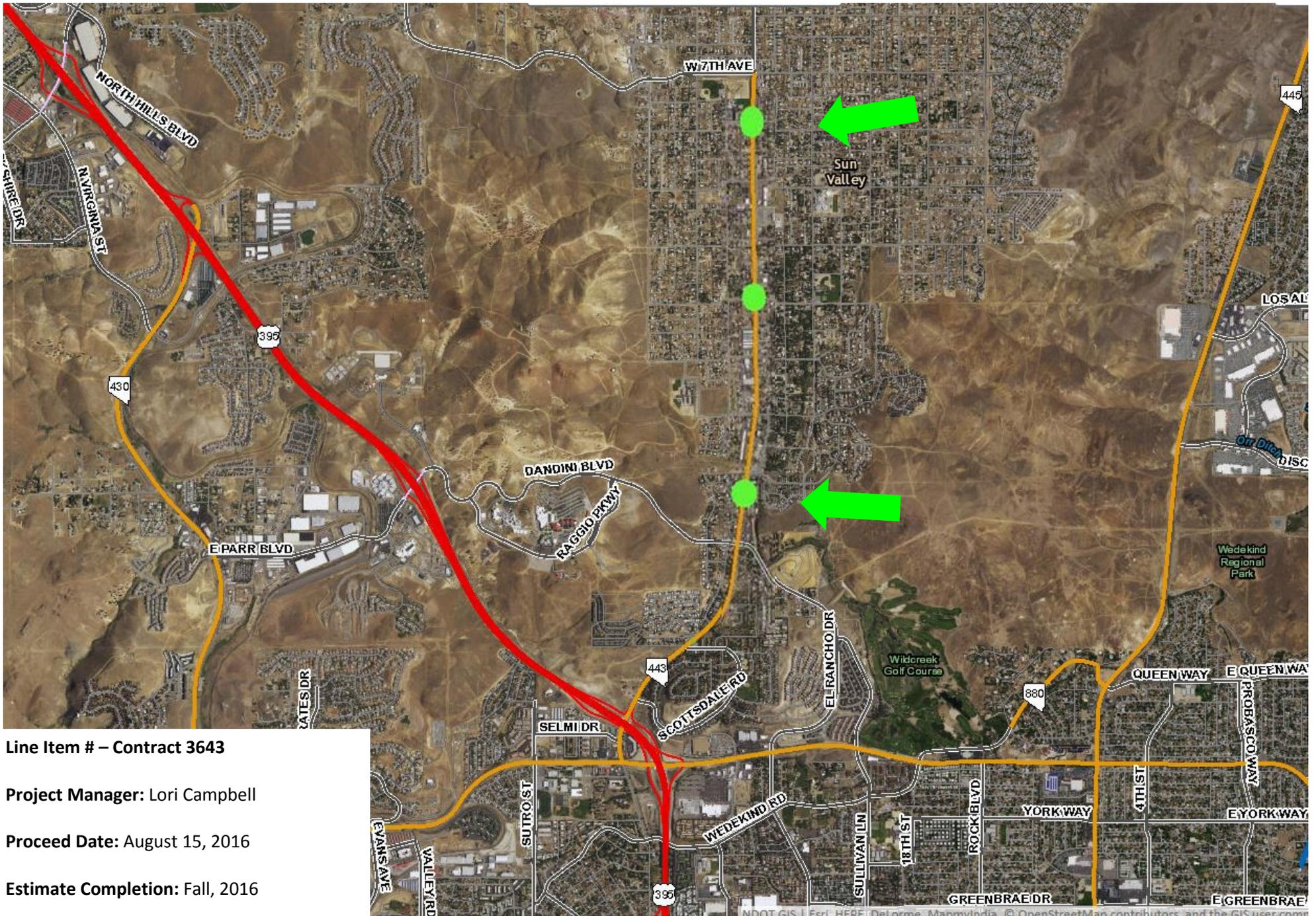


Line Item # – Contract 3642

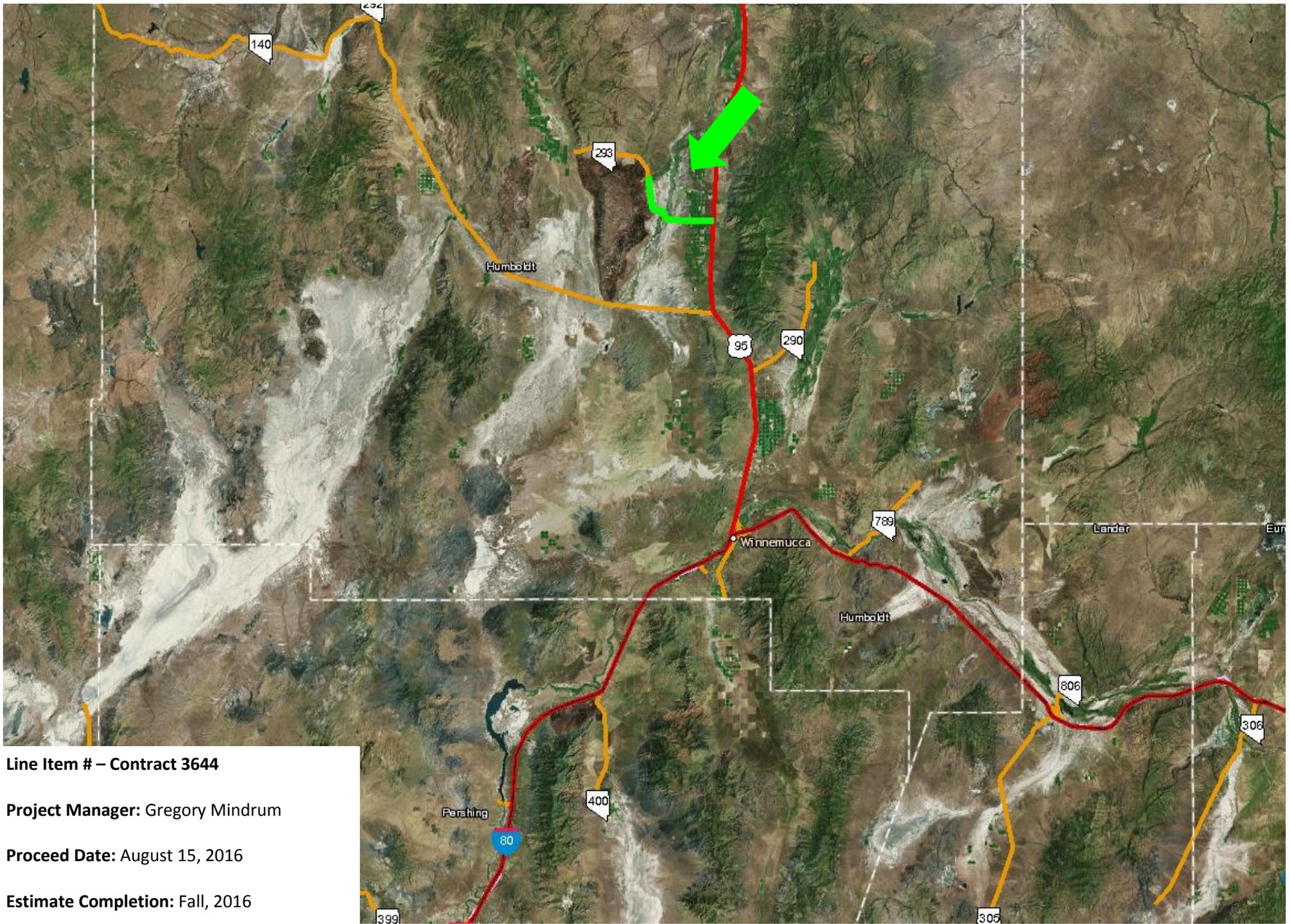
Project Manager: Gregory Mindrum

Proceed Date: August 15, 2016

Estimate Completion: Fall, 2016



Line Item # – Contract 3643
Project Manager: Lori Campbell
Proceed Date: August 15, 2016
Estimate Completion: Fall, 2016



Line Item # – Contract 3644

Project Manager: Gregory Mindrum

Proceed Date: August 15, 2016

Estimate Completion: Fall, 2016

Attachment B

State of Nevada Department of Transportation
Executed Agreements - Informational
June 16, 2016, through July 14, 2016

Line No	Agreement No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Dept. Project Manager	Note
1	27016	00	EQUITY TRUST COMPANY	PUBLIC HIGHWAY AGREEMENT	N	9,900.00	-	9,900.00	-	5/27/2016	5/30/2019	-	Acquisition	Tina Kramer	05-27-16: PUBLIC HIGHWAY AGREEMENT FOR ACQUISITION OF PARCEL S-372-NY-006.047 AND S-372-NY-003-047TE, FOR BUILDING OF ROUNDABOUTS, NYE COUNTY. NV B/L#: NVD19991471275
2	38116	00	FRED & ROXANNE PEDLEY	PROTECTIVE RENT AGREEMENT	N	16,922.00	-	16,922.00	-	7/7/2016	7/30/2018	-	Acquisition	Tina Kramer	07-07-16: PROTECTIVE RENT AGREEMENT FOR 3055 OPAL AVE IN SILVER SPRINGS TO HOLD THE PROPERTY VACANT UNTIL TERMINATION OF AGREEMENT DUE TO USA PARKWAY PROJECT, LYON COUNTY. NV B/L#: EXEMPT
3	27116	00	FRED M. & ROXANNE PEDLEY TRUST	PUBLIC HIGHWAY AGREEMENT	Y	130,000.00	-	130,000.00	-	5/27/2016	5/30/2019	-	Acquisition	Tina Kramer	05-27-16: PUBLIC HIGHWAY AGREEMENT FOR ACQUISITION OF S-439-LY-000.240 AND S-439-LY-000.240PE, FOR USA PARKWAY PROJECT, LYON COUNTY. NV B/L#: EXEMPT
4	38216	00	MICHAEL & ANN WATTS	ACQUISITION OF PROPERTY	N	279,000.00	-	279,000.00	-	7/7/2016	5/30/2017	-	Acquisition	Tina Kramer	07-07-16: PURCHASE OF PROPERTY FOR RIGHT OF WAY FOR USA PARKWAY PROJECT, LYON COUNTY. B/L#: NV20021232227
5	16816	00	CLARK COUNTY	COOP AGREEMENT FOR PARCELS	Y	36,000.00	-	36,000.00	-	6/21/2016	1/31/2017	-	Coop	Tina Kramer	06-21-16: FOR PARCELS DUE TO PROJECT NEON REQUIRING RIGHT OF WAY, UTILITY RELOCATION, DESIGN AND CONSTRUCTION OF IMPROVEMENTS, CLARK COUNTY. NV B/L#: EXEMPT
6	31516	00	NEVADA TAHOE CONSERVATION DIST	STORMWATER IMPROVEMENTS	N	350,000.00	-	350,000.00	-	6/24/2016	12/31/2017	-	Coop	Matt Nussbaumer	06-24-16: TO CONSTRUCT WATER QUALITY AND EROSION CONTROL IMPROVEMENTS ALONG AND ADJACENT TO US50 AT ZEPHYR COVE, DOUGLAS COUNTY. NV B/L#: EXEMPT
7	33816	00	NEVADA TAHOE CONSERVATION DIST	STORMWATER IMPROVEMENTS	N	525,000.00	-	525,000.00	-	6/24/2016	12/31/2017	-	Coop	Matt Nussbaumer	06-24-16: TO CONSTRUCT DRAINAGE, WATER QUALITY, AND EROSION CONTROL IMPROVEMENTS ALONG AND ADJACENT TO US50 NEAR THE INTERSECTION OF US50 AND KAHLE DRIVE AT STATELINE, DOUGLAS COUNTY. NV B/L#: EXEMPT
8	30216	00	RTC SOUTHERN NEVADA	TRAVEL DEMAND MANAGEMENT	Y	2,600,000.00	-	2,600,000.00	130,000.00	10/1/2016	9/30/2017	-	Coop	Cleveland Dudley	06-17-16: FUNDING SUPPORT FOR TRAVEL DEMAND MANAGEMENT PROGRAM. CLARK COUNTY. NV B/L#: EXEMPT
9	10916	00	RTC WASHOE COUNTY	UNIFIED PLANNING WORK PROGRAM	Y	2,048,300.00	-	2,048,300.00	97,500.00	7/1/2016	6/30/2017	-	Coop	Kevin Verre	06-17-16: FUNDING ALLOTMENT FOR 2017 OF THE UNIFIED PLANNING WORK PROGRAM. WASHOE COUNTY. NV B/L#: EXEMPT
10	11316	00	RTC WASHOE COUNTY	UNIFIED PLANNING WORK PROGRAM	N	-	-	-	-	10/1/2016	9/30/2020	-	Coop	Kevin Verre	06-17-16: NO COST AGREEMENT TO IDENTIFY RESPONSIBILITIES FOR THE UNIFIED PLANNING WORK PROGRAM THROUGH 2020. WASHOE COUNTY. NV B/L#: EXEMPT
11	24916	00	UNIVERSITY NEVADA LAS VEGAS	NATIONAL SUMMER TRANSPORTATION	Y	86,822.00	-	86,822.00	-	7/6/2016	12/31/2016	-	Coop	Melody Duley	07-06-16: CONTRACTING WITH UNLV COLLEGE OF ENGINEERING SERVICES TO CONDUCT THE SUMMER TRANSPORTATION INSTITUTE, CLARK COUNTY. NV B/L#: EXEMPT
12	37416	00	TAB CONTRACTORS	SOUND WALL REPAIR I-515	N	50,000.00	-	50,000.00	-	6/28/2016	9/30/2016	-	Emergency	Jennifer Manubay	6-28-16: EMERGENCY REMOVAL OF SOUND WALL PANEL AND CONCRETE BARRIER RAIL ON I-515 SB OVER 19TH ST, CLARK COUNTY. NV B/L#: NV19541002404-Q
13	11516	00	FERRARI CLUB OF AMERICA	HILL CLIMB SR341	N	14,000.00	-	10,000.00	14,000.00	6/28/2016	9/30/2016	-	Event	Marlene Revera	6-28-16: EVENT PERMIT FOR A HILL CLIMB ON SR341, STOREY AND LYON COUNTIES. \$4,000 COST PLUS \$10,000 DAMAGE DEPOSIT. NV B/L#: EXEMPT

14	28716	00	CARSON CITY PUBLIC WORKS	MANHOLE AND VALVE COVER	N	-	-	-	5,400.00	6/1/2016	6/1/2019	-	Facility	Tina Kramer	06-01-16: CARSON CITY TO PAY FOR NDOT'S ADJUSTMENT OF MANHOLES/VALVES RELATED TO A PROJECT FOR CONSTRUCTION OF MICRO-SURFACE PATCHING AND PEDESTRIAN IMPROVEMENTS ON ROUTE SR529, CARSON CITY. NV B/L#: EXEMPT
15	23616	00	HORROCKS ENGINEERS	SUBSURFACE UTILITY ENGINEERING	N	24,840.00	-	24,840.00	-	6/29/2016	6/30/2019	-	Facility	Tina Kramer	06-29-16: SUBSURFACE UTILITY ENGINEERING SERVICES AGREEMENT FOR THE VIRGINIA CITY MAINTENANCE YARD REQUIRED FOR SP-MS-2234(002), STOREY COUNTY. NV B/L#: NVF1999124601-Q
16	29316	00	KERN RIVER LLC	LINE EXTENSION	N	99,000.00	-	99,000.00	-	6/15/2016	6/30/2020	-	Facility	Tina Kramer	06-15-16: LINE EXTENSION AGREEMENT FOR THE AUSTIN MAINTENANCE YARD, LANDER COUNTY. NV B/L#: NVD19831015840
17	26716	00	MT. WHEELER POWER INC	LINE EXTENSION	N	5,684.00	-	5,684.00	-	5/27/2016	5/30/2020	-	Facility	Tina Kramer	05-27-16: LINE EXTENSION AGREEMENT FOR NEW SERVICES FOR FIBER HUT AT ELY MAINTENANCE STATION FOR 200 METER AMP PANEL AND ONE 120/240 VOLT TRANSFORMER, WHITE PINE COUNTY. NV B/L#: NVD19631001654
18	27516	00	MT. WHEELER POWER INC	LINE EXTENSION	N	3,692.00	-	3,692.00	-	5/27/2016	5/30/2020	-	Facility	Tina Kramer	05-27-16: LINE EXTENSION AGREEMENT FOR NEW SERVICES FOR FIBER HUT AT EUREKA MAINTENANCE STATION FOR A NEW 200 AMP PEDESTAL, EUREKA COUNTY. NV B/L#: NVD19631001654
19	28916	00	NV ENERGY	LINE EXTENSION	N	8,454.00	-	8,454.00	-	6/1/2016	6/1/2019	-	Facility	Tina Kramer	06-01-16: LINE EXTENTION AT US95 IN FERNLEY, LYON COUNTY. NV B/L#: NVD19831015840
20	29216	00	NV ENERGY	LINE EXTENSION	N	9,170.00	-	9,170.00	-	6/15/2016	5/30/2018	-	Facility	Tina Kramer	06-13-16: LINE EXTENSION AGREEMENT FOR FOR US-50 AND SR-305 FOR THE AUSTIN MAINTENANCE YARD, LANDER COUNTY. NV B/L: NVD19831015840
21	29916	00	NV ENERGY	DESIGN APPROVAL	N	-	-	-	-	6/17/2016	5/30/2018	-	Facility	Tina Kramer	06-17-16: NO COST DESIGN APPROVAL AGREEMENT FOR E-JCT US-50 AND SR-305 COM-3-NDOT AUSTIN MAINTENANCE YARD, LANDER COUNTY. NV B/L#: NVD19831015840
22	37616	00	NV ENERGY	LINE EXTENSION	N	8,481.00	-	8,481.00	-	6/21/2016	1/31/2019	-	Facility	Tina Kramer	06-21-16: LINE EXTENSION FOR EAST PARR BLVD, WASHOE COUNTY. NV B/L# NVD19831015840
23	37716	00	NV ENERGY	DESIGN INITIATION	N	-	-	-	-	6/21/2016	5/30/2018	-	Facility	Tina Kramer	06-21-16: NO COST DESIGN INITIATION AGREEMENT FOR THE AUSTIN HIGHWAY, CLARK COUNTY, LYON COUNTY, CHURCHILL COUNTY, LANDER COUNTY, EUREKA COUNTY, AND WHITE PINE COUNTY. NV B/L#: NVD19831015840
24	37816	00	NV ENERGY	DESIGN INITIATION	N	-	-	-	-	6/21/2016	5/30/2018	-	Facility	Tina Kramer	06-21-16: NO COST DESIGN INITIATION AGREEMENT FOR EAST TRENTO LANE, CLARK COUNTY, LYON COUNTY, CHURCHILL COUNTY, LANDER COUNTY, EUREKA COUNTY, AND WHITE PINE COUNTY. NV B/L#: NVD19831015840
25	29616	00	UTILITIES, INC OF NEVADA	MULTI-USE LICENSE	N	-	-	-	9,400.00	6/15/2016	6/30/2019	-	Facility	Tina Kramer	06-15-16: AGREEMENT FOR 2 MANHOLE AND 9 VALVE COVERS FOR CONSTRUCTION OF NEW ROUNDABOUT AT THE INTERSECTION OF SR372 AND PAHRUMP BLVD, CLARK COUNTY. NV B/L# NVD20011457723
26	29716	00	UTILITIES, INC OF NEVADA	MULTI-USE LICENSE	N	-	-	-	9,400.00	6/15/2016	6/30/2019	-	Facility	Tina Kramer	06-15-16: AGREEMENT FOR 2 MANHOLE AND 9 VALVE COVERS FOR CONSTRUCTION OF NEW ROUNDABOUT AT THE INTERSECTION OF SR372 AND BLAGG ROAD, CLARK COUNTY. NV B/L# NVD20011457723
27	28816	00	UTILITIES, INC OF NEVADA	MANHOLE AND VALVE COVER	N	-	-	-	6,600.00	6/1/2016	6/1/2019	-	Facility	Tina Kramer	06-01-16: MANHOLE AND VALVE COVER ADJUSTMENT ALONG BASIN AVE TO BELL VISTA AVE, NYE COUNTY. NV B/L#: NVD20011457723
28	42716	00	ELKO COUNTY	STRIPING ELKO COUNTY ROADS	N	105,514.80	-	-	105,514.80	6/29/2016	1/31/2019	-	Interlocal	Sandy Spencer	6-29-16: TO PROVIDE ELKO COUNTY WITH STRIPING SERVICES ON THEIR COUNTY ROADS, ELKO COUNTY. NV B/L#: EXEMPT

29	51313	02	UNIVERSITY OF NEVADA LAS VEGAS	REAL NEW INNOVATIONS IN RUBBER	Y	374,520.00	-	374,520.00	-	11/12/2013	9/30/2016	6/23/2016	Interlocal	Manju Kumar	AMD 2 6-23-16: EXTEND TERMINATION DATE FROM 06-30-16 TO 09-30-16 TO ALLOW TIME TO COMPLETE RESEARCH PROJECT. AMD 1 12-11-15: EXTEND TERMINATION DATE FROM 02-29-16 TO 06-30-16 TO ALLOW TIME TO COMPLETE RESEARCH PROJECT. 11-12-13: TO CONDUCT A RESEARCH PROJECT TITLED: "EVALUATION OF NEW INNOVATIONS IN RUBBER MODIFIED ASPHALT BINDERS AND RUBBERIZED ASPHALT MIXES FOR NDOT," STATEWIDE. NV B/L#: EXEMPT
30	35816	00	UNIVERSITY OF NEVADA RENO	PROJECT MANAGEMENT TRAINING	N	7,000.00	-	7,000.00	-	7/11/2016	12/31/2016	-	Interlocal	Craig Crick	07-11-16: UNR TO PROVIDE ONE SESSION OF TRAINING ON THE HUMAN FACTOR OF PROJECT MANAGEMENT TO NDOT EMPLOYEES, CARSON CITY. NV B/L#: EXEMPT
31	28216	00	CLEAR CHANNEL OUTDOOR INC.	COMPENSATION FOR PROPERTY	Y	104,721.48	-	104,721.48	-	6/2/2016	8/31/2017	-	Lease	Tina Kramer	06-02-16: RIGHT OF ENTRY AGREEMENT FOR COMPENSATION FOR LOSS OF ADVERTISING WHILE IN PROCESS OF RELOCATION OF BILLBOARD DUE TO PENDING ACQUISITION FOR PROJECT NEON, CLARK COUNTY. NV B/L#: NVF19981236769
32	35916	00	JEREMY LYNCH	NORTHFORK MS 273	N	-	-	-	2,900.00	7/6/2016	6/30/2020	-	Lease	Sandy Spencer	07-06-16: LEASE OF NDOT MAINTENANCE STATION HOUSE, NORTHFORK #273, TO NDOT EMPLOYEE, ELKO COUNTY. NV B/L#: EXEMPT
33	30706	02	MCDONALD'S USA, LLC	MULTI-USE PARKING/LANDSCAPING	N	-	13,690.00	-	103,000.00	3/1/2006	2/28/2021	7/7/2016	Lease	Tina Kramer	AMD 2 07-07-16: AMENDMENT TO REDUCE TOTAL LEASED AREA, ADJUST RENT TO \$2,738.00 PER YEAR, AND EXTEND END DATE TO 2-28-21. AMD 1 03-11-11: AMENDMENT TO ADJUST RENT TO \$7,262.00 PER YEAR IN ACCORDANCE WITH THE RENT REEVALUATION PROCESS OUTLINED IN THE ORIGINAL AGREEMENT, AND EXTEND END DATE TO 3-11-16. 03-01-06: MULTI-USE LEASE OF STATE-OWNED PROPERTY FOR CUSTOMER PARKING AND LANDSCAPING, RENT \$10,600.00 PER YEAR FOR 5 YEARS, CARSON CITY. NV B/L#: NVF20041241394
34	15716	00	ESC DEVELOPMENT LLC	MULTI-USE LICENSE	N	-	-	-	1,000.00	4/13/2016	5/30/2019	-	License	Tina Kramer	04-13-16: MULTI-USE LICENSE FOR PARCEL S-604-CL-001.645 L11, CLARK COUNTY. NV B/L#: NVD20111668010
35	15816	00	MATERIAL VENTURES, INC	MULTI-USE LICENSE	Y	-	-	-	1,000.00	4/13/2016	5/30/2019	-	License	Tina Kramer	04-13-16: MULTI-USE AGREEMENT FOR PARCEL U-050-CC-014.795 L11, CARSON CITY. NV B/L#: NVF20131185823
36	37516	00	7-ELEVEN INC	RIGHT-OF-WAY ACCESS	N	-	-	-	-	6/13/2016	6/18/2018	-	ROW Access	Tina Kramer	06-13-16: NO COST AGREEMENT FOR RECONSTRUCTION OF SIDEWALK AND DRIVEWAY ALONG SR147 LAKE MEAD BLVD FROM CIVIC CENTER DRIVE TO PECOS ROAD, CLARK COUNTY. NV B/L#: NVF19621001039
37	29016	00	MGP LESSOR	PUBLIC HIGHWAY AGREEMENT	N	-	-	-	-	6/1/2016	6/1/2019	-	ROW Access	Tina Kramer	06-01-16: NO COST TEMPORARY EASEMENT NECESSARY FOR REMOVAL OF ESCALATORS, CLARK COUNTY. NV B/L#: NVD20161217954
38	30016	00	VEGAS VERDE PROPERTIES, LLC	RIGHT-OF-WAY	N	-	-	-	-	6/22/2016	5/30/2019	-	ROW Access	Tina Kramer	06-22-16: NO COST AGREEMENT FOR RIGHT OF WAY ACCESS OF ENTRY FOR PARCEL 139-24-601-006, CLARK COUNTY. NV B/L#: NVD20051243830
39	29116	00	CASTLE PROPERTY COMPANY	REAL ESTATE DEVELOPMENT ANALYSIS	Y	25,000.00	-	25,000.00	-	6/7/2016	6/30/2018	-	Service Provider	Tina Kramer	06-07-16: REAL ESTATE DEVELOPMENT ANALYSIS AND POSSIBLE EXPERT WITNESS SERVICES FOR POTENTIAL PROPERTY DEVELOPMENT, CLARK COUNTY. NV B/L#: NVD19871039578
40	35116	00	D&B PROFESSIONAL CLEANING	VALMY REST AREA	N	75,000.00	-	75,000.00	-	7/6/2016	4/15/2019	-	Service Provider	Sandy Spencer	7-6-16: JANITORIAL AND MAINTENANCE SERVICES FOR THE VALMY REST AREA ON I-80 FOR A TWO YEAR PERIOD, HUMBOLDT COUNTY. NV B/L#: NV20101094756-Q
41	34416	00	DIAMOND CONCRETE CUTTING	SPALL REPAIRS	N	225,000.00	-	225,000.00	-	6/28/2016	12/31/2017	-	Service Provider	Marlene Revera	06-28-16: TWO YEAR CONTRACT FOR SPALL REPAIR THROUGHOUT DISTRICT II, CHURCHILL, DOUGLAS, LYON, MINERAL, PERSHING, STOREY, WASHOE AND CARSON CITY. NV B/L#: NV19951016544-Q

