

U.S. DEPARTMENT OF TRANSPORTATION

FIRST AMENDED AND RESTATED GRANT AGREEMENT UNDER THE FISCAL YEAR 2022 RAISE GRANT PROGRAM

This agreement is between the United States Department of Transportation (the “USDOT”) and the Nevada Department of Transportation (the “Recipient”).

This agreement reflects the selection of the Recipient to receive a RAISE Grant for the City of Las Vegas GREENVision: Stewart Avenue Complete Streets.

The USDOT and Recipient executed a grant agreement on October 23, 2024 (“the Original Grant Agreement”). This agreement amends and restates in its entirety and replaces the Original Grant Agreement.

If schedule A to this agreement identifies a Designated Subrecipient, that Designated Subrecipient is also a party to this agreement, and the parties want the Designated Subrecipient to carry out the project with the Recipient’s assistance and oversight.

The parties therefore agree to amend and restate the grant agreement to read in its entirety as follows :

ARTICLE 1 GENERAL TERMS AND CONDITIONS.

1.1 General Terms and Conditions.

- (a) In this agreement, “**General Terms and Conditions**” means the content of the document titled “General Terms and Conditions Under the Fiscal Year 2022 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program: FHWA Projects,” dated October 1, 2024, which is available at <https://www.transportation.gov/policy-initiatives/raise/raise-grant-agreements>. The General Terms and Conditions reference the information contained in the schedules to this agreement. The General Terms and Conditions are part of this agreement.
- (b) The Recipient states that it has knowledge of the General Terms and Conditions.
- (c) The Recipient acknowledges that the General Terms and Conditions impose obligations on the Recipient and that the Recipient’s non-compliance with the General Terms and Conditions may result in remedial action, terminating of the RAISE Grant, disallowing costs incurred for the Project, requiring the Recipient to refund to the USDOT the RAISE Grant, and reporting the non-compliance in the Federal-government-wide integrity and performance system.

ARTICLE 2
SPECIAL TERMS AND CONDITIONS.

There are no special terms for this award.

**SCHEDULE A
ADMINISTRATIVE INFORMATION**

1. Application.

Application Title: GREENVision: Stewart Avenue Complete Streets

Application Date: April 13, 2022

2. Recipient's Unique Entity Identifier.

See section 23.3 of the General Terms and Conditions.

3. Recipient Contact(s).

Jason Tyrrell
Senior Road Design Engineer
Nevada Department of Transportation
123 E Washington Ave, Las Vegas, NV 89101
(702) 671-8852
JTyrrell@dot.nv.gov

4. Recipient Key Personnel.

None.

5. USDOT Project Contact(s).

Andrea Gutierrez
LPA & Grants Program Manager
Federal Highway Administration - Nevada Division
705 N. Plaza Street, Suite 220
Carson City, Nevada 89701
775-687-5334
andrea.gutierrez@dot.gov

Khoa Nguyen
Division Administrator
Federal Highway Administration - Nevada Division
705 N. Plaza Street, Suite 220
Carson City, Nevada 89701
(775) 687-1204
khoa.nguyen@dot.gov

6. Payment System.

USDOT Payment System: FMIS

7. Office for Subaward and Contract Authorization.

USDOT Office for Subaward and Contract Authorization: FHWA Division

8. Federal Award Identification Number.

See section 23.2 of the General Terms and Conditions.

9. Designated Subrecipient.

Designated Subrecipient: City of Las Vegas

Subrecipient Contacts:

Joey Paskey
Public Works Director
City of Las Vegas
495 S. Main Street, Las Vegas, NV 89101
702-229-2212
jpaskey@lasvegasnevada.gov

Joe Norby
City Traffic Engineer/Deputy Director of Public Works
City of Las Vegas
495 S. Main Street, Las Vegas, NV 89101
702-229-6331
jnorby@lasvegasnevada.gov

Greg McDermott
Engineering Project Manager
City of Las Vegas
495 S. Main Street, Las Vegas, NV 89101
702-229-2143
gmcdermott@lasvegasnevada.gov

SCHEDULE B PROJECT ACTIVITIES

1. General Project Description.

The project includes the installation of a protected two-way cycle track (east of Eastern Avenue), sidewalk widening and obstruction removal to meet or exceed ADA accessibility guidelines, upgraded lighting, bus stop improvements and amenities, the addition of significant landscaping and street trees, prediction technologies for cyclists and pedestrians near intersections, and a corridor-wide speed limit reduction.

