

**SECOND AMENDMENT TO
THE CONTRACT FOR LEGAL ADVISORY SERVICES FOR SOUTHERN NEVADA
SUPPLEMENTAL AIRPORT PROJECT OVERSIGHT
CBE-1041**

THIS SECOND AMENDMENT TO THE CONTRACT FOR LEGAL ADVISORY SERVICES FOR SOUTHERN NEVADA SUPPLEMENTAL AIRPORT PROJECT OVERSIGHT (the "Second Amendment"), is entered into as of this _____ day of _____, 2025, by and between CLARK COUNTY, a political subdivision of the State of Nevada, through its Department of Aviation ("Owner") and KAPLAN KIRSCH, LLP (formerly KAPLAN KIRSCH & ROCKWELL, LLP) ("Consultant").

WITNESSETH:

WHEREAS, Owner and Consultant are parties to a Contract For Legal Advisory Services for Southern Nevada Supplemental Airport Project Oversight (the "Contract") dated September 3, 2019, and as amended on June 7, 2022 (the "First Amendment"); and

WHEREAS, the parties desire to amend the terms and conditions of the Contract.

NOW, THEREFORE, Owner and Consultant, for and in consideration of the mutual covenants and conditions herein, do agree as follows:

Action 1: In Section VII – Miscellaneous Provisions, Paragraph O – Term of Contract, add a clause at the end of that Paragraph O as follows:

Revised Additional Renewal Options (Second Amendment)

OWNER shall have the ability to exercise four (4) additional one-year renewal options effective on or before July 1, 2025. During this period, total compensation shall not exceed \$1,250,000.00 during the first renewal option year, \$1,250,000.00 during the second renewal option year, \$1,250,000.00 during the third renewal option year, and \$1,250,000.00 during the fourth renewal option year, if exercised.

Action 2: In Exhibit A – Scope of Work, immediately following the paragraph with the heading "Task 3," add the following:

In addition to the foregoing, CONSULTANT shall provide OWNER with the following services:

- Assistance with completion of the NEPA process and securing environmental and other federal approvals and permits.
- Litigation, if any, on the federal approvals.
- Planning, sequencing, financing, procurement and contracting of an overall construction or master plan program.
- Assistance with strategy, applications, and compliance for federal and state funding and financing programs, including the Build America Bureau.
- Planning for modifications of leases or other tenant contracts, moving of tenants, and other legal issues that arise with comprehensive programs.

- Selection of delivery method (including alternative delivery methods involving private investors), procurement, and contracting of design, construction, and other services contracts for individual projects including compliance with Federal, state, and local laws.
- Legal aspects of the Operational Readiness and Airport Transition (ORAT) process, which involves identification and mitigation of risks and the planning and coordination of activities that get a project from completed construction to operations by the intended user, whether that is the airport, TSA, CBP, airlines, or others.
- Airport technical projects which involve unusual legal issues and/or coordination with stakeholders such as baggage systems, FIS areas, FBO operators, etc.
- Construction management of ongoing projects including handling routine legal questions about implementation of the contracts, managing disputes, and other miscellaneous issues that always seem to arise. This may also include advise and representation in claims and disputes.

Action 3: In Exhibit A – Scope of Work, delete the section entitled “HOURLY RATES AND COMPENSATION” in its entirety and replace it with the following:

HOURLY RATES AND COMPENSATION

Category	OWNER Discounted Hourly Rate
Senior Partners	\$585.00
Partners	\$540.00
Senior Associates	\$480.00
Associates	\$410.00
Law Clerks	\$205.00
Paralegals	\$195.00

These hourly rates shall remain in effect for the duration of the Contract. An exception to this requirement will be made only if the Director approves in writing a proposed rate change 30 days in advance. In no event shall billing rates be increased more than once in any twelve (12) month period.

Except to the extent modified pursuant to this Second Amendment, all other terms and conditions of the Contract and First Amendment shall remain unchanged, in full force and effect, and are hereby affirmed and ratified.

IN WITNESS WHEREOF, Owner and Consultant have executed this Second Amendment the day,
month, and year as written above.

OWNER:

CLARK COUNTY, NEVADA

By:

ROSEMARY A. VASSILIADIS
Director of Aviation

CONSULTANT:

KAPLAN KIRSCH, LLP

By:


Catherine M. van Heuven
Catherine M. van Heuven (Mar 31, 2025 17:21 MDT)

CATHERINE M. VAN HEUVEN, ESQ.
Partner

APPROVED AS TO FORM:

STEVEN B. WOLFSON
District Attorney

By:



John P. Witucki (Apr 1, 2025 11:19 PDT)
JOHN P. WITUCKI
Senior Attorney

DISCLOSURE OF OWNERSHIP / PRINCIPALS FORM

Business Entity Type (Please select one)

<input type="checkbox"/> Sole Proprietorship	<input checked="" type="checkbox"/> Partnership	<input type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Corporation	<input type="checkbox"/> Trust	<input type="checkbox"/> Non-Profit Organization	<input type="checkbox"/> Other
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Business Designation Group (Please select all that apply)

