

Carolyn G. Goodman, Mayor (At-Large)
Brian Knudsen, Mayor Pro Tem (Ward 1)
Victoria Seaman (Ward 2)
Olivia Díaz (Ward 3)
Francis Allen-Palenske (Ward 4)
Cedric Crear (Ward 5)
Nancy E. Brune (Ward 6)



City Manager Mike Janssen
City Attorney Jeff Dorocak
City Clerk LuAnn D. Holmes

City Council Agenda

Council Chambers · 495 South Main Street · Phone 702-229-6011
City of Las Vegas Internet Address: www.lasvegasnevada.gov

October 16, 2024
9:00 AM

17. For possible action to approve award of Modification No. 1 to Contract No. 240140-DD, Appraisal Services - Department of Public Works - Award recommended to: MORSE-KRUEGER & ASSOCIATES, LLC (Increase Amount Not-to-Exceed \$6,000/Total Contract Amount Not-to-Exceed \$56,000 - Road and Flood Capital Projects Fund) - Wards 1, 4 and 5 (Knudsen, Allen-Palenske and Crear)

Motion made by Brian Knudsen to Approve the Consent Agenda except Item(s) 23

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Nancy Brune, Victoria Seaman, Cedric Crear, Carolyn Goodman, Brian Knudsen, Francis Allen-Palenske;
Excused-Olivia Diaz;



AGENDA SUMMARY PAGE
City Council
Meeting of: October 16, 2024

Agenda Item No.:
17

DEPARTMENT: Finance

CONSENT

DIRECTOR: Gayle Lloyd-Leakos, Acting

SUBJECT:

For possible action to approve award of Modification No. 1 to Contract No. 240140-DD, Appraisal Services - Department of Public Works - Award recommended to: MORSE-KRUEGER & ASSOCIATES, LLC (Increase Amount Not-to-Exceed \$6,000/Total Contract Amount Not-to-Exceed \$56,000 - Road and Flood Capital Projects Fund) - Wards 1, 4 and 5 (Knudsen, Allen-Palenske and Crear)

FISCAL IMPACT:

Budget Funds Available

Amount: Increase Amount Not-to-Exceed \$6,000/Total Contract Amount Not-to-Exceed \$56,000

Funding Source: Road and Flood CPF

Dept./Division: Public Works

PURPOSE/BACKGROUND:

This contract for the Cheyenne Avenue Bus Turnout Project was approved by the Purchasing and Contracts Manager on January 16, 2024. This Modification increases contract amount, provides additional scope, and extends the contract expiration date to December 31, 2024. Morse-Krueger & Associates, LLC is located in Las Vegas, Nevada.

RECOMMENDATION:

Approve as recommended, with signature authority granted to the Purchasing and Contracts Manager per R-20-2017.

BACKUP DOCUMENTATION:

1. Modification No. 1 to Contract No. 240140-DD
2. Certificate - Disclosure of Ownership and Principals

CONTRACT MODIFICATION NO. 1
240140-DD APPRAISAL SERVICE FOR CHEYENNE AVENUE BUS TURNOUT PROJECT

THIS MODIFICATION NO. 1 is being entered into, effective as of _____, by and between the CITY OF LAS VEGAS (hereinafter, "City"), a municipal corporation within the State of Nevada having its principal office at 495 South Main Street, Las Vegas, Nevada 89101, and Morse-Krueger & Associates, LLC, (hereinafter the "Company"), a Nevada limited liability company having its principal office at 3140 S Rainbow Blvd # 402, Las Vegas, NV 89146.

The purpose of this Modification is to Add to Scope of Work and Fees.

The Contract between the City and the Company dated 1/16/2024, is hereby modified as follows:

1. Section: A-1 Summary of Contract

REFERENCE: A-1 (a)

DELETE: A-1 (a) in its entirety

ADD: **A-1 Summary of Contract** [CAO-12/30/2020]

This Contract sets forth the terms and conditions for the performance of services described herein, and the execution hereof by the parties hereto forms a legally binding contract. This is a Non-Exclusive Contract.

(a) Contract Synopsis The legally binding Scope of Work is more fully defined in Section C	Appraisal Services for Cheyenne Avenue Bus Turnouts from Cheyenne Avenue between Hualapai Way and Rancho Drive.		
Performance Dates The Performance Period is more fully defined in Section A-2	Award Date See first paragraph	Expiration Date 12/31/2024	Option Periods None
Contract Type As defined in Section B-1	The contract type is firm fixed price.		
Contract Amount This Not-to-Exceed Amount is subject to Section C-2	\$56,000		

2. Exhibit A – Scope of Work and Fees

ADD: Exhibit A - Additional Scope of Work and Fees , attached

IN WITNESS WHEREOF, the parties hereto have caused this Contract Modification to be executed by their duly authorized representatives.

