

CARSON CITY REGIONAL TRANSPORTATION COMMISSION

Minutes of the December 8, 2010 Meeting

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A regular meeting of the Carson City Regional Transportation Commission was scheduled for 4:30 p.m. on Wednesday, December 8, 2010 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Shelly Aldean
Vice Chairperson Russell Carpenter
Commissioner Robert Crowell
Commissioner Charles Des Jardins
Commissioner James Mallery

STAFF: Andy Burnham, Public Works Department Director
Darren Schulz, Deputy Public Works Director
Patrick Pittenger, Transportation Manager
Ken Smithson, Transit Coordinator
Joel Benton, Senior Deputy District Attorney
Kathleen King, Deputy Clerk / Recording Secretary

NOTE: A recording of these proceedings, the commission's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

A. CALL TO ORDER AND DETERMINATION OF QUORUM (4:31:34) - Chairperson Aldean called the meeting to order at 4:31 p.m. Roll was called; a quorum was present. Chairperson Aldean congratulated Commissioner Mallery on his recent reappointment.

B. ACTION ON APPROVAL OF MINUTES - November 10, 2010 (4:32:36) - Chairperson Aldean noted the minutes had been electronically sent to the commissioners. She suggested postponing action on approval of the minutes to the January meeting in order to provide the commissioners sufficient opportunity to review them.

C. MODIFICATION OF AGENDA (4:32:54) - None.

D. PUBLIC COMMENT (4:32:59) - None.

E. DISCLOSURES (4:33:19) - None.

F. CONSENT AGENDA (4:33:30) - Chairperson Aldean entertained requests to hear items separate from the consent agenda. When none were forthcoming, she pulled item F-2.

F-1. ACTION TO RESCIND THE RTC's APPROVAL OF CONTRACT NO. 1011-126 WITH THE NEVADA APPEAL FOR THE IMPLEMENTATION AND MANAGEMENT OF A BUS ADVERTISING PROGRAM APPROVED BY THE RTC ON OCTOBER 13, 2010 (4:41:59) - Chairperson Aldean entertained a motion. **Vice Chairperson Carpenter moved to approve item F-1, as presented on the consent agenda. Commissioner Crowell seconded the motion. Motion carried 5-0.**

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F-2. ACTION TO APPROVE CONTRACT NO. 1011-126 WITH THE NEVADA APPEAL FOR THE IMPLEMENTATION AND MANAGEMENT OF A BUS ADVERTISING PROGRAM FOR THE JAC SYSTEM, WITH A CONTRACT TERM OF TWO YEARS - BEGINNING JANUARY 1, 2011 AND ENDING DECEMBER 31, 2012 - AND FIVE (5) ONE-YEAR CONTRACT EXTENSIONS THAT MAY BE EXERCISED BY CARSON CITY (4:34:32) - Chairperson Aldean thanked Mr. Smithson for the quick turnaround on the amended contract, and reviewed revisions to the same. Commissioner Mallery suggested specifically designating the revenue contract under the “fiscal impact” heading of the staff report. Chairperson Aldean recommended requesting the *Nevada Appeal* to prepare a budget. In response to a comment, Mr. Pittenger discussed the set up costs relative to installation of frames that will hold the advertising media. In response to a question regarding Exhibit A, paragraph A.6(2), Mr. Smithson explained the intent to sell as much advertising space as possible. “... that will always take precedence. If we notice that there’s a space ... available that’s unsold and [the City] has an event that we’d like to advertise, then we can have rights to that.” Chairperson Aldean noted the exclusivity provision and that the advertiser must use the *Nevada Appeal* for production services.

Chairperson Aldean entertained questions or comments and, when none were forthcoming, a motion. Vice Chairperson Carpenter expressed appreciation for Chairperson Aldean’s review of the amended contract and concern over the number of changes not being “highlighted” for the commission prior to the meeting. Chairperson Aldean suggested providing the commission with a redlined version of any document with significant revisions in the future. (4:42:32) Chairperson Aldean entertained a motion. **Vice Chairperson Carpenter moved to approve Contract No. 1011-126 with the *Nevada Appeal* for the implementation and management of a bus advertising program for the JAC System, with a contract term of two years, beginning January 1, 2011 and ending December 31, 2012; and five one-year contract extensions that may be exercised by the City; fiscal impact is a revenue contract that may generate up to \$16,456 per year. Commissioner Mallery seconded the motion.** Chairperson Aldean entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 5-0.**

G. PUBLIC MEETING ITEMS:

G-1. INFORMATION AND RATIONALE REGARDING THE USE OF CONSULTING FIRMS TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES ON CITY PROJECTS (4:43:54) - Chairperson Aldean introduced this item, and Mr. Schulz reviewed the agenda report and informational materials which were distributed prior to the start of the meeting. Chairperson Aldean inquired as to a comparison between the cost of salary and benefits for construction management staff and the cost of construction management contractors. Mr. Burnham advised of having compared costs in years past. By way of example, he estimated the Roop Street widening project would require three staff persons with annual salary costs of \$450,000. Mr. Schulz acknowledged that more had been spent on the Roop Street widening project, but the figure included materials testing, equipment, vehicles, etc. Mr. Burnham speculated that the costs likely “wash,” but referred again to the issue of “what do you do with those folks in the down time. ... They usually ... don’t have expertise to do a lot of other things. Additionally, we have found that when we’ve had our own inspectors, they usually ... didn’t come as qualified as what we were able to hire on the outside through the third-party processes. And, as a result, we ended up hiring additional inspectors on top of that. ... Our success ... is certainly better with third-party inspection than it has been with our own inspectors.”