<input type="checkbox"/> MBE Minority Business Enterprise	<input type="checkbox"/> WBE Women-Owned Business Enterprise	<input type="checkbox"/> SBE Small Business Enterprise	<input type="checkbox"/> PBE Physically Challenged Business Enterprise	<input type="checkbox"/> VET Veteran Owned Business	<input type="checkbox"/> DVET Disabled Veteran Owned Business	<input type="checkbox"/> ESB Emerging Small Business
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Number of Clark County Nevada Residents Employed: 0

Business Information:

Corporate/Business Entity Name:	Kaplan Kirsch LLP	
(Include d.b.a., if applicable)		
Street Address:	1675 Broadway, Ste 2300	Website: www.kaplankirsch.com
City, State and Zip Code:	Denver, CO 80202	POC Name: Catherine M. van Heuven
Telephone No:	303 825 7000	POC Email: cvanheuven@kaplankirsch.com
		Fax No: 303 825 7005
Nevada Local Street Address: (If different from above)		Website:
City, State and Zip Code:		Local POC Name:
Local Telephone No:		Local POC Email:
		Local Fax No:

All entities, with the exception of publicly-traded and non-profit organizations, must list the names of individuals holding more than five percent (5%) ownership or financial interest in the business entity appearing before the Board.

Publicly-traded entities and non-profit organizations shall list all Corporate Officers and Directors in lieu of disclosing the names of individuals with ownership or financial interest. The disclosure requirement, as applied to land-use applications, extends to the applicant and the landowner(s).

Entities include all business associations organized under or governed by Title 7 of the Nevada Revised Statutes, including but not limited to private corporations, close corporations, foreign corporations, limited liability companies, partnerships, limited partnerships, and professional corporations.

Full Name	Title	% Owned <small>(Not required for Publicly Traded Corporations/Non-profit organizations)</small>
FULL LIST PROVIDED AS ATTACHMENT		
_____	_____	_____
_____	_____	_____
_____	_____	_____

This section is not required for publicly-traded corporations. Are you a publicly-traded corporation? Yes No

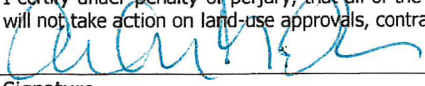
1. Are any individual members, partners, owners or principals, involved in the business entity, a Clark County, Department of Aviation, Clark County Detention Center or Clark County Water Reclamation District full-time employee(s), or appointed/elected official(s)?

Yes No (If yes, please note that County employee(s), or appointed/elected official(s) may not perform any work on professional service contracts, or other contracts, which are not subject to competitive bid.)

2. Do any individual members, partners, owners or principals have a spouse, registered domestic partner, child, parent, in-law or brother/sister, half-brother/half-sister, grandchild, grandparent, related to a Clark County, Department of Aviation, Clark County Detention Center or Clark County Water Reclamation District full-time employee(s), or appointed/elected official(s)?

Yes No (If yes, please complete the Disclosure of Relationship form on Page 2. If no, please print N/A on Page 2.)

I certify under penalty of perjury, that all of the information provided herein is current, complete, and accurate. I also understand that the Board will not take action on land-use approvals, contract approvals, land sales, leases or exchanges without the completed disclosure form.



Signature
Partner

Title

Catherine M. van Heuven

Print Name
April 3, 2025

Date

DISCLOSURE OF OWNERSHIP /PRINCIPALS

Full Name	Title	Percent Owned
Peter J. Kirsch	Partner	10.05%
Adam M. Giuliano	Partner	9.28%
Stephen H. Kaplan	Partner	8.69%
Polly B. Jessen	Partner	8.59%
Charles A. Spitulnik	Partner	8.47%
Catherine M. van Heuven	Partner	8.12%
W. Eric Pilsk	Partner	7.83%
Eric T. Smith	Partner	7.75%
Thomas A. Bloomfield	Partner	6.47%

DISCLOSURE OF OWNERSHIP / PRINCIPALS FORM

List any disclosures below:
(Mark N/A, if not applicable.)

NAME OF BUSINESS OWNER/PRINCIPAL	NAME OF COUNTY* EMPLOYEE/OFFICIAL AND JOB TITLE	RELATIONSHIP TO COUNTY* EMPLOYEE/OFFICIAL	COUNTY* EMPLOYEE'S/OFFICIAL'S DEPARTMENT
N/A			

*County employee means an employee of Clark County, Clark County Department of Aviation, Clark County Detention Center or Clark County Water Reclamation District.

"Consanguinity" is a relationship by blood.

"Affinity" is a relationship by marriage.

"To the second degree of consanguinity" applies to the candidate's first and second degree of blood relatives as follows:

- Spouse – Registered Domestic Partners – Children – Parents – In-laws (first degree)
- Brothers/Sisters – Half-Brothers/Half-Sisters – Grandchildren – Grandparents – In-laws (second degree)

For County Use Only:

If any Disclosure of Relationship is noted above, please complete the following:

Yes No Is the County employee(s) noted above involved in the contracting/selection process for this particular agenda item?

Yes No Is the County employee(s) noted above involved in anyway with the business in performance of the contract?

Notes/Comments:

Signature

Print Name
Authorized Department Representative