42	44116	00	ECO GREEN MAINTENANCE LLC	COSGRAVE REST AREA SERVICES	N	68,868.00	-	68,868.00	-	7/13/2016	5/31/2019	-	Service Provider	Sandy Spencer	07-13-16: A TWO YEAR CONTRACT FOR JANITORIAL AND MAINTENANCE SERVICES FOR THE COSGRAVE REST AREA ON I-80, PERSHING COUNTY. NV B/L#: NV20111362322-Q
43	64015	01	ESRI	ESRI MAINTENANCE	N	80,000.00	72,500.00	152,500.00	-	2/1/2016	2/17/2017	6/22/2016	Service Provider	Deb McCurdy	AMD 1 06-22-16: INCREASE AUTHORITY BY \$72,500.00 FROM \$80,000.00 TO \$152,500.00, AND EXTEND TERMINATION DATE FROM 10-31-16 TO 02-17-17 TO ACCOMMODATE ADDITIONAL SCOPE OF SERVICES. 04-12-16: PERFORM MAINTENANCE SERVICES ON ESRI PROGRAMS. CARSON CITY. NV B/L#: NVF20111027035-S
44	34116	00	FACILITIES MANAGEMENT	ELY MS ADA IMPROVEMENTS	N	169,470.00	-	169,470.00	-	6/22/2016	1/31/2017	-	Service Provider	Annette Ballew	6-22-16: TO CONSTRUCT AMERICANS WITH DISABILITIES ACT IMPROVEMENTS TO THE ELY MAINTENANCE STATION, WHITE PINE COUNTY. NV B/L#: NV20011331118-Q
45	43416	00	FACILITIES MANAGEMENT	WADSWORTH REST AREA PLUMBING	N	47,885.00	-	47,885.00	-	7/6/2016	12/31/2016	-	Service Provider	Annette Ballew	07-06-16: WADSWORTH REST AREA PLUMBING IMPROVEMENTS, WASHOE COUNTY. NV B/L#: NV20011331118-Q
46	19716	01	FLYCAST PARTNERS, INC.	CHERWELL SOFTWARE IMPLEMENT	N	24,750.00	4,458.93	29,208.93	-	3/28/2016	7/31/2016	6/29/2016	Service Provider	Deb McCurdy	AMD 1 06-29-16: INCREASE AUTHORITY BY \$4,458.93 FROM \$24,750.00 TO \$29,208.93 AND EXTEND TERMINATION DATE FROM 06-30-16 TO 07-31-16 TO INCLUDE THE COST OF, AND ALLOW TIME TO PROCESS PAYMENT FOR, TRAVEL. 03-28-16: CHERWELL SOFTWARE REPID RESULTS IMPLEMENTATION, CARSON CITY. NV B/L#: NVF20161112775-S
47	10510	08	GENUENT USA, LLC	MSA FOR ISRAEL LOPEZ	N	52,000.00	174,752.00	1,263,392.00	-	6/2/2010	6/30/2017	6/17/2016	Service Provider	Deb McCurdy	AMD 8 07-01-16: INCREASE AUTHORITY BY \$174,752.00 FROM \$1,088,640.00 TO \$1,263,392.00, AND EXTEND TERMINATION DATE FROM 06-30-16 TO 06-30-17. AMD 7 08-31-15: INCREASE AUTHORITY BY \$178,880.00 FROM \$909,760.00 TO \$1,088,640.00, AND EXTEND TERMINATION DATE FROM 06-30-15 TO 06-30-16 FOR CONTINUED CONTRACT USE. AMD 6 06-16-14: INCREASE AUTHORITY BY \$178,880.00 FROM \$730,880.00 TO \$909,760.00, AND EXTEND TERMINATION DATE FROM 06-30-14 TO 06-30-15 FOR CONTINUED CONTRACT USE. AMD 5 06-16-14: INCREASE AUTHORITY BY \$6,880.00 FROM \$724,000.00 TO \$730,880.00. AMD 4 07-01-13: INCREASE AUTHORITY BY \$172,000.00 FROM \$346,000.00 TO \$724,000.00, AND EXTEND TERMINATION DATE FROM 06-30-13 TO 06-30-14. AMD 3 06-18-12: NAME CHANGE FROM SEGULA TECHNOLOGIES TO GENUENT USA. AMD 2 06-15-11: INCREASE AUTHORITY BY \$86,000 FROM \$260,000.00 TO \$346,000.00, AND EXTEND TERMINATION DATE FROM 06-30-11 TO 06-30-12. AMD 1 06-23-10: INCREASE AUTHORITY BY \$208,000.00 FROM \$52,000.00 TO \$260,000.00, AND EXTEND TERMINATION DATE FROM 06-30-10 TO 06-30-11. 05-24-10: MSA CONTRACTOR TO ASSIST NDOT WITH TECHNICAL SUPPORT IN DEVELOPING A PROACTIVE DIRECTION FOR CURRENT AND FUTURE INTELLIGENT TRANSPORTATION SYSTEM, CARSON CITY. NV B/L#: NV20121073170
48	74115	00	GRL ENGINEERS INC	TESTING OF DRILLED SHAFTS	Y	250,000.00	-	250,000.00	-	6/22/2016	6/30/2018	-	Service Provider	Mike Griswold	06-22-16: PERFORM NON-DESTRUCTIVE CROSS-HOLE SONIC LOGGING TESTING ON DRILLED SHAFTS TO ENSURE SAFETY OF CONSTRUCTION. STATEWIDE. NV B/L#: NVF20101856032-R
49	43716	00	HULINGS ENTERPRISES	ELY ADMIN OFFICE CLEANING	N	11,880.00	-	11,880.00	-	7/11/2016	1/31/2019	-	Service Provider	Sandy Spencer	07-11-16: FOR TWO YEARS OF JANITORIAL SERVICES FOR THE ELY ADMINISTRATIVE OFFICES, WHITE PINE COUNTY. NV B/L#: NV20151244533-Q

50	34716	00	INTERWEST CONSULTING GROUP	ADMIN-QA OF TROPICANA ELEVATORS/ ESCALATORS	N	104,200.00	-	104,200.00	-	6/20/2016	12/31/2018	-	Service Provider	Jennifer Manubay	6-20-16: CONSTRUCTION ADMINISTRATION AND QUALITY ASSURANCE FOR THE MECHANICAL, ELECTRICAL, PLUMBING, AND HVAC OF THE TROPICANA PEDESTRIAN OVERPASS BRIDGE ELEVATOR AND ESCALATOR FACILITIES AT THE INTERSECTION OF LAS VEGAS BLVD AND TROPICANA, CLARK COUNTY. NV B/L#: NV20071166199-Q
51	42816	00	IRENIC CONSULTING INC	PRE-APPRENTICESHIP TRAINING	N	7,275.00	-	7,275.00	-	7/12/2016	6/30/2017	-	Service Provider	Tracy Larkin	07-12-16: PRE-APPRENTICESHIP TRAINING PROGRAM, NECESSARY FOR THE WORKFORCE DEVELOPMENT OF THE CONSTRUCTION TRADES, CLARK COUNTY. NV B/L#: NVD20121177711-S
52	15116	00	JOHNSON VALUATION GROUP	APPRAISAL SERVICE	Y	5,500.00	-	5,500.00	-	6/7/2016	10/30/2016	-	Service Provider	Tina Kramer	06-07-16: CONTRACT FOR APPRAISAL SERVICES FOR PARCELS U-395-DO-028.686 AND 028.686TE, DOUGLAS COUNTY. NV B/L#: NVD20151078078
53	38016	00	JOHNSON VALUATION GROUP	APPRAISAL SERVICES	N	4,000.00	-	4,000.00	-	7/5/2016	11/30/2016	-	Service Provider	Tina Kramer	07-05-16: APPRAISAL SERVICES FOR PARCEL S-207-DO-000.203 XS1, DOUGLAS COUNTY. NV B/L#: NVD20151078078
54	18516	00	KLEINFELDER	MATERIALS TESTING	N	24,900.00	-	24,900.00	-	5/26/2016	12/31/2019	-	Service Provider	Darin Tedford	06-22-16: CONSTRUCTION MATERIALS (AGGREGATES) TESTING FOR NATURALLY OCCURRING ASBESTOS FOR CONTRACT 3580, BOULDER CITY BYPASS. CLARK COUNTY. NV B/L#: NVF19801004246-Q
55	71315	00	KLEINFELDER	MATERIALS TESTING	N	24,900.00	-	24,900.00	-	5/24/2016	12/31/2019	-	Service Provider	Darin Tedford	05-24-16: TESTING OF PLANTMIX BITUMINOUS SURFACE MATERIALS (ASPHALT PAVEMENT) FOR NATURALLY OCCURRING ASBESTOS FOR CONTRACT 3580, BOULDER CITY BYPASS, PHASES 1 AND 2, CLARK COUNTY. NV B/L#: NVF19801004246-Q
56	42616	00	MESA ENERGY SYSTEMS	MATERIALS LAB HVAC	N	89,800.00	-	89,800.00	-	6/29/2016	12/31/2020	-	Service Provider	Jill Sims	6-29-16: TO PROVIDE PREVENTATIVE MAINTENANCE FOR THE HVAC SYSTEM AT THE LAS VEGAS MATERIALS AND TESTING LAB, CLARK COUNTY. NV B/L#: NVF20071267110-Q
57	80116	00	PAR ELECTRICAL CONTRACTORS	INSTALL AVC SYSTEM	N	192,938.00	-	192,938.00	-	6/2/2016	6/2/2021	-	Service Provider	John Angel	06-27-16: INSTALL AUTOMATED VEHICLE CLASSIFICATION SYSTEM, (AVCS), DOUGLAS AND WASHOE COUNTIES. NV B/L#: NVF19931031312
58	37016	00	REMINGTON CONSTRUCTION CO	SLOPE SCALING US 6	N	197,777.00	-	197,777.00	-	7/8/2016	1/31/2017	-	Service Provider	Trent Averett	07-08-16: SLOPE SCALING AT MULTIPLE LOCATIONS ALONG US ROUTE 6, WHITE PINE COUNTY. NV B/L#: NV20071516052-Q
59	07113	03	SYLVESTER & POLEDNAK LTD	STATE V WYKOFF A-12-656578	Y	275,000.00	65,000.00	490,000.00	-	1/29/2013	1/31/2017	6/24/2016	Service Provider	Dennis Gallagher	AMD 3 06-24-16: INCREASE AUTHORITY BY \$65,000.00 FROM \$425,000 TO \$490,000.00 FOR LEGAL SUPPORT CONDEMNATION FOR THE MATTER OF STATE VS. WYKOFF. AMD 2 05-13-15: INCREASE AUTHORITY BY \$150,000.00 FROM \$275,000.00 TO \$425,000.00. AMD 1 01-28-15: EXTEND TERMINATION DATE FROM 01-31-15 TO 01-31-17 TO ALLOW TIME FOR THE LAWSUIT TO COME TO A RESOLUTION. 03-08-13: LEGAL SUPPORT FOR CONDEMNATION RE: STATE V. WYKOFF, (WARM SPRINGS PROJECT), CLARK COUNTY. NV B/L#: NVD19981131366
60	34316	00	TAB CONTRACTORS INC	SOUNDWALL REPAIR I-515	N	251,120.00	-	251,120.00	-	6/21/2016	6/30/2017	-	Service Provider	Jennifer Manubay	6-21-16: RECONSTRUCT DAMAGED SOUNDWALL AND BARRIER RAIL ON I-515 AT 19TH ST, CLARK COUNTY. NV B/L#: NV19841002404-Q

Attachment C

**State of Nevada Department of Transportation
Settlements - Informational
June 16, 2016, through July 14, 2016**

Line No	Type	Second Party	Settlement Amount	Notes
1	CONSENT DECREE SETTLEMENT	UNITED STATES OF AMERICA ON BEHALF OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA)	120,000.00	THE SETTLEMENT PROVIDES FOR \$60,000 TO BE PAID TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) AND \$60,000 TO BE PAID TO THE NEVADA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, DIVISION OF ENVIRONMENTAL PROTECTION, FOR A TOTAL SETTLEMENT OF \$120,000. SETTLEMENT IS RELATED TO A CONSENT DECREE ISSUED BY THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA IN THE MATTER OF UNITED STATES OF AMERICA AND STATE OF NEVADA, DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, DIVISION OF ENVIRONMENTAL PROTECTION V. NEVADA DEPARTMENT OF TRANSPORTATION



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

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

ADAM PAUL LAXALT
Attorney General

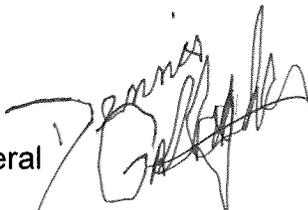
WESLEY K. DUNCAN
First Assistant Attorney General

NICHOLAS A. TRUTANICH
First Assistant Attorney General

MEMORANDUM

DATE: July 19, 2016

TO: Board of Directors
Nevada Department of Transportation

FROM: Dennis Gallagher, Chief Deputy Attorney General 

SUBJECT: Informational Item – Approval of Settlement (Consent Decree) of a complaint by the United States of America on behalf of the United States Environmental Protection Agency (“EPA”) and the State of Nevada, Department of Conservation and Natural Resources, Division of Environmental Protection (“NDEP”) against the Nevada Department of Transportation (“NDOT”)

At their July 12, 2016 meeting, the Board of Examiners approved the settlement in the amount of \$120,000.00 to be paid from NDOT funds to resolve the complaint referenced above. NDOT will pay a fine of \$120,000.00 which will be split equally between the EPA and NDEP.

Attached is the June 7, 2016 memorandum to the Board of Examiners from Director Rudy Malfabon and myself setting forth a summary of the settlement.



MEMORANDUM

1263 South Stewart
Street
Carson City, Nevada

June 7, 2016

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

From: Rudy Malfabon, Director, Nevada Department of Transportation
Dennis Gallagher, Chief Deputy Attorney General

Subject: Proposed Settlement (Consent Decree) of a complaint by the United States of America on behalf of the United States Environmental Protection Agency ("EPA") and the State of Nevada, Department of Conservation and Natural Resources, Division of Environmental Protection ("NDEP") against the Nevada Department of Transportation ("NDOT") (collectively "the Parties")

SUMMARY

NDOT requests approval to settle a complaint to be filed in The United States District Court For The District of Nevada by the EPA and NDEP alleging that NDOT violated Section 301(a) of the Clean Water Act, 33 U.S.C. Sec. 1311(a), by discharging pollutants in stormwater in violation of the terms of National Pollutant Discharge Elimination System ("NPDES") Permit Number NV0023329 which authorizes storm water and certain non-storm water discharges from NDOT's municipal separate storm sewer system. Concurrently a proposed settlement in the form of a Consent Decree will be filed with the District Court. A copy of the Consent Decree is attached.

In May of 2012, EPA presented an audit report which identified potential deficiencies in NDOT's compliance with the Clean Water Act. Since then NDOT has worked with the EPA, the Governor's Office, NDEP and others to enhance NDOT's stormwater program and improve regulatory compliance.

By agreeing to entry of the Consent Decree, NDOT makes no admission of law or fact with respect to the allegations in the Complaint. For the purposes of avoiding litigation, however, NDOT agrees to the requirements of the Consent Decree, subject to the approval of the Board of Examiners.

The Parties believe the Consent Decree has been negotiated in good faith and will avoid litigation and that it is fair, reasonable, and in the public interest.

BACKGROUND

As previously noted after receipt of the EPA report NDOT has worked with the EPA, the Governor's Office, NDEP and others to enhance its stormwater program and improve regulatory compliance. NDOT's remedial action includes, but is not limited to, NDOT's request in 2015 for an additional \$13.1 million dollar budget amendment from the State Legislature to fund a new Stormwater Division within NDOT. That budget amendment included 59 stormwater positions (including a new Deputy Director position), an allocation of \$7.6 million in new stormwater equipment, and additional funding for stormwater related training, operations and travel. Stormwater improvement projects recently completed or currently under construction add up to over \$33 million in expenditures, and nearly \$15 million is allocated for projects scheduled for 2016-2017.

In addition, the State Legislature enacted new legislation which granted NDOT's Director new powers to enforce discharge permitting requirements. These new enforcement powers authorize the Director to conduct an independent investigation of any act that may constitute an unauthorized discharge onto a state highway, within a right-of-way or into, onto or by way of a conveyance system or for a violation of an encroachment permit issued by the Director. The legislation empowers the Director to impose a civil penalty of up to \$25,000 per day for any violation and further provides that the Director may request that the Nevada Attorney General institute a criminal prosecution of the violation. The legislation also established the Advisory Committee on Transportational Stormwater Management to enhance transparency and communications with affected stakeholders.

KEY COMPLIANCE REQUIREMENTS

The proposed Consent Decree contains a number of key compliance requirements which include:

- NDOT's full compliance with the requirements of the Clean Water Act, including all terms and conditions of applicable NPDES permits.
- Modification of NDOT's Stormwater Management Program Plan ("SWMP") to integrate changes contained in the Consent Decree.
- NDOT will post an Annual Report on its website containing specified information including various assessments, budget data and a discussion of changes to the SWMP.

- NDOT will provide specialized training for employees involved in the illicit discharge detection and elimination program, construction site runoff program, post-construction stormwater management program, and the operation and maintenance of NDOT's municipal separate storm sewer system.
- Modification of NDOT's construction site runoff program, post-construction stormwater management program and illicit discharge detection and elimination program as provided in the Consent Decree.
- Establish a storm sewer system operation and maintenance program as provided in the Consent Decree.
- Submit certain reports or other documents which will be certified by a responsible officer of NDOT.
- Copies of the Consent Decree (or a link to a website on which the Consent Decree is posted) must be provided to certain employees and contractors

The various key compliance requirements contained in the proposed consent Decree have specified deadlines.

OTHER MATERIAL PROVISIONS OF THE PROPOSED CONSENT DECREE

The proposed Consent Decree contains other material provisions which include:

- NDOT will implement a Supplemental Environmental Project involving Real-Time Water Quality Data Availability.
- Stipulated penalties in the event the Consent Decree is violated (unless excused under the force majeure clause).
- A dispute resolution provision to resolve disputes arising under or with respect to the Consent Decree.
- NDOT will pay a fine of One Hundred Twenty Thousand Dollars (\$120,000.00) which will be split equally between the EPA and NDEP.
- NDOT may request the Consent Decree be terminated by December 31, 2018 or when NDOT has completed the compliance requirements contain in the Consent Decree.

- The proposed Consent Decree will be lodged with the Federal District Court for a minimum of 30 days for public notice and comment.

POINTS THAT FAVOR SETTLEMENT

Points that favor settlement include:

- Eliminating the uncertainty and risk of litigation including the potential exposure in the event of an adverse determination.
- Avoiding the high costs of litigating this matter.
- Bringing closure in a timely manner.
- Closure of the matter on terms that were negotiated in good faith with a result that is fair, reasonable, and in the public interest.
- No additional costs or fees as each party will bear their own.

RECOMMENDATION

NDOT has considered the benefits of settlement and has made the decision that the settlement as provided for in the proposed Consent Decree is reasonable, prudent and in the public interest. NDOT requests BOE approval to enter into the proposed Consent Decree and carry out the terms and conditions contained therein.

FISCAL NOTE STATEMENT

NDOT will use State Highway Funds for this proposed settlement amount.



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

August 1, 2016

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: August 8, 2016 Transportation Board of Directors Meeting
Item # 10 : Action Item: Condemnation Resolution No. 449A
I-15 Freeway, from Desert Inn Road to the US-95/I-515
Interchange; Project NEON; in the City of Las Vegas; Clark County.
1 Owners, 1 Parcel – For possible action

Summary:

This is an amendment to a previously approved condemnation resolution. 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 an amended condemnation action for the unresolved acquisition as described below.

Background:

Robarts 1981 Trust – This property was the subject of a prior Board action (Condemnation Resolution No. 449) during the meeting held on July 6, 2015 wherein the Board approved the acquisition of two fee parcels containing a total of 44,728 square feet (1.03 acres). The parcel in question, and identified in the amended resolution as Parcel No. I-015-CL-041.966, is one of the two fee parcels referenced above. The State's initial offer of \$3,000,000.00 for the 1.03 acre holding was mailed to the property owner on April 29, 2015. The two fee parcels are in litigation pursuant to the authority granted by the Board on July 6, 2015.

The nature of this current action involves correcting a recorded document number in the first exception clause following the legal description for Parcel I-015-CL-041.966. The metes and bounds legal description describing the fee parcel to be acquired was correct. The legal description, now reciting the document number correctly in the exception clause, is included in the amended Condemnation Resolution No. 449A. **The parcel in question, which is located between the east side of Desert Lane and the west side of Martin Luther King Boulevard, approximately 455 feet north of Hastings Avenue, 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).**

Analysis:

An amended condemnation resolution is requested so that the Department can enter into any stipulations or file any necessary pleadings in any condemnation proceeding and to bind the Department in the completion of this project.

Recommendation for Board Action:

Board approval of this amended resolution of condemnation is respectfully requested.

List of Attachments:

1. Location map
2. Condemnation Resolution No. 449A 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:

Ruth Borelli, Chief RW Agent 

LOCATION MAP



CONDEMNATION RESOLUTION No. 449A

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

AMENDED AND RESTATED 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. 449A

WHEREAS, at its scheduled meeting on July 6, 2015, the Board of Directors of the Department of Transportation of the State of Nevada adopted Condemnation Resolution No. 449 authorizing condemnation of specific parcels of land described therein; and

WHEREAS, subsequent to the adoption of Condemnation Resolution No. 449, the Department of Transportation staff determined that an error was made within the first exception clause in the legal description of the fee simple parcel identified as Parcel No. I-015-CL-041.966 in the resolution; and

WHEREAS, subsequent to the July 6, 2015 meeting of the Board of Directors, the legal description has been corrected for this August 8, 2016 meeting; and

WHEREAS, Condemnation Resolution No. 449 adopted July 6, 2015 is hereby amended by this Condemnation Resolution No. 449A.

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:

Condemnation Resolution No. 449, adopted July 6, 2015, is hereby amended by correcting the legal description, described below, in the interest therein specified.

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 NO. I-015-CL-041.761 owned by JOHN J. CHARLESTON,
trustee of the JOHN J. CHARLESTON TRUST OF 1998, dated November 9,
1988, to be acquired in fee simple.

Said real property situate, lying and being in the City of Las Vegas, County of Clark, State of Nevada, and more particularly described as being a portion of the SE 1/4 of the SW 1/4 of Section 33, T. 20 S., R. 61 E., M.D.M., and more fully described as follows:

LOTS ONE (1) THROUGH FOUR (4) IN BLOCK
ONE (1) OF BUENA VISTA ADDITION, AS SHOWN BY
MAP THEREOF ON FILE IN BOOK 2 OF PLATS, PAGE 95
IN THE OFFICE OF THE COUNTY RECORDER, CLARK
COUNTY, NEVADA.

EXCEPTING THAT PORTION OF SAID LAND AS
CONVEYED TO THE CITY OF LAS VEGAS BY DEED
RECORDED SEPTEMBER 15, 1967 IN BOOK 823,
INSTRUMENT NO. 661052.

It is the intent of this description to describe and it does describe all that real property described in that certain GRANT, BARGAIN, SALE DEED, filed for record on March 18, 1999, in Book 990318 as Instrument No. 00990, in the Office of the County Recorder, Clark County, Nevada.

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PARCEL NOS. I-015-CL-041.935 and I-015-CL-041.937 owned by RANCH PROPERTIES LLC, a 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 a portion of the SE 1/4 of the SW 1/4 of Section 33, T. 20 S., R. 61 E., M.D.M., and more fully described by metes and bounds as follows:

PARCEL NO. I-015-CL-041.935 to be acquired in fee simple.

COMMENCING at the section corner common to Sections 28, 29, 32 and 33, a FOUND 3" CITY OF LAS VEGAS BRASS DISK 0.05' BELOW ASPHALT STAMPED "CITY OF LAS VEGAS SEC COR 29|28|32|33 T20S R61E DO NOT DISTURB" shown and delineated as a FOUND CITY OF LAS VEGAS BRASS CAP on that certain Record of Survey for The City of Las Vegas Department of Public Works, filed for record on May 20, 2005, as Instrument No. 200505200004959, File 148, Page 79, Official Records Clark County, Nevada; thence N. 89°44'14" E., along the North line of Section 33, a distance of 2,645.34 feet (Record N. 89°44'21" E. – 2,645.42 feet per said Record of Survey), to the north 1/4 corner of said Section 33, a FOUND 2" BRASS CAP ON A 0.6' CONC POST STAMPED "T20S R61E 1/4 28/33 PLS7635", shown and delineated as a FOUND BRASS CAP on said Record of Survey; thence

S. 0°01'51" W. a distance of 4,128.17 feet to the POINT OF BEGINNING; said point of beginning being a point on the former left or westerly right-of-way line of IR-15, which is coincident with the north - south 1/4 section line, 203.28 feet left of and at right angles to Highway Engineer's Station "Le" 812+41.32 P.O.T.; thence S. 0°01'55" W., along said former westerly right-of-way line, a distance of 159.32 feet; thence along the following three (3) courses and distances:

1. S. 89°51'02" W. – 144.98 feet;
2. N. 0°08'58" W. – 159.48 feet;
3. N. 89°54'55" E. – 145.48 feet to the point of beginning; said parcel contains an area of 23,150 square feet (0.53 acres).

It is the intent of this description to describe and it does describe all that real property described in those certain documents as follows:

GRANT, BARGAIN, SALE DEED, filed for record on July 19, 2005, as Instrument No. 200507190004270.

GRANT, BARGAIN, SALE DEED, filed for record on July 19, 2005, as Instrument No. 200507190004272.

GRANT, BARGAIN, SALE DEED, filed for record on July 19, 2005, as Instrument No. 200507190004273, all in the Office of the County Recorder, Clark County, Nevada.

PARCEL NO. I-015-CL-041.937 to be acquired in fee simple.

COMMENCING at the section corner common to Sections 28, 29, 32 and 33, a FOUND 3" CITY OF LAS VEGAS BRASS DISK 0.05' BELOW ASPHALT STAMPED "CITY OF LAS VEGAS SEC COR 29|28|32|33 T20S R61E DO NOT DISTURB" shown and delineated as a FOUND CITY OF LAS VEGAS BRASS CAP on that certain Record of Survey for The City of Las Vegas Department of Public Works, filed for record on May 20, 2005, as Instrument No. 200505200004959, File 148, Page 79, Official Records Clark County, Nevada; thence N. 89°44'14" E., along the North line of Section 33, a distance of 2,645.34 feet (Record N. 89°44'21" E. – 2,645.42 feet per said Record of Survey), to the north 1/4 corner of said Section 33, a FOUND 2" BRASS CAP ON A 0.6' CONC POST STAMPED "T20S R61E 1/4 28/33 PLS7635", shown and delineated as a FOUND BRASS CAP on said Record of Survey; thence S. 4°05'55" W. a distance of 4,299.28 feet to the POINT OF BEGINNING; said point of beginning being a point on the left or westerly right-of-way line of IR-15, which is coincident

with the easterly right-of-way line of Desert Lane, 508.99 feet left of and at right angles to Highway Engineer's Station "Le" 810+82.44 P.O.T.; thence N. 0°08'58" W., along said westerly right-of-way line, a distance of 159.66 feet; thence N. 89°54'55" E. a distance of 140.00 feet, the first 5.11 feet are along said westerly right-of-way line; thence S. 0°08'58" E. a distance of 159.51 feet; thence S. 89°51'02" W. a distance of 140.00 feet to the point of beginning; said parcel contains an area of 22,342 square feet (0.51 acres).

It is the intent of this description to describe and it does describe all that real property described in those certain documents as follows;

GRANT, BARGAIN, SALE DEED, filed for record on July 19, 2005, as Instrument No. 200507190004271.

GRANT, BARGAIN, SALE DEED, filed for record on July 19, 2005, as Instrument No. 200507190004274.

GRANT, BARGAIN, SALE DEED, filed for record on July 19, 2005, as Instrument No. 200507190004275, all in the Office of the County Recorder, Clark County, Nevada.

PARCEL NOS. I-015-CL-041.964 and I-015-CL-041.966 owned by
ROBARTS 1981 TRUST, DATED JUNE 15, 1981.

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

PARCEL NO. I-015-CL-041.964 to be acquired in fee simple.

COMMENCING at the section corner common to Sections 28, 29, 32 and 33, a FOUND 3" CITY OF LAS VEGAS BRASS DISK 0.05' BELOW ASPHALT STAMPED "CITY OF LAS VEGAS SEC COR 29|28|32|33 T20S R61E DO NOT DISTURB" shown and delineated as a FOUND CITY OF LAS VEGAS BRASS CAP on that certain Record of Survey for The City of Las Vegas Department of Public Works, filed for record on May 20, 2005, as Instrument No. 200505200004959, File 148, Page 79, Official Records Clark County, Nevada; thence N. 89°44'14" E., along the North line of Section 33, a distance of 2,645.34 feet (Record N. 89°44'21" E. – 2,645.42 feet per said Record of Survey), to the north 1/4 corner of said Section 33, a FOUND 2" BRASS CAP ON A 0.6' CONC POST STAMPED "T20S R61E 1/4 28/33 PLS7635", shown and delineated as a FOUND BRASS CAP on said Record of Survey; thence

S. 0°01'51" W. a distance of 4,128.17 feet to the POINT OF BEGINNING; said point of beginning being a point on the former left or westerly right-of-way line of IR-15, which is coincident with the north - south 1/4 section line, 203.28 feet left of and at right angles to Highway Engineer's Station "Le" 812+41.32 P.O.T.; thence S. 89°54'55" W. a distance of 145.48 feet; thence N. 0°08'58" W. a distance of 159.50 feet to the south 1/16 section line; thence N. 89°58'40" E., along said 1/16 section line, a distance of 145.98 feet to said former westerly right-of-way line and said 1/4 section line; thence S. 0°01'55" W., along said former right-of-way line and said 1/4 section line, a distance of 159.34 feet to the point of beginning; said parcel contains an area of 23,232 square feet (0.53 acres).

