

# CLARK COUNTY BOARD OF COMMISSIONERS

## AGENDA ITEM

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**Petitioner:** Denis Cederburg, Director of Public Works

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**Recommendation:**

**Approve and authorize the Chair to sign a revocable license and maintenance agreement between Clark County and TBC - The Boring Company (Steven Davis, President) to use a portion of the right-of-way in Las Vegas Boulevard, south of Elvis Presley Boulevard, to construct, maintain and operate a point-to-point underground tunnel transit system between the Las Vegas Convention Center and the Resorts World. (For possible action)**

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**FISCAL IMPACT:**

Fund #:	N/A	Fund Name:	N/A
Fund Center:	N/A	Funded PGM/Grant:	N/A
Amount:	N/A		
Description:	N/A		
Additional Comments:	N/A		

**BACKGROUND:**

TBC - The Boring Company ("TBC") desires to construct, maintain and operate a point-to-point underground transit system between the Las Vegas Convention Center ("LVCC") and the Resorts World. The transit system shall consist of two above-ground entrance/exit structures (one at LVCC and one at Resorts World) and one 0.4 mile long tunnel of approximately 13.5 feet in diameter, which a portion will be located within specific locations of Clark County right-of-way in Las Vegas Boulevard, south of Elvis Presley Boulevard, at a depth of not less than 15 feet below the finished surface of the road.

The attached revocable license and maintenance agreement subjects TBC to certain terms and conditions relating to the use of the County right-of-way and operation of the transit system. TBC is required to indemnify, defend, and hold harmless the County from liability and damages relating to its improvements and its actions or inactions. It is also required to maintain commercial general liability insurance naming the County as an additional insured and pay an annual fee. The license may be revoked under certain conditions, such as interference or inconsistency with the public interest, damage to County property, noncompliance with laws, regulations or specifications, or breach of contract, as determined by the Board of County Commissioners at a public hearing. The license requires an annual rental fee for the use of County property. Upon termination of the revocable license and maintenance agreement or abandonment of the system by TBC, the improvements must be secured pursuant to a decommissioning plan.

TBC - The Boring Company currently holds a Clark County Business License.

The District Attorney's Office has reviewed and approved the agreement as to form.

Cleared for Agenda

**02/02/2021**

File ID#

**21-132**