CITY OF LAS VEGAS

Signature Date

Printed Name

Title

ATTEST:

Dr. LuAnn D. Holmes, MMC Date
City Clerk

APPROVED AS TO FORM:

DocuSigned by:
James B. Lewis 9/19/2024 | 4:35 PM PDT
DD1EE26948C54F0...
Deputy City Attorney Date

James B. Lewis

Printed Name

COMPANY

DocuSigned by:
Scott Krueger 9/19/2024 | 4:39 PM PDT
F42300644806407...
Signature Date

Scott Krueger

Printed Name

Manager

Title

MORSE-KRUEGER & ASSOCIATES LLC

REAL ESTATE APPRAISERS AND CONSULTANTS

3140 S. Rainbow Blvd., Suite 402

Las Vegas, Nevada 89146-6234

(702) 386-0068

August 22, 2024

TRANSMITTED VIA ELECTRONIC MAIL

(eyoung@LasVegasNevada.GOV)

Mr. Ed Young
Right-of-Way Agent
Department of Public Works/City Engineering Division
495 S. Main Street, 5th Floor
Las Vegas, NV 89101

RE: Appraisal Update Service Fee Quotation – APNs: 138-11-410-002 and 003 (Project No. CM-0574(008) (Cheyenne Avenue Bus Turnout Project), Cheyenne Avenue between Hualapai Way and Rancho Drive, Las Vegas, Nevada)

Dear Mr. Young:

In response to your request, please consider the following proposal to provide appraisal update services pertaining to the above referenced right-of-way project and properties.

As you are aware, I have previously prepared/completed an appraisal of the above referenced APN's as of May 1, 2024 (my workfile No. 24-113, dated May 16, 2024). As of the effective date of this appraisal, both APN's remained owned by a single entity (Cheyenne Pines, LLC). The "larger parcel" was determined to include both parcels, with a site area of approximately 0.87 net acres or 37,851 square feet (including 1,353 sq. ft. of existing right-of-way which had been already dedicated for a proposed bus turnout), based on a hypothetical condition that it had not yet been dedicated. The appraisal considered a proposed partial acquisition of the 1,353 square foot right-of-way for a but turnout (again, based on the hypothetical condition that it had not yet been dedicated), as well as two permanent easements (one consisting of 125 sq. ft. for a bus shelter pad which had also been previously granted (but with consideration of the hypothetical condition that it had not yet been granted) and one consisting of 44 sq. ft. for an LVVWD equipment and appurtenance), as well as an approximate 3,378 square foot temporary construction easement.

More recently (on May 3, 2024), APN: 138-11-410-003 (consisting of approx. 0.39 net acres, excluding that portion of the fee interest in the proposed bus pad turnout which had been previously dedicated) was sold by the above mentioned prior owner to Cheyenne Torrey LLC. As a result, it is my understanding that you are now requesting that two new separate appraisal reports (one for each of the two APN's which are now held under separate entities) be completed as of a current effective date with this consideration.

APN: 138-11-410-002 (consisting of approx. 0.48 net acres, including 1,353 sq. ft. of right-of-way for a bus turnout which was previously dedicated) will be appraised based on consideration of a proposed partial acquisition consisting of the 1,353 square foot right-of-way for but turnout (based on the hypothetical condition that it had not yet been dedicated and remains owned by Cheyenne Pines LLC), as well as a 125 square foot permanent easement for a bus shelter pad and a 1,687 square foot temporary construction easement. Further and in regard to the 125 square foot permanent easement, a portion (approx. easterlymost 100') is not located within this APN, rather extends on APN: 138-11-410-003. In that regard, this appraisal will also be based on the hypothetical condition that it had not yet been granted and its associated area remains owned in fee by Cheyenne Pines LLC.

APN: 138-11-410-003 (consisting of approx. 0.39 net acres) will be appraised based on consideration of a proposed partial acquisition which will include an approximate 44 square foot permanent easement for LVVWD equipment and appurtenance, as well as an approximate 1,691 square foot temporary construction easement. As that portion of the bus shelter pad easement previously discussed that is located on this parcel has already been dedicated (and considered as part of the acquisition associated with APN: 138-11-410-002), no associated consideration will be made as part of the appraisal of this APN.

MORSE-KRUEGER & ASSOCIATES LLC

Page 2

Individual appraisal reports will each be completed for the purpose of developing an opinion of the market value of the undivided fee simple estate interest in each of the impacted properties in the determination/recommendation of “just compensation” due (resulting from the proposed partial acquisition(s)). As part of this purpose, the scope of work will include the development of an opinion of the market value of 1) the larger parcel (whole before the acquisition); 2) the proposed acquisition (as part of the whole); 3) the remainder (as part of the whole, before the proposed acquisition); 4) the remainder (after the proposed acquisition); and 5) the temporary construction easement, with further consideration and/or estimation of any potential damages and/or benefits.