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Chairperson Aldean emphasized that portion of Mr. Schulz's memo relative to liability being shifted from the City to the private contractor. At Chairperson Aldean's request, Mr. Schulz provided additional clarification of paragraph 6, Quality / Innovation. In response to a question, Mr. Schulz advised that the Public Works Department recently published a request for statements of qualification from contractors, a process which is done every 18 months. He advised that 23 firms submitted "on this construction management inspection for Carson City projects." He assured the commission that the Public Works Department is "finding all the expertise we need ... locally. If not specifically Carson City ..., the Reno area and with some support from southern Nevada." Mr. Burnham advised that the Public Works Department is embarking on "another gambit of ... water projects which are going to affect a number of streets. ... There are some components to those projects that are quite complex; pumping stations and that kind of thing where we definitely need the outside expertise ..." He clarified that the Public Works Department operations personnel are responsible for "sign[ing] off on the very end of the project." He advised that a number of the water projects will be presented to the commission in the context of the streets which will be affected. He acknowledged that the costs for said projects will be allocated from the utilities budget.

Commissioner Crowell discussed bills to be considered, during the next legislative session, regarding preferences for local contractors, including construction management firms. In response to a question, Mr. Schulz discussed the differences between the construction management format and the design build construction format. He expressed the opinion that the design build format "makes a lot more sense for bigger projects ... especially building-type projects." He noted that the Nevada Department of Transportation uses the design build format for "their \$50, \$70 million projects." Commissioner Crowell expressed an interest in the type of project for which the design build format is appropriate. "If the design build concept is used right and you have a good system for awarding design build, then you might be able to get it cheaper than doing your normal design bid construction management ... because you can wrap it into one and someone can get the economies of doing it all." Mr. Schulz acknowledged that the Public Works Department is considering the design build format. "... if the right project comes along, we'd like to try it and see how it works for us." Mr. Burnham noted that the design build format is usually faster. "They're motivated to move through the process quickly because that's how they get paid." He assured the commission that Public Works Department staff will be monitoring the bills as they move through the legislature.

Chairperson Aldean entertained public comment. (5:02:50) George Jordy, of PBS&J, discussed a design build project for NDOT on I-80 at "somewhere between \$50 and \$80 million." He acknowledged the benefits of design build projects in that "it'll move quicker because you can design it as you're going." As a former NDOT employee, he discussed his experiences with in-house and contract construction management. He acknowledged that the design build construction format involves a maximum guaranteed price, but clarified the possibility of changes. In response to a question, he discussed PBS&J's varying rates for "tak[ing] the risk of the project as opposed to where you don't take the risk." Chairperson Aldean entertained additional questions or comments and, when none were forthcoming, thanked Mr. Jordy for his attendance and participation.

G-2. INFORMATION ON REDUCED FARE ELIGIBILITY FOR THE JAC FIXED-ROUTE SYSTEM (5:08:14) - Chairperson Aldean introduced this item, and Mr. Smithson provided background information. He acknowledged that concerns expressed by DeeDee Foremaster at the November commission meeting were adequately addressed, and Chairperson Aldean expressed appreciation for staff's time in addressing said concerns. Chairperson Aldean entertained commissioner

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questions and public comments. When none were forthcoming, she thanked Mr. Smithson for the information provided in the agenda materials. (5:17:40) Upon Ms. Foremaster's arrival, Chairperson Aldean re-opened this item for public comment. None was forthcoming.

H. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

H-1. WITHDRAWN

H-2. PROJECT STATUS REPORT (5:09:11) - Chairperson Aldean introduced this item, and entertained questions or comments. When none were forthcoming, she announced the ribbon-cutting ceremony, commemorating the opening of the Roop Street widening project scheduled for Thursday, December 16th at 2:00 p.m. She commended the Corbett Street merchants on their patience, and noted that Mr. Pittenger had personally invited them to attend the ribbon-cutting ceremony. In response to a question, Mr. Benton advised that the commissioners' attendance at the ribbon-cutting ceremony would not constitute an Open Meeting Law violation.

H-3. FUTURE AGENDA ITEMS (5:12:04) - Mr. Pittenger reviewed the tentative January commission agenda. In response to a question, Chairperson Aldean advised that the City Manager and Regional Transportation staff have "conceded that RTC doesn't have a lot of money to contribute" to the City Center project. "It will be predominantly the Utilities [Division] which will bear the brunt of those costs." Mr. Burnham offered to provide information to the commission relative to affected streets and roads as the project progresses. He clarified that the Board of Supervisors has yet to determine whether or not the project moves forward based on the financial feasibility. A brief discussion took place regarding signage elements along the freeway bypass, and Mr. Schulz offered to check into NDOT's plans for "food, gas, and lodging" signs.

I. ACTION ON ADJOURNMENT (5:17:55) - Commissioner Des Jardins moved to adjourn the meeting at 5:17 p.m. Commissioner Crowell seconded the motion. Motion carried 5-0. Chairperson Aldean wished everyone Merry Christmas.

The Minutes of the December 8, 2010 Carson City Regional Transportation Commission meeting are so approved this 12th day of January, 2011.

SHELLY ALDEAN, Chair