

**SUPPLEMENTAL NO. 2 TO THE INTERLOCAL CONTRACT FOR
MARTIN L. KING, PALOMINO LANE TO CAREY AVENUE**

THIS SECOND SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into this 16th day of January, 2008^{7th} 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 the Martin L. King Boulevard, Palomino Lane (north end of the Martin L. King/Industrial Connector) to Carey Avenue, which is totally within the CITY, has been approved by the Regional Transportation Commission.

WHEREAS, the parties have executed an Interlocal Contract dated July 7, 2004 and Supplemental Interlocal Contract on May 19, 2005 for the design, construction, and right-of-way of Martin L. King Boulevard, Palomino Lane to Carey Avenue; and

WHEREAS, the CITY wishes to increase funding for right-of-way acquisition and construction and receive a revised authorization to proceed.

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

SECTION II - PROJECT COSTS

The RTC agrees to provide funding from Question 10 funds 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 \$30,145,000 which includes all of the above items.
2. Construction at a cost not to exceed \$24,425,000.
3. Right-of-Way acquisition in an amount not to exceed \$5,700,000.
4. A written request must be made to the RTC and a 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.

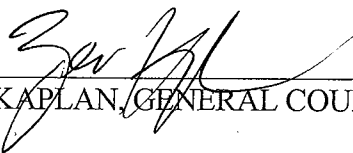
SECTION III – GENERAL paragraph 6 shall be revised to read as follows:

1. The project must be completed to the satisfaction of the RTC prior to December 30, 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.

All other terms of the interlocal contract dated July 7, 2004 and Supplemental Interlocal Contract dated May 19, 2005 shall remain unchanged.

IN WITNESS WHEREOF, this INTERLOCAL CONTRACT is effective as of the date first set forth above.


APPROVED AS TO LEGALITY AND FORM:

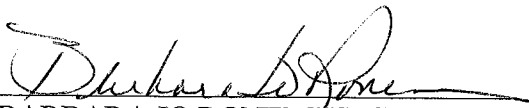

ZEV KAPLAN, GENERAL COUNSEL

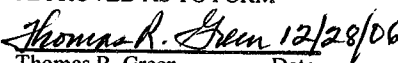
DATE OF COUNCIL ACTION:

CITY OF LAS VEGAS

12/20/06
ATTEST:

By: 
OSCAR B. GOODMAN, MAYOR

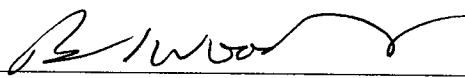

BARBARA JO RONEMUS, CITY CLERK


APPROVED AS TO FORM
 12/28/06
Thomas R. Green Date
Deputy City Attorney

DATE OF COMMISSION ACTION:

REGIONAL TRANSPORTATION
COMMISSION OF SOUTHERN NEVADA

12/14/06
ATTEST

By: 
BRUCE L. WOODBURY, CHAIRMAN


TONI MICHENER
EXECUTIVE ASSISTANT