

SUPPLEMENTAL NO. 2 TO INTERLOCAL CONTRACT

JONES BOULEVARD, ELKHORN ROAD TO HORSE DRIVE

THIS INTERLOCAL CONTRACT, made and entered into this 9TH day of APRIL, 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, RTC approved an Interlocal Contract on August 11, 2005 for a project to design, purchase right-of-way, perform construction inspection and construct roadway improvements for Jones Boulevard, Elkhorn Road to Horse Drive, being located totally within the CITY; and

WHEREAS, the RTC previously granted "Authorization to Proceed" for engineering, right-of-way other and right-of-way acquisition; and,

WHEREAS, the CITY desires to increase total contract and receive a revised authorization to proceed for the Project.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, it is mutually agreed to supplement the Interlocal Contract for the Project as follows:

SECTION II – PROJECT COSTS shall be revised to read as follows:

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 \$5,180,000 which includes all of the above items.

2. The City will be granted a revised "Authorization to Proceed" with engineering at a cost not to exceed \$730,000, preparation of right-of-way drawings, descriptions, title reports of the right-of-way required, and appraisals at a cost not to exceed \$170,000 and acquisition at a cost not to exceed \$190,000 at the time written Authorization to Proceed is received from the RTC. The "Authorization to Proceed" shall state a specific amount within the total estimated cost of the Project and, upon approval by the RTC, only that amount shall be encumbered and allocated.

3. A supplemental interlocal contract will be required for construction and construction management.

4. A written request must be made to the RTC and an additional 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.

The remainder of the Interlocal Contracts dated August 11, 2005 and April 13, 2006 shall remain unchanged.

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APPROVED AS TO LEGALITY AND FORM:

Zev Kaplan
ZEV KAPLAN, GENERAL COUNSEL

DATE OF COUNCIL ACTION:

CITY OF LAS VEGAS

April 4, 2007
ATTEST:

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

Beverly K. Bridges
BEVERLY K. BRIDGES, CMC
ACTING CITY CLERK

APPROVED AS TO FORM
Thomas R. Green 4/5/07
Thomas R. Green Date
Deputy City Attorney

DATE OF COMMISSION ACTION:

REGIONAL TRANSPORTATION COMMISSION

3/8/07
ATTEST

By: Bruce L. Woodbury
BRUCE L. WOODBURY, CHAIRMAN

Toni Michener
TONI MICHENER
EXECUTIVE ASSISTANT