

**SUPPLEMENTAL NO. 3 TO THE PROFESSIONAL ENGINEERING SERVICES
CONTRACT FOR JONES BOULEVARD
BLUE DIAMOND ROAD TO WINDMILL LANE**

THIS Supplemental No. 3 to the Contract, made and entered into this 19th day of September, 2023, between Clark County, Nevada, a political subdivision of the State of Nevada, hereinafter referred to as COUNTY, and R2H Engineering, Inc. d/b/a Horrocks Engineers, Inc., a corporation authorized to do business under the laws of the State of Nevada, hereinafter referred to as ENGINEER. The COUNTY and ENGINEER may herein be referred individually as "Party" or collectively as "Parties".

The initial addresses of the parties, which one party may change by giving notice to the respective other party, are as follows:

COUNTY	ENGINEER
Denis Cederburg, Director Clark County Department of Public Works 500 South Grand Central Parkway, Suite 2066 Las Vegas, Nevada 89155 (702) 455-6020	Wayne Horlacher, Principal R2H Engineering, Inc. d/b/a Horrocks Engineers, Inc. 1401 N. Green Valley Parkway, Suite 160 Henderson, Nevada 89074 (702) 966-4063

W I T N E S S E T H

WHEREAS, on August 2, 2016, the COUNTY and the ENGINEER entered into a contract for professional engineering services ("Contract") for design services for Jones Boulevard, Blue Diamond Road to Windmill Lane; and,

WHEREAS, on December 21, 2021, the COUNTY and the ENGINEER entered into Supplemental No. 1 to the Contract to extend the time of performance due to delays caused by the acquisition of right of way; and,

WHEREAS, on May 17, 2022, the COUNTY, R2H Engineering, Inc., R2H Engineering, Inc. d/b/a Horrocks Engineers, Inc., and Horrocks Engineers, Inc. entered into an Assignment Agreement to assign the Contract from R2H Engineering, Inc. to R2H Engineering, Inc. d/b/a Horrocks Engineers, Inc.; and,

WHEREAS, on June 21, 2022, the COUNTY and the ENGINEER entered into Supplemental No. 2 to the Contract to increase total funds for additional design services; and,

WHEREAS, the Contract is seven (7) years old and the ENGINEER'S labor rates no longer represents the current labor market; and,

WHEREAS, the COUNTY desires to update the ENGINEER'S labor rates to current labor market rates; and,

WHEREAS, the Project's construction will be ongoing for another two (2) years and beyond the current expiration date of the Contract; and,

WHEREAS, the COUNTY desires to extend the time of performance which is required to complete all Basic Services and authorized Special Services; and,

WHEREAS, the Contract Special Service amount has been utilized for additional designs and post design construction support; and,

WHEREAS, the COUNTY desires to add additional Special Service in the amount not to exceed \$50,000; and,

WHEREAS, this Supplemental No. 3 increases funding by \$50,000.00 which brings the total contract amount to \$1,440,404.00.

NOW, THEREFORE, for and in consideration of the premises and mutual covenants herein contained, it is agreed to supplement the Professional Engineering Service Contract dated August 2, 2016, Supplemental No. 1 to the Contract dated December 21, 2021, and Supplemental No. 2 to the Contract dated June 21, 2022, as follows:

ARTICLE IV: TIME OF PERFORMANCE

4.01 Time of Performance

Replace the last paragraph of this section with the following:

Except as otherwise set forth above, the ENGINEER shall complete all Basic Services and authorized Special Services within the completion times prior to June 30, 2026, unless such date is amended by the COUNTY.

ARTICLE V: PAYMENT FOR SERVICES

5.01 Maximum Amount Payable

Revise the first paragraph in this section to read as follows:

The maximum amount payable by the COUNTY to the ENGINEER shall be a sum of money equal to the Basic Service fees plus the Special Services fees, if, as, and when approved by the Director, and provided, however, that under no circumstances may the total amount payable to the ENGINEER under this Contract or in connection with the subject matter of this Contract, exceed the sum of Nine Hundred Eighty Five Thousand One Hundred Twenty-Nine and 00/100 Dollars (\$985,129.00) for the Basic Services fees, and up to Four Hundred Fifty Five Thousand Two Hundred Seventy-Five and 00/100

Dollars (\$455,275.00) for Special Services fees, unless such sum is increased by the Clark County Board of Commissioners, but only to the extent such total sum is increased.

