

INTERLOCAL COOPERATIVE AGREEMENT APPROVING RTC PROGRAM OF PROJECTS

This Agreement is made and executed this ____ day of _____, 2018, by and between the Board of Commissioners of Washoe County, Nevada, hereinafter referred to as "County", the City Council of Reno, Nevada, hereinafter referred to as "Reno", the City Council of Sparks, Nevada, hereinafter referred to as "Sparks", and the Regional Transportation Commission of Washoe County, hereinafter referred to as "RTC".

WITNESSETH:

WHEREAS, on June 15, 2018, the RTC approved the FY 2019 Program of Projects listed on Exhibit A attached to this Agreement. Each project on Exhibit A is referred to herein as a "Project" and all of such Projects are collectively referred to herein as the "Projects".

WHEREAS, the Projects will require pavement maintenance, rehabilitation, reconstruction, new construction or engineering and environmental analysis, and may require the acquisition of real property through consensual agreements with the owners or through eminent domain proceedings; and

WHEREAS, pursuant to the requirements of NRS 373.140, NRS 377A.080 and the Regional Road Impact Fee (RRIF) Program, the County, Reno, Sparks, and RTC desire by this Agreement to authorize the Projects and to set forth each entity's respective responsibilities with respect to the Projects.

NOW, THEREFORE, pursuant to the provisions of NRS 373.140, NRS 377A.080, NRS Chapter 277A, and the RRIF Ordinances/Manuals, and in consideration of the mutual promises contained herein and for other good and valuable consideration, it is hereby agreed by and between the parties hereto as follows:

I. APPROVAL OF PROJECTS

A. Reno, the County and Sparks hereby approve each and every Project and authorize the RTC to design, survey, engineer, acquire through purchase or eminent domain real property for, and construct, each of the Projects. Approval for any Project for any fiscal year shall be approval for all continued work by or on behalf of the RTC on that Project for any later fiscal year.

The RTC may expend money from one or more than one of the Regional Street and Highway Fund (the "Fuel Tax Fund"), the Transportation Sales Tax Fund (the "Sales Tax Fund") or the Regional Road Impact Fee Fund (the "RRIF Fund") on each Project as listed on the column next to the Project on Exhibit A. The cost of each Project is estimated by the RTC as shown on Exhibit A. These costs are only estimates and the RTC may expend additional monies from any one or more of the Fuel Tax Fund, the Sales Tax Fund or the RRIF Fund on each Project as such additional expenditures are reviewed and approved by the RTC Staff and/or the RTC Board of Commissioners pursuant to the RTC's policies and procedures.

B. Reno, the County and Sparks hereby authorize the RTC to adopt an appropriate resolution of condemnation and initiate and prosecute to judgment such eminent domain proceedings as may be necessary for the acquisition of such property within their respective jurisdictions as the RTC deems necessary for the construction and/or maintenance of any Project and, if prudent, future expansions of each Project identified by the Regional Transportation Plan.

II. RTC DUTIES

RTC agrees to perform the followings tasks and the County, Reno and Sparks hereby authorize the RTC to do so:

A. Provide all required services, including but not limited to design, environmental assessments and studies, surveying, construction engineering, construction management and quality assurance inspection, utilizing RTC staff and/or qualified consultants;

B. Obtain appraisal reports for any property being considered as necessary for the implementation of any Project and, if prudent, future expansions of the Project identified within the Regional Transportation Plan, conduct preliminary negotiations with the owners in an effort to arrive at a mutually agreeable purchase price and negotiate, execute and close contracts to purchase the property;

C. Offer not less than the appraisal value for the property and property rights deemed necessary for a Project and, where the prospect of reaching a mutually agreeable purchase price appears unlikely following reasonable negotiations, cause the RTC Board of Commissioners to adopt a "Resolution of Condemnation" finding that particular properties are necessary to the

success of a Project and authorize legal counsel to seek acquisition through eminent domain proceedings;

D. Coordinate all activities related to a Project including, but not limited to, advertising, receipt and review of construction bids, and execution of a contract with the contractor submitting the lowest responsive and responsible bid;

E. Maintain necessary files on each Project;

F. Pay all authorized Project costs from the Fuel Tax Fund, the RRIF Fund or the Sales Tax Fund. Payments for construction or engineering services will be paid to the contractor or consultant upon receipt of a claim or claims which have been certified as a true and correct account of the expenses incurred as a result of or in conjunction with the provisions of a contract entered into as a result of this Agreement. All submitted claims will have supporting documents attached which substantiate the basis of the claim. Such claim or claims shall be reviewed and approved in accordance with the policies and procedures of the RTC; and

G. Not permit the payment of non-reimbursable or non-payable items established by the policies and procedures of the RTC.

