

INTERLOCAL CONTRACT
2006-2007 TRAFFIC CAPACITY AND SAFETY
IMPROVEMENT PROJECTS

CONTRACT # 538

This Interlocal Contract, made and entered into this 6th day of Sept., 2006, by and between the County of Clark, a Political Subdivision, the City of Las Vegas, a Municipal Corporation, the City of North Las Vegas, a Municipal Corporation, the City of Henderson, a Municipal Corporation, and the Regional Transportation Commission of Southern Nevada, organized pursuant to Chapter 373 of the Nevada Revised Statutes and Chapter 4.04 of the Clark County Code.

WHEREAS, pursuant to Chapter 373 of the Nevada Revised Statutes, projects thereunder to design, purchase right-of-way, perform construction inspection and construct traffic capacity and safety improvements have been approved by the Regional Transportation Commission.

WITNESSETH

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties; the Regional Transportation Commission of Southern Nevada authorizes the parties to proceed with the improvements as it is mutually understood and agreed, as follows:

SECTION I - SCOPE OF PROJECT

This Interlocal Contract applies to design and construction of traffic capacity and safety improvements within the entities participating in this contract.

SECTION II - PROJECT COSTS

The Regional Transportation Commission of Southern Nevada agrees to provide funding for project costs according to Section 6.1, Reimbursable Costs of the Policies and Procedures Manual of the Regional Transportation Commission, within the limits specified below:

1. The total cost for preliminary engineering, design, right-of way acquisition and right-of-way acquisition expenses, contract administration, surveying, inspection, testing, utility relocation, and construction shall not exceed \$5,250,000 which includes all of the above items.
2. An "Authorization to Proceed" is required for the following two phases of the project, which may be submitted concurrently:
 - (a) Preliminary engineering and design;
 - (b) Right-of-way acquisition, construction and construction engineering.

No funds shall be considered encumbered or allocated and no reimbursement shall be made for any portion of

the improvements until an "Authorization to Proceed" has been approved in accordance with Subsection 2.5 of the Policies and Procedures by the Regional Transportation Commission. The "Authorization to Proceed" shall state a specific amount within the total estimated cost of the improvements, and upon approval by the Regional Transportation Commission, only that amount shall be encumbered and allocated. The "Authorization to Proceed" shall also state the specific improvements to be constructed along with their location.

SECTION III - SPECIAL CONDITION


Each entity shall provide the Regional Transportation Commission (RTC) with a monthly status report in the format presently required by RTC indicating progress of project.

1. The title sheet of both the plans and the specifications shall show the Regional Transportation Commission of Southern Nevada as the funding agency.
2. Preliminary engineering and design shall be performed by the entity, or by a consultant employed by the entity.
3. The design, construction, and contract administration of the improvements shall comply with the requirements as set forth in the current "Policies and Procedures" of the Regional Transportation Commission of Southern Nevada
4. Construction costs may be paid directly to the contractor based on estimates prepared by the entity.
5. Upon completion of the construction of the improvements, it shall be maintained by the responsible entity having jurisdiction and no funding is provided by this agreement for such maintenance.
6. The improvements must be completed to the satisfaction of the Regional Transportation Commission of Southern Nevada by July 1, 2008.
7. It is understood and agreed that the purpose of this contract is to fund the improvements as hereinabove set forth. It is further understood and agreed that the entity is responsible for the design and construction of the improvements and will hold the other parties to this contract and the Regional Transportation Commission harmless for any liability therefore except the funding provided by this contract.

Date of Commission Action:

REGIONAL TRANSPORTATION COMMISSION


7/13/06

BY: 
BRUCE L. WOODBURY, Chairman

Attest:


TONI MICHENER, Executive Assistant

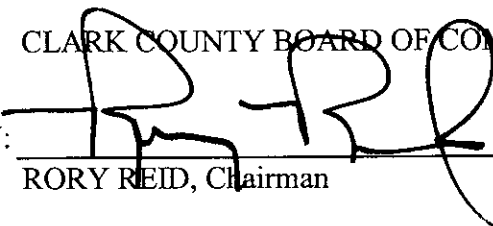
Approved as to Form and Legality:


ZEV KAPLAN, General Counsel

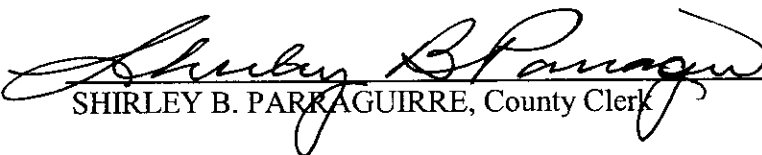
Date of Commission Action:

CLARK COUNTY BOARD OF COMMISSIONERS

1/2/07

BY: 
RORY REID, Chairman

Attest:


SHIRLEY B. PARRAGUIRRE, County Clerk


Date of Council Action:

CITY OF LAS VEGAS


10/18/06

BY: 
OSCAR B. GOODMAN, Mayor

Attest:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM

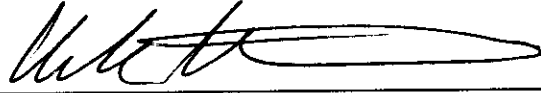
 9/22/06
Thomas R. Green Date
Deputy City Attorney

Date of Council Action:

CITY OF NORTH LAS VEGAS

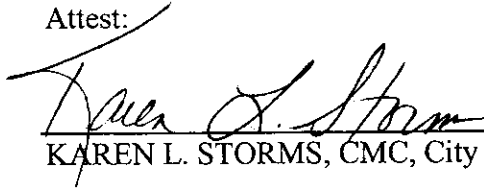
September 6, 2006

BY:



MICHAEL L. MONTANDON, Mayor

Attest:



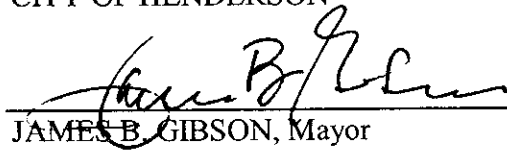
KAREN L. STORMS, CMC, City Clerk

Date of Council Action:

CITY OF HENDERSON

12/5/06

BY:



JAMES B. GIBSON, Mayor

Attest:



MONICA M. SIMMONS, CMC, City Clerk