

**SUPPLEMENTAL INTERLOCAL NO 5 TO THE CONTRACT FOR
MARTIN L. KING, PALOMINO LANE TO CAREY AVENUE**

THIS FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into this 12TH day of MARCH, 2007 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 March 13, 2003 and Supplemental Interlocal Contracts on June 12, 2003, August 11, 2005, March 9, 2006 and December 14, 2006 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 total project funding 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 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 \$5,600,000 which includes all of the above items.
2. The City will be granted a revised "Authorization to Proceed" for right-of-way at a cost not to exceed \$400,000, engineering design at a cost not to exceed \$1,625,000 and construction at a cost not to exceed \$3,575,000 at the time written Authorization to Proceed is received from the RTC.
3. 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.

All other terms of the interlocal contract dated March 13, 2003 and Supplemental Interlocal Contracts dated June 12, 2003, August 11, 2005 and March 9, 2006 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:

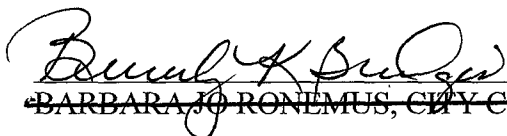

ZEV KAPLAN, GENERAL COUNSEL


DATE OF COUNCIL ACTION:

CITY OF LAS VEGAS

3/7/07
ATTEST:

By: 
OSCAR B. GOODMAN, MAYOR


~~BARBARA J. RONEMUS, CITY CLERK~~

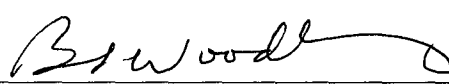
APPROVED AS TO FORM
 2/27/07
Thomas R. Green Date
Deputy City Attorney

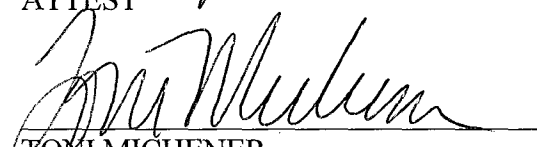
By: Beverly K. Bridges, CMC
Acting City Clerk

DATE OF COMMISSION ACTION:

REGIONAL TRANSPORTATION
COMMISSION OF SOUTHERN NEVADA

2/8/07
ATTEST

By: 
BRUCE L. WOODBURY, CHAIRMAN


TONI MICHENER
EXECUTIVE ASSISTANT