

**SUPPLEMENTAL NO. 2 TO THE
PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR
HOLLYWOOD BOULEVARD FROM LAKE MEAD BOULEVARD TO
CHEYENNE AVENUE**

THIS Supplemental No. 2 Contract, made and entered into this 20th day of September, 2022, between CLARK COUNTY, NEVADA, a political subdivision of the State of Nevada, hereinafter referred to as COUNTY, and KIMLEY-HORN AND ASSOCIATES, 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”.

W I T N E S S E T H

WHEREAS, on June 2, 2020, the COUNTY and the ENGINEER entered into a Professional Engineering Services Contract to design roadway improvements on Hollywood Boulevard from Lake Mead Boulevard to Cheyenne Avenue; and,

WHEREAS, on February 1, 2022, the COUNTY and the ENGINEER entered into Supplemental No. 1 to the Contract to provide alternatives for the roadway cross sections in various portions of the Project, and to provide additional storm drain facilities within Hollywood Boulevard to tie into the existing storm drain facility within Carey Avenue; and,

WHEREAS, engineering services and a time extension to the contract are needed to provide for revising the roadway configuration between Merced Lake Drive and Cheyenne Avenue, based on updated direction provided by the COUNTY, and update contract documents accordingly; and

WHEREAS, this Supplemental No. 2 contract increases funding by \$51,000.00 for special services revising the total contract amount to \$582,450.00, and extending the time of completion from January 30, 2024 to January 30, 2025.

NOW, THEREFORE, for and in consideration of the premises and mutual covenants herein contained, the parties mutually agree to supplement the Professional Engineering Services Contract dated June 2, 2020, and Supplemental No. 1 dated February 1, 2022, as follows:

ARTICLE II: SCOPE OF SERVICES

Add Section 2.03J as follows:

2.03 Special Services

- J. Revise the roadway configuration between Merced Lake Drive and Cheyenne Avenue, based on updated direction provided by the COUNTY, and update contract documents accordingly.

These revisions include, but are not limited to:

1. Paving limits, roadway transitions, curb line changes, and median layouts;
2. Remodel the roadway corridor as needed;
3. Providing a 10-ft wide sidewalk and 5-ft wide landscape buffer on the west side of Hollywood Boulevard,
4. Storm drain system revisions, storm drain profiles, and drainage calculations;
5. Utility adjustments;
6. Signing, striping, traffic signal modifications, and traffic engineering calculations;
7. Updated improvement plans, special provisions and cost estimate,
8. Other engineering and technical services related to the revisions between Merced Lake Drive and Cheyenne Avenue.

ARTICLE IV: TIME OF PERFORMANCE

Revise the last paragraph of 4.01 to read as follows:

4.01 Time of Performance

Except as set forth above, the ENGINEER shall complete all Basic Services and authorized Special Services within completion times as set forth above and by the end of **January 30, 2025**, unless the Board of County Commissioners amends such date in writing.

ARTICLE V: PAYMENT FOR SERVICES

Revise the first paragraph of 5.01 to read as follows:

5.01 Maximum Amount Payable

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 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 Four Hundred Twenty Eight Thousand, Nine Hundred Ninety-Five and 00/100 Dollars (\$428,995.00) for the Basic Service fees, and One Hundred Fifty Three Thousand, Four Hundred Fifty-Five and 00/100 Dollars (\$153,455.00) 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.

Revise the last paragraph in 5.02 to read as follows:

5.02 Basic Services and Special Services Fees

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	A - X	<u>\$428,995.00</u>
Special Services 2.03	A - I	\$61,675.00
Special Services 2.03 Supplemental 1	A(revised) - I	\$40,780.00
Special Services 2.03 Supplemental 2	A(revised) - J	\$51,000.00
Total Special Services		<u>\$153,455.00</u>
Grand Total Basic and Special Services		<u>\$582,450.00</u>


The remainder of the professional services Contract dated June 2, 2020, and Supplemental No. 1 dated February 1, 2022, remain unchanged.

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

CLARK COUNTY, NEVADA


KIMLEY-HORN AND ASSOCIATES, INC.

Randall J. Tarr
Deputy County Manager



Ken Ackeret, P.E., PTOE, Ph.D.
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: 100						
Corporate/Business Entity Name: Kimley-Horn and Associates, Inc.						
(Include d.b.a., if applicable)						
Street Address:		421 Fayetteville St., Ste. 600		Website: www.kimley-horn.com		
City, State and Zip Code:		Raleigh, NC 27601		POC Name: Mindy Zeni		
				Email: mindy.zeni@kimley-horn.com		
Telephone No:		919-678-4121		Fax No: 919-677-2050		
Nevada Local Street Address: (If different from above)		6671 S. Las Vegas Blvd., Ste 320		Website: www.kimley-horn.com		
City, State and Zip Code:		Las Vegas, NV 89119		Local Fax No: n/a		
Local Telephone No:		702-862-3600		Local POC Name: Ken Ackeret		
				Email: ken.ackeret@kimley-horn.com		

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)
Kimley-Horn is a privately-Owned corporation. We have over 450 current owners. No one individual owns more than 5% financial interest in Kimley-Horn		

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	Kenneth Ackeret
Principal	Print Name
Title	Date 8/22/22

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			

* 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