It is the intent of this description to describe and it does describe all that real property described in those certain documents as follows:

FIFTY-EIGHT PERCENT (58%) OF PARCEL SEVEN (7) OF THE CERTIFICATE OF INCUMBENCY AND CERTIFICATION OF TRUST, filed for record on August 16, 2004 as Instrument No. 200408160004296.

FORTY-TWO PERCENT (42%) OF THE GRANT, BARGAIN, SALE, WARRANTY DEED, filed for record on August 16, 2004, as Instrument No. 200408160004297.

EXCEPTING therefrom that portion conveyed by GRANT DEED to the City of Las Vegas, recorded January 11, 1978, in Book 833 as Instrument No. 792420.

EXCEPTING therefrom any portion of said PARCEL SEVEN (7) west of the easterly boundary line of the GRANT DEED to the City of Las Vegas, recorded January 11, 1978, in Book 833 as Instrument No. 792420, all in the Office of the County Recorder, Clark County, Nevada.

PARCEL NO. I-015-CL-041.966 to be acquired in fee simple.

COMMENCING at the section corner common to Sections 28, 29, 32 and 33, a FOUND 3" CITY OF LAS VEGAS BRASS DISK 0.05' BELOW ASPHALT STAMPED "CITY OF LAS VEGAS SEC COR 29|28|32|33 T20S R61E DO NOT DISTURB" shown and delineated as a FOUND CITY OF LAS VEGAS BRASS CAP on that certain Record of Survey for The City of Las Vegas Department of Public Works, filed for record on May 20, 2005, as Instrument No. 200505200004959, File 148, Page 79, Official Records Clark County, Nevada; thence N. 89°44'14" E., along the North line of Section 33, a distance of 2,645.34 feet (Record N. 89°44'21" E. – 2,645.42 feet per said Record of Survey), to the north 1/4 corner of said Section 33, a FOUND 2" BRASS CAP ON A 0.6' CONC POST STAMPED "T20S R61E 1/4 28/33 PLS7635", shown and delineated as a

FOUND BRASS CAP on said Record of Survey; thence
S. 4°11'30" W. a distance of 4,139.69 feet to the POINT OF
BEGINNING; said point of beginning being a point on the
left or westerly right-of-way line of IR-15, 503.65 feet left of
and at right angles to Highway Engineer's Station
"Le" 812+42.09 P.O.T.; thence N. 0°00'21" W., along said
westerly right-of-way line, a distance of 159.67 feet to the
south 1/16 section line; thence N. 89°58'40" E., along said
1/16 section line, a distance of 134.49 feet; thence
S. 0°08'58" E. a distance of 159.52 feet; thence
S. 89°54'55" W. a distance of 134.89 feet to the point of
beginning; said parcel contains an area of
21,496 square feet (0.49 acres).

It is the intent of this description to describe and it does describe all that
real property described in those certain documents as follows:

FIFTY-EIGHT PERCENT (58%) OF PARCEL ONE (1) OF THE CERTIFICATE
OF INCUMBENCY AND CERTIFICATION OF TRUST, filed for record on August
16, 2004 as Instrument No. 200408160004296.

FORTY-TWO PERCENT (42%) OF THE GRANT, BARGAIN, SALE,
WARRANTY DEED, filed for record on August 16, 2004, as Instrument
No. 200408160004297.

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EXCEPTING therefrom that portion conveyed by GRANT DEED to the City of Las Vegas, recorded January 11, 1978, in Book 833 as Instrument No. 792419.

EXCEPTING therefrom any portion of said PARCEL SEVEN (7) east of the westerly boundary line of the GRANT DEED to the City of Las Vegas, recorded January 11, 1978, in Book 833 as Instrument No. 792420, all in the Office of the County Recorder, Clark County, Nevada.

PARCEL NO. I-015-CL-041.995 owned by CAPRI VILLAGE CORP. a Nevada corporation, 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 33, T. 20 S., R. 61 E., M.D.M., and more fully described by metes and bounds as follows:

COMMENCING at the section corner common to Sections 28, 29, 32 and 33, a FOUND 3" CITY OF LAS VEGAS BRASS DISK 0.05' BELOW ASPHALT STAMPED "CITY OF LAS VEGAS SEC COR 29|28|32|33 T20S R61E DO NOT DISTURB" shown and delineated as a FOUND CITY OF LAS VEGAS BRASS CAP on that certain Record of Survey for The City of Las Vegas Department of Public Works, filed for record on May 20, 2005, as Instrument No. 200505200004959, File 148, Page 79, Official Records

Clark County, Nevada; thence N. 89°44'14" E., along the North line of Section 33, a distance of 2,645.34 feet (Record N. 89°44'21" E. – 2,645.42 feet per said Record of Survey), to the north 1/4 corner of said Section 33, a FOUND 2" BRASS CAP ON A 0.6' CONC POST STAMPED "T20S R61E 1/4 28/33 PLS7635", shown and delineated as a FOUND BRASS CAP on said Record of Survey; thence S. 0°01'50" W. a distance of 3,638.15 feet to the POINT OF BEGINNING; said point of beginning being a point on the former left or westerly right-of-way line of IR-15, which is coincident with the north - south 1/4 section line, 211.95 feet left of and measured radially from Highway Engineer's Station "Le" 817+19.70 P.O.C.; thence S. 0°01'55" W., along said former westerly right-of-way line, a distance of 330.68 feet to the south 1/16 section line; thence S. 89°58'40" W., along said 1/16 section line, a distance of 140.47 feet; thence N. 0°02'33" E. a distance of 330.47 feet; thence N. 89°53'31" E. a distance of 140.41 feet to the point of beginning; said parcel contains an area of 46,426 square feet (1.07 acres).

It is the intent of this description to describe and it does describe all that real property described in that certain INDIVIDUAL GRANT DEED, filed for

record on September 16, 2005, as Instrument No. 200509160003055, in the Office of the County Recorder, Clark County, Nevada.

PARCEL NO. I-015-CL-042.135 owned by DESERT ALTA, LLC, a Nevada limited liability company, to be acquired in fee simple.

Said real property situate, lying and being in the City of Las Vegas, County of Clark, State of Nevada, and more particularly described as being a portion of the NE 1/4 of the SW 1/4 of Section 33, T. 20 S., R. 61 E., M.D.M., and more fully described by metes and bounds as follows:

COMMENCING at the section corner common to Sections 28, 29, 32 and 33, a FOUND 3" CITY OF LAS VEGAS BRASS DISK 0.05' BELOW ASPHALT STAMPED "CITY OF LAS VEGAS SEC COR 29|28|32|33 T20S R61E DO NOT DISTURB" shown and delineated as a FOUND CITY OF LAS VEGAS BRASS CAP on that certain Record of Survey for The City of Las Vegas Department of Public Works, filed for record on May 20, 2005, as Instrument No. 200505200004959, File 148, Page 79, Official Records Clark County, Nevada; thence N. 89°44'14" E., along the North line of Section 33, a distance of 2,645.34 feet (Record N. 89°44'21" E. – 2,645.42 feet per said Record of Survey), to the north 1/4 corner of said Section 33, a FOUND 2" BRASS CAP ON A 0.6' CONC POST STAMPED "T20S

R61E 1/4 28/33 PLS7635", shown and delineated as a FOUND BRASS CAP on said Record of Survey; thence S. 5°30'43" W. a distance of 3,143.84 feet to the POINT OF BEGINNING; said point of beginning being a point on the left or westerly right-of-way line of IR-15, which is coincident with the easterly right-of-way line of Desert Lane, 554.44 feet left of and measured radially from Highway Engineer's Station "Le" 821+75.53 P.O.C.; thence N. 0°02'33" E., along said westerly right-of-way line, a distance of 150.14 feet; thence N. 89°54'27" E. a distance of 140.00 feet, the first 136.33 feet of which are along said right-of-way line; thence S. 0°02'33" W. a distance of 150.14 feet; thence S. 89°54'27" W. a distance of 140.00 feet to the point of beginning; said parcel contains an area of 21,020 square feet (0.48 acres).

It is the intent of this description to describe and it does describe all that real property described in that certain GRANT, BARGAIN, SALE DEED, filed for record on June 6, 2000, in Book 20000606 as Instrument No. 00853, in the Office of the County Recorder, Clark County, Nevada.

The Basis of Bearing for these descriptions 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 _____ day of August, 2016.

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	E.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

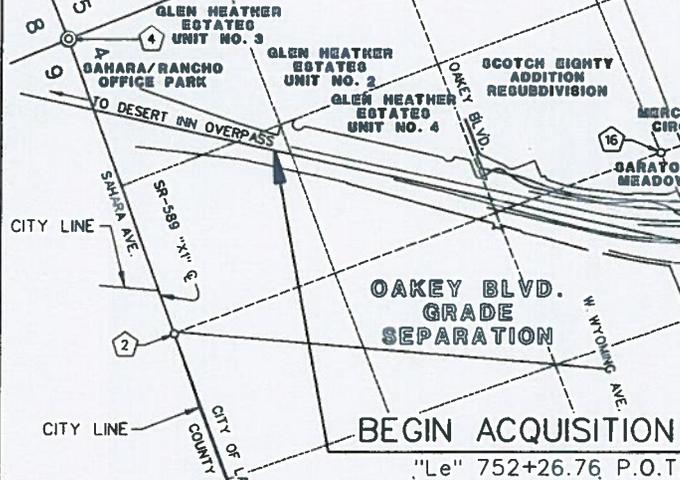
FOUND MONUMENTS

- | | |
|------------|-------------|
| 1 26505L | 11 447010L |
| 2 265052L | 12 761032L |
| 3 420200L | 13 761046L |
| 4 43801L | 14 1182008L |
| 5 438026L | 15 1182010L |
| 6 438027L | 16 1182023L |
| 7 438028L | 17 1182026L |
| 8 438030L | 18 447011L |
| 9 438045L | 19 1182029L |
| 10 447007L | 20 NCL407 |

SEE SHEET 32 FOR
MONUMENT DESCRIPTIONS

"Le" ϵ
A = 35° 31' 35"
R = 1,800.00'
L = 1,116.09'

SAHARA AVENUE
INTERCHANGE



ALTA DRIVE
GRADE SEPARATION

DISCOVERY
DRIVE GRADE
SEPARATION

PROJECT LOCATION

NH-STP-015-1(147)

END ACQUISITION

CHARLESTON
BLVD.
INTERCHANGE

DOWNTOWN
EXPRESSWAY
INTERCHANGE

"Le" ϵ
A = 56° 25' 55"
R = 6,800.00'
L = 6,697.48'



STATE OF NEVADA
FEDERAL HIGHWAY ADMINISTRATION
NEVADA DIVISION

APPROVED: _____
DIVISION ADMINISTRATOR DATE _____

CITY OF
LAS VEGAS

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

DATE: APRIL 24, 2014

115 DESERT INN
NEON PACKAGE 1
COVER SHEET

NEVADA DOT	R/W DIVISION	
	TRACED	DBW JMD MRW WTG MFC
	CHECKED	JHM
	PHONE (775) 888-7470	

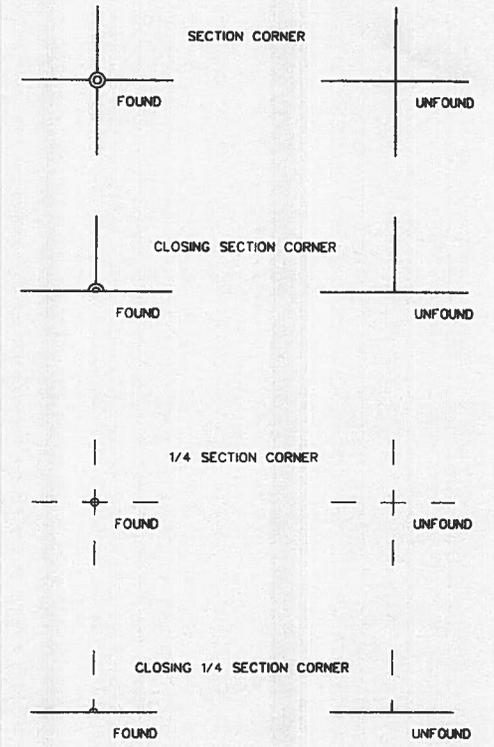
SCALE: 1"=100'

SHEET 1 OF 40

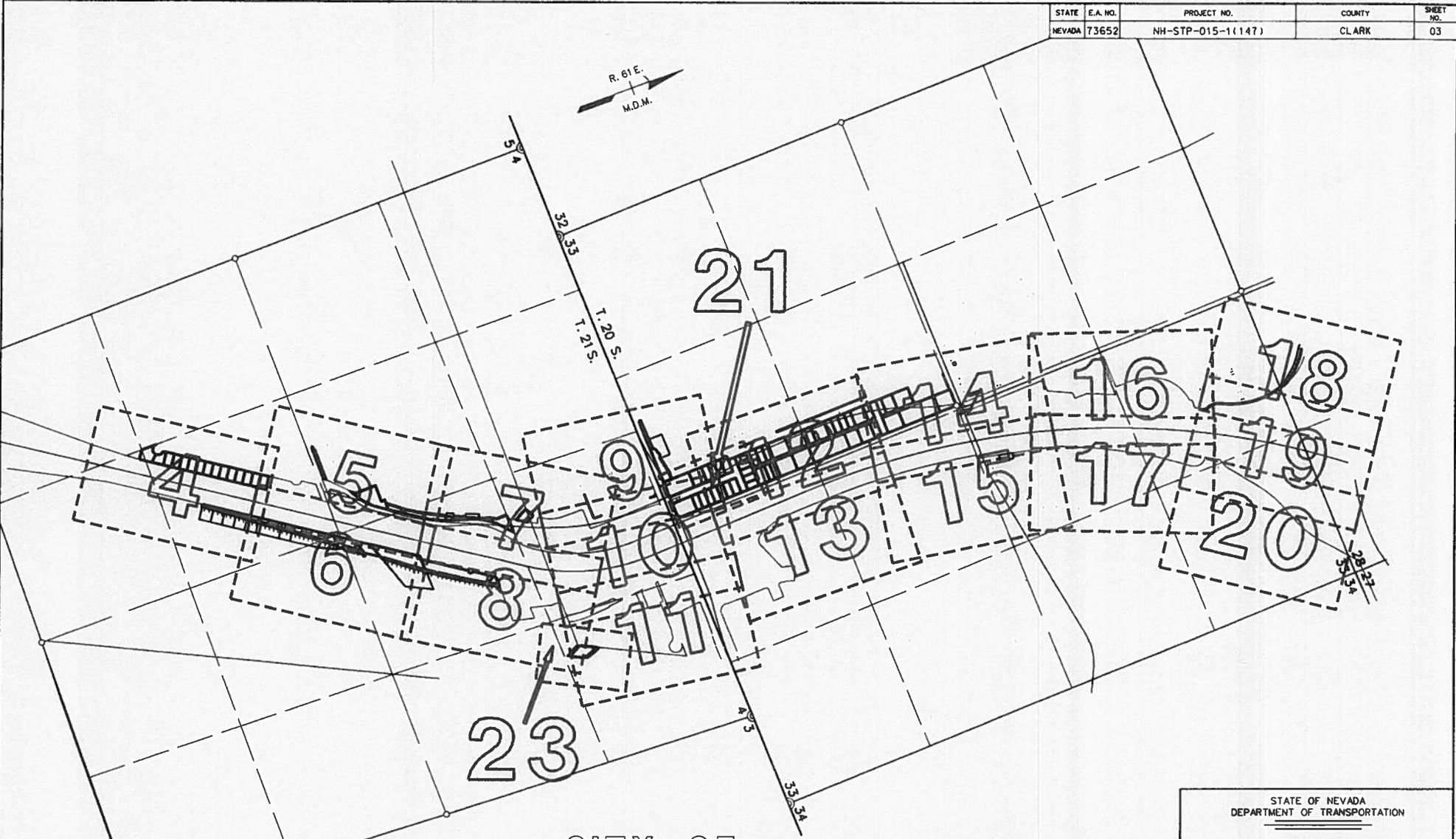
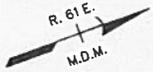
LEGEND OF RIGHT-OF-WAY SYMBOLS

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



CITY OF
LAS VEGAS

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

DATE: MAY 1, 2014

R/W PLANS

APPROVED: _____
UNAPPROVED

SCALE: 1"=800'

SHEET 3 OF 40

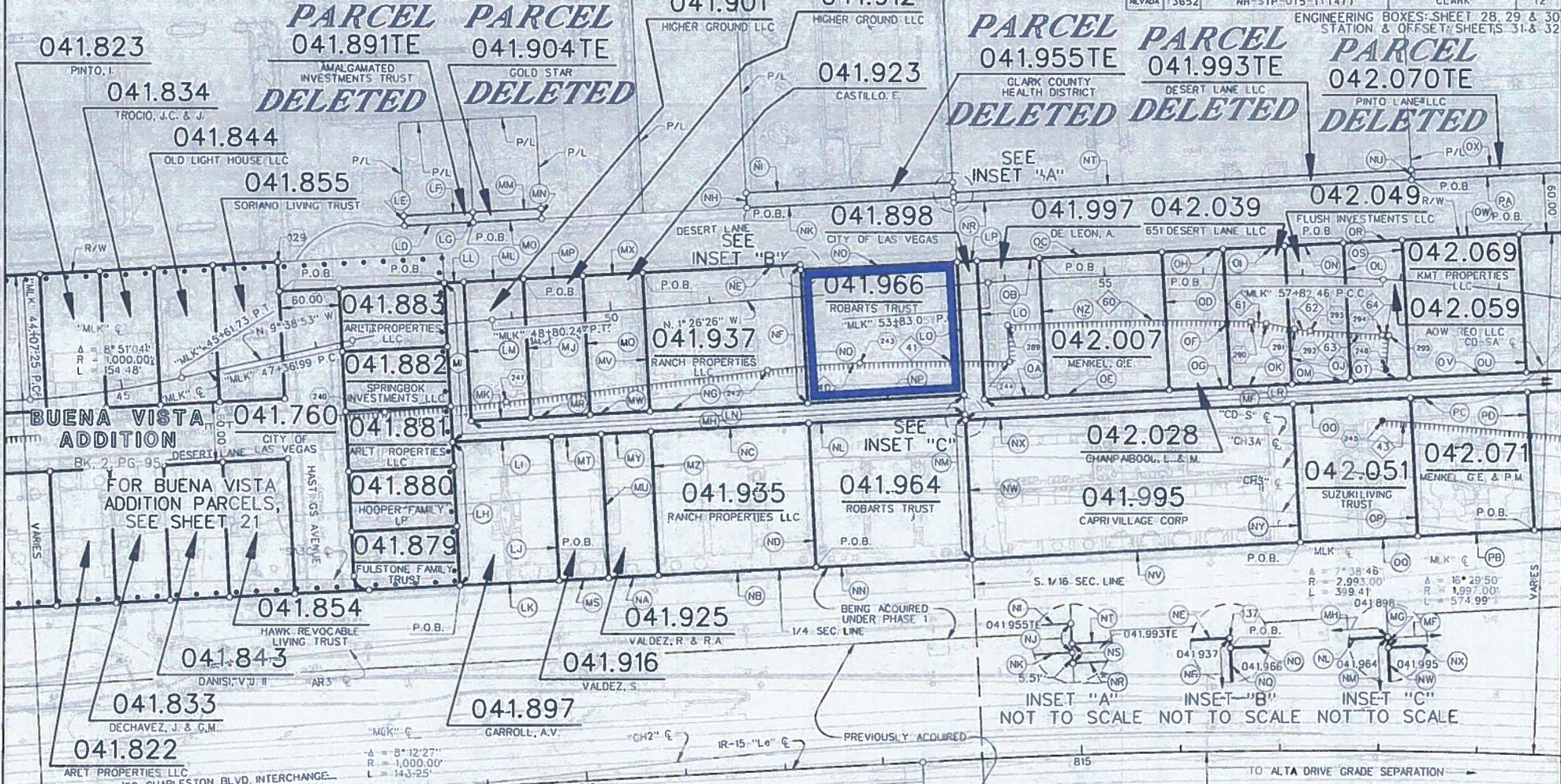
DATE OF LAST REVISION: 12/13/2014	
R/W DIVISION	
TRACED	DBW JMD MRW WTC MFC
CHECKED	JHH
PHONE (775) 888-7470	



PARCEL NUMBER PREFIX: I-015-CL-

STATE	E.A. NO.	PROJECT NO.	COUNTY	SHEET NO.
NEVADA	73652	NH-5TP-015-111471	CLARK	12

ENGINEERING BOXES: SHEET 28, 29 & 30
STATION & OFFSET SHEETS 31 & 32



CITY OF LAS VEGAS

PARKWAY CENTER
BK. 53, PG. 61



DATE OF LAST REVISION	5/28/2015
R/W DIVISION	
TRACED	DBN JMD MRW WTC MFC
CHECKED	JHH
PHONE	1775) 888-7470

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

DATE: MAY 1, 2014

R/W PLANS

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

SCALE: 1"=40'

SHEET 12 OF 40

PARCEL NO. PREFIX: I-015-CL-		PROPERTY SCHEDULE									PROJECT NO.			E.A. NO.	COUNTY	SHEET NO.	
STATE OF NEVADA DEPT. OF TRANSPORTATION												NH-STP-015-1(147)			73652	CLARK	38
PARCEL NO.	GRANTOR	GROSS AREA OF ACQSN.	RW AREA	EXCESS AREA	REMAINDER		ACQUISITION RECORDING DATA			SURPLUS LAND DATA				REMARKS			
					LT.	RT.	INST. OR DOC.	BK. PG.	DATE TYPE	AREA	INST. OR DOC.	BK. PG.	DATE TYPE				
041.879	FULSTONE FAMILY TRUST	6,366	6,366				20150320-0002935		3/20/2015 DEED					Total Acquisition			
041.880	HOOPER FAMILY LP	6,414	6,414											Total Acquisition			
041.881	ARLT PROPERTIES LLC	6,414	6,414				20150722-0002485		5/21/2015 DEED					Total Acquisition			
041.882	SPRINGBOK INVESTMENTS LLC	6,414	6,414											Total Acquisition			
041.883	ARLT PROPERTIES LLC	6,860	6,860				20150723-0000455		5/21/2015 DEED					Total Acquisition			
041.891TE	AMALGAMATED INVESTMENTS TRUST	700												Parcel Deleted Per Memo Dated 5/08/15 Parcel ADDED Back IN Per Memo Dated 3/11/16			
041.897	CARROLL, A.V.	14,450	14,450											Total Acquisition			
041.898	CITY OF LAS VEGAS	53,154	53,154														
041.901	HIGHER GROUND LLC, SERIES 921	8,400	8,400				20150731-0002088		5/28/2015 GBS					Total Acquisition			
041.904TE	GOLD STAR	687												Parcel Deleted Per Memo Dated 5/08/15 Parcel ADDED Back IN Per Memo Dated 3/11/16			
041.912	HIGHER GROUND LLC, SERIES 911	8,400	8,400				20150803-0001641		5/28/2015 GBS					Total Acquisition			
041.916	VALDEZ, S.	7,237	7,237											Total Acquisition			
041.923	CASTILLO, E.	8,400	8,400											Total Acquisition			
041.925	VALDEZ, R. & R. A.	7,245	7,245											Total Acquisition			
041.935	RANCH PROPERTIES LLC	23,150	23,150											Total Acquisition			
041.937	RANCH PROPERTIES LLC	22,342	22,342											Total Acquisition			
041.955TE	CLARK COUNTY HEALTH DISTRICT	3,155												Parcel Deleted Per Memo Dated 5/08/15			
041.964	ROBARTS TRUST	23,232	23,232											Total Acquisition			
041.966	ROBARTS TRUST	21,496	21,496											Total Acquisition			
041.993TE	DESERT LANE LLC	4,631												Parcel Deleted Per Memo Dated 5/08/15			
041.995	CAPRI VILLAGE CORP	46,426	46,426											Total Acquisition			
041.997	DE LEON, A.	8,702	8,702				20150831-0002792		8/31/2015 DEED					Total Acquisition			
042.007	MENKEL, G.E.	17,373	17,373											Total Acquisition			

STATE OF NEVADA
DEPT. OF TRANSPORTATION R/W DIVISION
DATE: MAY 1, 2014
R/W PLANS
SHEET 38 OF 40 SHEETS

DATE OF LAST REVISION: 7/15/2016 CLT

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)

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)



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

August 1, 2016

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: August 8, 2016 Transportation Board of Directors Meeting
Item # 11: Action Item: Condemnation Resolution No. 456
I-15 Freeway, from Desert Inn Road to the US-95/I-515
Interchange; Project NEON; in the City of Las Vegas; Clark County.
1 Owner, 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 a condemnation action for the unresolved acquisition as described below.

Background:

1916 Highland Properties Ltd. - The negotiations are unresolved for the acquisition from 1916 Highland Properties Ltd. It is necessary to acquire a 2,602 square foot (0.06 acre) acquisition in fee, a 1,500 square foot (0.03 acre) permanent easement for construction and maintenance purposes and a 8,906 square foot (0.20 acre) temporary construction easement for a four-year period, all from a 13,008 square foot (0.30 acre) Industrial-zoned parcel that is permitted for the use as a medical marijuana cultivation facility. The acquisitions cover the entirety of the site. The site is improved with a 9,323 square foot building and miscellaneous site improvements consisting of paved parking and chain-link fencing. **The acquisitions in question, which lie east of the I-15 Freeway, along the west side of Highland Avenue, approximately 820 feet southwesterly of Oakey Boulevard, in the City of Las Vegas, are highlighted in green on the right-of-way plans that are part of the Condemnation Resolution (Attachment 2).** The State's initial offer of \$1,690,000.00 was presented to the owner and their attorney on June 17, 2016. The offer consisted of \$27,321.00 for the fee simple land (at \$10.50 per square foot), approximately \$290,000.00 for the building improvements, \$137,250.00 for the site improvements, \$11,813.00 for the permanent easement (which was valued at 75% of the \$10.50 per square foot fee land value), \$37,406.00 for the temporary easement (which is a 10% per year return on the \$10.50 per square foot fee land value for a period of four years) and \$1,186,183.00 as severance damages to the property remainder. The owners have expressed various concerns about the effect of the project on their future operations, but have made no monetary counteroffer, nor have they responded to the State's offer. 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

Department of Transportation Board of Directors

August 1, 2016

Page 2

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. 456 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:

Ruth Borrelli, Chief R/W Agent 

LOCATION MAP



CONDEMNATION RESOLUTION No. 456

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

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. 456

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 NOS. I-015-CL-041.036, I-015-CL-041.036PE, and I-015-CL-041.036TE owned by 1916 HIGHLAND PROPERTIES, LTD., a Nevada Limited Partnership.

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 NE 1/4 of the SW 1/4 of Section 4, T. 21 S., R. 61 E., M.D.M., and more fully described by metes and bounds as follows:

PARCEL NO. I-015-CL-041.036 to be acquired in fee simple.

COMMENCING at the section corner common to
Sections 3, 4, 9 and 10, a FOUND 2" BRASS CITY OF LAS
VEGAS DISK FLUSH ON A 0.6' CONC CYLINDER
STAMPED "CLV S4/S3/S10/S9 PLS 5094" shown and
delineated as a FOUND WELL MONUMENT STAMPED
"PLS 5094" on that certain Plat Map of WESTERN FLEX
WAREHOUSE, filed for record on August 23, 2005, as

Instrument No. 200508230001630, as Map File 126, Page No. 31, in Official Records Clark County, Nevada; thence N. 4°23'15" E., along the east line of said Section 4, a distance of 2,783.81 feet (Record N. 4°23'41" E. – 2,783.89 feet per said Plat Map), to the 1/4 corner common to Sections 3 and 4, a FOUND 2" BRASS CAP ON A 0.6' CONC POST STAMPED "CITY OF LAS VEGAS PLS5094", shown and delineated as a FOUND WELL MONUMENT STAMPED "PLS 5094" on said Plat Map; thence S. 79°19'53" W. a distance of 3,002.73 feet to the POINT OF BEGINNING; said point of beginning being on the right or southeasterly right-of-way line of IR-15, 153.60 feet right of and at right angles to Highway Engineer's Station "Le" 763+48.46 P.O.T.; thence S. 38°14'40" W., along said right or southeasterly right-of-way line, a distance of 100.13 feet; thence N. 54°42'23" W. a distance of 23.44 feet to the former right or southeasterly right-of-way line of IR-15; thence N. 35°17'37" E., along said former right or southeasterly right-of-way line, a distance of 100.00 feet; thence S. 54°42'23" E. a distance of 28.60 feet to the point of beginning; said parcel contains an area of 2,602 square feet.