III. COUNTY'S, RENO'S AND SPARK'S DUTIES

The County, Reno and Sparks shall do the following:

A. Cooperate with RTC and its consultants in all phases of each Project located within their respective jurisdictions;

B. Assist the RTC in communicating with the public regarding the Project(s) located within their respective jurisdictions;

C. Accept ownership of and maintain each Project located wholly or partially within their respective jurisdictions upon completion of construction;

D. Upon notification from the RTC, require utilities having franchise agreements that require relocation to relocate their facilities prior to award of the Project in accordance with the franchise agreement; for utilities that do not address the issue of relocation in the franchise

agreement, require relocation of the subject facilities prior to the award of the Project if state law provides authority to do so; and

E. Coordinate development and administration of the Project with the RTC.

This Agreement is effective from and after the date first above written.

APPROVED AS TO LEGALITY AND FORM

BY: _____
RTC GENERAL COUNSEL

REGIONAL TRANSPORTATION COMMISSION OF WASHOE COUNTY

BY: _____
RON SMITH, CHAIR

BOARD OF COMMISSIONERS, WASHOE COUNTY, NEVADA

By: _____
CHAIR

ATTEST:

APPROVED AS TO FORM AND CONTENT:

BY: _____
WASHOE COUNTY CLERK

BY: _____
ATTORNEY

CITY COUNCIL OF RENO, NEVADA

By: _____
MAYOR

ATTEST:

APPROVED AS TO FORM AND CONTENT:

BY: _____
RENO CITY CLERK

BY: _____
DEPUTY CITY ATTORNEY

CITY COUNCIL OF SPARKS, NEVADA

BY: _____
MAYOR

ATTEST:

APPROVED AS TO FORM AND CONTENT:

BY: _____
SPARKS CITY CLERK

BY: _____
DEPUTY CITY ATTORNEY

EXHIBIT A

RTC PROGRAM OF PROJECTS 2019

RTC FISCAL YEAR (FY) 2019 PROGRAM OF PROJECTS (POP) - Approval June 15, 2018
PAVEMENT PRESERVATION, MOBILITY AND CORRIDOR IMPROVEMENT PROJECTS

*** ACTIVITY CODES**

C = CONSTRUCTION (INCLUDES CONSTRUCTION SERVICES)

D = DESIGN

N = ENVIRONMENTAL (NEPA, INCLUDES PRELIMINARY DESIGN)