Each of the appraisal reports will be prepared in compliance with the reporting requirements set forth under the Uniform Standards of Professional Appraisal Practice (USPAP 2024 Edition) as promulgated by the Appraisal Standards Board of the Appraisal Foundation, the Code of Professional Ethics (effective May 13, 2022), and the Standards of Professional Appraisal Practice (including the Standards of Valuation Practice, effective November 12, 2021) as promulgated by the Appraisal Institute, Nevada Revised Statutes (Chapter 37-Eminent Domain), and Nevada Administrative Code (Chapter 645C-Appraisers of Real Estate and Appraisal Management Companies). Each report will also be intended to conform/comply with those understood/expected requirements of, the City of Las Vegas (CLV), the Regional Transportation Commission of Southern Nevada (RTC), and/or Las Vegas Valley Water District (LVVWD). Notably and in consideration of the intended use identified below, the provisions of Chapter 645C (Appraisers of Real Estate and Appraisal Management Companies) of Nevada Revised Statutes do not apply to this potential assignment. Specifically, NRS 645C.150 states “The provisions of this chapter do not apply to: . . . a person who makes an assessment of the value of property in connection with a judicial proceeding for eminent domain brought pursuant to Chapter 37 of NRS.”

The intended user(s) of each appraisal remains understood to be you and/or an authorized representative of the City of Las Vegas (CLV, the client), the Regional Transportation Commission of Southern Nevada (RTC), and/or Las Vegas Valley Water District (LVVWD). The intended use of each appraisal report is understood to be for the assistance in the determination of “just compensation” due for the proposed partial acquisitions.

Based on my understanding of these new appraisal update assignments, the following fees are proposed:

PROPERTY IDENTIFICATION (APN)	CURRENT OWNERSHIP ENTITY	TYPE OF PROPOSED PARTIAL ACQUISITION(S)	APPRAISAL REPORT FEE
Bus Turnout #9 – 6414 W. Cheyenne Ave. APN: 138-11-410-002	Cheyenne Pines LLC	Fee (Right-of-Way), Permanent Easements (Construction/ Maintenance of Bus Pad, etc.), and Temporary Construction Easement	\$3,000
Bus Turnout #9 – 6408 W. Cheyenne Ave. APN: 138-11-410-003	Cheyenne Torrey LLC	Permanent Easement (LVVWD Equipment and Appurtenances), and Temporary Construction Easement	\$3,000
TOTAL PROPOSED FEE:			\$6,000

Any additional subsequent professional services after completion of the appraisal reports (including discussions, meetings, depositions, and court preparation/testimony) would be billed at an additional rate of \$400 per hour.

Thank you for considering our professional appraisal services. Should you have any questions pertaining to this proposal, please do not hesitate to contact me.

Sincerely,



Scott D. Krueger, MAI
Certified General Appraiser
State of Nevada License No. A.0001529-CG
SDK:tis

CERTIFICATE - DISCLOSURE OF OWNERSHIP AND PRINCIPALS

1. Definitions

"City" means the City of Las Vegas.

"City Council" means the governing body of the City of Las Vegas.

"Contracting Entity," means the individual, partnership, or corporation seeking to enter into a contract with the City of Las Vegas.

"Principal" means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members; (e) trust – the trustee and beneficiaries.

2. Policy

In accordance with Resolutions 79-99, 105-99 and RA-4-99, adopted by the City Council, Contracting Entities seeking to enter into certain contracts with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract.

3. Instructions

The disclosure required by the Resolutions referenced above shall be made through the completion of this Certificate. The Contracting Entity shall complete Block 1, Block 2, Block 3, and Block 6. The Contracting Entity shall complete either Block 4 or its alternate in Block 5.

4. Incorporation

This Certificate will be effective for one year from the signature date in Block 6, and will apply to all contracts executed within that period. The Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract(s), and/or a withholding of payments due the Contracting Entity.

Block 1: Contracting Entity

Name: Morse-Krueger + Associates LLC

Address: 3140 S. Rainbow Blvd. #402

City / ST / Zip: Las Vegas, NV 89146

Telephone: 702-386-0068

EIN or DUNS : 81-3874818

Block 2: Description / Subject Matter of Contract

Services for: Valuation

Block 3: Type of Business

☐ Individual ☐ Partnership ☒ Limited Liability Company ☐ Corporation ☐ Trust ☐ Other:

CERTIFICATE – DISCLOSURE OF OWNERSHIP AND PRINCIPALS (CONTINUED)

Block 4: Disclosure of Ownership and Principals

In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1	Scott D. Krueger/Manager	3140 S. Rainbow Blvd. #402 Las Vegas NV 89146	702-386-0068
2	Julie B. Krueger/Manager	3140 S. Rainbow Blvd. #402 Las Vegas NV 89146	702-386-0068
3			
4			
5			
6			
7			
8			
9			
10			

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Ownership and Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: _____

Block 5: Disclosure of Ownership and Principals – Alternate

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____ Number of Pages: _____

Block 6: Contracting Party Certification (Notarized signature required in event of contract award per section 4, "Incorporation")

I certify under penalty of perjury, that all the information provided in this Certificate is current, complete and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.

Scott Muegen

Signature

9/26/24

Date

Subscribed and sworn to before me this 26th day of September, 2024

Tamara Strube

Notary Signature

