

**FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT FOR CONSTRUCTION OF  
GOWAN NORTH SYSTEM – PHASE III  
(ALEXANDER ROAD TO LONE MOUNTAIN ROAD)**

THIS FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into as of the 11<sup>th</sup> day of January, 2007 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, Structure No. GONO 0117, 0181 and 0183 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, construction management and FEMA Letter of Map Revision on July 11, 2002, a First Supplemental Interlocal Contract on August 14, 2003 which changed the funding source from the City to the District, a Second Supplemental Interlocal Contract dated May 20, 2004 to increase funding due the bid being higher than the engineer’s estimate, a Third Supplemental Interlocal

Contract dated April 14, 2005 to increase construction funding and a Fourth Supplemental Interlocal Contract dated November 10, 2005 to extend the date of completion; and

**WHEREAS**, the CITY wishes to extend the completion date; and

**WHEREAS**, on June 14, 2001, the Board approved the PROJECT and set a priority for funding; and

**WHEREAS**, the DISTRICT entered into an Entity Advance Funding Interlocal Contract for construction, construction management, and FEMA Letter of Map Revision on July 11, 2002; and

**WHEREAS**, the DISTRICT now has sufficient funds for this PROJECT and is able to meet its obligation to fully fund the PROJECT; and

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

**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 III – GENERAL, paragraphs 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. Predesign Engineering (all work prior to design, excluding right-of-way)



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

Date of District Action:

REGIONAL FLOOD CONTROL DISTRICT

January 11, 2007  
ATTEST  
Jean Bell for  
CAROLYN FRAZIER  
SECRETARY TO THE BOARD

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

Approved as to Form:

Chr Figgins  
CHRISTOPHER FIGGINS  
CHIEF DEPUTY DISTRICT ATTORNEY

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DATE OF COUNCIL ACTION:





CITY OF LAS VEGAS

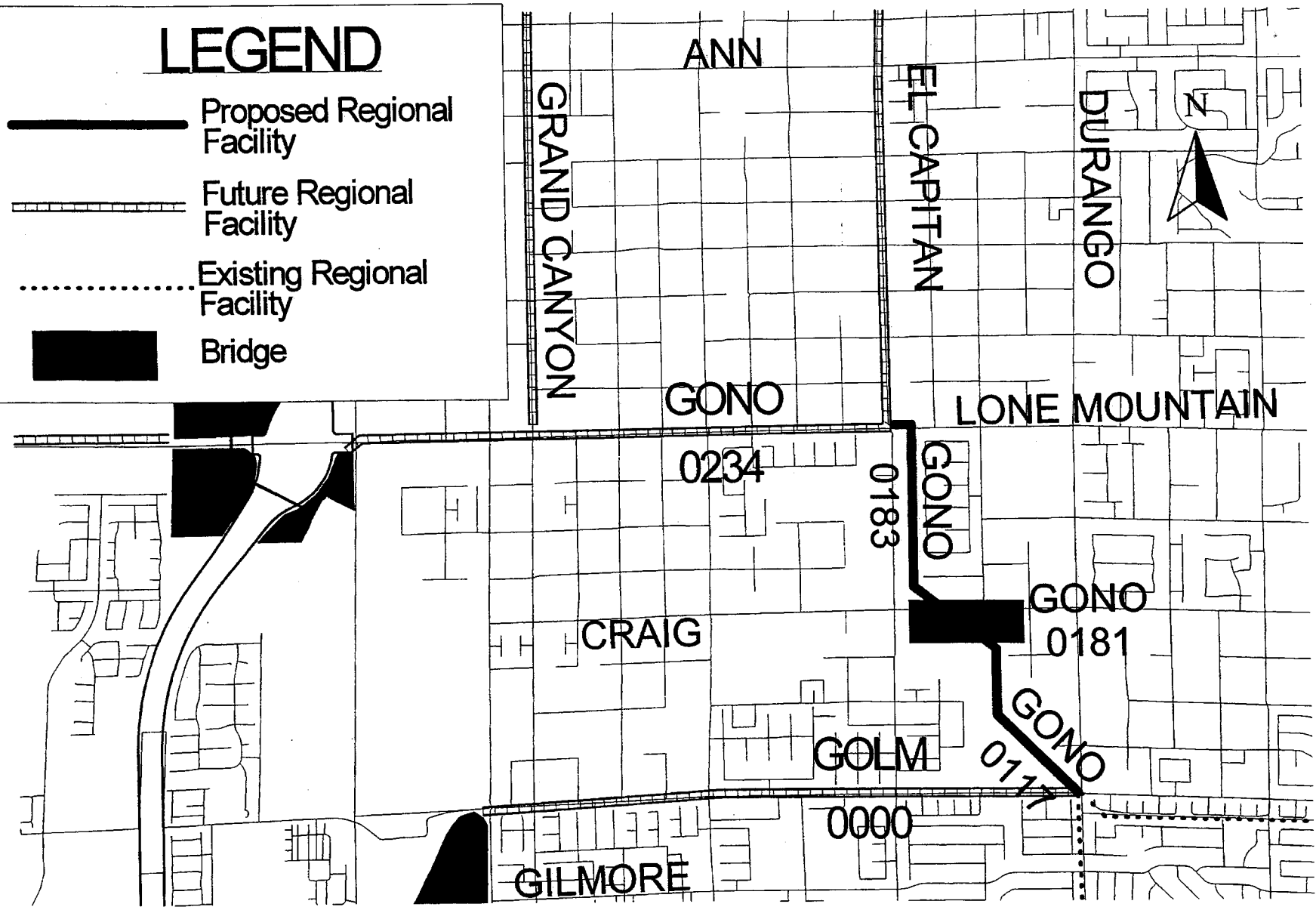
January 17, 2007  
ATTEST  
Beverly K. Bridges  
By: **Beverly K. Bridges, CMC**  
Approved as to Form: **Acting City Clerk**

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

Thomas R. Green 2/9/07  
DEPUTY CITY ATTORNEY  
**Thomas R. Green**

# LEGEND

-  Proposed Regional Facility
-  Future Regional Facility
-  Existing Regional Facility
-  Bridge



## EXHIBIT A

Gowan North System Phase III - (Alexander Road to Lone Mountain Road)