5.02 Basic Services and Special Services Fees

The fees shall be changed to read as follows:

<u>TASK</u>	<u>MAXIMUM AMOUNTS</u>
Basic Services 2.02	\$985,129.00
Special Services 2.03.....	\$455,275.00
Grand Total Basic and Special Services	\$1,440,404.00


The remainder of the Professional Engineering Services Contract dated August 2, 2016, Supplement No. 1 to the Contract dated December 21, 2021, and Supplemental No. 2 to the Contract dated June 21, 2022, remains unchanged.

IN WITNESS WHEREOF, the parties have executed this Supplemental No. 3 Contract as of the date herein above set forth.


CLARK COUNTY, NEVADA

R2H ENGINEERING, INC. D/B/A
HORROCKS ENGINEERS, INC.

Jessica Colvin
Chief Financial Officer


Wayne Horlacher
Principal

APPROVED AS TO FORM:


Ashley A. Balducci
Deputy District Attorney

EXHIBT “A”

Replace the table in EXHIBIT “A” with the following:

MAXIMUM DIRECT SALARY OF THE ENGINEER’S EMPLOYEES STANDARD RATES

CLASSIFICATION	DIRECT SALARY (Not to Exceed) <u>(Standard Rates)</u>
Principal/Associate	\$105.00
Project Manager	\$95.00
Project Engineer	\$70.00
Senior Engineer	\$80.00
Engineering Technician	\$45.00
CADD Technician	\$40.00
Drafter	\$35.00
Secretary	\$25.00

The remainder of the Professional Engineering Services Contract dated August 2, 2016, Supplement No. 1 to the Contract dated December 21, 2021, and Supplemental No. 2 to the Contract dated June 21, 2022 remains unchanged.

DISCLOSURE OF OWNERSHIP/PRINCIPALS

Business Entity Type (Please select one)						
<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Partnership	<input type="checkbox"/> Limited Liability Company	<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Trust	<input type="checkbox"/> Non-Profit Organization	<input type="checkbox"/> Other
Business Designation Group (Please select all that apply)						
<input type="checkbox"/> MBE	<input type="checkbox"/> WBE	<input type="checkbox"/> SBE	<input type="checkbox"/> PBE	<input type="checkbox"/> VET	<input type="checkbox"/> DVET	<input type="checkbox"/> ESB
Minority Business Enterprise	Women-Owned Business Enterprise	Small Business Enterprise	Physically Challenged Business Enterprise	Veteran Owned Business	Disabled Veteran Owned Business	Emerging Small Business
Number of Clark County Nevada Residents Employed:						
73						
Corporate/Business Entity Name: Horrocks Engineers, Inc.						
(Include d.b.a., if applicable)						
Street Address:		2162 West Grove Parkway		Website: www.horrocksengineers.com		
City, State and Zip Code:		Pleasant Grove, UT 84062-6728		POC Name: Wayne Horlacher, wayneh@horrocks.com		
Telephone No:		(801) 763-5100		Fax No: (801) 763-5101		
Nevada Local Street Address:		1401 N. Green Valley Parkway, Suite 160		Website: www.horrocksengineers.com		
(If different from above)						
City, State and Zip Code:		Henderson, Nevada 89074		Local Fax No:		
Local Telephone No:		(702) 966-4063		Local POC Name: Wayne Horlacher, wayneh@horrocks.com		
				Email:		

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 (Not required for Publicly Traded Corporations/Non-profit organizations)
Russell Youd	President/CEO	11.6%
Brian Akinson	Secretary	5.8%
Bryan Foote	Vice President	5.8%
(see attached for additional names)		

This section is not required for publicly-traded corporations. Are you a publicly-traded corporation?

☐ Yes ☒ No

- 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.)
- 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	Wayne Horlacher Print Name
Principal/Senior Vice President	7/5/23 Date

DISCLOSURE OF RELATIONSHIP

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	N/A	N/A	N/A

* County employee means 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 any way with the business in performance of the contract?

Notes/Comments:

Signature

Print Name
Authorized Department Representative

Additional Individuals with 5% or greater Ownership

Full Name	Title	% Owner
Matt Horrocks	Vice President	5.8%
Ron Mortimer	Vice President	5.8%