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PARCEL NO. I-015-CL-041.036PE to be acquired as a permanent easement for highway construction and maintenance purposes.

COMMENCING at the section corner common to Sections 3, 4, 9 and 10, a FOUND 2" BRASS CITY OF LAS VEGAS DISK FLUSH ON A 0.6' CONC CYLINDER STAMPED "CLV S4/S3/S10/S9 PLS 5094" shown and delineated as a FOUND WELL MONUMENT STAMPED "PLS 5094" on that certain Plat Map of WESTERN FLEX WAREHOUSE, filed for record on August 23, 2005, as Instrument No. 200508230001630, as Map File 126, Page No. 31, in Official Records Clark County, Nevada; thence N. 4°23'15" E., along the east line of said Section 4, a distance of 2,783.81 feet (Record N. 4°23'41" E. – 2,783.89 feet per said Plat Map), to the 1/4 corner common to Sections 3 and 4, a FOUND 2" BRASS CAP ON A 0.6' CONC POST STAMPED "CITY OF LAS VEGAS PLS5094", shown and delineated as a FOUND WELL MONUMENT STAMPED "PLS 5094" on said Plat Map; thence S. 79°19'53" W. a distance of 3,002.73 feet to the POINT OF BEGINNING; said point of beginning being on the right or southeasterly right-of-way line of IR-15, 153.60 feet right of and at right angles to Highway Engineer's Station

///

"Le" 763+48.46 P.O.T.; thence along the following three (3) courses and distances:

- 1) S. 54°42'23" E. – 15.00 feet;
- 2) S. 38°14'40" W. – 100.13 feet;
- 3) N. 54°42'23" W. – 15.00 feet to said right or southeasterly right-of-way line;

thence N. 38°14'40" E., along said right-of-way line, a distance of 100.13 feet to the point of beginning; said parcel contains an area of 1,500 square feet.

PARCEL NO. I-015-CL-041.036TE to be acquired as a temporary easement for construction purposes for a four-year period commencing on the date of occupancy.

COMMENCING at the section corner common to Sections 3, 4, 9 and 10, a FOUND 2" BRASS CITY OF LAS VEGAS DISK FLUSH ON A 0.6' CONC CYLINDER STAMPED "CLV S4/S3/S10/S9 PLS 5094" shown and delineated as a FOUND WELL MONUMENT STAMPED "PLS 5094" on that certain Plat Map of WESTERN FLEX WAREHOUSE, filed for record on August 23, 2005, as Instrument No. 200508230001630, as Map File 126, Page No. 31, in Official Records Clark County, Nevada; thence N. 4°23'15" E., along the east line of said Section 4, a distance of 2,783.81 feet (Record N. 4°23'41" E. – 2,783.89

feet per said Plat Map), to the 1/4 corner common to Sections 3 and 4, a FOUND 2" BRASS CAP ON A 0.6' CONC POST STAMPED "CITY OF LAS VEGAS PLS5094", shown and delineated as a FOUND WELL MONUMENT STAMPED "PLS 5094" on said Plat Map; thence S. 79°07'30" W. a distance of 2,992.32 feet to the POINT OF BEGINNING; said point of beginning being 168.60 feet right of and at right angles to Highway Engineer's Station "Le" 763+48.46 P.O.T.; thence S. 54°42'23" E. a distance of 86.48 feet to the northwesterly right-of-way line of Highland Avenue; thence S. 35°17'37" W., along said northwesterly right-of-way line, a distance of 100.00 feet; thence N. 54°42'23" W. a distance of 91.64 feet; thence N. 38°14'40" E. a distance of 100.13 feet to the point of beginning; said parcel contains an area of 8,906 square feet.

The Basis of Bearing for these descriptions 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 _____ day of August, 2016.

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-(1147)	CLARK	01

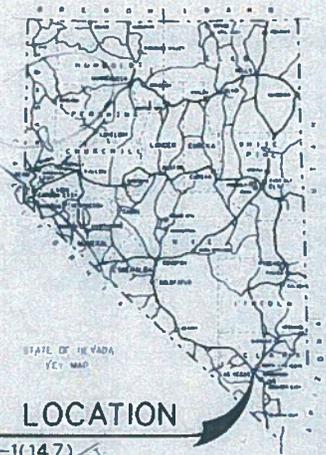
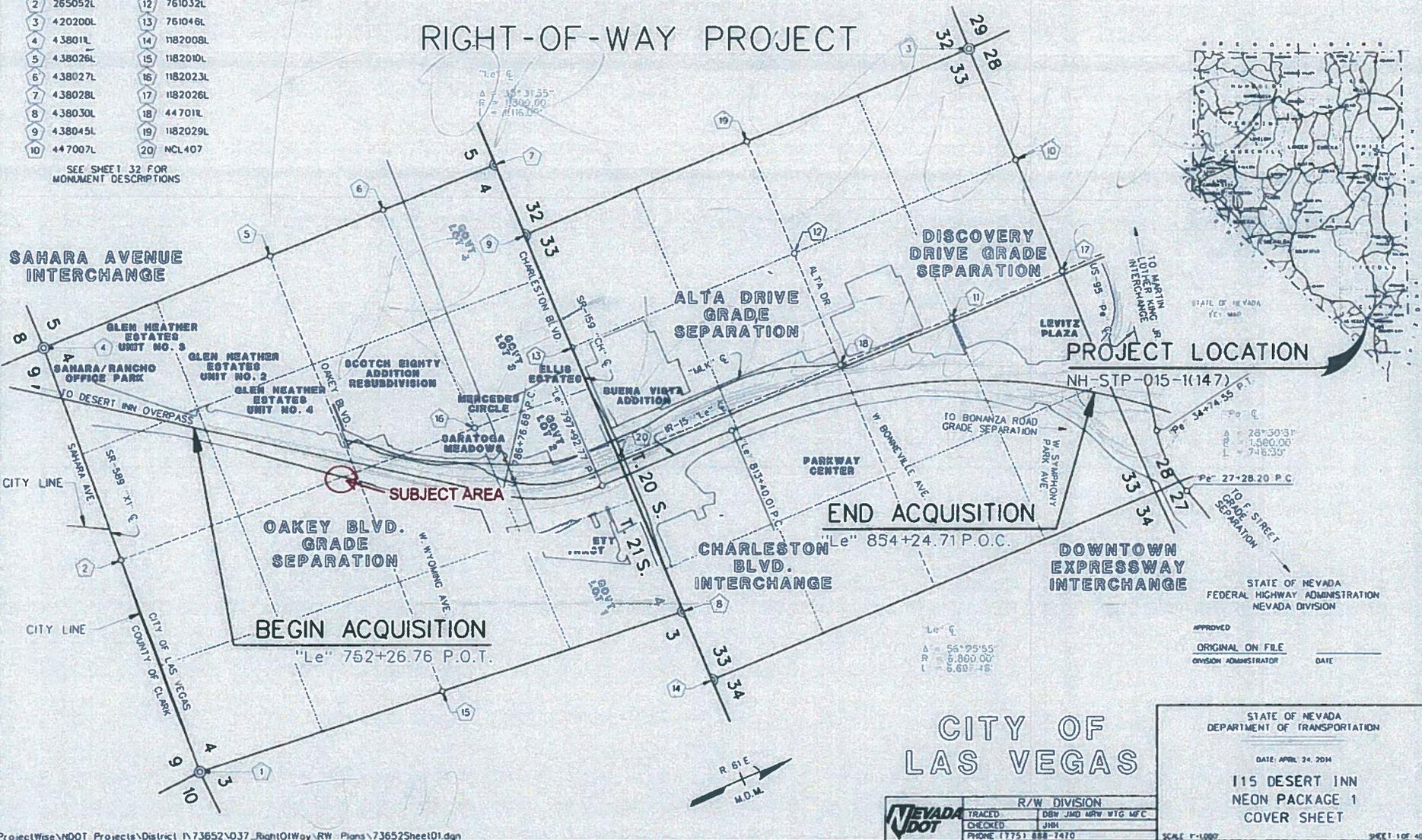
STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

RIGHT-OF-WAY PROJECT

FOUND MONUMENTS

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SEE SHEET 32 FOR
MONUMENT DESCRIPTIONS



CITY LINE
CITY OF LAS VEGAS
COUNTY OF CLARK

CITY OF
LAS VEGAS

NEVADA DOT	R/W DIVISION	
	TRACED	DBN JMD MRW WTC MFC
	CHECKED	JMB
PHONE (775) 888-7470		

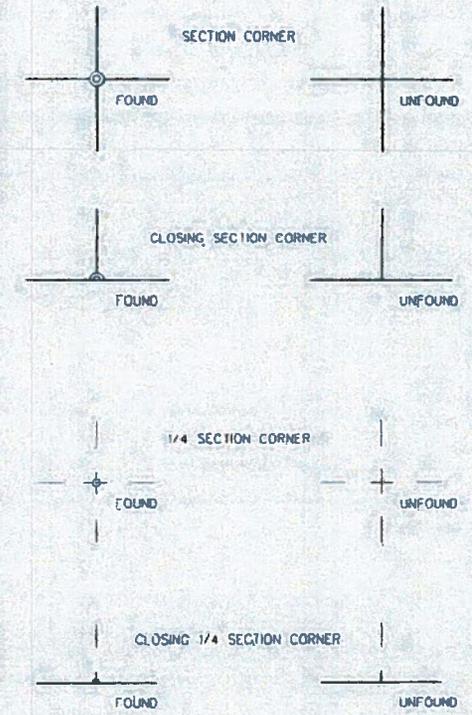
APPROVED
ORIGINAL ON FILE
DIVISION ADMINISTRATOR DATE

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
DATE: APRIL 24, 2014
115 DESERT INN
NEON PACKAGE 1
COVER SHEET
SCALE: 1"=100'
SHEET 1 OF 40

LEGEND OF RIGHT-OF-WAY SYMBOLS

C/A	CONTROL OF ACCESS
CL	CENTERLINE
C/P	PERMISSION TO CONSTRUCT
Δ	DELTA
L	ARC LENGTH
LI	LEFT
P.C.	POINT OF CURVE
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P.R.C.	POINT OF REVERSE CURVATURE
P.T.	POINT OF TANGENCY
R	RADIUS
REM	REMAINDER
RI	RIGHT
R/W	RIGHT-OF-WAY
TE	TEMPORARY EASEMENT
I	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



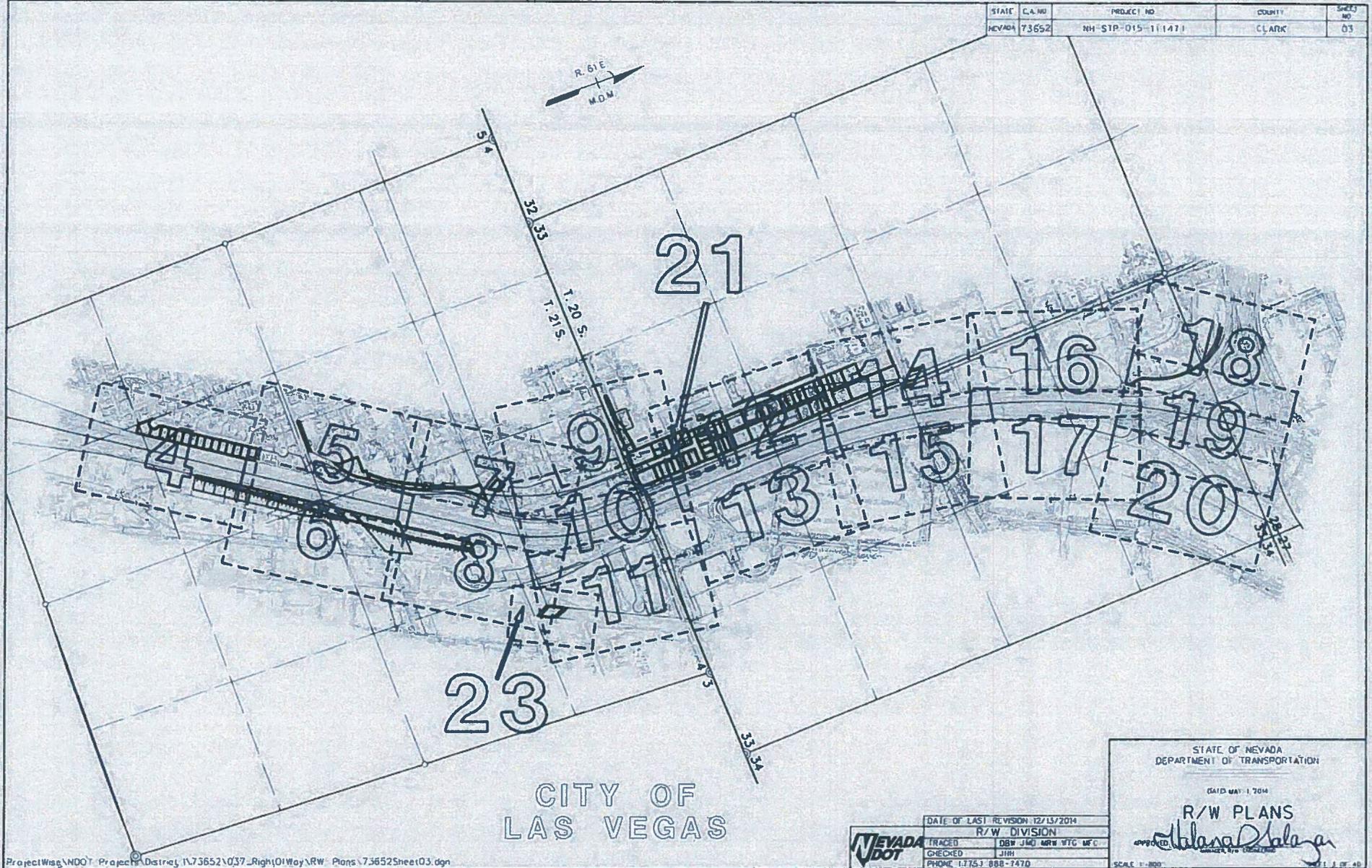
STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

DATE: MAY 1, 2014

R/W PLANS

SHEET 2 OF 40

STATE	C.A. NO.	PROJECT NO.	COUNTY	SHEET NO.
NEVADA	73652	NH-STP-015-11(147)	CLARK	03



CITY OF
LAS VEGAS

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

DATE: MAY 1 2014

R/W PLANS

APPROVED: *Helena Salazar*

SCALE: 1" = 800'

SHEET 1 OF 40



DATE OF LAST REVISION	12/13/2014
R/W DIVISION	
TRACED	DBW JMD MHW WTC WFC
CHECKED	JHH
PHONE	1.775.3.888-7470

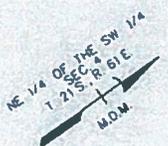
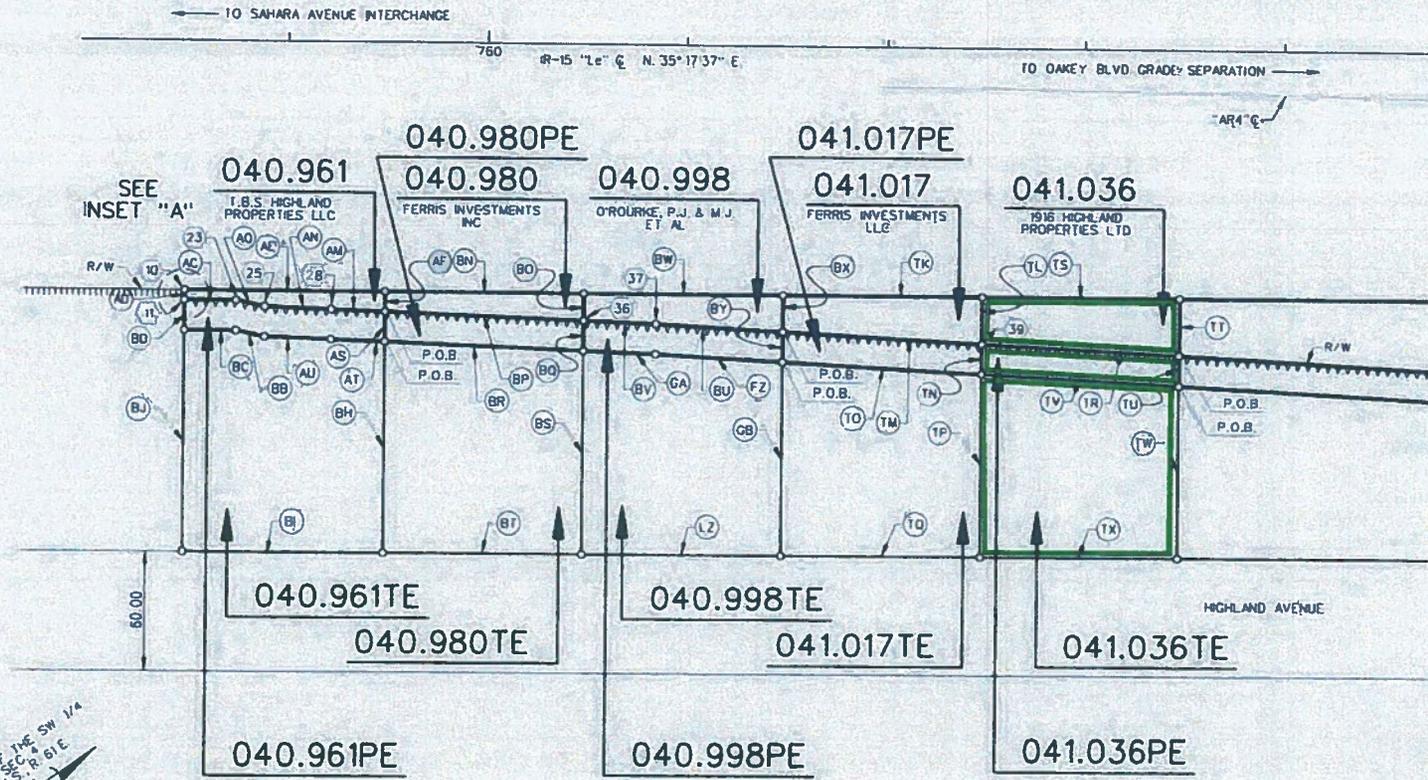
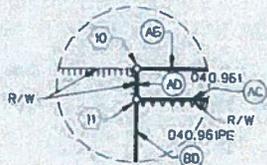
PARCEL NUMBER PREFIX: I-015-CL-

STATE	CL# NO	PROJECT NO.	COUNTY	SHEET NO.
NEVADA	73652	NH-STP-015-111471	CLARK	22

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



INSET "A"
NOT TO SCALE



DATE OF LAST REVISION: 5/28/2015	
R/W DIVISION	
TRACED	DBV JMD MRW MTG MFC
CHECKED	JBH
PHONE: 17751 888-7470	

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

DATE: SEPTEMBER 11, 2014

R/W PLANS

APPROVED: *[Signature]*

SCALE: 1"=80'

SHEET 22 OF 40

PARCEL NO. PREFIX: H15-LL-		PROPERTY SCHEDULE								ALL AREAS ARE SHOWN IN SQUARE FEET UNLESS OTHERWISE NOTED		PROJECT NO.	E.A. NO.	COUNTY	NO.
STATE OF NEVADA DEPT. OF TRANSPORTATION										NH-STP-015-1(147)		73652	CLARK	35	
PARCEL NO.	GRANTOR	GROSS AREA OF ACQSN.	RW AREA	EXCESS AREA	REMAINDER		ACQUISITION RECORDING DATA			SURPLUS LAND DATA			REMARKS		
					LT.	RT.	INST. OR DOC.	BK. PG.	DATE TYPE	AREA	INST. OR DOC.	BK. PG.		DATE TYPE	
041.017PE	FERRIS INVESTMENTS INC	1,500											Maintenance Easement		
041.017TE	FERRIS INVESTMENTS INC	9,422											Temporary Construction Easement		
041.027	LOCH LOMOND WAY TRUST	7,985	7,985										Total Acquisition		
041.036	1916 HIGHLAND PROPERTIES LTD	2,602	2,602			10,406									
041.036PE	1916 HIGHLAND PROPERTIES LTD	1,500											Maintenance Easement		
041.036TE	1916 HIGHLAND PROPERTIES LTD	8,806											Temporary Construction Easement		
041.040	SHURTZ, T.A. & C.M.	7,979	7,979										Total Acquisition		
041.054	PUEBLO HIGHLAND LLC	6,751	6,751			19,265									
041.054PE	PUEBLO HIGHLAND LLC	3,000											Maintenance Easement		
041.054TE	PUEBLO HIGHLAND LLC	16,265											Temporary Construction Easement		
041.091	O'ROURKE, MICHAEL ET AL	4,128	4,128			8,880									
041.091PE	O'ROURKE, MICHAEL ET AL	1,500											Maintenance Easement		
041.091TE	O'ROURKE, MICHAEL ET AL	7,380											Temporary Construction Easement		
041.110	O'ROURKE FAMILY LP	19,536	19,536			30,083									
041.110PE	O'ROURKE FAMILY LP	6,096											Maintenance Easement		
041.110TE	O'ROURKE FAMILY LP	23,987											Temporary Construction Easement		
041.112	ROUNDY REVOCABLE FAMILY TRUST	20,277	20,277							18,164			Total Acquisition		
041.128	GEORGESCU, F.A.	1,392	1,392			18,809									
041.128TE	GEORGESCU, F.A.	1,289											Temporary Construction Easement		
041.176	CITY OF LAS VEGAS	5,562	5,562												
041.188	SU REVOCABLE TRUST	23,662	23,662												
041.189	SU REVOCABLE TRUST	27,721	27,721												
041.189TE	SU REVOCABLE TRUST	518											This Parcel made part of 041.188		

STATE OF NEVADA
DEPT. OF TRANSPORTATION RW DIVISION
DATE: MAY 1, 2014
R/W PLANS
DATE OF LAST REVISION: 7/15/2016 CLT
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)

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

Right-of-Way Division

July 26, 2016

To: Department of Transportation Board of Directors

From: Rudy Malfabon, Director

Subject: August 8, 2016 Transportation Board of Directors Meeting

Item # 12: Parcel U-395-CC-007.956 XS1: US-395 between College Parkway Interchange and Arrowhead Drive Interchange, Carson City, NV

SUR 12-15 – For possible action

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-CC-007.956 XS1: US-395 between College Parkway Interchange and Arrowhead Drive Interchange, Carson City, NV. The property is currently unimproved land consisting of 8,157 square feet as depicted on the attached sketch map marked Exhibit "A".

Background:

The Department originally acquired the property in fee on May 6, 1989, for the construction of Phase 1 of the US-395, Carson City Freeway. The Carson City Freeway Project is now complete and operational therefore the Department has determined that this surplus property is no longer needed for the project.

Analysis:

The Department has completed an appraisal of the surplus property to obtain fair market value in the amount of \$28,800.00, as required by N.R.S. 408.533. A Direct Sale will be beneficial to the State in potential revenue, the elimination of liability, and will eliminate property management expenses. The release of NDOT's interest in this parcel is being made in accordance with N.R.S. 408.533.

List of Attachments:

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

Department of Transportation Board of Directors
July 20, 2016

Recommendation for Board Action:

Approval of disposal NDOT property Parcel U-395-CC-007.956 XS1: US-395, between College Parkway Interchange and Arrowhead Drive Interchange, Carson City, NV.

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

rb/dtc/aa

LOCATION MAP



SUR 12-15

**DESCRIPTION: Parcel U-395-CC-007.956 XS1: US-395 between
College Parkway Interchange and Arrowhead Drive Interchange,
Carson City, NV**

ATTACHMENT 1

PARCEL NUMBER PREFIX: U-395-CC-

EXHIBIT "A"

PROJECT: NH-395-2(033)
E.A. 72616
PTN. OF PARCELS: U-395-CC-007.958
U-395-CC-007.959

SECTION 5
T. 15 N., R. 20 E.

M.D.M.

BROADLEAF LANE

NORTHGATE LANE

NORTHGATE LANE

CARSON CITY

007.956 XS1

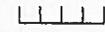
PTN. OF 007.959
MEYER, B.C.
DOC. 87919 - FEE
1,617 SQ. FT.

1

PTN. OF 007.958
HESS, B.S. & K.
DOC. 86330 - FEE
6,540 SQ. FT.

2

CONTROL OF ACCESS
WITHOUT FENCE OR BARRIER



CONTROL OF ACCESS
WITH FENCE OR BARRIER

- (A) S. 60° 22' 54" W. - 18.88'
- (B) N. 78° 09' 36" W. - 33.63'
- (C) $\Delta = 2^\circ 33' 37''$
R = 2,229.26'
L = 99.62'
- (D) $\Delta = 26^\circ 08' 19''$
R = 45.00'
L = 20.53'
T.B. = N. 46° 03' 03" E.
- (E) $\Delta = 40^\circ 28' 10''$
R = 45.00'
L = 31.79'
T.B. = N. 19° 54' 44" E.
- (F) N. 60° 22' 54" E. - 69.97'
- (G) S. 29° 37' 06" E. - 110.00'

8,157 SQ. FT.

W. 1/16
SEC. LINE

$\Delta = 47^\circ 39' 37''$
R = 2,600.00'
L = 2,162.76'

TO ARROWHEAD DRIVE
INTERCHANGE

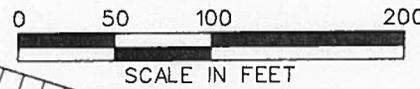
TIE = N. 87° 44' 29" E. - 1,124.87' FROM THE
W. 1/4 COR. SEC. 5, T. 15 N., R. 20 E., M.D.M.

1/4 SECTION LINE

AREA TO BE SOLD

US-395 FREEWAY "O" ϕ

TO COLLEGE
PARKWAY
INTERCHANGE



TRACED: TMZ CHECKED: J144

Date of last revision: _____

CC-017 STATE OF NEVADA SUR 12-15

Dept. of Transportation R/W Division

Date: October 24, 2012

Sketch Map

Approved: *Malana D. Salazar*
Manager, R/W Engineering

Sheet 1 of 1 Sheets

ATTACHMENT 2



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

MEMORANDUM

Environmental Services Division

October 23, 2013

To: Bob Martin, Staff Specialist, Right-of-Way

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

Subject: Environmental Clearance for Transportation Board
Surplus No.: SUR 12-15
Project: NH-395-2(033)
PIN: 72616
Parcel: U-395-CC-007.956 XS1
US395/I-580 between College Parkway and Arrowhead Drive Interchanges,
Carson City, NV
Disposal by Public Auction

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 October 23, 2013.

C: Project E-File
R. Borrelli, Surplus Property Committee, Chair
H. Salazar, Surplus Property Committee, Vice-Chair

ATTACHMENT 3



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

BRIAN SANDOVAL
Governor

October 28, 2013

RUDY MALFABON, P.E., Director

In Reply Refer to:

FEDERAL HIGHWAY ADMINISTRATION
705 NORTH PLAZA STREET SUITE 220
CARSON CITY NV 89701

Disposal by Public Auction
Surplus No.: SUR 12-15
Project: NH-395-2(033)
E.A.: 72616
Parcel: U-395-CC-007.956 XS1
Description: Disposal of NDOT
property located along US-US-395
Freeway between College Parkway
Interchange and Arrowhead Drive
Interchange.

Dear Ms. Klekar:

Enclosed are Exhibit "A" (sketch map) and a location map depicting the area of surplus property, to be disposed of by public auction, pursuant to N.R.S. 408.527 and 408.533. It has been determined that the property is no longer needed by NDOT. The aforementioned property is located in Carson City, Nevada.

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

1. The subject property right will not be needed for Federal-aid Highway purposes in the foreseeable future;
2. The right-of-way being retained is adequate under present day standards for the facility involved;
3. The release will not adversely affect the Federal-aid Highway facility or the traffic thereon;
4. The parcel to be 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);
5. The parcel to be relinquished has been cleared through the Environmental Division in accordance with CEQ regulations 40 CFR 1508.4 and 23 CFR 771.117(d);

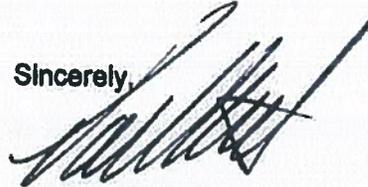
ATTACHMENT 4

SUSAN KLEKAR DIVISION ADMINISTRATOR
ATTN HUGH HADSOCK R-W PROGRAM MGR
October 28, 2013

6. The relinquishment of this parcel is being made in accordance with N.R.S. 408.527 and N.R.S. 408.533.

Your concurrence in the proposal is requested.

