

FIRST SUPPLEMENTAL INTERLOCAL CONTRACT

OAKLEY DRAIN, BIRCH STREET TO CAHLAN DRIVE

THIS FIRST SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 13<sup>th</sup> day of July, 2006 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT" and the CITY OF LAS VEGAS, hereinafter referred to as "CITY".

**WITNESSETH**

**WHEREAS**, pursuant to Chapter 543 of the Nevada Revised Statutes, the DISTRICT may approve a project to design and construct flood control improvements; and

**WHEREAS**, the flood control improvements proposed herein are the same as those identified in the 2002 Master Plan as Structure No. FWOK 0020 hereinafter referred to as "PROJECT"; and

**WHEREAS**, the PROJECT is identified and shown on the attached Exhibit "A"; and

**WHEREAS**, the PROJECT has been approved by the DISTRICT on its annual Ten Year Construction Program; and

**WHEREAS**, the PROJECT has regional flood control significance and is located in the same hydrographic area as the Las Vegas Valley.

**WHEREAS**, the City wishes to increase funding and extend the date of completion.

**NOW, THEREFORE**, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

**SECTION II - PROJECT COSTS shall be revised to read as follows:**

The DISTRICT agrees to fund project costs within the limits specified below:

1. The engineering and design shall not exceed \$822,000.
2. The total cost of the contract shall not exceed \$822,000 which includes all of the items described in the paragraph above.

3. A written request must be made to the DISTRICT and approved by the Board to reallocate funds between phases of the project. No other approval by the Lead Entity is required.
4. A written request must be made to the DISTRICT and a Supplemental Interlocal Contract approved by the Board to increase the total cost of the contract noted above prior to payment of any additional funds.

**SECTION III – GENERAL paragraph 14 shall be revised to read as follows:**

14. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to July 1, 2008. The DISTRICT may, at any time thereafter, grant extensions or terminate this Contract after thirty (30) days notice.

Date of District Action: REGIONAL FLOOD CONTROL DISTRICT

July 13, 2006  
 ATTEST:

BY: Lawrence L. Brown III  
 LAWRENCE L. BROWN, III, Chairman

Carolyn Frazier  
 CAROLYN FRAZIER, Secretary

Approved as to Form:

BY: Christopher Figgins  
 CHRISTOPHER FIGGINS  
 Chief Deputy District Attorney

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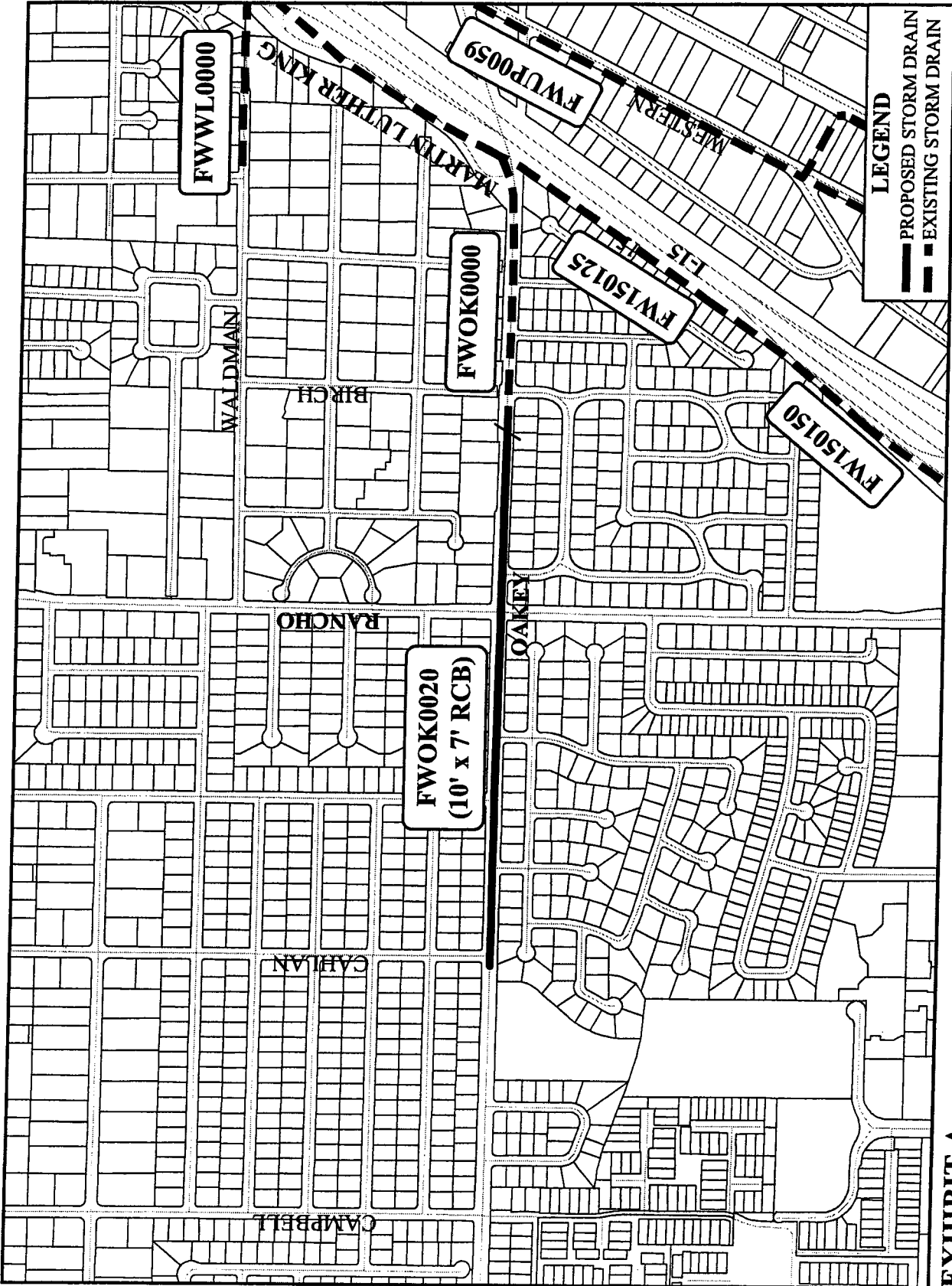
Date of Council Action: CITY OF LAS VEGAS

August 16, 2006  
 ATTEST:

BY: Oscar B. Goodman  
 OSCAR B. GOODMAN, Mayor

Barbara Jo Ronemus  
 BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM  
Thomas R. Green 7/24/06  
 Thomas R. Green Date  
 Deputy City Attorney



**EXHIBIT A**

**OAKEY DRAIN - BIRCH TO CAHLAN**

F:\#Depot\Engineering\_Planning\Flood\ARCVIEW\Exhibit A - Oakey - Birch to Cahlan

