

KYLE CANYON INTERCHANGE AT US-95

THIS INTERLOCAL CONTRACT, made and entered into this 18<sup>TH</sup> day of July, 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 the "RTC".

WITNESSETH

WHEREAS, pursuant to Chapter 373 of the Nevada Revised States, the Regional Transportation Commission may approve and fund projects to improve streets or highways; and

WHEREAS, the CITY desires to improve streets and highways within the City in accordance with the improvements set forth herein, and hereinafter referred to as the "PROJECT"; and

WHEREAS, the facilities upon which improvements will be done are facilities eligible for RTC funding.

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 I - SCOPE OF PROJECT

This Interlocal Contract applies to engineering and construction for an overpass with associated ramps at Kyle Canyon Interchange at US-95. A majority of the construction funds will come from an area developer once the design is completed. The basic improvements include but are not limited to; survey, earthwork, traffic signs, street lighting, pavement, pavement markings, and all other required components.

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 \$3,500,000 which includes all of the above.

2. "Authorization to Proceed" for engineering design at a cost not to exceed \$1,500,000 at the time written Authorization to Proceed is received from the RTC.
3. A separate request for an "Authorization to Proceed" will be required for construction and construction engineering.
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.

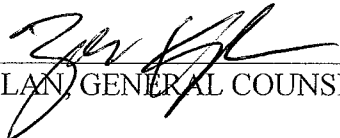
**SECTION III - GENERAL**

1. The title sheet of both the plans and specifications shall show the Regional Transportation Commission as funding agency.
2. The network condition assessment, analysis, preliminary engineering, and design shall be performed by the CITY or by a consultant employed by the CITY.
3. The design, construction, and contract administration of the Project shall comply with the requirements as set forth in the current "Policies and Procedures" of the Regional Transportation Commission of Southern Nevada.
4. Upon completion of the construction of the improvements, it shall be maintained by the responsible entity having jurisdiction and no funding is provided by this agreement for maintenance.
5. The improvements must be completed to the satisfaction of the Regional Transportation Commission of Southern Nevada by June 30, 2009.
6. The City's Department of Public Works has a policy which effectively prohibits utility cuts through the pavement for a period of five years after completion of a project.
7. It is understood and agreed that the purpose of this Inter-local Contract is to fund the improvements as hereinabove set forth. It is further understood and agreed that the CITY is responsible for the design and construction of the improvements and will hold the other parties to this contract and the Regional Transportation Commission harmless for any liability therefore except the funding provided by this contract.

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

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APPROVED AS TO LEGALITY AND FORM:


  
ZEV KAPLAN, GENERAL COUNSEL


DATE OF COUNCIL ACTION:

CITY OF LAS VEGAS

7/18/07  
ATTEST:

By:   
OSCAR B. GOODMAN, MAYOR

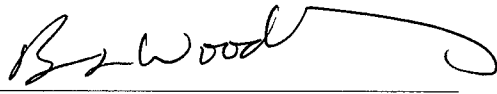
  
BEVERLY K. BRIDGES, CMC  
ACTING CITY CLERK

APPROVED AS TO FORM  
 6/25/07  
Thomas R. Green Date  
Deputy City Attorney

DATE OF COMMISSION ACTION:

REGIONAL TRANSPORTATION COMMISSION  
OF SOUTHERN NEVADA

June 14, 2007  
ATTEST

By:   
BRUCE L. WOODBURY, CHAIRMAN

  
TONI MICHENER  
EXECUTIVE ASSISTANT