Sincerely,



Paul A. Saucedo
Chief Right-of-Way Agent

CONCUR:



Hugh Haddock, Right-of-Way Program Manager

10/29/13

Date

pas/rm/jm
Enclosures

cc: P. Frost, Chief Roadway Design
H. Salazar, Manager Right-of-Way Engineering
R. Martin, Staff Specialist

NRS 408.533 Disposal of property.

1. Except as otherwise provided in [NRS 37.270](#), 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 the person's 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 receipt of a written notice of the final determination of the fair market value of the property, to notify the Department in writing that he or she 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 or her 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](#); [2005, 1790](#))



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

MEMORANDUM

Right-of-Way Division

June 20, 2016

To: Department of Transportation Board of Directors

From: Rudy Malfabon, Director

Subject: July 11, 2016 Transportation Board of Directors Meeting

Item # 13: A parcel of NDOT right-of-way located at IR-80 Between Vine St. & Washington St. on 6th St. in the City of Reno, County of Washoe, State of Nevada

SUR 13-15 – For board approval

Summary:

Approval is requested from the Department of Transportation Board of Directors to dispose of the above referenced property by Direct Sale. The property to be sold is located at IR-80 Between Vine St. & Washington St. on 6th St. in the City of Reno, County of Washoe, State of Nevada. The property consists of .80 acre (34,859 sq. ft.) of land as depicted on the attached sketch map identified as Exhibit "A". The land is improved with a 5,592 sq. ft. office building.

Background:

The Department originally obtained this parcel, in fee, during 1965 and 1967 from several owners for the construction of IR-80, Project I-080-1(15)8.

The existing office building was owned by the Junior Achievement of Northern Nevada, Inc., who has had a lease with the Department over the past several years. Recently, John Cole, representing Core Capital Group, Inc., purchased the office building from the Junior Achievement and contacted the Department to consider selling the property to his company. The Surplus Property Committee met on September 17, 2013, and determined that this surplus property is no longer needed for highway purposes.

Analysis:

The Department completed an appraisal of the property on January 30, 2015 to obtain fair market value in the amount of \$185,000 as required by N.R.S 408.533. The Department received the signed Direct Sale Intent to Purchase on April 25, 2016, and accepted the purchase price. A Direct Sale will be beneficial to both the State and the new owner of the building. The release of NDOT's fee interest in this parcel is being made in accordance with N.R.S. 408.533.

**Department of Transportation Board of Directors
July 20, 2016**

List of Attachments:

1. Location Map
2. Sketch Map depicted as Exhibit "A"
3. Copy of the Intent to Purchase (Form 894-C)
4. Environmental Approval
5. N.R.S. 408.533

Recommendation for Board Action:

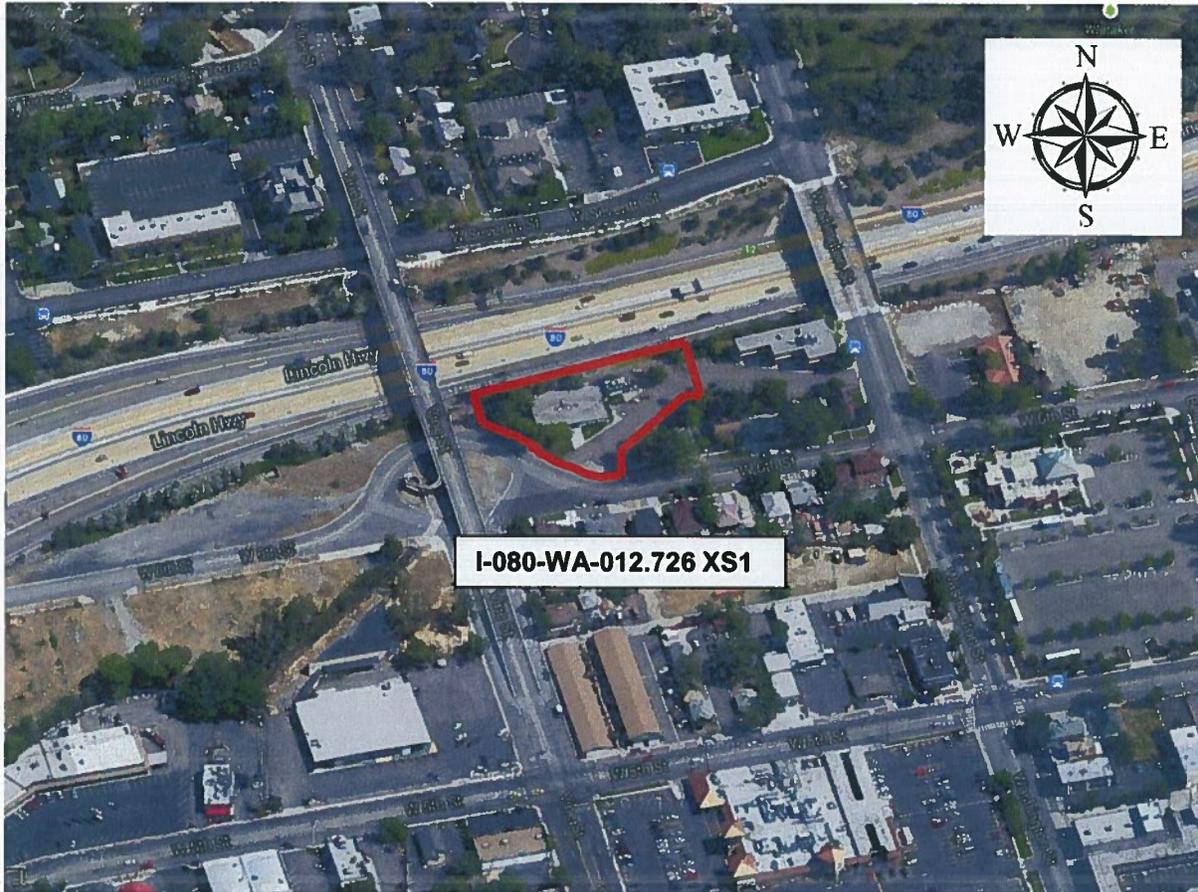
Approval of the disposal of NDOT property located at IR-80 Between Vine St. & Washington St. on 6th St. in the City of Reno, County of Washoe, State of Nevada

Prepared by: Ruth Borrelli, Chief R/W Agent



rb/dtc/aa

LOCATION MAP



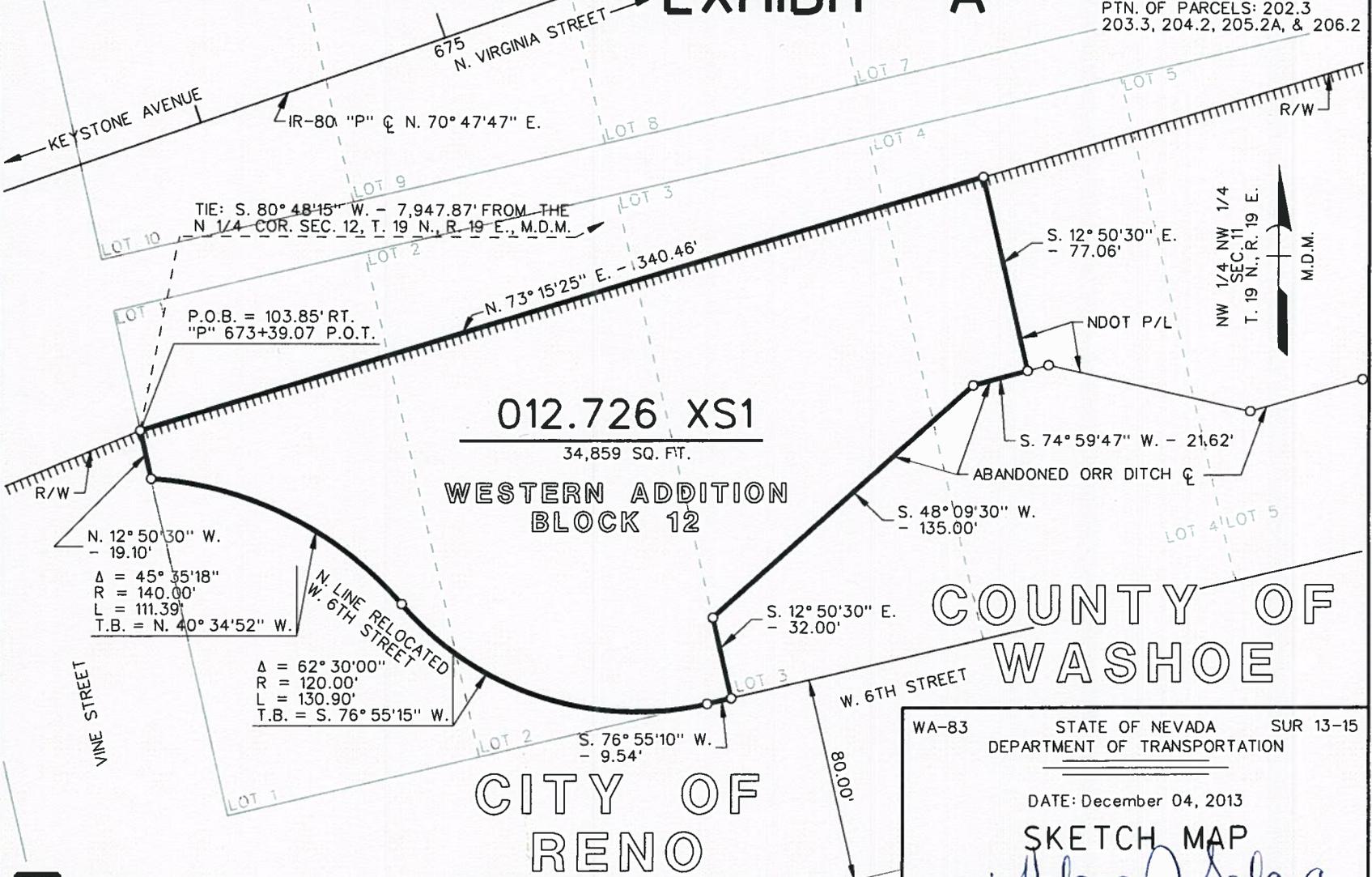
SUR 13-15

**DESCRIPTION: IR-80 Between Vine St & Washington St on 6th St.
in the City of Reno, County of Washoe, State of Nevada**

PARCEL NO. PREFIX: I-080-WA-

EXHIBIT "A"

PROJECT: I-080-1(15)8
E.A. 70278
PTN. OF PARCELS: 202.3
203.3, 204.2, 205.2A, & 206.2



▭ AREA TO BE SOLD
 ||||| CONTROL OF ACCESS WITH FENCE
 \Sketch\Washoe\SUR 13-15\SUR 13-15.dgn

NEVADA DOT	TRACED	MW
	CHECKED	RLZ
	DATE OF LAST REVISION:	

WA-83 STATE OF NEVADA SUR 13-15
 DEPARTMENT OF TRANSPORTATION

DATE: December 04, 2013

SKETCH MAP

APPROVED: *Alana D Salazar*
 MANAGER, R/W ENGINEERING

SCALE 1"=60' SHEET 1 OF 1

Project: I-080-1(15)8
E.A.: 70278
Parcel: I-080-WA-012.726
XS1
SUR #: SUR 13-15
Date: 4/25/16

DIRECT SALE INTENT TO PURCHASE
Nevada Department of Transportation

This direct sale payment is for the purchase of the above-referenced real property, as described by the legal description attached hereto.

The undersigned purchaser hereby agrees to pay to the Nevada Department of Transportation, \$185,758.00 as the full purchase price for said property, to be paid in a lump sum payment, without interest, on or before 90 Day from the Transportation Board approval date.

All terms and conditions of the Department of Transportation's procedures for a direct sale under Nevada Revised 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:

John Cole

Purchaser may take possession of the property upon receipt of the recorded Quitclaim Deed, or upon other written notice from the Department of Transportation, if applicable.

All notices pertaining to matters arising in connection with this transaction may be made to purchaser in person or by registered mail addressed as follows:

John Cole
Name (Please Print)

4-25-2016
Date

1042 N. El Camino Real B-428
Address ENCINITAS CA 92024

760 685 0901
Phone


Signature

Owner
Title

COMPLETE THIS FORM AND RETURN WITHIN 10 WORKING DAYS FROM THE DATE OF THIS FORM AND RETURN WITH THE ENCLOSED LETTER TO:

State of Nevada, Department of Transportation
Right-of-Way Division, Attn: Jessica D. Biggin
1263 S. Stewart St.
Carson City, NV 89712

ATTACHMENT 3



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

MEMORANDUM

Environmental Services Division

April 25, 2016

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

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

Subject: Environmental Clearance for Transportation Board
Surplus No.: SUR 13-15
Project: I-080-1(15)8
EA: 70278
Location: I-80, between Vine Street & Washington Street, 785 W. 6th Street
Reno, NV
Parcel: I-080-WA-012.726 XS1,
Disposal of Excess Right-of-Way

The Environmental Services Division reviewed the requested action and found it clear of any documented environmental concern. The Categorical Exclusion for this action was approved by the Federal Highway Administration on April 25, 2016.

EC: Project E-File

ATTACHMENT 4

NRS 408.533 Disposal of property.

1. All real property, interests therein or improvements thereon and personal property acquired before, on or after April 1, 1957, in accordance with the provisions of NRS 408.487 and 408.489 must, after approval by the Board and if no longer needed for highway purposes, be disposed of by the Director in accordance with the provisions of subsection 2, except that:

(a) When the property was originally donated to the State, no charge may be made if it is returned to the original owner or to the holder of the reversionary right.

(b) When the property has been wholly or partially paid for by towns, cities or counties, disposal of the property and of money received therefor must be agreed upon by the governing bodies of the towns, cities and counties and the Department.

(c) When the title to the real property has been acquired in fee pursuant to NRS 408.487 and 408.489 and, in the opinion of the Board, a sale by means of a public auction or sealed bids is uneconomical or impractical because:

(1) There is no access to the property;

(2) The property has value or an increased value only to a single adjoining property owner; or

(3) Such a sale would work an undue hardship upon a property owner as a result of a severance of the property of that owner or a denial of access to a public highway,

the Board may enter into a direct sale of the property with such an owner or any other person for its fair market value.

(d) When the property has been acquired and the property or any portion of the property is no longer needed for highway purposes, the Department shall give notice of its intention to dispose of the property by publication in a newspaper of general circulation in the county where the property is situated. The notice must include the Department's appraisal of the fair market value of the property. Any person from whom the property was purchased or his heir or grantee may purchase the property at its fair market value by direct sale from the Department within 60 days after the notice is published. If more than one person qualified to purchase the property by direct sale pursuant to this paragraph so requests, the person with the superior claim, as determined by the Department in its sole discretion, is entitled to purchase the property by direct sale. If a person who is entitled to purchase the property by direct sale pursuant to this paragraph reasonably believes that the Department's appraisal of the property is greater than the fair market value of the property, the person may file an objection to the appraisal with the Department. The Department shall set forth the procedure for filing an objection and the process under which a final determination will be made of the fair market value of the property for which an objection is filed. The Department shall sell the property in the manner provided in subsection 2 if:

(1) No person requests to purchase the property by direct sale within 60 days after the notice is published pursuant to this paragraph; or

(2) A person who files an objection pursuant to this paragraph fails, within 10 business days after he receives a written notice of the final determination of the fair market value of the property, to notify the Department in writing that he wishes to purchase the property at the fair market value set forth in the notice.

(e) When the property is sought by another public agency for a reasonable public use, the Department may first offer the property to the public agency at its fair market value.

2. All property, interests or improvements not included within the provisions of subsection 1 must first be offered for sale by the Department singly or in combination at public auction or by sealed bids. If the highest bid received is 90 percent or more of the Department's appraisal of the fair market value of the property, the property may be sold to the highest bidder. The notice and the terms of the sale must be published in a newspaper of general circulation in the county where the property is situated. The auctions and openings of bids must be conducted by the Department. If the property cannot be sold for 90 percent or more of its fair market value, the Department may enter into a written listing agreement with a person licensed pursuant to chapter 645 of NRS to sell or lease the property for 90 percent or more of its fair market value.

3. It is conclusively presumed in favor of the Department and any purchaser for value that the Department acted within its lawful authority in acquiring and disposing of the property, and that the Director acted within his lawful authority in executing any conveyance vesting title in the purchaser. All such conveyances must be quitclaim in nature and the Department shall not warrant title, furnish title insurance or pay the tax on transfer of real property.

4. No person has a right of action against the Department or its employees for a violation of this section. This subsection does not prevent an action by the Attorney General on behalf of the State of Nevada or any aggrieved person.

5. All sums of money received by the Department for the sale of real and personal property must be deposited with the State Treasurer to be credited to the State Highway Fund, unless the Federal Highway Administration participated in acquisition of the property, in which case a pro rata share of the money obtained by disposal of the property must be paid to the Federal Highway Administration.

6. The Department may reserve and except easements, rights or interests from the conveyance of any real property disposed of in accordance with this section or exchanged pursuant to subsection 5 of NRS 408.489. The easements, rights or interests include, but are not limited to:

(a) Abutter's rights of light, view or air.

(b) Easements of access to and from abutting land.

(c) Covenants prohibiting the use of signs, structures or devices advertising activities not conducted, services not rendered or goods not produced or available on the real property.

(Added to NRS by 1957, 693; A 1959, 599; 1963, 978; 1967, 1743; 1971, 140; 1979, 1781; 1985, 707; 1987, 1812; 1989, 1308; 1991, 1691; 1995, 1140; 2001, 2132)

ATTACHMENT 5



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

MEMORANDUM

Date: July 27, 2016

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: August 8, 2016 Transportation Board of Directors Meeting
Item #14: Briefing on Naturally Occurring Asbestos (NOA) and Erionite
Technical Services Statewide – *Informational item only.*

Summary:

Agreement P297-15-013 was authorized on February 12, 2016. The Scope of Services under this Agreement include investigations and characterizations for naturally occurring asbestos (NOA) and erionite concerns statewide for NDOT rights-of-way, easements, material sites, anticipated project construction limits, and other areas used by NDOT. These locations are referred to as NDOT properties. Contracted technical support will include, but not be limited to, characterizations for future construction projects, maintenance and other activities, effect of occupancy and encroachment permits, and activities which may disturb suspect or known material containing NOA and/or erionite.

A scientifically-based, statistically valid, approach has been developed for assessing NOA and erionite, both before and during disturbance activities; and for assessing exposure potential and risk to NDOT and other workers, neighboring community impacts, and the public at large.

This memo, and the presentation at the Transportation Board meeting, will summarize the current work NDOT has underway that was initiated for the Boulder City Bypass project, but is now being implemented to deal with potential NOA and erionite on NDOT properties all across Nevada.

Background:

NOA in Nevada was first discovered as on the I-11 Boulder City Bypass projects and an agreement was entered into with Tetra Tech to assess the environmental and construction mitigation issues. That agreement was amended to include NOA assessment of some additional material sources in Southern Nevada. The Department then procured for NOA and erionite services statewide with the NOA services agreement with Tetra Tech for approval at the February 2016 Transportation Board meeting. At that meeting the Department agreed to bring the NOA and erionite issues back to the Board with the assistance of the Tetra Tech technical staff before statewide field testing for NOA and erionite.

Analysis:

The following are the status and scope of the technical tasks under this agreement. The presentation will elaborate on the agreement status and answer questions on the progress to date and upcoming activities.

TASK 1: PROVIDE STATEWIDE NOA AND ERIONITE MAPPING

Geographic information system (GIS) mapping "Project" is approximately 80 percent complete. NOA and erionite mapping was completed for all State of Nevada roads and includes approximately 2,000 material source pits (primarily on BLM land). Tasks to complete include limited field verification and delivery of the GIS Project to NDOT.

TASKS 2 AND 3: COMPLETE PROJECT WORK PLANS/HEALTH AND SAFETY PLANS AND DEVELOP AND PROCURE ANALYTICAL LABORATORIES

The Master project work plans and three additional work plans and health and safety plans that cover the anticipated types of field sampling have been completed. Three different analytical laboratories that have the needed certifications and experience in analyzing NOA and erionite were procured through a competitive procurement process.

TASK 4: ASSESSMENT, ANALYSIS, MITIGATION, MATERIAL MANAGEMENT, OVERSIGHT, AND TRAINING

Most of the ongoing field characterization activities have been completed under this Task. To date, NDOT has directed Tetra Tech to complete multiple activities including:

- Preparing "Guidelines for Commercial Aggregate Providers",
- Reviewing analytical results collected by Commercial Aggregate providers,
- Conducting stationary air and dust sampling in the Carson City Materials Lab; sampling at the Las Vegas lab is planned,
- Pre-screening for potential to encounter NOA and erionite from 21 material source pits, 6 decant basin sites, and 1 future construction project,
- Completing surface and subsurface soil sampling at 6 decant basin construction sites,
- Completed surface sampling at 1 NDOT future material source pit.

Other projects across Nevada, particularly in the areas of Southern Nevada, may potentially encounter NOA and/or erionite and will need to be evaluated before major construction activities begin. NDOT and commercial material sources that provide aggregate and other products to NDOT properties will need to be evaluated for NOA and erionite.

Recommendation for Board Action:

Informational item only.

Prepared by:

John M. Terry, P.E., Asst. Director – Engineering / Chief Engineer



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

MEMORANDUM

Date: July 27, 2016

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: August 8, 2016 Transportation Board of Directors Meeting
Item # 15: Briefing on the Draft Nevada State Freight Plan – *Informational item only.*

Summary:

The purpose of this item is to present to the Board an update to the development of the 2016 Statewide Freight Plan. The NDOT has developed, in coordination with the Freight Advisory Committee, a draft plan that provides a framework and strategy to strengthen Nevada's highway transportation systems, support statewide economic development, support the Department's safety initiatives, accelerate the identification of innovative projects and establish a performance-based freight program.

The Draft Nevada Statewide Freight Plan is currently available for public review and comment at: nevadafreightplan.com/documents. The NDOT will request formal State Transportation Board action at a future meeting, after reviewing and assessing public and agency comments.

Background:

Each State that receives funding under section 167 of title 23 shall develop a comprehensive freight plan. The Nevada Freight Plan will provide a comprehensive plan for the immediate and long-range planning activities and investments of the State with respect to freight. The plan shall set forth policy involving freight in the state, setting priorities and strategies to enhance freight service in the state that benefits the public, and to serve as the basis for federal and state freight-related investments within Nevada. Promoting economic development and related job growth requires regional economies to maintain existing business and attract new ones. Access to efficient freight transportation is a key element in business site selection.

The Nevada State Freight Plan is a strategic framework intended to strengthen the state's freight infrastructure. The Freight Plan provides an actionable blueprint to help ensure that Nevada's freight infrastructure and policies bolster the efficiency and growth of its service modes and the industries they serve. It aims to provide a long-term framework for identifying and capturing new and emerging opportunities to strengthen Nevada's freight logistics network.

List of Attachments:

A. Draft Nevada State Freight Plan Executive Summary

Recommendation for Board Action:

Informational item only.

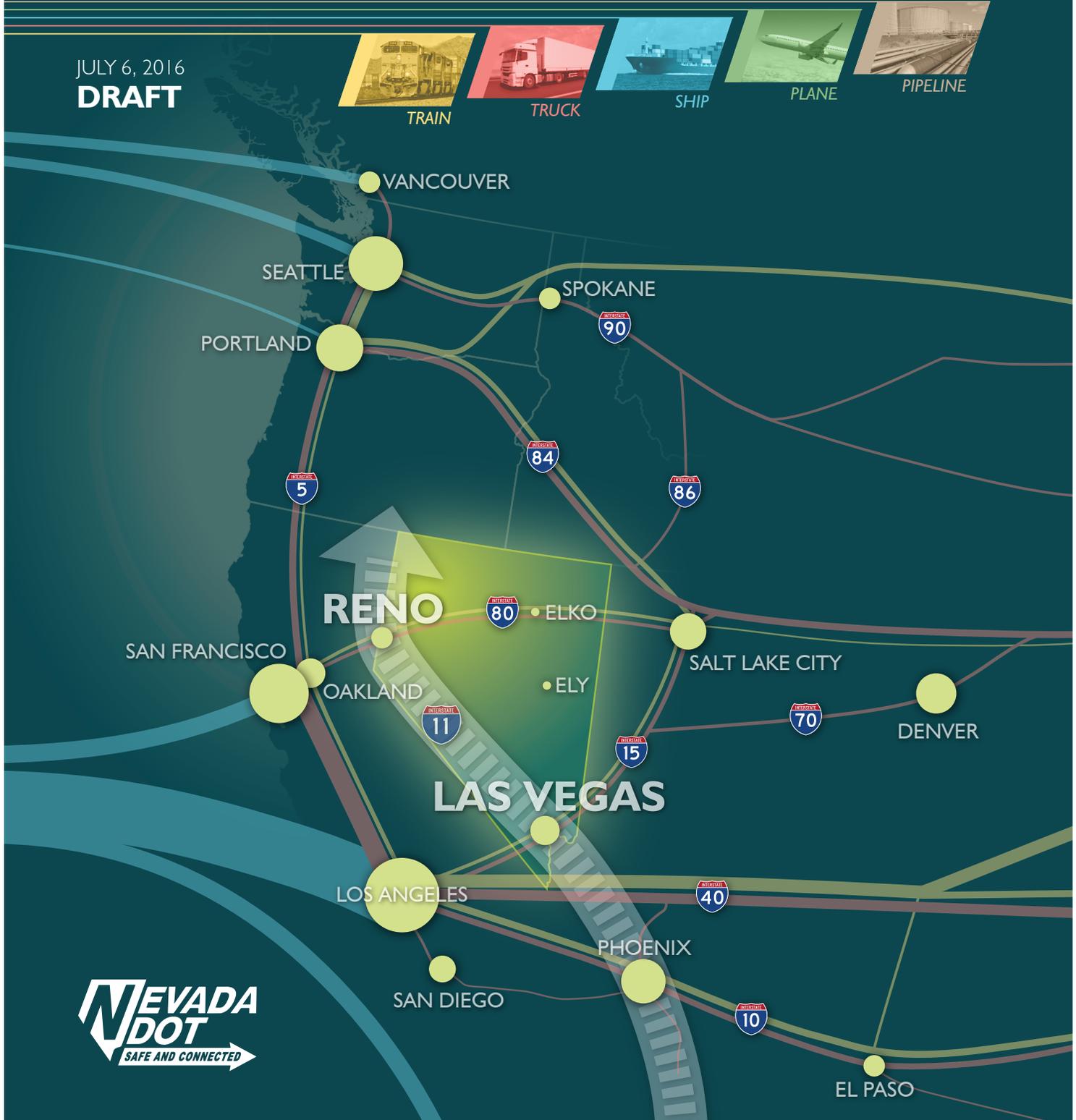
Prepared by: Bill Thompson, NDOT Freight Project Manager

NEVADA STATE FREIGHT PLAN

EXECUTIVE SUMMARY

A strategic framework for freight mobility and economic competitiveness

JULY 6, 2016
DRAFT





WHAT IS THE NEVADA STATE FREIGHT PLAN?

A strategic framework for freight mobility and economic competitiveness

The Nevada State Freight Plan (Freight Plan or Plan) is the state's first comprehensive multimodal plan that identifies specific recommendations to improve the state's freight infrastructure and distribution, with the ultimate goal of creating a competitive advantage for Nevada that will result in a **growing and diversifying economy**.

The Freight Plan

- » Identifies strategic goals, objectives, and performance measures
- » Provides a competitive market analysis identifying critical issues, trends, and economic drivers
- » Outlines the vision and framework to improve the movement and distribution of goods

- » Recommends strategies and actions to achieve goals and implement the Plan
- » Describes the funding, financing, and partnerships needed to achieve the Plan

The Freight Plan builds on previous work completed by the state of Nevada in assessing and planning its freight infrastructure. Integral to this planning process was the initiation of an ongoing dialog with key industry leaders and local and state agency stakeholders with the formation of the Freight Advisory Committee (FAC) and through one-on-one meetings with additional key stakeholders and interested parties.

WHAT IS THE PLAN TRYING TO ACHIEVE?