2. Statement of Work.

The project encompasses the planning, design, and construction of Complete Streets improvements along Stewart Avenue between 6th Street and Nellis Boulevard (4.5 miles) in Las Vegas, Nevada.

Project activities will include:

1) Planning and Community Engagement:

- (a) Review recently completed studies
- (b) Develop a community engagement plan and materials
- (c) Identify key stakeholders and develop a plan for involvement and meetings

2) Environmental Study:

- (a) Environmental screening focused on appropriate resources
- (b) Complete appropriate NEPA action for the project

3) Engineering Design:

- (a) Procure an engineering consultant to complete the NEPA and engineering design
- (b) Prepare appropriate studies, community outreach plans, traffic and drainage studies, construction plans, specifications, and cost estimates for the project

4) Construction Phase:

The project will construct the following:

- Protected bike lanes/bikeway, East of Eastern Avenue
- Sidewalk completion and widening
- Reduced speed limit
- Narrowed vehicular travel lanes
- Improved bus stops and shelters
- Sidewalk obstruction removal
- Pedestrian-scale lighting
- Street trees
- Landscaping
- Corridor branding and signage

**SCHEDULE C
AWARD DATES AND PROJECT SCHEDULE**

1. Award Dates.

Budget Period End Date: March 30, 2030

Period of Performance End Date: See section 4.5 of the General Terms and Conditions

2. Estimated Project Schedule.

Milestone	Schedule Date
Planned Construction Substantial Completion and Open to Traffic Date:	March 30, 2029

3. Special Milestone Deadlines.

None.

SCHEDULE D
AWARD AND PROJECT FINANCIAL INFORMATION

1. Award Amount.

RAISE Grant Amount: \$23,900,000

2. Federal Obligation Information.

Federal Obligation Type: Multiple

Obligation Condition Table		
Portion of the Project	Portion of the RAISE Grant	Obligation Condition
Preliminary Engineering	\$1,750,000	
Construction	\$22,150,000	If the FHWA Nevada Division Office confirms the Recipient and Designated Subrecipient have met all the applicable Federal requirements.

3. Approved Project Budget.

Eligible Project Costs			
	Preliminary Engineering	Construction	Total
RAISE Funds:	\$1,750,000	\$22,150,000	\$23,900,000
Other Federal Funds:	\$0	\$3,000,000	\$3,000,000
Non-Federal Funds:	\$1,750,000	\$22,307,895	\$24,057,895
Total:	\$3,500,000	\$47,457,895	\$50,957,895

4. Cost Classification Table

Reserved.

5. Approved Pre-award Costs

On January 30, 2023, the Nevada Department of Transportation and the City of Las Vegas sent a written request to the FHWA Nevada Division for advance construction (23 U.S.C. 115) authorization for preliminary engineering. The NDOT and the City of Las Vegas requested advance construction for \$1,750,000 in RAISE Grant funds. The Division authorized advance construction on June 7, 2023.

Activities under that authorization are approved pre-award costs under 2 C.F.R. 200.458.

**SCHEDULE E
CHANGES FROM APPLICATION**

Scope: No changes.

Schedule: The Project Schedule in the application was based off of a Construction Manager at Risk (CMAR) delivery method. However, after discussions with FHWA and Nevada DOT staff, it was determined this type of delivery would not be practical under the grant. It was requested that the delivery method be modified to a Design-Bid-Build, which added approximately 9-months to the schedule.

Budget: The project was awarded \$3,000,000 in FY23 Congressionally Directed Spending funds. The \$3,000,000 and the required local match for the funds were added to the project budget.

