

**SECOND SUPPLEMENTAL INTERLOCAL CONTRACT
GOWAN LONE MOUNTAIN SYSTEM –
CLIFF SHADOWS PARK**

THIS INTERLOCAL CONTRACT made and entered into as of the _____ day of _____, 2008 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 identified in the 2002 Master Plan, Structures No. GOLM 0268 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 annual Ten Year Construction Program; and

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

WHEREAS, the CITY wishes to extend the project completion date.

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)
 - c. Design Engineering
 - d. Construction Engineering

- e. Construction (all work after award of construction contract)
- f. Environmental: costs incurred by the Lead Entity for the preparation o environmental documentation applicable to the project and costs incurred for the implementation of mitigation measure provided in an environmental document (e.g., EIS OR EA)
- g. Other including landscaping, flood insurance rate map amendments or revisions, etc.

15. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to June 15, 2009. The DISTRICT may, at any time thereafter, grant extensions or terminate this Contract after thirty (30) days notice.

All other sections of the Interlocal Contract dated September 8, 2005 and First Supplemental Interlocal contract dated August 10, 2006 shall remain unchanged.

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

Date of District Action: REGIONAL FLOOD CONTROL DISTRICT

ATTEST: BY: LAWRENCE L. BROWN, III, Chairman

CAROLYN FRAZIER, Secretary to the Board

Approved as to Form:

BY: CHRISTOPHER FIGGINS Chief Deputy District Attorney

Date of Council Action: CITY OF LAS VEGAS

ATTEST: BY: OSCAR B. GOODMAN, Mayor

BEVERLY K. BRIDGES, CMC City Clerk

Approved as to form

John S. Ridilla 2/19/08 Date Deputy City Attorney

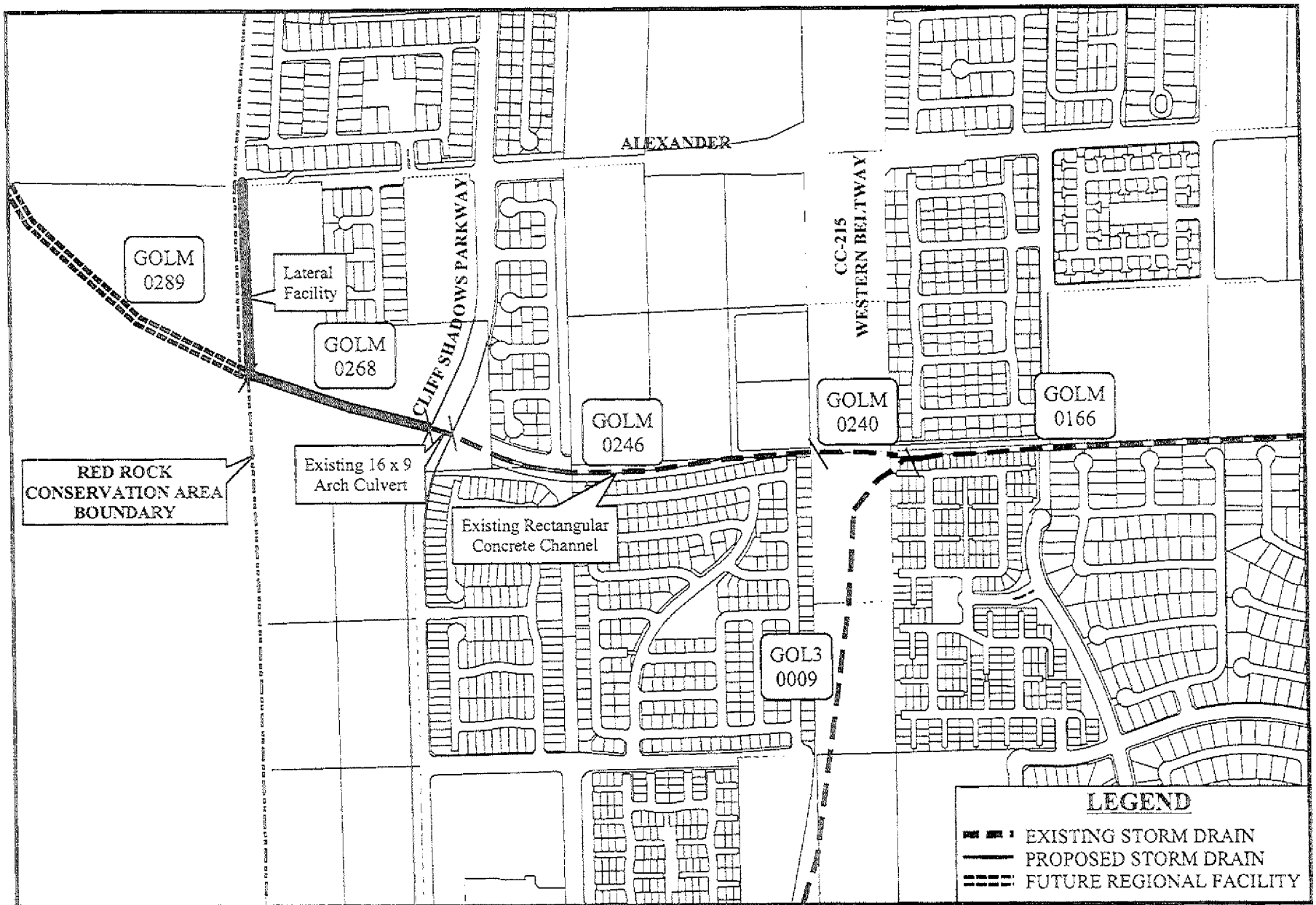


EXHIBIT A
GOWAN LONE MOUNTAIN SYSTEM (LAS.10.Y.05)
(GILMORE CLIFF SHADOWS PARK ARCH CULVERT EXTENSION)