The Freight Plan identifies eight strategic goals and related objectives to guide current and ongoing freight-related planning efforts to meet the state's freight transportation needs. The goals identified for Nevada's freight transportation system were informed by federal, state, and local planning efforts, and are consistent with

the federal goals established under Title 23, United States Code, Section 167, National Freight Policy. Together, these goals address the areas of economic competitiveness, mobility and reliability, safety, infrastructure preservation, technology, environmental sustainability, and livability, funding, and collaboration.

Strategic Goals of the Freight Plan



Economic Competitiveness

Improve the contribution of the freight transportation system to economic efficiency, productivity, and competitiveness.



Mobility & Reliability

Provide an efficient and reliable multimodal freight transportation system for shippers and receivers across the state.



Safety

Improve the safety of the freight transportation system.



Infrastructure Preservation

Maintain and improve essential multimodal infrastructure within the state.



Advanced Innovative Technology

Use advanced technology, innovation, competition, and accountability in operating and maintaining the freight transportation system.



Environmental Sustainability & Livability

Reduce adverse environmental and community impacts of the freight transportation system.



Sustainable Funding

Fully fund the operations, maintenance, renewal, and expansion of the freight transportation system.



Collaboration, Land Use, and Community Values

Establish an ongoing freight planning process to coordinate the freight transportation system and ensure consistency with local land use decisions and community values.

BASELINE PERFORMANCE

Summary of Goals, Objectives, Performance Measures and Targets, and Baseline Conditions

Objectives with performance measures and targets are identified for each goal, with emphasis on highways that are under NDOT's control. Accomplishment of these objectives will make concrete, measurable progress toward the attainment of the freight transportation system goals and ultimate realization of our shared vision for Nevada's freight transportation system.



Mobility & Reliability

Provide an efficient and reliable multimodal freight transportation system for shippers and receivers across the state.

Safety

Improve the safety of the freight transportation system.

Advanced Innovative Technology

Use advanced technology, innovation, competition, and accountability in operating and maintaining the freight transportation system.

Objective:

Choke Points on Major Truck

Routes: Reduce the number of locations where the average truck speed is below 40 mph.

Objective:

Highway Safety: Improve daily highway system operations management to eliminate freight-associated motor vehicle fatalities.

Objective:

Freight-related R&D: Support research and development of innovative freight-related technologies that can advance improvements and measure system performance.

Measure: Truck speeds on I-15, I-80, I-580, US 395, US 93, US 95, I-215/CC-215

Measure: Number of fatal motor-vehicle crashes involving trucks

Measure: Number of freight related research tasks completed annually by the NDOT Research Section

Baseline:

2015 Conditions: 42 locations with speeds below 40 mph

Baseline:

2009-2013 Statewide Average: 13.8 fatalities

Baseline:

2014 Freight-Specific Research: None
2015 Freight-Specific Research: TBD

Target: ≥ 10% reduction by 2021

Target: < 10 fatalities by 2021

Target: ≥ 2 per year

Score: ◆

Score: ◆

Score: ■

Analysis: Travel speeds during afternoon peak periods (4 to 6 pm) on the major truck routes were evaluated to identify some of the chokepoints on major truck corridors. During the month of July 2015, there were 42 locations where the average truck speed during the afternoon peak period dropped below 40 miles per hour.

Analysis: While total highway fatalities in Nevada have been trending downward, truck-involved motor vehicle crash fatalities remained relatively flat from 2009 through 2013.

Analysis: While there were no recent research programs directly related to freight-specific technologies initiated in 2013-2014, the NDOT Research Section's primary mission is the advancement of innovations in transportation; therefore, many research programs initiated benefit the freight transportation system either directly or indirectly.

▼ Maintain or Needs Some Improvement
 ◆ Needs More Improvement
 ◆ Needs Significant Improvement
 ■ Not Yet Scored



BASELINE PERFORMANCE

Summary of Goals, Objectives, Performance Measures and Targets, and Baseline Conditions (Continued)

Infrastructure Preservation

Maintain and improve essential multimodal infrastructure within the state.

Objective:

Pavement Condition: Maintain a minimum 95% of state-maintained pavements in good or better condition.

Measure: Percentage of state-maintained pavements in good or better condition

Baseline:

Roadways in fair or better condition: 71%

Target: ≥80% by 2021

Score: ▼

Analysis: At the current annual average expenditure for pavement rehabilitation, it is projected that the state-maintained roadway network will deteriorate from 75% to less than 50% of roads in fair or better condition by 2027.

** NDOT is actively working on adjusting their pavement management system reporting capabilities to enable the reporting of pavement conditions in accordance with FHWA's recently proposed metrics.*

Objective:

Bridge Conditions: Target of less than 5% of NDOT state-maintained bridges are in poor condition and a minimum 50% in good condition.

Measure: Percentage of NDOT state-maintained bridges that are in good and poor condition

Baseline:

Bridges in poor condition:
NHS - 2%
Non-NHS - 1%

Target: Maintain 5%

Score: ▼

Analysis: Bridge preservation funding for the 2015-2017 biennium is expected to be decreased by over 30% as compared to 2013-2014 expenditures. Under the current funding plan, bridge preservation backlog is expected to increase by nearly 300% by 2027.

Baseline:

Bridges in good condition:
NHS - 48%
Non-NHS - 51%

Target: Maintain 50%

Score: ▼

▼ Maintain or Needs Some Improvement ◆ Needs More Improvement ● Needs Significant Improvement ■ Not Yet Scored



BASELINE PERFORMANCE

Summary of Goals, Objectives, Performance Measures and Targets, and Baseline Conditions (Continued)

Environmental Sustainability & Livability

Reduce adverse environmental and community impacts of the freight transportation system.

Objective:

Vehicular Emissions: Reduce vehicular emissions by reducing congestion, deploying technologies that improve the fuel-efficiency of commercial vehicles, and providing better mode-choice and integration to encourage utilization of the most sustainable options.

Measure: Percentage of trucks registered within the state having an engine model-year of 2010 or newer

Measure: Truck speeds on I-15, I-80, I-580, US 395, US 93, US 95, I-215/CC-215

Baseline:

2015 Trucks registered in Nevada with MY2010 or newer engines: 22%

Baseline:

2015 Conditions: 42 locations with speeds below 40 mph

Target: ≥ 4% new trucks registered per year

Target: 10% reduction by 2021.

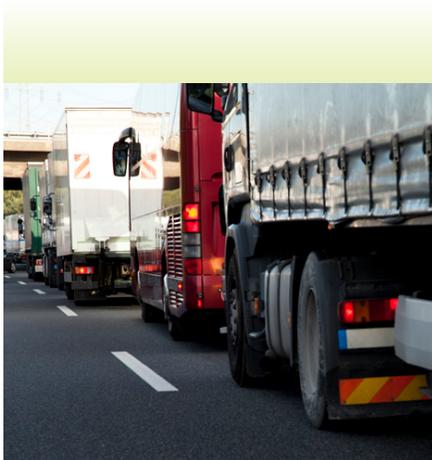
Score: ▼

Score: ◆

Analysis: A majority of Nevada-based trucking fleets operate within California, and are required to meet the CARB GHG emissions standards, providing a direct benefit to Nevada. As a result, there has been a steady increase of approximately 4% per year of newer vehicles (14% in 2013 to 18% in 2014), which is expected to continue to rise through 2023 as fleets continue to be upgraded.

Analysis: Travel speeds during afternoon peak periods (4 to 6 pm) on the major truck routes were evaluated to identify some of the chokepoints on major truck corridors. During the month of July 2015, there were 42 locations where the average truck speed during the afternoon peak period dropped below 40 miles per hour.

▼ Maintain or Needs Some Improvement ◆ Needs More Improvement ● Needs Significant Improvement ■ Not Yet Scored





BASELINE PERFORMANCE

Summary of Goals, Objectives, Performance Measures and Targets, and Baseline Conditions (Continued)

Collaboration, Land Use, and Community Values

Establish an ongoing freight planning process to coordinate the freight transportation system and ensure consistency with local land use decisions and community values.

Objective:

Collaboration: Establish and foster an inclusive, long-term relationships and processes between and within the public sector, private sector, communities, agencies, and other transportation stakeholders regarding freight transportation.

Measure: Establish and meet regularly with the FAC

Baseline: FAC has been established as an early action item during the NSFP development

Target: Meet quarterly

Score: ▼

Analysis: State, local, and regional agencies and key private industry stakeholders have been invited to provide representatives to serve on the FAC. The FAC will help to guide the development of the Freight Plan and provide recommendations regarding projects, policies, programs, advanced technologies, and services to be presented to the Nevada State Transportation Board for further consideration. Upon completion of the Freight Plan, NDOT will continue to engage the FAC in ongoing freight planning efforts.

Sustainable Funding

Fully fund the operations, maintenance, renewal, and expansion of the freight transportation system.

Objective

Pavement Funding: Provide consistent and adequate sources of funding to support the state's pavement preservation goal

Measure: Percentage of available funding to full funding required to meet state's pavement preservation needs

Target: Fund 60% of capital needs by 2021

Score: ●

Objective

Bridge Funding: Provide consistent and adequate sources of funding to support the state's bridge preservation goal.

Measure: Percentage of available funding to full funding required to meet state's bridge preservation needs

Target: Fund 75% of capital needs

Score: ●

Analysis: The only dedicated revenue source for transportation infrastructure in Nevada is the fuel tax, which was last increased in 1992. This funding stream has been stretched as a result of increased demands being placed on the freight transportation system, decreased purchasing power due to inflation, and declining revenues as new technologies and tougher federal standards have led to the development of more fuel efficient vehicles. Additional funding sources will need to be identified to adequately meet the preservation and capital improvement needs of the freight transportation system.

▼ Maintain or Needs Some Improvement ◆ Needs More Improvement ● Needs Significant Improvement ■ Not Yet Scored



BASELINE PERFORMANCE

Summary of Goals, Objectives, Performance Measures and Targets, and Baseline Conditions (Continued)

Economic Competitiveness

Improve the contribution of the freight transportation system to economic efficiency, productivity, and competitiveness.

Objective:

Freight transportation that provides a competitive advantage: Support and enhance the state’s economic competitiveness through transportation investments that improve and sustain the following critical factors of the state’s freight transportation system: mobility and reliability; safety; infrastructure preservation; advanced innovative technology; environmental sustainability and livability; collaboration land use and community values; and sustainable funding.

Measure: Composite indicator reflective attainment in critical factor objectives

Baseline:



Target: ≥75% of critical factor objectives have positive trends towards meeting their performance targets by 2021

Score: ◆ Progress on about 45% of critical factor objectives are trending positive

Analysis: The vision for the Nevada State Freight System is that it will provide the state with a competitive advantage. The combined impacts of improvements in the critical factors of freight transportation are envisioned to create this advantage. Tracking our overall progress towards achieving the established performance targets for the objectives established for the critical factors provides a measure to ascertain progress toward achieving this competitive advantage.

▼ Maintain or Needs Some Improvement ◆ Needs More Improvement ⬠ Needs Significant Improvement ■ Not Yet Scored





COMMODITY FLOWS

Nevada's economy is dependent on the daily distribution of millions of tons of goods shipped by a multimodal network of highways, railways, airports, ports, and pipelines.

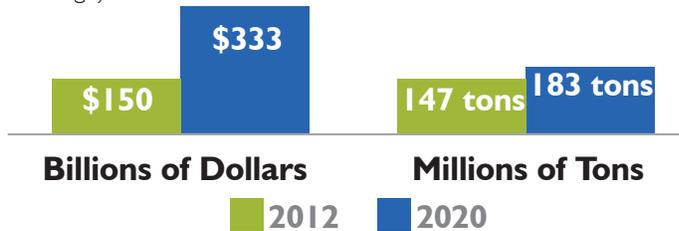
Existing Freight Flows

Currently, Nevada is primarily a consuming economy. Goods received from external sources (inbound flows) exceed the output of goods created or distributed (outbound flows) from within Nevada at a ratio of 2:1. The majority of top commodities by tonnage belong to resource-based industries (mining, construction) and are moved within the state, while the majority of top commodities by value belong to consumer goods industries (retail, food,



**Inbound flows exceed
outbound flows 2:1**

beverage) and are inbound to the state.



Forecasted Growth in Freight

Population-related factors will drive growth in freight demand for consumer goods both nationally and at the state level, creating opportunities for investments in the trade, transportation, and freight logistics industry in Nevada. Forecasts indicate that freight demand in these industries will have rapid growth in Nevada's metros, while the freight demand in resource-based industries across Nevada will have slow growth. Through implementation of this Plan, Nevada could become a major Western freight hub for the distribution of consumer goods.

Supply Chains of Key Sectors

Supply chains of key sectors within the state of Nevada, including food and allied manufacturing, advanced manufacturing, and mining and allied activities, were analyzed to better understand how these key sectors use the transportation system and what types of transportation system improvements in the state may have positive effects on their businesses opportunities and future growth.

Category	Establishments	Jobs	Average Compensation	Other Data	Sector
KEY SECTORS	193	6,100	\$41,700	85% of firms < 50 employees; Contributed \$0.6 billion to GSP; National I-0 accounts indicate: \$1 output made \$0.60 GDP contribution	Food and Allied Manufacturing
	876	22,100	\$74,200	91% of firms < 50 employees; Contributed \$4.0 billion dollars to GSP; National I-0 accounts indicate: \$1 output made \$0.42 GDP contribution	Advanced Manufacturing
	209	18,000	\$87,300	84% of firms < 50 employees; Contributed \$6.4 billion dollars to GSP; National I-0 accounts indicate: \$1 output made \$0.62 GDP contribution	Mining and Allied Activities
SUPPORT SECTORS	1,207	41,000	\$47,400	91% of firms < 50 employees; Contributed \$3.7 billion dollars to GSP; National I-0 accounts indicate: \$1 output made \$0.36 GDP contribution	Logistics
	11,247	201,000	\$35,900	93% of firms < 50 employees; Contributed \$13.9 billion dollars to GSP; National I-0 accounts indicate: \$1 output made \$0.73 GDP contribution	Trade

HOW WILL THIS PLAN REALIZE A COMPETITIVE ADVANTAGE FOR NEVADA?

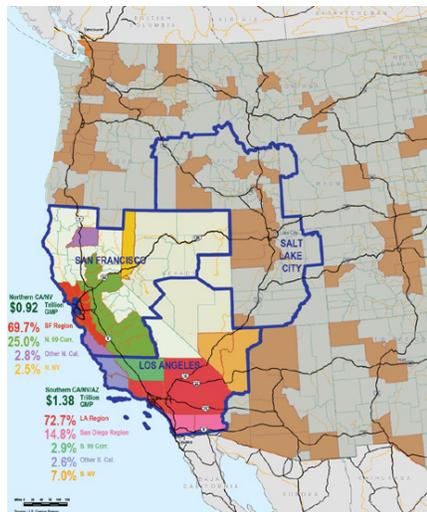
Existing challenges

Nevada's existing freight network has evolved incrementally over the past century as a system of stops along the national freight corridors between the coastal gateway ports to the west and the inland hubs to the east. As a result, Nevada's major metropolitan areas (Las Vegas and Reno-Sparks-Carson City) function primarily as "stop-drop-and-pick up" points and do not serve a larger western United States distribution network, but only the local market space.

Furthermore, despite Nevada being well situated in the western United States, with freight delivery distances of 2 days or less by truck to several major metros, the two primary corridors traversing the state, I-15 and I-80, provide only east-west and southeast-northwest access and are not functionally connected. This results in limited access to the Western region and no direct access to the North-South markets.



- » Nevada is part of three of the most successful economic regions in the United States.
- » Southern Nevada is part of the Los Angeles MTA with the largest GMP and the second greatest concentration of Fortune 500 headquarters. Northern Nevada is part of the San Francisco MTA, which is second in GDP but has the largest concentration of headquarters. Eastern Nevada is part of the Salt Lake MTA, which is third in size and number of headquarters.
- » Nevada's close proximity to these three very large and diverse concentrations of economic activity provides it with an opportunity and competitive advantage in attracting industry to the state.



- » Each of the three economic regions that cover the state can be divided into multiple subareas using MSAs within each economic region.
- » The southern Nevada subarea has 8.3% of total employment in the Los Angeles economic region, but only 7% of GMP. Northern Nevada has 4% of total employment in the Los Angeles economic region, but only 2.5% of GMP.
- » The state has a high economic dependency on freight-related industries.



- » Nevada has two large concentrations of industrial real estate in southern Nevada and in northern Nevada.
- » Northern Nevada has a larger percentage, 12.5%, of the total in the San Francisco MTA than southern Nevada, which has only 5.7% of the total for the Los Angeles MTA.
- » Northern Nevada has a competitive advantage over any of the four Northern California sub-markets as average lease rate is the lowest at 38 cents per ft²/month.
- » Las Vegas' has a challenge to attract a greater share of the Greater Los Angeles market, the largest industrial market in the United States. The Las Vegas industrial lease rate of 56 cents per ft²/month. is higher than the current average lease rate in the Inland Empire, and southern Nevada lacks a large industrial park like Tahoe-Reno Industrial Center.



Future Opportunities

However, the urban and economic growth in Nevada combined with its proximity to the increasingly congested gateway hubs in California is changing the nature of goods movements within Nevada, and increasing the potential for a new relationship to domestic and global trading hubs.

Growing congestion, significantly larger deepwater ships, and increasing use of short haul rail lines in California surrounding the major metropolitan areas of Los Angeles and San Francisco,

major global sea and air hubs, are driving new development further inland. Northern and southern Nevada have the ability to capture a significant amount of this growth with a strategic plan that responds to the needs of the freight industry – bringing regional economic benefits not only to Nevada, but to the western U.S. freight industry. Infrastructure and distribution space can be thought of as a pull factor that draws economic activity to the state from nearby regions.

Economic Regions and Trade Corridors

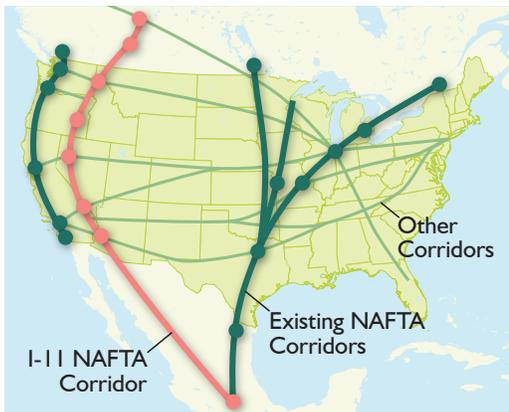


ECONOMIC REGIONS & TRADE CORRIDORS

- Gross Metropolitan Product
- Major Trading Areas
- Basic Trading Areas
- Port (by Containers - TEU)
- Proposed Port
- Waterborne Freight (TEU)
- Truck Flows (tons)
- Rail Flows (tons)
- - - Proposed I-11
- - - Possible I-11 Continuation
- ⚙ New NAFTA Crossroads
- New NAFTA Corridor
- Existing Interstate Network
- Existing Rail Network

THE FRAMEWORK FOR TRANSFORMATION

Nevada must change in three ways to capitalize on these opportunities and establish a competitive market position:



Crossroads: The relationship of the state’s major metropolitan areas within the national freight transportation pattern must change from “stops along corridors” to “crossroads” through which they can gain broader access to a larger market area. Corridors provide access in only two directions, limiting market reach, while crossroads provide multidirectional access to a larger market space and make the region more attractive to freight-related industries and businesses.



Modal Integration: Nevada must increase its capacity and efficiency for intermodal rail–truck and air–truck transfers through a more integrated multimodal configuration. Fragmented modal configurations cause increased conflicts and inefficiencies in modal transfers, resulting in longer dray distances between yards, terminals, ports, airports, and other ancillary freight services and facilities. In contrast, integrated modal configurations are designed to be highly efficient freight hubs with the benefits of reducing cost and environmental impacts, while increasing reliability and safety.



Capacity and Performance: Capacity and performance improvements will be necessary to reduce congestion and traffic incidents, allowing for efficient movements of freight through the system with increased reliability, mobility, and safety.



STRATEGIES FOR REACHING OUR GOALS

The Freight Plan presents a suite of strategies, supported by a series of implementation actions, to achieve the vision and goals of the Plan. The strategies include major investments in freight transportation infrastructure, as well as low-cost programs and broad-based policies designed to enhance freight operations and freight-supported economic development in Nevada. The Freight Plan also presents phasing, partners, and funding considerations to accomplish the outlined strategies.

Table I. Strategies for Reaching our Goals

Strategy	Actions	Lead Agency/ Department	Required Partnerships
1. Advance multi-use corridor planning for I-11.	1.1	Conduct an analysis of the regional freeway system in southern Nevada, and determine how and where the I-11 corridor would most appropriately fit in the network.	» NDOT » FHWA » RTCSNV » Southern Nevada Cities/ County
	1.2	Perform a study to assess the strategic extension of I-11 from Las Vegas to the Canadian border, comprising two levels of investigation: 1) detailed corridor planning to determine a single preferred I-11 corridor between the Las Vegas metropolitan area and northern Nevada border, and 2) high-level visioning to assess the most logical connection to Canada, based on the greatest economic and trade-related opportunities.	» NDOT » FHWA » MPOs » WSFC » Cities/Counties
	1.3	Update the Nevada Rail Plan with an analysis of the feasibility of completing a freight rail connection between Las Vegas and Reno-Sparks-Carson City.	» NDOT » FRA » MPOs » WSFC » Cities/Counties » UPRR
2. Facilitate private development of freight village(s) in northern and southern Nevada.	2.1	Identify and facilitate private development opportunities for intermodal facilities.	» GOED » LVGEA



Table I. Strategies for Reaching our Goals

Strategy	Actions	Lead Agency/ Department	Required Partnerships
3. Deploy technologies that improve the fuel efficiency of commercial vehicles, and provide better mode-choice and integration to encourage the most sustainable freight transportation options.	3.1	Encourage use of cleaner vehicle technologies to reduce freight vehicular emissions.	» Nevada Trucking Association » DMV » NDOT
	3.2	Work with the FAC to develop a mode policy that encourages moving freight in the most sustainable manner.	» NDOT » FAC » State Transportation Board
	3.3	Build a compelling public benefits analysis and demonstration of potential market feasibility for new intermodal and/or bulk transload rail services from/to the state.	» GOED » NDOT » UPRR » LVCVA » RTCSNV » Washoe RTC
	3.4	Pursue electrification at truck stops to reduce vehicle emissions from idling.	» Private Truck Stops » NDOT » Nevada Trucking Association
	3.5	Establish incentives to encourage the trucking industry to invest in next-generation truck technologies.	» Nevada Trucking Association » DMV » NDOT
4. Preserve and renew Nevada's freight highway network.	4.1	Update the State Highway Preservation Report every 2 years to keep an accurate assessment of current maintenance needs to renew funding allotments by the Nevada State Legislature.	» NDOT » NA
	4.2	Determine a reliable source of funding for implementation of needed preservation/maintenance requirements.	» NDOT » NA
5. Develop a preservation and expansion program for short-line freight rail infrastructure.	5.1	Establish a policy to strengthen NDOT's role in rail planning and implementation, including funding. Establish a policy and criteria for state involvement in rail preservation. Based on criteria, identify investments on short-line rail infrastructure and service preservation.	» FAC » FRA
	5.2	Develop a new rail spur to the Apex Industrial site in southern Nevada to serve existing and near-term anticipated manufacturers.	» RTCSNV » NDOT » City of North Las Vegas » Apex Holding Company
6. Strengthen NDOT's Rail Safety and Security Program.	6.1	Secure additional funding for NDOT's Rail Safety and Security Program. Additional funding from private stakeholders, discretionary grants, or other federal, state, or local sources could help to fund more significant changes, such as closures or physical grade separations.	» NDOT » UPRR » MPOs » Cities » Counties





Table I. Strategies for Reaching our Goals

Strategy	Actions	Lead Agency/ Department	Required Partnerships
7. Develop a method to track and integrate freight transportation, land use, and economic development planning along major freight corridors in Nevada.	7.1 Form land use advisory committees throughout the state to coordinate with NDOT on changes in land use strategies that may impact access along state-owned freight corridors, as well as new land developments that may impact the movement of freight vehicles.	» Cities » Counties	» MPOs » NDOT » GOED » Economic development agencies
8. Maintain organization of the FAC to advise on implementation of freight strategies statewide.	8.1 Establish a schedule and process for convening or engaging the FAC in freight-related planning issues and progress upon completion of the Freight Plan.	» NDOT	» FAC
9. Maintain organization and coordination of the WSFC to advise and support on regional freight issues, projects, and policies.	9.1 Establish the mission, organizational structure, process, and schedule for engaging the WSFC in freight-related planning issues upon completion of the Freight Plan.	» NDOT	» WSFC
10. Encourage logistics and manufacturing-based companies and organizations to pursue workforce development training opportunities.	10.1 Advise on known educational/training opportunities at FAC meetings and encourage members to pursue educational opportunities.	» FAC	» GOED » Nevada System of Higher Education » DETR
11. Pursue freight-related research through NDOT's Research Section to improve the state's readiness and adaptability to new freight movement and technology trends.	11.1 Develop freight-related problem statements to submit to NDOT's Research Section.	» FAC	» Nevada Trucking Association » UNR, UNLV, and other research entities



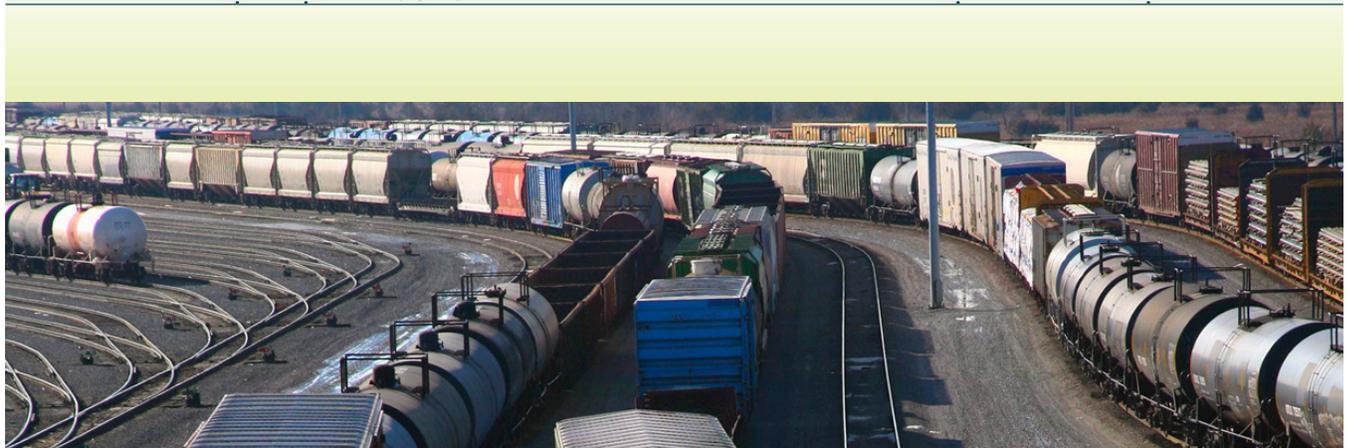
Table I. Strategies for Reaching our Goals

Strategy	Actions	Lead Agency/ Department	Required Partnerships
12. Incorporate autonomous system technologies into Nevada’s freight system.	12.1 Understand and develop strategies to respond to advances in autonomous/connected vehicle technology and their impact on the freight transportation system, including related “smart infrastructure” to support implementation.	» Nevada Center for Advanced Mobility	» NDOT » GOED » DMV
	12.2 Understand and develop strategies to respond to drone or unmanned aerial vehicle technology as a potential supportive freight delivery technique.	» Nevada Center for Advanced Mobility	» NDOT » GOED » DMV » FAA
13. Increase the number of truck parking spaces and facilities, along with supportive ITS improvements.	13.1 Create a Nevada Truck Rest Stop Implementation Plan. Phase I is largely completed as part of the Freight Plan, and Phase II would consist of continued data collection and analysis, including surveys and interviews that will result in identification of issues as well as recommendations for additional truck parking areas.	» NDOT	» Nevada Trucking Association » WSFC
	13.2 Implement investments in partnership with private and public stakeholders on truck parking ITS, and expanding rest areas along interstate and interregional highways. Explore multistate partnerships.	» NDOT	» TBD
14. Enforce regulatory compliance through aggressive inspections, use advanced inspection technologies to reduce costs and improve efficiencies for law enforcement and operators alike, and develop reasonable standards for over-dimensional vehicles to operate with fewer impediments on the freight network.	14.1 Identify locations for permanent truck inspection equipment, stations, and data system. Develop a scalable implementation plan with potential phased improvements (e.g., truck weigh stations, pre-screening lanes). Determine a method to sustainably fund improvements and operations, including full-time staffing, and determine a fee schedule and appropriate use of fines (e.g., use truck fines to fund the inspection program). Change the Nevada Revised Statutes to allow permit fees to be charged in excess of administrative needs. Explore use of a consolidated online website or application to issue and store state-required permitting and credentials, allowing streamlined access for freight carriers and law enforcement compliance officers alike.	» NDOT » Nevada Highway Patrol	» Nevada Trucking Association
	14.2 Construct the inspection stations at key locations, including integration of advanced technologies to gather information – reducing layover time for truckers and limiting the number of on-hand staff required.	» NDOT » Nevada Highway Patrol	» TBD
	14.3 Develop design standards to require an 18-foot-0-inch bridge clearance for all new construction be considered, and implemented when feasible.	» NDOT	» Nevada Trucking Association
15. Develop response plans and mitigation strategies for potential threats to Nevada’s freight transportation system.	15.1 Research and document risks, mitigation measures, and emergency plans in a Comprehensive Disaster Risk Assessment.	» NDOT	» Nevada Highway Patrol
	15.2 Conduct a Hazardous Commodity Flow Study to document by what route and mode all hazardous materials are transported throughout Nevada.	» NDOT	» State Emergency Response Commission » Nevada Department of Public Safety, HAZMAT Permitting Office



Table I. Strategies for Reaching our Goals

Strategy	Actions	Lead Agency/ Department	Required Partnerships
16. Update the Freight Plan at regular intervals to ensure relevance of goals, objectives, and performance measures, and maintain a prioritized list of projects and programs.	16.1	Integrate recommendations from the Freight Plan into NDOT's performance-based Long Range Transportation Plan (LRTP).	» NDOT » MPOs » Cities » Counties
	16.2	Integrate freight performance measures into NDOT's annual Performance Management process, allowing the monitoring of performance and progress of freight improvements. Based on the resultant analysis, maintain a list of high-priority freight performance needs.	» NDOT » FAC
	16.3	Conduct periodic updates to Nevada's defined National Highway Freight Network.	» NDOT » FAC
	16.4	Conduct a wholesale update to the Freight Plan every 5 years.	» NDOT » FAC
	16.5	Hire or allocate support staff to the NDOT Freight Program to implement these strategies.	» NDOT » FAC
17. Implement projects defined in the Freight Plan's prioritized list of improvements.	17.1	From the prioritized list of projects, develop a fiscally constrained freight investment plan that includes a list of priority projects and describes how funds made available to carry out 23 U.S.C. 167 would be invested and matched.	» NDOT » FAC
	17.2	Periodically identify and prioritize additional freight-related capital improvement projects, and update the prioritized list of projects and fiscally constrained freight investment plan.	» NDOT » FAC
18. Pursue an "all-of-the-above" strategy to achieve sustainable transportation funding to operate, maintain, and expand Nevada's freight transportation system.	18.1	Stay abreast of legislative changes that may result in grant opportunities.	» NDOT » NA
	18.2	Strategize project opportunities for this 5-year round of NSFHP grants; prepare necessary planning and environmental studies to meet grant requirements.	» NDOT » FAC
	18.3	Maintain coordination with FAC and WSFC to collaborate on potential funding opportunities that are conducive to multi-state projects or partnerships.	» NDOT » NA
	18.4	Communicate to the public and stakeholders the status quo outlook for the condition and performance of the State Highway System, and how this could change with fuel tax indexing if approved by the voters in November 2016.	» NDOT » FAC
	18.5	Prepare a "business case" document that assesses quantitatively and/or qualitatively the economic and non-economic benefits of full implementation of the state's transportation plan to the significant beneficiary groups.	» NDOT » TBD



FUNDING AND FINANCING

Potential Federal Funding Opportunities

In December 2015, Congress passed the Fixing America's Surface Transportation or (FAST) Act. The legislation provides focused resources for highway freight infrastructure investments. Apportionments to Nevada total:

- » Five years of federal funding certainty for highway, highway safety, and transit programs;
- » A modest increase in federal funding levels;
- » Reforms supporting more efficient project delivery;
- » Focused resources for highway freight infrastructure investments; and
- » Continuation of performance-based program implementation.

