

**SUPPLEMENTAL NO. 2 TO
PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR
PYLE AVENUE – LAS VEGAS BOULEVARD TO BERMUDA ROAD AND
STARR AVENUE – LAS VEGAS BOULEVARD TO BERMUDA ROAD**

THIS Supplemental No. 2 Contract, made and entered into this 17th day of January 2023, between CLARK COUNTY, NEVADA, a political subdivision of the State of Nevada, hereinafter referred to as “COUNTY”, and POGGEMEYER DESIGN GROUP, 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 89106 (702) 455-6020	Larry V. Carroll, Managing Principal Poggemeyer Design Group, Inc. 6960 Smoke Ranch Road, Suite 110 Las Vegas, Nevada 89128 (702) 255-8100

W I T N E S S E T H

WHEREAS, on August 03, 2021, the COUNTY and the ENGINEER entered into a contract (hereinafter Contract) for professional engineering services for design services for Pyle Avenue – Las Vegas Boulevard to Bermuda Road and Starr Avenue – Las Vegas Boulevard to Bermuda Road; and,

WHEREAS, on May 03, 2022, the COUNTY and the ENGINEER entered into a Supplemental No.1 to the Contract for professional engineering services related to additional traffic signal modification designs and related services portion of the Project; and,

WHEREAS, the COUNTY desires to pursue additional professional engineering services to provide additional design related to roadway cross section modifications for the Starr Avenue improvements portion of the Project with the not to exceed amount of this supplement being \$70,500.00 bringing the total contract amount to \$1,208,176.20. The COUNTY desires to extend the time of performance which is required to complete all Basic Services and authorized Special Services; and,

WHEREAS, the ENGINEER desires to provide such services in exchange for the fees hereinafter specified.

NOW, THEREFORE, for and in consideration of the premises and mutual covenants herein contained, it is agreed as follows:

ARTICLE I: DEFINITIONS

Add the following to the definition of “Project”:

The Starr Avenue, from Las Vegas Boulevard to Bermuda Road, roadway improvements are revised to include the following additional roadway features within the designated right of way:

- Six (6) travel lanes (three lanes in each direction) with new raised center medians and turn pockets, or two-way left-turn lane along Starr Avenue alignment.
- A multi-use lane for mail delivery, garbage trucks and bicycles. It is to be located adjacent to the “L”-type curb and gutter on both sides of Starr Avenue.
- A raised island buffer is be located between the multi-use lane and the outside travel lane along both sides of Starr Avenue.
- A multi-use concrete sidewalk for pedestrians and bicycles. It is to be located adjacent to “L”-type curb and gutter on the south side of Starr Avenue in locations where right of way limits are not suitable for a multi-use lane.
- Striping transitions outside the east and west limits of the Project are to match into existing conditions.

ARTICLE IV: TIME OF PERFORMANCE

4.01 Time of Performance

Delete row 2.02 S from the Time of Performance table and replace with the following row:

2.02 S	90% Plans, Special Provisions and Review Meeting	Within 45 calendar days following the receipt of Notice To Proceed from the Director for Supplement No.2.
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Replace the paragraph at the end of 4.01 Time of Performance with the following:

Except as otherwise provided above, the ENGINEER shall complete all other Basic Services and authorized Special Services by the end of July 31, 2025, unless the Board of County Commissioners amends such date in writing.

ARTICLE V: PAYMENT FOR SERVICES

5.01 Maximum Amount Payable

Delete the first paragraph in this Section and replace with the following:

The maximum amount payable by the COUNTY to the ENGINEER shall be a sum of money equal to the Basic Services fees plus the Special Service 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 One Million Twenty-Six Thousand Six Hundred Thirty-Three and 75/100 Dollars (\$1,026,633.75) for the Basic Service fees, and One Hundred Eighty-One Thousand Five Hundred Forty-Two and 45/100 Dollars (\$181,542.45) 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

Delete the last paragraph in this Section and replace with the following:

In no event may the fees exceed the following Basic Services and the Special Services fees shown below in purposes or amounts:

<u>TASK</u>	<u>MAXIMUM AMOUNTS</u>
Basic Services 2.02 (STARR AVE)	\$543,806.10
Special Services 2.03 (STARR AVE)	\$78,030.40
Grand Total Basic and Special Services (STARR AVE)	\$621,836.50
Basic Services 2.02 (PYLE AVE)	\$482,827.65
Special Services 2.03 (PYLE AVE)	\$103,512.05
Grand Total Basic and Special Services (PYLE AVE)	\$586,339.70
Basic Services 2.02 (STARR AVE AND PYLE AVE)	\$1,026,633.75
Special Services 2.03 (STARR AVE AND PYLE AVE).....	\$181,542.45
Grand Total Basic and Special Services (STARR AVE AND PYLE AVE) .	\$1,208,176.20

The remainder of this Professional Engineering Services Contract dated August 03, 2021, and Supplement No.1 to the Contract dated May 3, 2022, remains unchanged.

IN WITNESS WHEREOF, the parties have executed this Supplemental No. 2 Contract as of the date herein above set forth.

CLARK COUNTY, NEVADA

Randall J. Tarr
Deputy County Manager

POGGEMEYER DESIGN GROUP, INC.



Larry V. Carroll, P.E.
Managing Principal

APPROVED AS TO FORM:



Laura C. Rehfeldt
Deputy District Attorney

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:				51																																																			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Corporate/Business Entity Name: (Include d.b.a., if applicable)</td> <td colspan="6">Kleinfelder, Inc.</td> </tr> <tr> <td>Street Address:</td> <td colspan="3">6960 Smoke Ranch Road Ste 110</td> <td colspan="3">Website: www.kleinfelder.com</td> </tr> <tr> <td>City, State and Zip Code:</td> <td colspan="3">Las Vegas, Nevada 89128</td> <td colspan="3">POC Name: Larry V. Carroll, PE Email:</td> </tr> <tr> <td>Telephone No:</td> <td colspan="3">702.255.8100</td> <td colspan="3">Fax No: 702.255.8375</td> </tr> <tr> <td>Nevada Local Street Address: (If different from above)</td> <td colspan="3"></td> <td colspan="3">Website:</td> </tr> <tr> <td>City, State and Zip Code:</td> <td colspan="3"></td> <td colspan="3">Local Fax No:</td> </tr> <tr> <td>Local Telephone No:</td> <td colspan="3"></td> <td colspan="3">Local POC Name: Email:</td> </tr> </table>							Corporate/Business Entity Name: (Include d.b.a., if applicable)	Kleinfelder, Inc.						Street Address:	6960 Smoke Ranch Road Ste 110			Website: www.kleinfelder.com			City, State and Zip Code:	Las Vegas, Nevada 89128			POC Name: Larry V. Carroll, PE Email:			Telephone No:	702.255.8100			Fax No: 702.255.8375			Nevada Local Street Address: (If different from above)				Website:			City, State and Zip Code:				Local Fax No:			Local Telephone No:				Local POC Name: Email:		
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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)

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.

	Digitally signed by Larry Carroll Date: 2023.01.03 09:37:47 -08'00'	Larry V. Carroll, PE Print Name
Signature		
Senior Managing Principal	01/03/2023	
Title	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
David Alexander, PE, CCM	Joanna Kishner, District Court Judge, Dept. 31	Spouse	Eighth Judicial District Court

* 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