The table below provides a summary comparison of the Project budget.

Fund Source	Application		Schedule D	
	\$	%	\$	%
Previously Incurred Costs				
Federal Funds	0	0	0	0
Non-Federal Funds	0	0	0	0
Total Previously Incurred Costs	0	0	0	0
Future Eligible Project Costs				
RAISE Funds	23,900,000	50	23,900,000	47
Other Federal Funds	0	0	3,000,000	6
Non-Federal Funds	23,900,000	50	24,057,895	47
Total Future Eligible Project Costs	47,800,000	100	50,957,895	100
Total Project Costs	47,800,000	100	50,957,895	100

Other: No changes.

SCHEDULE F
RAISE PROGRAM DESIGNATIONS

1. Urban or Rural Designation.

Urban-Rural Designation: Urban

2. Capital or Planning Designation.

Capital-Planning Designation: Capital

3. Historically Disadvantaged Community or Area of Persistent Poverty Designation.

HDC or APP Designation: Yes

4. Funding Act.

Funding Act: IJJA

SCHEDULE G
RAISE PERFORMANCE MEASUREMENT INFORMATION

Study Area: Stewart Avenue between 6th Street and Nellis Boulevard

Baseline Measurement Date: August 1, 2026

Baseline Report Date: September 1, 2026

Table 1: Performance Measure Table

Measure	Category and Description	Measurement Frequency
Auto Crash Rates by Type/Severity	<p>Safety</p> <p>Crash rates will be measured and reported as crashes per 100 million VMT and identified by the following severity categories: fatal, injury, and property-damage-only (PDO) crashes.</p>	Quarterly
Bike and Pedestrian Counts/Trips	<p>Economic Competitiveness, Quality of Life</p> <p>Average daily bicycle and pedestrian counts using National Bicycle & Pedestrian Documentation Project methodology by conducting hourly counts at key locations in the study area. Counts will be collected on a typical weekday, Saturday and Sunday.</p>	Quarterly

SCHEDULE H
CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE IMPACTS

1. Consideration of Climate Change and Environmental Justice Impacts.

The Recipient states that rows marked with “X” in the following table are accurate:

	The Project directly supports a Local/Regional/State Climate Action Plan that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i>
	The Project directly supports a Local/Regional/State Equitable Development Plan that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i>
	The Project directly supports a Local/Regional/State Energy Baseline Study that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i>
	The Recipient or a project partner used environmental justice tools, such as the EJSCREEN, to minimize adverse impacts of the Project on environmental justice communities. <i>(Identify the tool(s) in the supporting narrative below.)</i>
X	The Project supports a modal shift in freight or passenger movement to reduce emissions or reduce induced travel demand. <i>(Describe that shift in the supporting narrative below.)</i>
	The Project utilizes demand management strategies to reduce congestion, induced travel demand, and greenhouse gas emissions. <i>(Describe those strategies in the supporting narrative below.)</i>
	The Project incorporates electrification infrastructure, zero-emission vehicle infrastructure, or both. <i>(Describe the incorporated infrastructure in the supporting narrative below.)</i>
	The Project supports the installation of electric vehicle charging stations. <i>(Describe that support in the supporting narrative below.)</i>
X	The Project promotes energy efficiency. <i>(Describe how in the supporting narrative below.)</i>
	The Project serves the renewable energy supply chain. <i>(Describe how in the supporting narrative below.)</i>
	The Project improves disaster preparedness and resiliency <i>(Describe how in the supporting narrative below.)</i>