Apportionments to Nevada total **\$1.923 billion over 5 years**, as well as the potential to utilize USDOT's new discretionary freight grant funding program's (FASTLANE) **\$4.5 billion** Grant Program for nationally significant freight and highway projects. The FAST Act also extends the I-11 designation from Mexico to I-80, a facility of particular significance for Nevada. On July 1, 2020, Congress will rescind **\$7.6 billion** in unobligated highway funds nation-wide. NDOT will continue its aggressive obligation practices to insure that the State loses no money with this rescission.



Major issues:

- » Virtually all freight improvements benefit other transportation system users.
- » Cost of improvements need to be shared equitably among beneficiaries.
- » State and local transportation agencies have identified \$47.25 billion in needs through 2035 and \$20.8 billion in revenues through 2035.
- » Heavy reliance on fuel taxes is increasingly problematic because of loss in purchasing power due to inflation and declining revenue per mile driven due to increasing fuel economy.

Strategy for moving forward:

- » Develop sustainable revenue to operate, maintain, renew, and expand all transportation modes
- » Identify and communicate the benefits that transportation investments provide to society to build public support
- » Mitigate the loss of purchasing power due to inflation
- » Move to funding mechanisms that address impacts of increasing vehicle fuel economy
- » Share the cost of improvements equitably among all beneficiaries of the transportation system
- » Improve mechanisms for increasing private sector participation in delivering transportation infrastructure and services



NEVADA'S HIGHWAY FREIGHT NETWORK AND PROJECTS

The FAST Act created two new sources of funding specifically for freight projects. The National Freight Program provides \$60.8 million to Nevada during the next 5-year period (\$57.9 million programmed funds plus NDOT's 5% match of \$2.9 million) to help fund smaller freight-related projects. In addition, a new freight-related discretionary grant program—Fostering Advancements in Shipping and Transportation for the Long-Term Achievement of National Efficiencies (FASTLANE)—will help to fund larger and multistate projects; however, it is a competitive grant that cannot be relied upon for consistent funding.

Only projects located on the National Highway Freight Network (NHFN) are eligible for funding from these new sources. The National Highway Freight Network is primarily comprised of interstate freeways and an additional 75 miles of Critical Urban Freight Corridors and 150 miles of Critical Rural Freight Corridors designated by this Plan.

Because the mileage cap mandated in the FAST Act for the National Highway Freight Network is disproportionately low within large states like Nevada, two additional corridor categories important to Nevada were added to help prioritize state funding for projects not on the national network. All of these together make up Nevada's Highway Freight Network.

A Multiple-Objective Decision Analysis tool was used to identify Nevada's Highway Freight Network, and to efficiently input and prioritize freight related projects. The prioritized list of projects was separated into three categories: critical, very important, and important. The following maps show all projects on the list, including a sampling of several critical projects, overlaid onto Nevada's Highway Freight Network.

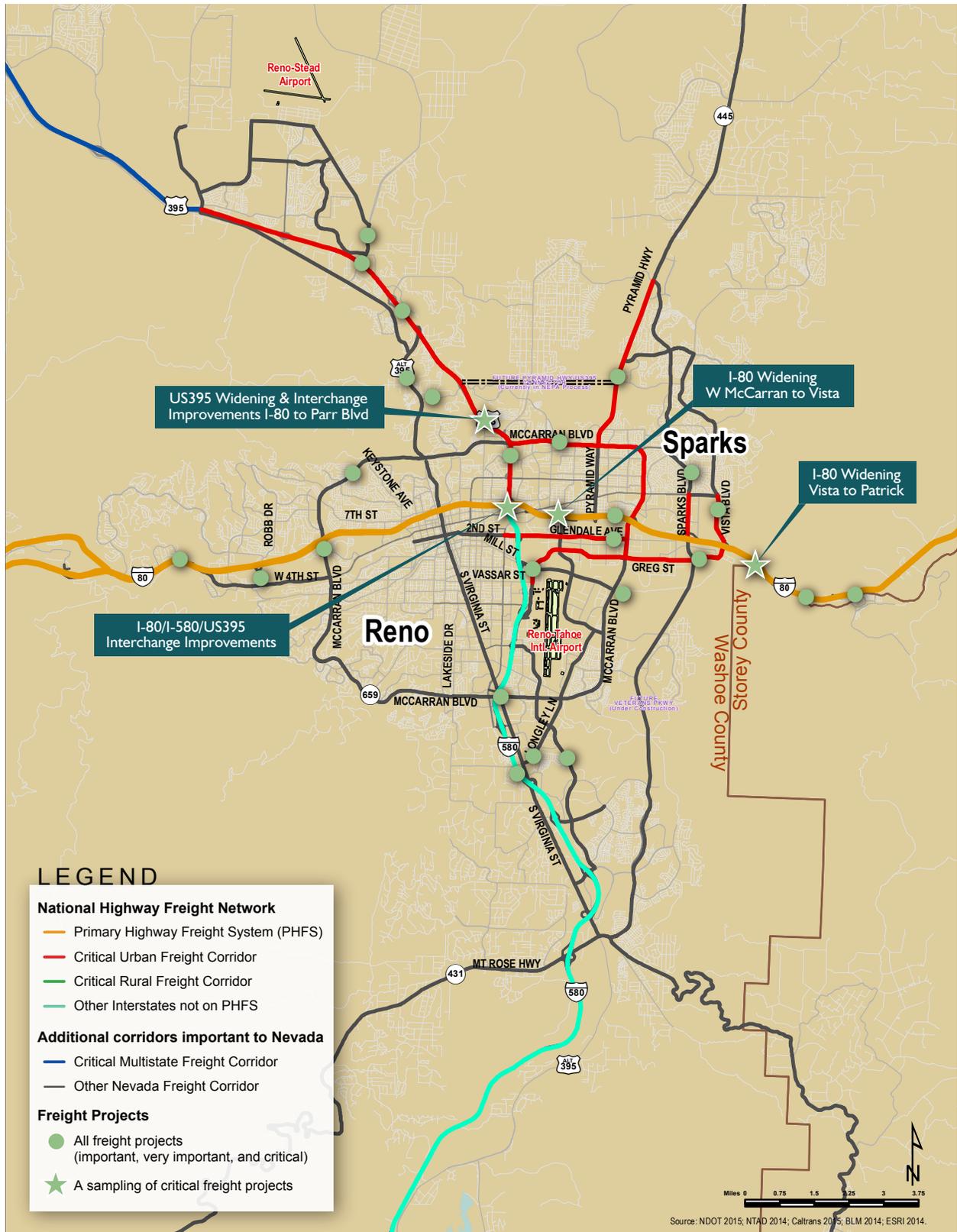


Nevada's Highway Freight Network and Projects: Las Vegas Area

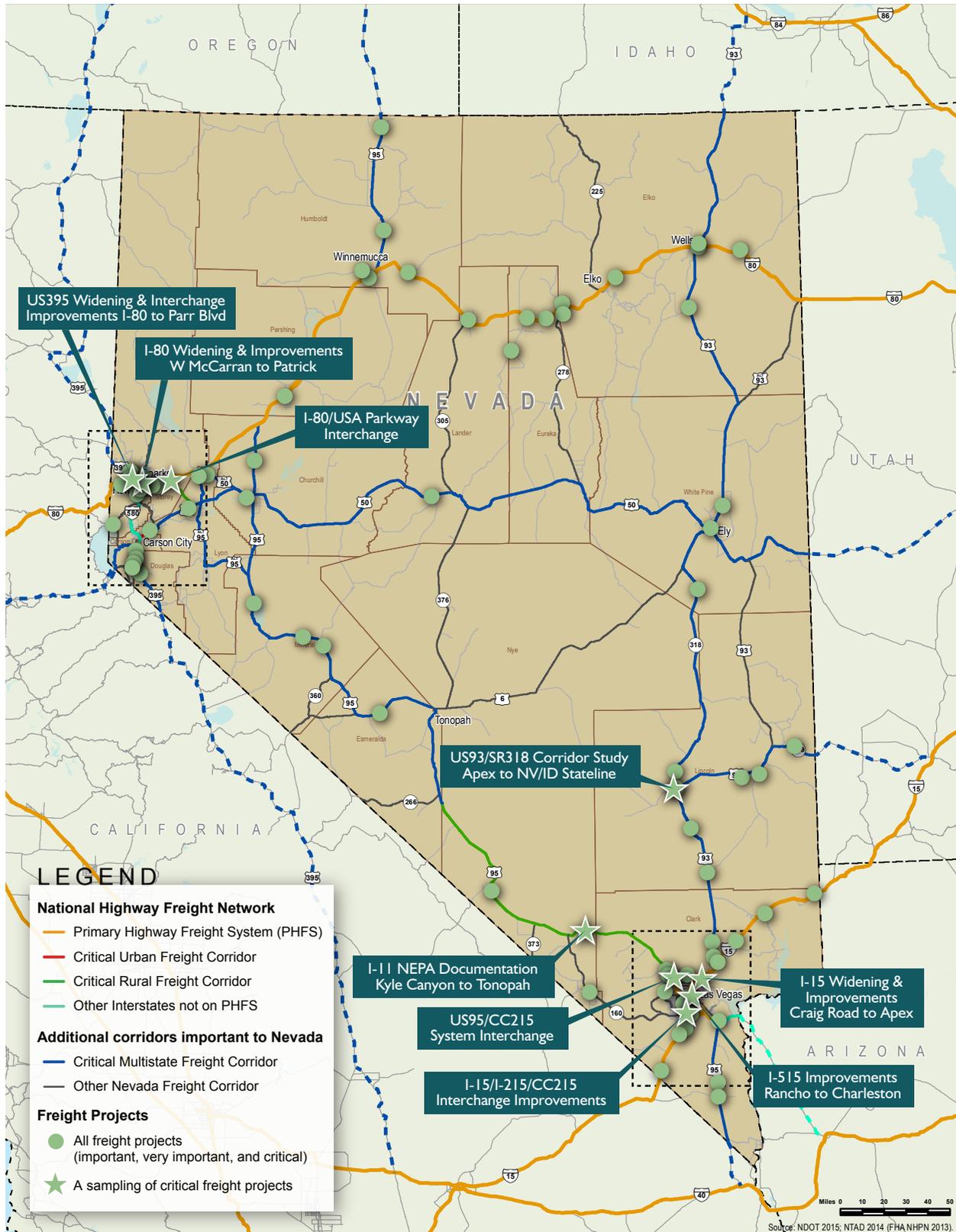




Nevada's Highway Freight Network and Projects: Reno-Sparks Area



Nevada's Highway Freight Network and Projects: Statewide







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

MEMORANDUM

Date: August 8, 2016

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: August 8, 2016 Transportation Board of Directors Meeting
Item #16: Quarterly Update on NDOT's Stormwater Program – *Informational item only*

Summary:

Deputy Director David Gaskin will provide an update on NDOT's Stormwater Program.

Background:

In May 2012, the US EPA presented an audit report which identified potential deficiencies in NDOT's compliance with the Clean Water Act. Since then, NDOT has worked with the US EPA, the Nevada Governor's Office, the Nevada Division of Environmental Protection (NDEP) and others to improve stormwater management programs and practices to minimize erosion and sedimentation and protect water resources throughout the state.

Analysis:

During the 2015 Legislative session, NDOT requested a budget amendment to its 2016-2017 biennial budget for additional staff and equipment for a new Stormwater Division and additional maintenance crews. NDOT's public outreach program has provided information through websites, social media, brochures and community events as well as increased internal communications.

A presentation will be provided to the Transportation Board on the following elements of NDOT's Stormwater Program:

- Status of negotiation meetings with US EPA
- Update on hiring of staff
- Stormwater program development
- Meetings and presentation information including the Advisory Committee on Transportation Storm Water Management (ACTSWM)
- Public outreach program

Recommendation for Board Action:

Informational item only.

Prepared by:

Deputy Director David Gaskin



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

MEMORANDUM

July 28, 2016

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: August 8, 2016 Transportation Board of Directors Meeting
Item #17: Old Business

Summary:

This item is to provide follow up and ongoing information brought up at previous Board Meetings.

Analysis:

- a. Project NEON Quarterly Report - *Informational item only.*
Please see Attachment A.
- b. USA Parkway Quarterly Report - *Informational item only.*
Please see Attachment B.
- c. Pedestrian Safety Quarterly Report - *Informational item only.*
Please see Attachment C.
- d. I-11 Quarterly Report – *Informational item only.*
Please see Attachment D.
- e. Report of Outside Counsel Costs on Open Matters – *Informational item only.*
Please see Attachment E.
- f. Monthly Litigation Report – *Informational item only.*
Please see Attachment F.
- g. Fatality Report Dated July 19, 2016 – *Informational item only.*
Please see Attachment G.

List of Attachments:

- a. Project NEON Quarterly Report - *Informational item only.*
- b. USA Parkway Quarterly Report - *Informational item only.*
- c. Pedestrian Safety Quarterly Report - *Informational item only.*
- d. I-11 Quarterly Report – *Informational item only.*
- e. Report of Outside Counsel Costs on Open Matters – *Informational item only.*
- f. Monthly Litigation Report – *Informational item only.*
- g. Fatality Report Dated July 19, 2016 – *Informational item only.*

Recommendation for Board Action:

Informational item only.



Project Neon Update for 8.8.16 Board Meeting

Right-of-Way Acquisition

- All acquisitions west of I-15 are being completed earlier than our committed delivery date.
 - A total of 44 properties have been turned over to Kiewit early; a cumulative of 4,756 days early.
 - Only 5 properties remain to be turned over west of I-15.
- Current right-of-way map *attached*.

Demolitions

- Kiewit has demolished 15 properties to date, including the old Carl's Jr. location on Charleston.
- NDOT/Kiewit teamed with the FBI to facilitate FBI training in structures to be demolished. A press release was issued on July 26, 2016, about this training experience. *See attached*.

Design

- Design is 52% complete
- Earned Value is 102% of planned
- 103 of 102 planned submittals have been made to-date
- Actual staffing level is 97 FTEs

Construction

- East of I-15
 - Grand Central Parkway / Western Avenue construction underway - new connection to open by mid-November
- West of I-15
 - Embankment of materials in southwest corner of Spaghetti Bowl
 - Final drilled shaft for load test
- Summary of construction closures (July 2016 – mid-2017) *attached*.
 - Outreach plan for US 95 SB Rancho Exit closure *attached*.

CH2M Performance Update

- Community Outreach
 - Developing outreach campaigns specific to each major closure
 - Continuous communication with stakeholders
 - Personal communication with nearly 75 stakeholders to date
- Submittals (April 1 – June 30)
 - 111 total submittals
 - Cumulative early return of 1,079 days
 - Early return average per submittal = 9 days
- Design Reviews (April 1 – June 30)
 - 51 design submittals
 - Cumulative early return of 183 days
 - Early return average per submittal = 3.5 days

FOR IMMEDIATE RELEASE
July 26, 2016

Tony Illia, NDOT Public Information Officer
Tel: (702) 385-6509 / E-mail: tillia@dot.state.nv.us

PRESS RELEASE

Project Neon Aids Federal Law Enforcement Training in Las Vegas

LAS VEGAS, NEV. -- The Nevada Department of Transportation's Project Neon is aiding federal law enforcement officials by providing practice venues for skills training, including breach techniques. As part of the nearly \$1 billion widening of Interstate 15 between the "Spaghetti Bowl" interchange and Sahara Avenue, the department has acquired several buildings and properties necessary for the freeway expansion and improvements. The department has subsequently allowed law enforcement officials to use vacated buildings for training prior to demolition.

"They have smashed windows, blown doors, and busted through walls in order to simulate a real engagement," said NDOT Director Rudy Malfabon. "The partnership has provided invaluable field experience that can make the difference between life and death for our brave members of law enforcement."

Project Neon has demolished a dozen buildings thus far, with each structure taking about three hours to bring down. Some of the 2,400 cubic yards of material generated from demolition will be recycled and reused rather than placed in a landfill. The department is committed to sustainability and improving the environment.

Check the Project Neon website (NDOTProjectNeon.com) or Facebook, LinkedIn, and Twitter pages ([@NDOTProjectNeon](https://www.facebook.com/NDOTProjectNeon)) for up to date information. There is also a hotline available at: 702-293-NEON (6366).

#####



Summary of Construction Closures*

July 2016 – mid 2017

Start	Location	Timing	Approximate Duration	Traffic Impact
2016: Q3	US 95 SB Rancho Exit	Aug '16 – Sept '16	40 days	Ramp Closed
	Desert Lane (south of Charleston)	Aug '16 – Sept '16	Permanent	Road Closed
	MLK On-Ramp to US 95 NB	Sept '16 – Nov '16	90 days	Ramp Closed
	US 95 SB to I-15 SB Ramp	Mid-Sept '16	36-hour Weekend Closure	Ramp Closed
2016: Q4	Charleston On-Ramp to I-15 NB	Oct '16	Weekend Closure	Ramp Closed
	I-15 NB to US 95 NB Ramp	Nov '16 – Feb '17	120 days	Reduced speed, one lane
	NB MLK Off-Ramp	Nov '16 – Feb '17	120 days	Ramp Closed
2017: Q1	MLK Blvd (Oakey to I-15 SB on-ramp)	Jan '17 – Apr '17	120 days	Road Closed <i>- Emergency Access Maintained at All Times</i>
	US 95, Rancho to Spaghetti Bowl	Feb '17 – Nov '17	300 days	Reduced to 2 lanes in each direction
	US 95 NB Rancho Exit	Feb '17 – Apr '17	75 days	Ramp Closed

*All information presented is preliminary and subject to change.



City facility. Neon PI team will notify the City and provide informational flyers to be posted at park facilities at City's discretion.

Flyers will be dropped at businesses the week of July 25.

Property owner will be notified in person, by phone or email by Neon PI team.

City Council representative(s) will be notified and HOA/NA representatives will be notified. Electronic copies of flyers will be provided to the City and NA representatives.

CMS signs will be placed to notify the traveling public about the upcoming closure.

ADDITIONAL NOTIFICATIONS

For ALL project stakeholders: Weekly email notification each Friday leading up to closure, social media campaign in coordination with NDOT PIO, ongoing website notification--each to begin July 22. CMS signs will be placed on U.S. 95 to notify the traveling public about the upcoming closure. Coordinating with FAST for messaging on DMS signs on U.S. 95.

Emergency/first responders/City of Las Vegas/FAST: Weekly closure notifications in PI/MOT/Safety meeting will continue each Thursday through the duration of the project.

USA Parkway – Quarterly Project Status Report August Transportation Board Meeting

Status Summary

- Project is progressing well
- Design is complete for 80 percent of the alignment
- Design of a majority of the Project area is released for construction
- Construction initiated on the existing paved section and the graded portion of SR 439
- Project and executive-level partnering efforts continue
- Public information meeting scheduled August 11, 2016

Events

Public information meeting scheduled for August 11, 2016 at Silver Springs High School from 4:00pm – 7:00pm.

Schedule

On schedule for Substantial Completion by Late Summer 2017 in accordance with contract

PEDESTRIAN SAFETY IMPROVEMENT PROGRAM
PROJECT STATUS MEMO

TO: Transportation Board of Directors
FROM: P.D. Kiser, Asst. Chief Traffic Safety Engineer
DATE: August 8, 2016
RE: Status Report on the NDOT Pedestrian Safety Improvement Program

Northern Nevada FY 2016 Projects:

- SRS 28 in Incline Village – this project included two pedestrian crossings in Incline Village at the Raley’s Shopping Center and the Christmas Tree Village Shopping Center. The improvements included pedestrian activated rapid rectangular flashing beacons at the crosswalks and enhanced street lighting. This project was completed in March 2016.
- Sun Valley Boulevard at Gepford Parkway, Skaggs Circle and 6th Avenue in Washoe Co – this project includes overhead pedestrian activated rapid rectangular flashing beacons at the crosswalks, enhanced street lighting, pedestrian refuge medians and ADA compliant pedestrian ramps. The project was awarded June 2, 2016 with construction starting in September 2016.
- Kietzke Lane at Roberts Street, Taylor Street, Apple Street and Grove Street in Reno – the Roberts and Taylor locations (existing crosswalks) will include overhead pedestrian rapid rectangular flashing beacons, enhanced street lighting, ADA compliant pedestrian ramps and curb extensions for improved pedestrian sight distance and shorter walking distances. The Apple location will have a new crosswalk with overhead pedestrian activated rapid rectangular flashing beacons, enhanced street lighting, a pedestrian refuge in the median and ADA compliant pedestrian ramps. The Grove Street location will have new audible crosswalk pedestrian signals (at the request of the VA Clinic). The project was awarded June 2, 2016 with construction starting in September 2016.
- North Virginia Street at Talus Way and Moraine Way in Reno – this project includes overhead pedestrian activated rapid rectangular flashing beacons at the crosswalks, advanced rapid rectangular flashing beacons, enhanced street lighting, pedestrian refuge medians (only at the Talus intersection) and ADA compliant pedestrian ramps. This project was awarded with the Kietzke Lane intersections on June 2, 2016 with construction scheduled to start September, 2016.

Southern Nevada FY 2016 Projects:

- Charleston Boulevard from Hillside Place to Nellis Boulevard in Las Vegas and Clark County between Hillside Place and Burnham Avenue. This project will include overhead pedestrian activated rapid rectangular flashing beacons, enhanced street lighting, curb extensions for improved pedestrian sight distance and shorter walking distances and Danish offset pedestrian refuge islands. Between Arden Street and Nellis Boulevard the raised medians will be widened, the travel lanes will be restriped to 10 ft., overhead pedestrian activated rapid rectangular flashing beacons and Danish offset pedestrian refuge islands will be installed. This project will also include ADA compliant pedestrian ramps. This project is advertising August, 2016 and construction is estimated to start this fall.
- Boulder Highway at Sun Valley Drive in Clark County - this project includes overhead pedestrian activated rapid rectangular flashing beacons at the crosswalk, advanced rapid rectangular flashing beacons, enhanced street lighting and a pedestrian refuge median with a Danish offset. This refuge median will also serve as an access management tool to allow left turns from Boulder Highway into Sun Valley Drive and the Cannery Hotel/Casino but will not allow left turns onto Boulder Highway. This project is advertising with the Charleston Boulevard project this month, and construction is estimated to start in the fall.
- Lake Mead Boulevard from Civic Center to Pecos Road in North Las Vegas – this project will be a Complete Streets project (first for NDOT) and will include pavement rehabilitation, lane reduction from 6 to 4 lanes, construction of raised median islands with left turn access control at median openings, 10 ft. travel lanes. Buffered bicycle lanes, ADA compliant pedestrian ramps, wider sidewalks and overhead pedestrian activated rapid rectangular flashing beacons. The schedule for this project has an advertising date at the end of 2016 and a construction start in early 2017.
- SR 160 (Blue Diamond Road) at El Capitan and Ft. Apache Way in Clark County – this project includes the installation of traffic signals at El Capitan and Ft. Apache Way. The traffic signals are currently being installed, and to be completed at the end of September, 2016.

Northern Nevada FY 2017 Projects:

- US 50 @ Pike Street in Dayton Nevada; at Silver State Street in Carson City, Nevada and at Lake Shore Blvd near Zephyr Cove, Nevada – these project are anticipated to include new crosswalks, activated rapid rectangular flashing beacons at the crosswalks, enhanced street lighting, pedestrian refuge medians and ADA compliant pedestrian ramps. The consultant design team has been assigned the project in July, 2016. The 100% design plans are scheduled to be submitted May, 2017.
- SR 430/ N Virginia St @ Bonanza Casino – the installation of a Permanent Traffic Signal and ADA Crosswalk is being designed and has an estimated advertise date of January 2017.
- Kietzke Lane at Roberts Street and Taylor Street in Reno – a follow up project is schedule to install pedestrian street lighting at these locations, once the permits have been obtained from NVEnergy.