P = PLANNING

R = RIGHT OF WAY

PROJECT (YEAR OF CONSTRUCTION) & TERMINI	PROJECT OBJECTIVE	CURRENT EST COST	FUNDING SOURCE	PREVIOUSLY APPROVED		FY 19 POP FUNDS (PROPOSED)		TOTAL FUNDS PROGRAMMED (PROPOSED)
				AMOUNT	ACTIVITY *	AMOUNT	ACTIVITY *	
4TH & PRATER BUS RAPID TRANSIT PROJECT (2016) Evans Ave to Pyramid Hwy	CORRIDOR/TRANSIT CAPACITY IMPROVEMENT	\$57,807,102 (INCLUDES BUSES)	FUEL TAX SALES TAX CMAQ/STP/TIGER/SMALL STARTS	\$12,004,879 \$6,250,000 <u>\$39,552,223</u> \$57,807,102	D, R, C			\$12,004,879 \$6,250,000 <u>\$39,552,223</u> \$57,807,102
VIRGINIA STREET BUS RAPID TRANSIT EXTENSION (2017) Plumb to Liberty & Maple to 19TH	CORRIDOR/TRANSIT CAPACITY IMPROVEMENT	\$78,000,000	FUEL TAX FTA CMAQ	\$5,598,000 <u>\$5,042,142</u> \$10,640,142	D, N, R	\$33,000,000	D,C,R	\$38,598,000 <u>\$5,042,142</u> \$43,640,142
ANNUAL PAVEMENT PRESERVATION (2017/2018) Various Regional Roads	PAVEMENT PRESERVATION	\$13,494,893	FUEL TAX	\$7,744,893		\$5,750,000	D,C	\$13,494,893
ANNUAL PAVEMENT PRESERVATION (2018/2019) Various Regional Roads	PAVEMENT PRESERVATION	\$7,425,000	FUEL TAX	\$0		\$7,425,000	D,C	\$7,425,000
ANNUAL PAVEMENT PRESERVATION (2019/2020) Various Regional Roads	PAVEMENT PRESERVATION	\$750,000	FUEL TAX	\$0		\$750,000	D	\$750,000
CLEAN WATER WAY McCarran Blvd. to Treatment Plant	PAVEMENT PRESERVATION	\$2,700,000	FUEL TAX	\$2,700,000				\$2,700,000
SUN VALLEY CORRIDOR MULTI-MODAL IMPROVEMENTS Scottsdale Road to Highland Ranch Parkway	CORRIDOR IMPROVEMENT	\$11,000,000	RRIF FUEL TAX	\$77,500 <u>\$1,472,500</u> \$1,550,000	D			\$77,500 <u>\$1,472,500</u> \$1,550,000
ODDIE/WELLS CORRIDOR MULTI-MODAL IMPROVEMENTS Kuenzli St to Pyramid Hwy	CORRIDOR IMPROVEMENT	\$20,000,000	FUEL TAX	\$77,500 <u>\$1,472,500</u> \$1,550,000	D			\$77,500 <u>\$1,472,500</u> \$1,550,000
ARLINGTON BRIDGES at Truckee River Island to West 1st Street	CORRIDOR IMPROVEMENT	\$500,000	FUEL TAX	\$0		\$500,000	D,N	\$500,000

RTC FISCAL YEAR (FY) 2019 PROGRAM OF PROJECTS (POP) - Approval June 15, 2018
PAVEMENT PRESERVATION, MOBILITY AND CORRIDOR IMPROVEMENT PROJECTS

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PROJECT (YEAR OF CONSTRUCTION) & TERMINI	PROJECT OBJECTIVE	TOTAL PROJECT ESTIMATE	FUNDING SOURCE	PREVIOUSLY APPROVED		FY 19 POP FUNDS (PROPOSED)		TOTAL FUNDS PROGRAMMED (PROPOSED)
				AMOUNT	ACTIVITY *	AMOUNT	ACTIVITY *	
BICYCLE AND PEDESTRIAN IMPROVEMENTS (2018) Mill Street - Terminal Way to McCarran Blvd.	SAFETY	\$3,000,000	FUEL TAX	\$1,147,125	D, C	\$1,874,500	D,C	\$3,021,625
BICYCLE AND PEDESTRIAN IMPROVEMENTS (2018) Keystone Avenue and California Avenue up to Newlands Avenue	SAFETY	\$2,294,250	FUEL TAX	\$1,147,125	D, C	\$1,125,000	D,C,R	\$2,272,125
BICYCLE AND PEDESTRIAN IMPROVEMENTS (2018) Other mobility spots, ADA, Transit to bike-Ped Connectivity	SAFETY	\$800,000	FUEL TAX	\$0		\$790,000	D,C	\$790,000
VICTORIAN AVE BIKE LANES (2019)	SAFETY	\$500,000	FUEL TAX	\$0		\$460,000	D,C	\$460,000
CENTER STREET MULIT-MODAL IMPROVMENTS (2019)	SAFETY	\$1,080,000	FUEL TAX	\$0		\$1,080,000	D,C	\$1,080,000
RENO SPARK INDIAN COLONY RIVERSIDE PATHWAY Truckee River - E. 2nd St to Giroux St	SAFETY	\$1,212,754	SALES TAX NDOT TAP	\$10,638 <u>\$202,116</u> \$212,754	 N			\$10,638 <u>\$202,116</u> \$212,754

PRESERVATION/MOBILITY/CORRIDOR IMPROVEMENT SUMMARY	PREVIOUS APPROVED	FY 19 POP FUNDS (PROPOSED)	PROPOSED TOTAL
RRIF/FUEL & SALES TAX:	\$39,702,660	\$52,754,500	\$92,457,160
FEDERAL/OTHER NON RTC:	<u>\$44,796,481</u>	<u>\$0</u>	<u>\$44,796,481</u>
TOTAL:	\$84,499,141	\$52,754,500	\$137,253,641