	The Project avoids adverse environmental impacts to air or water quality, wetlands, and endangered species, such as through reduction in Clean Air Act criteria pollutants and greenhouse gases, improved stormwater management, or improved habitat connectivity. <i>(Describe how in the supporting narrative below.)</i>
	The Project repairs existing dilapidated or idle infrastructure that is currently causing environmental harm. <i>(Describe that infrastructure in the supporting narrative below.)</i>
	The Project supports or incorporates the construction of energy- and location-efficient buildings. <i>(Describe how in the supporting narrative below.)</i>
	The Project includes recycling of materials, use of materials known to reduce or reverse carbon emissions, or both. <i>(Describe the materials in the supporting narrative below.)</i>
X	The Recipient has taken other actions to consider climate change and environmental justice impacts of the Project. <i>(Describe those actions in the supporting narrative below.)</i>
	The Recipient has not yet taken actions to consider climate change and environmental justice impacts of the Project but, before beginning construction of the Project, will take relevant actions described in schedule B. <i>(Identify the relevant actions from schedule B in the supporting narrative below.)</i>
	The Recipient has not taken actions to consider climate change and environmental justice impacts of the Project and will not take those actions under this award.

2. Supporting Narrative.

The Project addresses mode shift and climate change by focusing on the increased availability and safety of low-carbon travel modes via the introduction of Complete Streets, which will encourage active transportation and transit. These strategies, when implemented together, can address greenhouse gas emissions by providing the community with more transportation choices, encourage mode shift, reduce vehicle miles traveled, provide environmental benefits, and reduce emissions from internal combustion engine vehicles.

In support of advancing energy efficiency, the Project incorporates resilient and energy efficient Next Generation light emitting diode (LED) luminaires focused along both corridors and at intersections. On average, the energy use associated with LED streetlights is 50% lower than that of traditional high pressure sodium streetlights, as less energy is needed to provide a similar amount of brightness. This increased efficiency will

directly correlate to energy cost savings for the City, freeing up valuable funds for other essential needs.

The Project supports environmental justice, as the improvements implemented are available to disadvantaged communities. One of the fundamental and unique aspects of the Project is utilizing inclusive, equitable engagement and education to inform and improve project quality, enhance community understanding, and address transportation safety for all modes in lower-income, disadvantaged, and overburdened communities. The Project will reduce transportation disparities and enable all people within the multi-modal transportation networks to reach their desired destination safely, affordably, and with a comparable level of efficiency and ease. By focusing engagement, education, and infrastructure improvements on this Justice40 community, the Project will improve mobility for all road users to jobs and business opportunities, increase affordable transportation options, improve safety, and fight climate change.

SCHEDULE I
RACIAL EQUITY AND BARRIERS TO OPPORTUNITY

1. Efforts to Improve Racial Equity and Reduce Barriers to Opportunity.

The Recipient states that rows marked with “X” in the following table are accurate:

	A racial equity impact analysis has been completed for the Project. <i>(Identify a report on that analysis or, if no report was produced, describe the analysis and its results in the supporting narrative below.)</i>
X	The Recipient or a project partner has adopted an equity and inclusion program/plan or has otherwise instituted equity-focused policies related to project procurement, material sourcing, construction, inspection, hiring, or other activities designed to ensure racial equity in the overall delivery and implementation of the Project. <i>(Identify the relevant programs, plans, or policies in the supporting narrative below.)</i>
X	The Project includes physical-barrier-mitigating land bridges, caps, lids, linear parks, and multimodal mobility investments that either redress past barriers to opportunity or that proactively create new connections and opportunities for underserved communities that are underserved by transportation. <i>(Identify the relevant investments in the supporting narrative below.)</i>
X	The Project includes new or improved walking, biking, and rolling access for individuals with disabilities, especially access that reverses the disproportional impacts of crashes on people of color and mitigates neighborhood bifurcation. <i>(Identify the new or improved access in the supporting narrative below.)</i>
	The Project includes new or improved freight access to underserved communities to increase access to goods and job opportunities for those underserved communities. <i>(Identify the new or improved access in the supporting narrative below.)</i>
	The Recipient has taken other actions related to the Project to improve racial equity and reduce barriers to opportunity. <i>(Describe those actions in the supporting narrative below.)</i>
	The Recipient has not yet taken actions related to the Project to improve racial equity and reduce barriers to opportunity but, before beginning construction of the Project, will take relevant actions described in schedule B. <i>(Identify the relevant actions from schedule B in the supporting narrative below.)</i>
	The Recipient has not taken actions related to the Project to improve racial equity and reduce barriers to opportunity and will not take those actions under this award.

