

**CLIFF SHADOWS PARKWAY, BUCKSKIN AVENUE TO LONE MOUNTAIN ROAD**

THIS INTERLOCAL CONTRACT, made and entered into this 16<sup>TH</sup> day of August, 2006 by and between the CITY OF LAS VEGAS, a municipal corporation, hereinafter referred to as the "CITY" and the Regional Transportation Commission of Southern Nevada hereinafter referred to as "RTC".

WITNESSETH

WHEREAS, pursuant to Chapter 373 of the Nevada Revised Statutes, a Project to design, purchase right-of-way, perform construction inspection and construct roadway improvements for Cliff Shadows Parkway, Buckskin Avenue to Lone Mountain Road located wholly within the CITY, has been approved by the Regional Transportation Commission.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, the RTC authorizes the CITY to proceed with the PROJECT as it is mutually understood and agrees as follows.

SECTION I - SCOPE OF PROJECT

This Interlocal Contract applies to improvements associated with Cliff Shadows Parkway, Buckskin Avenue to Lone Mountain Road. The basic improvements include but are not limited to; survey, earthwork, curb, gutter, sidewalks, amenity zone pavement, traffic signs, street lighting, pavement, pavement markings and all other required components.

SECTION II – PROJECT COSTS

The RTC agrees to provide funding for project costs according to Section 6.1 REIMBURSEMENT COSTS of the Policies and Procedures Manual of the RTC within the limits specified below:

1. The total cost for engineering design, contract administration, surveying, inspection, testing, right-of-way engineering, right-of-way negotiations and acquisition, utility relocation and construction shall not exceed \$4,400,000 which includes all of the above items.
1. "Authorization to Proceed" for engineering at a cost not to exceed \$580,000 and for right-of-way other at a cost not to exceed \$20,000 at the time written Authorization to Proceed is received from the RTC.
2. A supplemental interlocal contract will be required for right-of-way acquisition, construction and construction management.
3. A written request must be made to the RTC and an additional supplemental interlocal contract approved to allow exceptions to the adopted policies and procedures of the RTC or the amount noted above prior to payment of any additional funds.

### SECTION III - GENERAL

1. The title sheet of both the plans and specifications shall show the RTC as the funding agency.
2. Preliminary engineering, design and right-of-way engineering shall be performed by the CITY or by a consultant employed by the CITY.
3. The construction and contract administration of the Project shall comply with the requirements as set forth in the current "Policies and Procedures" of the RTC.
4. Construction costs shall be paid directly to the contractor based on estimates prepared by the CITY.

5. The CITY's Department of Public Works has a policy which effectively prohibits utility cuts through the pavement for a period of five years after completion of a project.
6. Upon completion of the construction of the Project it shall be maintained by the responsible entity and no funding is provided by this Interlocal Contract for such maintenance.
7. The project must be completed to the satisfaction of the RTC prior to June 15, 2008. The RTC may at any time thereafter grant time extensions or terminate this Contract and require all sums advanced to the CITY be reimbursed.
8. It is understood and agreed that the purpose of this Interlocal Contract is to fund the Project as hereinabove set forth. It is further understood and agreed that the CITY is responsible for the design and construction of the Project and will hold the other parties to this Interlocal Contract and the RTC harmless for any liability therefore except the funding provided by this Interlocal Contract.

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APPROVED AS TO LEGALITY AND FORM:

  
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ZEY KAPLAN, GENERAL COUNSEL

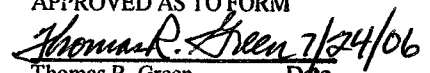
DATE OF COUNCIL ACTION:

CITY OF LAS VEGAS

August 16, 2006  
ATTEST:

By:   
OSCAR B. GOODMAN, MAYOR

  
\_\_\_\_\_  
BARBARA JO RONEMUS, CITY CLERK

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

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DATE OF COMMISSION ACTION:

REGIONAL TRANSPORTATION COMMISSION  
OF SOUTHERN NEVADA

7/13/06  
ATTEST

By:   
\_\_\_\_\_  
BRUCE L. WOODBURY, CHAIRMAN

  
\_\_\_\_\_  
TONI MICHENER  
EXECUTIVE ASSISTANT