Southern Nevada FY 2017 Projects:

- Boulder Highway at the following 8 locations. These projects are anticipated to include new crosswalks, activated rapid rectangular flashing beacons at the crosswalks, enhanced street lighting, pedestrian refuge medians and ADA compliant pedestrian ramps. The consultant design team has been assigned the project in July, 2016. The 100% design plans are scheduled to be submitted May, 2017.
 1. VA Clinic – Midblock of College Drive / Horizon Drive in Henderson, NV
 2. Foster Ave in Henderson, Nevada
 3. Corn Street in Henderson, Nevada
 4. Lowery Street in Henderson, Nevada
 5. Near Hamilton Ave in Clark County, Nevada
 6. 4350 Boulder Hwy in Clark County, Nevada
 7. Oakey Blvd in Clark County, Nevada
 8. Whitney Ave in Clark County, Nevada

NDOT Pedestrian Safety Improvement Program – Status Report

Southern Nevada – FY 2016



SR 147/ Lake Mead Blvd – Complete Street Design

- At 60% redesign due to existing conditions issues

SR 159/Charleston Blvd

- Advertising in August, 2016
- Estimated Construction Start in Fall, 2016

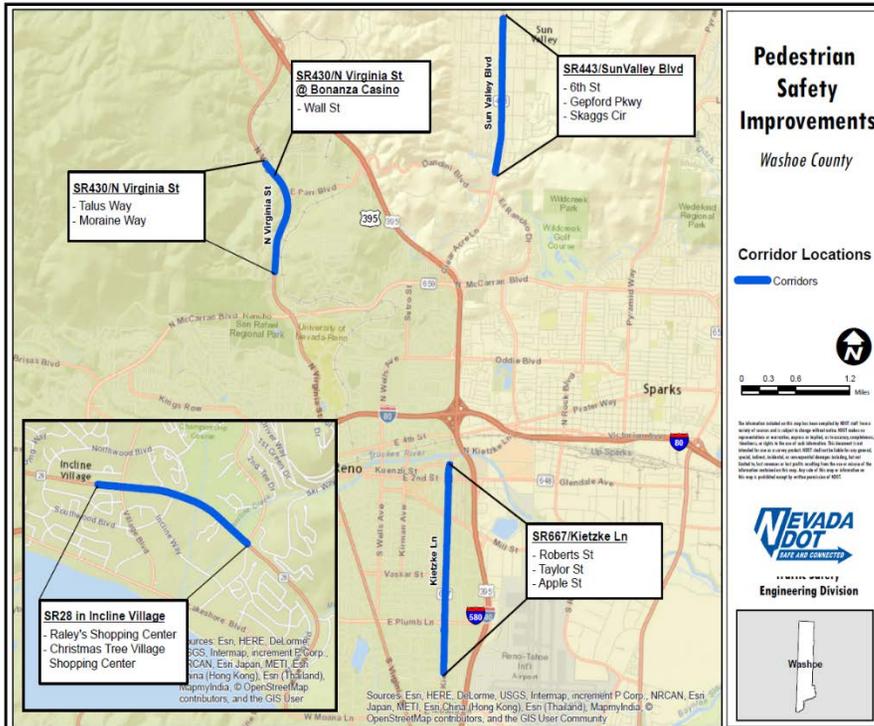
SR 582/Boulder Hwy @ Sun Valley Drive

- Advertising in August, 2016
- Estimated Construction Start in Fall 2016

SR 160/ Blue Diamond

- Signals currently being installed, estimated completion end of September 2016

Northern Nevada – FY 2016



SR 28 in Incline Village

- Construction started in Fall 2015 – Completed Spring 2016

SR 443/ Sun Valley Blvd

- Contract was awarded June 2, 2016
- Construction Starting September, 2016

SR 430/ N Virginia St @ Bonanza Casino

- Temporary Signal Installed

SR 430/N Virginia St @ Talus Way and Moraine Way

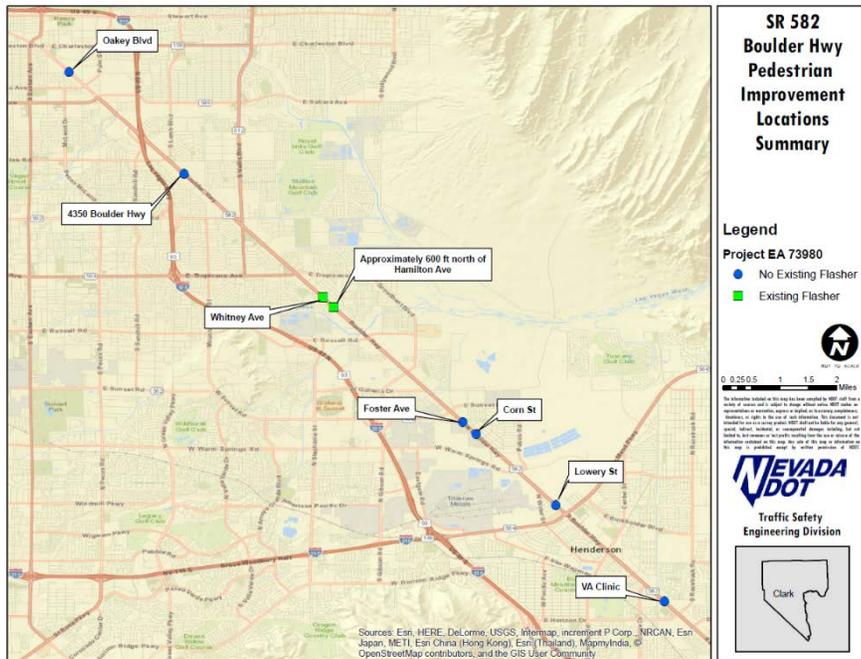
- Contract Awarded on June 2, 2016
- Construction Starting September, 2016

SR 667/Keitzke Lane @ Roberts St, Taylor St, Apple St, Grove St

- Contract Awarded on June 2, 2016
- Construction Starting September, 2016

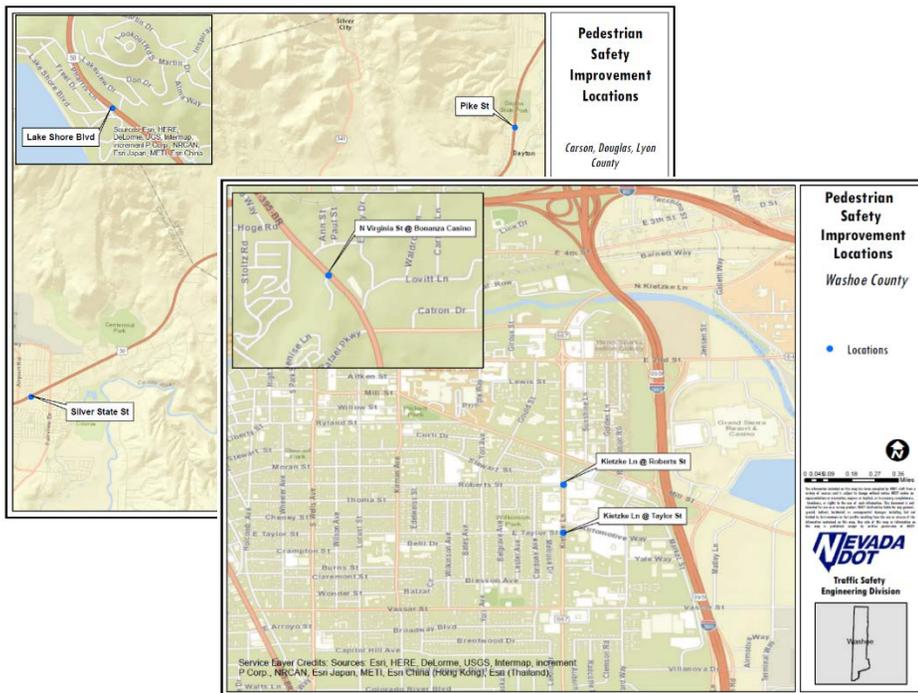
NDOT Pedestrian Safety Improvement Program – Status Report

Southern Nevada – FY 2017



- SR 582/ Boulder Highway@
1. VA Clinic – Midblock of College Drive / Horizon Dr in Henderson, NV
 2. Foster Ave in Henderson NV
 3. Corn Street in Henderson NV
 4. Lowery Street in Henderson NV
 5. Near Hamilton Ave in Clark County, NV
 6. 4350 Boulder Hwy in Clark County, NV
 7. Oakley Blvd in Clark County, NV
 8. Whitney Ave in Clark County, NV
- Install Pedestrian Safety Improvements
 - Consultant Design started July 2016

Northern Nevada – FY 2017



- US 50 @ Pike Street, Dayton NV; Silver State Street, Carson City NV; Lake Shore Blvd, Glenbrook NV
- Install Pedestrian Safety Improvements
 - Consultant Design started July 2016
- SR 430/ N Virginia St @ Bonanza Casino
- Installation of Permanent Signal and ADA Crosswalk
 - Estimated Advertise Date January 2017
- SR 667/Kietzke Lane @ Roberts St, Taylor St,
- Install Pedestrian Lighting (to complete project)
 - Estimate date 2018

July 27, 2016

Interstate 11 Quarterly Update

- Construction ongoing for first segment of I-11 (Boulder City Bypass).
- Incremental improvements on US 95, in and north of Las Vegas
 - US 95 NW Phase 3A Centennial Bowl (under construction)
 - US 95 NW Phase 2B/5 – Durango to Kyle – anticipated in 2017, to include “Future I-11” signs
 - NDOT currently evaluating strategies to accelerate remaining phases
- Will continue to study both the Southern and Northern Nevada segments to identify incremental improvements.
 - Priority in Statewide Freight Plan and portions identified in National Freight Network
 - Statewide Multimodal Long Range Plan scope includes the development of a corridor advancement plan for I-11 (and other critical corridors) that will include the identification of strategies by segment to continue development and investment momentum.
 - Southern Nevada Traffic Study –include consideration of I-11 through Las Vegas. This study will include system wide and corridor specific traffic forecasts for all major highways in the Las Vegas area and evaluate the need for investments along the I-11 corridor alternatives.
- Partnering with other agencies to look for innovative opportunities
 - Energy – Continuing work with Governor’s Office of Energy on the US 95 Electric Highway
 - Staff has met with and presented to various interested agencies and organizations on the corridor, including County Tour (presentations at County Commission meetings), meetings with Military bases (Hawthorne, Nellis, and Fallon), and presentations to the following groups:
 - Gabbs Town Council (May 2016)– general overview of the corridor study and next steps, including future opportunities for public input
 - Young Constructors Forum (AGC, May 2016) – general overview of study/process
 - Low Level Waste Stakeholder Forum (Southern NV, June 2016) – general overview of study and discussion of need/opportunity to continue coordination.
 - AASHTO Standing Committee on Planning (June 2016)– presentation with ADOT on the benefits of using the Planning and Environment Linkages process.
 - Economic Development – discussing with GOED the Hyperloop-One Global Challenge as a potential opportunity to propose I-11 (along with I-15) as a corridor for development. Currently in the fact finding/case building phase to determine if the state will apply.
- Other notable activities:
 - Mineral County has established an I-11 Committee
 - Nellis AFB is planning on acquiring additional land, including on the west side, close to US 95. NDOT is in communicating the need for preservation of additional right of way along the US 95 corridor. They continue to be a cooperative and helpful partner to date and we anticipate that partnership to continue.

OPEN NDOT - OUTSIDE COUNSEL CONTRACTS AS OF JULY 20, 2016						
Case/Project Name	Contract Period	Contract and Amendment Date	Contract and Amendment Amount	Total Contract Authority	Contract Authority Remaining	
Nossaman, LLP	Project Neon Legal and Financial Planning NDOT Agmt No. P014-13-015	3/11/13 - 12/31/17 Amendment #1 Amendment #2	3/11/13 1/14/14 12/15/15	\$ 1,400,000.00 \$ 2,000,000.00 \$ 300,000.00	\$ 3,700,000.00	\$ 233,434.34
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 Amendment #2	10/23/12 9/12/14 8/12/14	475725 Extension of Time Expansion of Scope	\$ 475,725.00	\$ 191,622.95
Laura FitzSimmons, Esq.	Condemnation Litigation Consultation NDOT Agmt No. P510-12-004	12/16/12 - 12/30/17 Amendment #1 Amendment #2 Amendment #3	12/16/12 8/12/13 1/22/14 5/12/14	\$ 300,000.00 \$ 850,000.00 \$ 750,000.00 \$ 800,000.00	\$ 2,700,000.00	\$ 329,726.08
Sylvester & Polednak, Ltd.	NDOT vs. Wykoff 8th JD - A-12-656578-C Warms Springs Project - Las Vegas NDOT Agmt No. P071-13-004	2/27/13 - 1/31/17 Amendment #1 Amendment #2 Amendment #3	2/27/13 1/23/15 5/13/15 6/24/16	\$275,000.00 Extension of Time \$ 150,000.00 \$ 65,000.00	\$ 490,000.00	\$ 72,728.00
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 Amendment #2	2/27/13 1/23/15 5/9/16	\$ 275,000.00 Extension of Time \$ 325,000.00	\$ 600,000.00	\$ 253,977.27
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	\$ 200,000.00	\$ 11,510.36
** Varela, Lee, Metz & Guarina, LLP - Novation Agreement 2/28/14 from Watt, Tieder, Hoffar & Fitzgerald	Pacific Coast Steel vs. NDOT K3292 - I-580 2nd JD CV12-02093 NDOT Agmt No. P160-13-004	4/30/13 - 4/30/17	4/30/13	\$ 275,000.00	\$ 275,000.00	\$ 59,870.66
Kemp, Jones, Coulthard	Nassiri vs. NDOT 8th JD A672841 NDOT Agmt No. P290-13-004	7/17/13 - 2/28/17 Amendment #1 Amendment #2	7/17/13 2/12/15 8/12/15	\$ 280,000.00 \$ 475,000.00 \$ 375,000.00	\$ 1,130,000.00	\$ 55,014.27
Chapman Law Firm	Ad America vs. NDOT (Project Neon) 8th JD A640157 NDOT Agmt No. P291-13-004	7/25/13 - 7/30/17 Amendment #1 Amendment #2 Amendment #3	7/25/13 4/28/14 5/15/15 2/8/16	\$ 200,000.00 \$ 250,000.00 Extension of Time \$ 269,575.00	\$ 719,575.00	\$ 176,087.64
*** Downey Brand, LLP Novation Agreement 2/12/15 from Armstrong Teasdale, LLP	Legal Support for utility matters relating to Project Neon and Boulder City Bypass NDOT Agmt No. P210-14-004	5/14/14 - 5/31/18	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 - 7/31/18 Amendment #1	7/17/14 6/29/16	\$ 280,000.00 Extension of Time	\$ 280,000.00	\$ 210,731.73
Carbajal & McNutt, LLP	Las Vegas Golf & Country Club 8th JD A-14-705477-C Project Neon NDOT Agmt No. P362-14-004	9/8/14 - 8/30/16	9/8/14	\$ 375,000.00	\$ 375,000.00	\$ 214,047.59
Kemp, Jones & Coulthard	Custom Landco. (Walker Furniture) Project Neon NDOT Agmt No. P431-14-004	10/13/14 - 7/31/18 Amendment #1	10/13/14 4/11/16	\$ 350,000.00 \$ 1,400,000.00	\$ 1,750,000.00	\$ 457,094.66

OPEN NDOT - OUTSIDE COUNSEL CONTRACTS AS OF JULY 20, 2016						
	Case/Project Name	Contract Period	Contract and Amendment Date	Contract and Amendment Amount	Total Contract Authority	Contract Authority Remaining
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	\$ 240,313.56
Lambrose Brown	Sharples Project Neon NDOT Agmt No. P434-14-004	10/16/14 - 10/30/16	10/16/14	\$ 275,000.00	\$ 275,000.00	\$ 215,730.99
Varela, Lee, Metz & Guarino	Sequoia Electric K3409 NDOT Agmt No. P526-14-004	10/16/14 - 10/30/16	10/16/14	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00
Lambrose Brown	Paralegal Services - Project Neon NDOT Agmt No. P547-14-004	11/20/14 - 11/30/16 Amendment #1	11/20/14 2/12/15	\$ 250,000.00	\$ 250,000.00	\$ 21,218.93

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

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

Contracts Closed Or Expired Since Last Report:						
Vendor	Case/Project Name	Contract Period	Contract and Amendment Date	Contract and Amendment Amount	Total Contract Authority	Contract Authority Remaining
* BH Consulting Agreement	Management assistance, policy recommendations, NDOT Agmt No. P143-12-067	6/30/12 - 6/30/16	6/30/12	\$ 77,750.00	\$ 77,750.00	\$ 74,450.00

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

Monthly Litigation Report to the Nevada Department of Transportation - July 20, 2016				
Case Name	Nature of Case	Outside Counsel to Date		
		Fees	Costs	Total
Condemnations				
NDOT vs. Ad America, Inc. (Neon-Silver Ave.)	Eminent domain - Project Neon	\$ -	\$ -	\$ -
NDOT vs. Custom Landco. (Walker Furniture)	Eminent domain - Project Neon	\$ 879,187.96	\$ 413,717.38	\$ 1,292,905.34
NDOT vs. Danisi, Vincent, J. III	Eminent domain - Project Neon	\$ -	\$ -	\$ -
NDOT vs. I-15 and Cactus, LLC	Eminent domain - I-15 Cactus	\$ 165,902.68	\$ 22,586.96	\$ 188,489.64
NDOT vs. Jackson, Darrell, et al.	Eminent domain - Project Neon			
NDOT vs. K & L Dirt Company, LLC	Eminent domain - Boulder City Bypass	\$ 273,570.00	\$ 72,452.73	\$ 346,022.73
NDOT vs. Ranch Properties	Eminent domain - Project Neon	\$ -	\$ -	\$ -
NDOT vs. Reich Series, LLC, et al.	Eminent domain - Project Neon	\$ -	\$ -	\$ -
NDOT vs. Robarts 1981 Trust, et al.	Eminent domain - Project Neon	\$ 269,281.36	\$ 14,820.69	\$ 284,102.05
NDOT vs. Su, Lisa	Eminent domain - Project Neon	\$ -	\$ -	\$ -
NDOT vs. Sharples, John; Sharples, Bonnie	Eminent domain - Project Neon	\$ 43,044.00	\$ 16,225.01	\$ 59,269.01
NDOT vs. Wykoff Newberg Corporation	Eminent domain - I-15 and Warm Springs	\$ 362,025.78	\$ 55,246.12	\$ 417,271.90
		\$ 1,993,011.78	\$ 595,048.89	\$ 2,588,060.67
Inverse Condemnations				
AD America, Inc. vs. NDOT (NEON)	Inverse condemnation - Project Neon	\$ 690,289.24	\$ 121,228.94	\$ 811,518.18
AD America, Inc. vs. NDOT (NEON-Silver Ave.)	Inverse condemnation - Project Neon			
Nassiri, Fred vs. NDOT	Inverse condemnation	\$ 908,764.28	\$ 166,221.45	\$ 1,074,985.73
		\$ 1,599,053.52	\$ 287,450.39	\$ 1,886,503.91
Cases Closed and Removed from Last Report:				
NDOT vs. Loch Lomond Trust, et al.	Eminent domain - Project Neon	\$ -	\$ -	\$ -
NDOT vs. Las Vegas Golf & Country Club	Eminent domain - Project Neon	\$ 142,521.50	\$ 18,430.91	\$ 160,952.41
* Includes Cumulative Fees and Costs: Agreement P301-11-004 (closed in 12/31/2014) and current Agreement P291-13-004				
New cases appear in red. No new condemnation cases for this report dated July 20, 2016				

Monthly Litigation Report to the Nevada Department of Transportation - July 20, 2016				
Case Name	Nature of Case	Outside Counsel to Date		
		Fees	Costs	Total
Torts				
Ariza, Ana, et al. vs. Wulfenstein, NDOT	Plaintiff alleges wrongful death	\$ -	\$ -	\$ -
Darling, Dion Dean vs. NDOT, et al.	Plaintiff alleges negligence and property damage	\$ -	\$ -	\$ -
Discount Tire Company vs. NDOT; Fisher	Plaintiff alleges negligence and personal injury	\$ -	\$ -	\$ -
Donley, Cydney vs. NDOT	Plaintiff alleges negligence and personal injury	\$ -	\$ -	\$ -
Harris Farm, Inc. vs. NDOT	Plaintiff alleges negligence and personal injury	\$ -	\$ -	\$ -
Hendrickson, Cynthia vs. NDOT	Plaintiff alleges negligence and personal injury	\$ -	\$ -	\$ -
Hitzemann, Darrell, et al. vs. Las Vegas Paving; NDOT	Plaintiff alleges negligence and personal injury	\$ -	\$ -	\$ -
Jorgenson & Koka, LLP vs. NDOT, et al.	Plaintiff alleges negligence causing property damage	\$ -	\$ -	\$ -
King-Schmidt, Barbara vs. NDOT	Plaintiff alleges negligence and personal injury	\$ -	\$ -	\$ -
Knowlton, Jane vs. NDOT	Plaintiff alleges personal injury and property damage	\$ -	\$ -	\$ -
Liu, Hui vs. Clark County and NDOT	Plaintiff alleges negligence and wrongful death	\$ -	\$ -	\$ -
Mezzano, Rochelle vs. Bicycle Ride Directors, NDOT, et al.	Plaintiff alleges negligence and personal injury	\$ -	\$ -	\$ -
NDOT vs. Tamietti	NDOT seeks injunct. relief to prevent closing access	\$ -	\$ -	\$ -
Pyjas, Estate of Robert Charles	Plaintiff alleges wrongful death	\$ -	\$ -	\$ -
Rodriguez-Franco, Epifanio vs. Joyce; NDOT, et al.	Plaintiff alleges negligence and personal injury	\$ -	\$ -	\$ -
Semmens, Cynthia & Trevor vs. NDOT, et al.	Plaintiff alleges negligence causing personal injury	\$ -	\$ -	\$ -
State Farm Insurance vs. Solak, NDOT, et al.	Plaintiff seeks policy payouts through interpleader	\$ -	\$ -	\$ -
Vezina, Macy vs. Fedex Freight et al.; NDOT, et al.	Defendant third-party complaint alleging negligence	\$ -	\$ -	\$ -
Windrum, Richard & Michelle vs. NDOT	Plaintiff alleges negligence and personal injury	\$ -	\$ -	\$ -
Zito, Adam vs. NDOT	Plaintiff alleges negligence and property damage	\$ -	\$ -	\$ -
Contract Disputes				
AVAR Construction Systems, Inc. vs. NDOT	Breach of contract re I-580	\$ -	\$ -	\$ -
Miscellaneous				
Road & Highway Builders vs. NDOT	Petition for Judicial Review of Prevailing Wage	\$ -	\$ -	\$ -
Road & Highway Builders vs. Labor Commissioner; NDOT	Petition for Judicial Review of Decision of Labor Commissioner	\$ -	\$ -	\$ -
Personnel Matters				
Akinola, Ayodele vs. State, NDOT	Personnel Matters	\$ -	\$ -	\$ -
Boice, Rocky vs. State, NDOT	Personnel Matters			
Lorenzi, Anthony vs. State, NDOT	Personnel Matters			
Zenor, Chad T. vs. State, NDOT	Personnel Matters	\$ -	\$ -	\$ -
Cases Closed and Removed from Last Report:				
Cerini, Cheri vs. State, NDOT	Personnel Matters			

New case appears in red.

Outside Counsel
Fees and Costs of Open Cases
as of July 20, 2016

<u>Category</u>	<u>Fees</u>	<u>Costs</u>	<u>Total</u>
Condemnation Litigation	\$ 1,993,011.78	\$ 595,048.89	\$ 2,588,060.67
Inverse Condemnation Litigation	\$ 1,599,053.52	\$ 287,450.39	\$ 1,886,503.91
Construction Litigation	0	0	0
Personnel Litigation	0	0	0
Tort Claim Litigation	0	0	0
	<u>\$ 3,592,065.30</u>	<u>\$ 882,499.28</u>	<u>\$ 4,474,564.58</u>

7/19/2016

TO: PUBLIC SAFETY, DIRECTOR NDOT, HIGHWAY SAFETY COORDINATOR, NDOT TRAFFIC ENGINEERING, FHWA, LVMPD, RENO PD.

FROM: THE OFFICE OF TRAFFIC SAFETY, FATAL ANALYSIS REPORTING SYSTEM (FARS)

SUBJECT: FATAL CRASHES AND FATALITIES BY COUNTY, PERSON TYPE, DAY, MONTH, YEAR AND PERCENT CHANGE.

	CURRENT		SAME DATE LAST YEAR		# CHANGE		
	Crashes	Fatals	Crashes	Fatals	Crashes	Fatals	
7/18/2016	1	1	7/18/2015	1	1	0	0
MONTH	10	11	MONTH	14	16	-4	-5
YEAR	143	152	YEAR	146	163	-3	-11

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

COUNTY	2015 Crashes	2016 Crashes	% CHANGE	2015 Fatalities	2016 Fatalities	% Change	2015 Alcohol Crashes	2016 Alcohol Crashes	% Change	2015 Alcohol Fatalities	2016 Alcohol Fatalities	% Change
CARSON	1	5	400.00%	1	5	400.00%	1		-100.00%	1		-100.00%
CHURCHILL	1	3	200.00%	1	3	200.00%			0.00%			0.00%
CLARK	91	102	12.09%	101	109	7.92%	20	15	-25.00%	22	16	-27.27%
DOUGLAS	4	2	-50.00%	4	2	-50.00%	1	1	0.00%	1	1	0.00%
ELKO	4	4	0.00%	5	4	-20.00%		1	100.00%		1	100.00%
ESMERALDA	3		-100.00%	3		-100.00%	1		-100.00%	1		-100.00%
EUREKA	2	1	-50.00%	2	1	-50.00%			0.00%			0.00%
HUMBOLDT	2	1	-50.00%	3	2	-33.33%			0.00%			0.00%
LANDER	4	1	-75.00%	4	1	-75.00%			0.00%			0.00%
LINCOLN	4		-100.00%	4		-100.00%			0.00%			0.00%
LYON	3		-100.00%	4		-100.00%			0.00%			0.00%
MINERAL	1	2	100.00%	2	2	0.00%			0.00%			0.00%
NYE	6	2	-66.67%	6	2	-66.67%	2		-100.00%	2		-100.00%
PERSHING			0.00%			0.00%			0.00%			0.00%
STOREY	1		-100.00%	1		-100.00%			0.00%			0.00%
WASHOE	18	19	5.56%	21	20	-4.76%	10	3	-70.00%	12	4	-66.67%
WHITE PINE	1	1	0.00%	1	1	0.00%			0.00%			0.00%
YTD	146	143	-2.05%	163	152	-6.75%	35	20	-42.86%	39	22	-43.59%
TOTAL 15	297	----	-51.9%	326	----	-53.4%		----	#DIV/0!		----	#DIV/0!

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

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

COUNTY	2015 Vehicle Occupants	2016 Vehicle Occupants	% Change	2015 Peds	2016 Peds	% Change	2015 Motor-Cyclist	2016 Motor-Cyclist	% Change	2015 Bike	2016 Bike	% Change	2015 Other moped,at v	2016 Other moped,at v
CARSON	1	2	100.00%		3	300.00%			0.00%			0.00%		
CHURCHILL	1	1	0.00%		1	100.00%			0.00%			0.00%		
CLARK	49	50	2.04%	23	25	8.70%	15	27	80.00%	7	2	-71.43%	7	5
DOUGLAS	3	1	-66.67%			0.00%	1	1	0.00%			0.00%		
ELKO	4	3	-25.00%	1	1	0.00%			0.00%			0.00%		
ESMERALDA	3	0	-100.00%			0.00%			0.00%			0.00%		
EUREKA	2	1	-50.00%			0.00%			0.00%			0.00%		
HUMBOLDT	3	2	-33.33%			0.00%			0.00%			0.00%		
LANDER	3	1	-66.67%	1		-100.00%			0.00%			0.00%		
LINCOLN	3		-100.00%			0.00%	1		-100.00%			0.00%		
LYON	4		-100.00%			0.00%			0.00%			0.00%		
MINERAL	2	2	0.00%			0.00%			0.00%			0.00%		
NYE	6	1	-83.33%			0.00%			0.00%			0.00%		
PERSHING			0.00%			0.00%			0.00%			0.00%		
STOREY			0.00%			0.00%	1		-100.00%			0.00%		
WASHOE	12	9	-25.00%	4	6	50.00%	5	4	-20.00%		1	100.00%		
WHITE PINE	1	1	0.00%			0.00%			0.00%			0.00%		
YTD	97	74	-23.71%	29	36	24.14%	23	32	39.13%	7	3	-57.14%	7	5
TOTAL 15	186	----	-60.22%	73	----	-50.68%	43	----	-25.58%	10	----	-70.00%	14	----

PRELIMINARY DATA REVEALS 72 UNRESTRAINED FATALITIES FOR 2015