2. Supporting Narrative.

Equity is a guiding principle of the City of Las Vegas 2050 Master Plan, as the City strives to be a leader in providing equitable access to services, education, and jobs. Furthermore, the City adopted a comprehensive Diversity, Equity and Inclusion resolution (R-52-2020) in 2020, which states that the City of Las Vegas is committed to equitable wealth creation through supplier diversity. To foster this goal, the City has a diversity outreach officer that works with the supplier community to establish connections and help facilitate small, local, and diverse business success. The City's supplier diversity program provides technical assistance to local emerging small businesses and minority-owned, women-owned, and disabled veteran-owned business enterprises to give those organizations greater access to contracting and procurement opportunities through the following activities:

- Meeting one-on-one with local emerging small businesses to help identify bidding opportunities.
- Facilitating meetings with local businesses and other City staff.
- Advising these businesses of the availability of other community resources.

For federally funded projects, the City carries out the procurement in accordance with federal DBE regulations, and with Nevada Department of Transportation (NDOT) input and oversight of DBE participation goals.

With respect to implementation of the project, it has a specific focus on Stewart Avenue which is on the City's High Injury Network (HIN) and within our Communities of Concern (CoC). CoC were identified to incorporate equity into the data driven analysis, and they identify locations where a high concentration of vulnerable residents live and commute to work. The City of Las Vegas utilized the Regional Transportation Commission of Southern Nevada's (RTC) Access 2050 Regional Transportation Plan (RTP) for equity as it identifies vulnerable resident locations as areas with a high concentration of low-income, people with disabilities, seniors, limited English proficiency, and minority neighborhoods who rely more heavily on bicycling, walking, and/or transit as their primary forms of transportation. Similar to the FHWA Transportation Disadvantaged Census Tracts, the RTC utilized census information to help locate CoC.

The proposed Complete Streets improvements will also provide for an enhanced pedestrian environment through wider sidewalks, shade trees, and lighting to make pedestrian crossings safer and shorter. These enhancements will facilitate better access to jobs, schools, community centers, healthcare, and grocery stores for all road users, including those with disabilities.

**SCHEDULE J
LABOR AND WORK**

1. Efforts to Support Good-Paying Jobs and Strong Labor Standards

The Recipient states that rows marked with “X” in the following table are accurate:

	The Recipient or a project partner has adopted the use of project labor agreements in the overall delivery and implementation of the Project. <i>(Identify the relevant agreements and describe the scope of activities they cover in the supporting narrative below.)</i>
	The Recipient or a project partner has adopted the use of local and economic hiring preferences in the overall delivery and implementation of the Project, subject to all applicable State and local laws, policies, and procedures. <i>(Describe the relevant provisions in the supporting narrative below.)</i>
	The Recipient or a project partner has adopted the use of registered apprenticeships in the overall delivery and implementation of the Project. <i>(Describe the use of registered apprenticeship in the supporting narrative below.)</i>
	The Recipient or a project partner will provide training and placement programs for underrepresented workers in the overall delivery and implementation of the Project. <i>(Describe the training programs in the supporting narrative below.)</i>
	The Recipient or a project partner will support free and fair choice to join a union in the overall delivery and implementation of the Project by investing in workforce development services offered by labor-management training partnerships or setting expectations for contractors to develop labor-management training programs. <i>(Describe the workforce development services offered by labor-management training partnerships in the supporting narrative below.)</i>
	The Recipient or a project partner will provide supportive services and cash assistance to address systemic barriers to employment to be able to participate and thrive in training and employment, including childcare, emergency cash assistance for items such as tools, work clothing, application fees and other costs of apprenticeship or required pre-employment training, transportation and travel to training and work sites, and services aimed at helping to retain underrepresented groups like mentoring, support groups, and peer networking. <i>(Describe the supportive services and/or cash assistance provided to trainees and employees in the supporting narrative below.)</i>