RTC FISCAL YEAR (FY) 2019 PROGRAM OF PROJECTS (POP) - Approval June 15, 2018 **CAPACITY AND CONGESTION RELIEF**

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PROJECT (YEAR OF CONSTRUCTION) & TERMINI	PROJECT OBJECTIVE	TOTAL PROJECT ESTIMATE	FUNDING SOURCE	PREVIOUSLY APPROVED		FY 19 POP FUNDS (PROPOSED)		TOTAL FUNDS PROGRAMMED (PROPOSED)
				AMOUNT	ACTIVITY *	AMOUNT	ACTIVITY *	
SOUTHEAST CONNECTOR PHASE 2 (2015) South Meadows Parkway to Clean Water Way	CAPACITY IMPROVEMENT	\$211,325,000	RTC BOND FUEL TAX UTILITY REIMBURSEMENT	\$140,000,000 \$72,006,608 <u>\$1,198,343</u> \$213,204,951	C D, R, N, C	\$2,000,000	C	\$140,000,000 \$74,006,608 <u>\$1,198,343</u> \$215,204,951
PYRAMID FREEWAY/US-395 LINK (TBD) US-395 to Pyramid Hwy (Preliminary Design Only)	CAPACITY IMPROVEMENT	\$15,000,000	NDOT/FED FUEL TAX	\$9,671,464 \$0 \$9,671,464	N D	\$5,000,000	D	\$9,671,464 <u>\$5,000,000</u> \$14,671,464
NORTH VALLEYS IMPROVEMENTS (Package 3) Lemmon Drive and N. Virginia, N. Virginia and Old 395	CAPACITY IMPROVEMENT	\$1,294,500	FUEL TAX	\$0		\$1,294,500	D,C	\$1,294,500
NORTH VALLEYS IMPROVEMENTS (Package 2) US-395 and Lemmon Drive Interchange Red Rock and Moya Intersection	CAPACITY IMPROVEMENT	\$3,900,000	FUEL TAX RRIF	\$900,000 <u>\$2,942,000</u> \$3,842,000	D, C, R			\$900,000 <u>\$2,942,000</u> \$3,842,000
TRAFFIC ENGINEERING SPOT 8 INTERSECTION IMPROVMENTS Various Intersections TBD	CAPACITY IMPROVEMENT	\$3,000,000	RRIF	\$0		\$3,000,000	D,C	\$3,000,000
TRAFFIC ENGINEERING SPOT 7 INTERSECTION IMPROVEMENTS Pyramid Hwy and Calle De La Plata Intersection (design) Prater Way and Lillard Drive Intersection Various Other Signal Improvements	CAPACITY IMPROVEMENT	\$2,750,000	RRIF	\$2,750,000	D, C			\$2,750,000
TRAFFIC MANAGEMENT 1 (2016) DESIGN & PILOT PROJECT	INTELLIGENT TRAFFIC SYSTEMS (ITS)	\$993,000	FUEL TAX CMAQ	\$215,335 <u>\$1,051,365</u> \$1,266,700	D, C			\$215,335 <u>\$1,051,365</u> \$1,266,700
TRAFFIC MANAGEMENT 2A (2017) Fiber Optic Connectivity and ITS Equipment Installation	INTELLIGENT TRAFFIC SYSTEMS (ITS)	\$1,000,000	FUEL TAX	\$840,000	D, C			\$840,000
TRAFFIC MANAGEMENT 2B (2018) Fiber Optic Connectivity and ITS Equipment Installation (with potential right of way)	INTELLIGENT TRAFFIC SYSTEMS (ITS)	\$1,000,000	FUEL TAX	\$1,000,000	D, C, R			\$1,000,000

CAPACITY/CONGESTION RELIEF SUMMARY	PREVIOUS APPROVED	FY 19 POP FUNDS (PROPOSED)	PROPOSED TOTAL
RRIF/FUEL & SALES TAX:	\$81,852,286	\$11,294,500	\$93,146,786
RTC BONDS:	\$140,000,000	\$0	\$140,000,000
FEDERAL/OTHER NON RTC:	<u>\$10,722,829</u>	<u>\$0</u>	<u>\$10,722,829</u>
TOTAL:	\$232,575,115	\$11,294,500	\$243,869,615