

**SIXTH SUPPLEMENTAL INTERLOCAL CONTRACT FOR CONSTRUCTION OF
THE LAS VEGAS WASH – RANCHO DRIVE SYSTEM
(CAREY/LAKE MEAD DETENTION BASIN TO PEAK DRIVE)**

THIS SIXTH SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into as of the 9th day of November, 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 generally identified in the 2002 Master Plan Update as Structure Numbers LVPK 0000, LVRA 0000, LVSR 0209, 0223, 0263, and 0273; and 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 Ten Year Construction Program; and

WHEREAS, the DISTRICT entered into an Entity Advance Funding Interlocal Contract for construction and construction management on February 14, 2002, a First Supplemental Interlocal Contract on May 16, 2002 which reduced funding and changed the funding source from the City to the District, a Second Supplemental Interlocal Contract dated August 8, 2002 to increase construction funding, a Third Supplemental Interlocal Contract dated March 13, 2003 to fund a Letter of Map Revision, a Fourth Supplemental Interlocal Contract dated May 20, 2004 to reduce funding; and a Fifth Supplemental Interlocal Contract dated November 10, 2005 to extend the date of completion; and

WHEREAS, the CITY wishes to increase funding and extend the completion date; and

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

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 changed to read as follows:

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

1. Construction costs shall not exceed \$6,044,800.
2. Construction Management shall not exceed \$105,200.
3. FEMA Letter of Map Revision (LOMR) \$203,700.
4. The total cost of this Contract shall not exceed \$6,353,700 which includes all items described in the paragraphs above.
5. Sufficient District funds are now available for the PROJECT. Therefore, the DISTRICT is able to meet its obligation to fully fund the PROJECT and reimburse the CITY for advanced PROJECT costs, without interest, for eligible PROJECT costs incurred after December 14, 2000.
6. 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.
7. 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 10 and 15 shall be revised to read as follows:

10. The DISTRICT will pay the CITY, or make payment directly to its contractor or its consultant, each month for project costs as outlined in SECTION II – PROJECT COSTS. Invoices must identify and allocate all costs to the categories noted below:
 - a. Right-of-Way acquisition including appraisals, title and escrow, negotiations, legal fees, recording fees, etc.
 - b. Pre-design Engineering (all work prior to design, excluding right-of-way)
 - c. Design Engineering
 - d. Construction Engineering

In WITNESS WHEREOF, this Sixth Supplemental Interlocal Contract is hereby executed as of the date first set forth above.

DATE OF DISTRICT ACTION:

REGIONAL FLOOD CONTROL DISTRICT

November 9, 2006
ATTEST

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

Carolyn Frazier
CAROLYN FRAZIER
SECRETARY TO THE BOARD

Approved as to Form:

Christopher Figgins
CHRISTOPHER FIGGINS
CHIEF DEPUTY DISTRICT ATTORNEY

DATE OF COUNCIL ACTION:

CITY OF LAS VEGAS

December 6, 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 11/15/06
DEPUTY CITY ATTORNEY

Exhibit A

RANCHO DRIVE DRAINAGE IMPROVEMENTS (LAS 17 D 02)

F:\depoteng\planning\lood\arcw\rancho\rancho 2004\APR LAYOUT2

April 2004