	The Recipient or a project partner has documented agreements or ordinances in place to hire from certain workforce programs that serve underrepresented groups. <i>(Identify the relevant agreements and describe the scope of activities they cover in the supporting narrative below.)</i>
X	<p>The Recipient or a project partner participates in a State/Regional/Local comprehensive plan to promote equal opportunity, including removing barriers to hire and preventing harassment on work sites, and that plan demonstrates action to create an inclusive environment with a commitment to equal opportunity, including:</p> <ul style="list-style-type: none"> a. affirmative efforts to remove barriers to equal employment opportunity above and beyond complying with Federal law; b. proactive partnerships with the U.S. Department of Labor's Office of Federal Contract Compliance Programs to promote compliance with EO 11246 Equal Employment Opportunity requirements; c. no discriminatory use of criminal background screens and affirmative steps to recruit and include those with former justice involvement, in accordance with the Fair Chance Act and equal opportunity requirements; d. efforts to prevent harassment based on race, color, religion, sex, sexual orientation, gender identity, and national origin; e. training on anti-harassment and third-party reporting procedures covering employees and contractors; and f. maintaining robust anti-retaliation measures covering employees and contractors. <p><i>(Describe the equal opportunity plan in the supporting narrative below.)</i></p>
	The Recipient has taken other actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards. <i>(Describe those actions in the supporting narrative below.)</i>
	The Recipient has not yet taken actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards but, before beginning construction of the Project, will take relevant actions described in schedule B. <i>(Identify the relevant actions from schedule B in the supporting narrative below.)</i>
	The Recipient has not taken actions related to the Project to improving good-paying jobs and strong labor standards and will not take those actions under this award.

2. Supporting Narrative.

In 2013, the City of Las Vegas adopted an Equal Opportunity/Non-Discrimination/Anti-Harassment Policy for all employees, applicants, and customers. The policy was further revised in 2020.

The following are excerpts taken from the adopted policy:

"It is the policy of the city to provide equal opportunity to all persons in all aspects of employment, benefits, program offerings, activities and services without regard to race, religion, color, sex, pregnancy, age, national origin, political affiliation, sexual orientation, gender identity or expression, marital status, genetic information, disability, or any other characteristic protected by law.

The city is committed to fostering a work environment in which all individuals are treated with respect and dignity in a professional atmosphere by providing mandatory training for all employees, and by establishing policies prohibiting discriminatory practices, including harassment, bullying and retaliation.

The city maintains a zero-tolerance approach for all acts of discrimination, harassment, bullying and retaliation, regardless of whether such act is considered illegal. Appropriate disciplinary measures, up to and including termination, will be pursued against any employee who is found to have caused, engaged in, encouraged, condoned, or otherwise permitted such conduct, to include any supervisory or responsible employees who fail to take corrective action."

RECIPIENT SIGNATURE PAGE

The Recipient, intending to be legally bound, is signing this agreement on the date stated opposite that party's signature.

Nevada Department of Transportation

_____	By:	_____
Date		Signature of Recipient's Authorized Representative
		Tracy Larkin Thomason

		Name
		Director

		Title

DESIGNATED SUBRECIPIENT SIGNATURE PAGE

The Designated Subrecipient, intending to be legally bound, is signing this agreement on the date stated opposite that party's signature.

City of Las Vegas

Date of Council Action

By: _____
Signature of Recipient's Authorized Representative

Shelley Berkley

Name

Mayor

Title

Attest

LuAnn D. Holmes, MMC
City Clerk

Approved as to Form

John S. Ridilla 12/10/24

Deputy City Attorney

John S. Ridilla
Assistant City Attorney

USDOT SIGNATURE PAGE

The USDOT, intending to be legally bound, is signing this agreement on the date stated opposite that party's signature.

UNITED STATES DEPARTMENT OF
TRANSPORTATION

_____	By: _____
Date	Signature of USDOT's Authorized Representative
	Khoa Nguyen

	Name
	FHWA Nevada Division Administrator

	Title