

**INTERLOCAL CONTRACT
OFF-STREET SHARED USE PATH MAINTENANCE
FISCAL YEAR 2007**

This Interlocal Contract, made and entered into this _____ day of _____, 2008, by and between the County of Clark, a Political Subdivision of the State of Nevada; the City of Las Vegas, a Municipal Corporation; the City of North Las Vegas, a Municipal Corporation; and the City of Henderson, a Municipal Corporation hereinafter referred to as “ENTITIES” and the Regional Transportation Commission of Southern Nevada, hereinafter referred to as “RTC” organized pursuant to Chapter 373 of the Nevada Revised Statutes and Chapter 4.04 of the Clark County Code.

WHEREAS, pursuant to Chapter 373 of the Nevada Revised Statutes, projects thereunder to provide a portion of the annual maintenance costs for Off-Street Shared Use Path have been approved by the Regional Transportation Commission.

WHEREAS, the facilities upon which reimbursable maintenance activities will be completed are identified in the RTC’s adopted Off-Street Shared Use Path Network.

WITNESSETH

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties; the Regional Transportation Commission of Southern Nevada authorizes the parties to proceed with the maintenance as it is mutually understood and agreed, as follows:

SECTION I - SCOPE OF PROJECT

This Interlocal Contract applies to reimbursement of annual maintenance costs associated with the Off-Street Shared Use Path, hereinafter referred to as “PROJECT”. The PROJECT maintenance activity reimbursement shall be limited to facilities which comply with the design standards set forth by the Uniform Standard Drawing for Public Works’ Construction Off-Site Improvements, Clark County Area, Nevada. The PROJECT reimbursement shall also be limited to the maintenance activities within the right-of-way of the paved path (trail), including pavement markings, signs and safety lighting associated to the path (trail).

SECTION II - PROJECT COSTS

The Regional Transportation Commission of Southern Nevada agrees to provide funding for PROJECT maintenance costs according to the “Policy for Reimbursement of Maintenance Costs for Off-Street Shared Use Path (Trail)” located in the appendix of the RTC Policies and Procedures within the limits specified below:

1. The total PROJECT cost shall not exceed \$846,400.00 allocated to the ENTITIES as follows

a:	Clark County:	24.8 miles	\$198,400.00
b:	City of Las Vegas:	44.0 miles	\$352,000.00
c:	City of North Las Vegas	2.6 miles	\$20,800.00
d:	City of Henderson	34.4 miles	\$275,200.00

2. An "Authorization to Proceed" for will be granted for the PROJECT in an amount not to exceed \$846,000.00. No funds shall be considered encumbered or allocated and no reimbursement shall be made for any portion of the project until an "Authorization to Proceed" has been approved in accordance with Subsection 2.5 of the RTC Policies and Procedures.

SECTION III - GENERAL

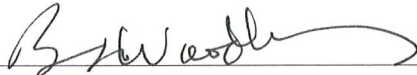
1. Funding for the PROJECT will be approved by RTC.
2. ENTITIES and RTC agree that requests for reimbursement and subsequent payment shall conform to the Invoice Payment Policy of Subsection 6.3 of the RTC Policies and Procedures.
3. The PROJECT must be completed to the satisfaction of the RTC by June 1, 2008.
4. This contract may be terminated by mutual consent of the RTC and the ENTITIES.
5. It is understood and agreed that the purpose of this Contract is to fund the PROJECT as herein above set forth. It is further understood and agreed that the ENTITIES are responsible for the PROJECT. The ENTITIES will be responsible for the actions or inactions of their Officers and Employees. The RTC's sole responsibility is to provide the funding stated in this Contract. The RTC disavows any responsibility for the actions or inactions of the ENTITIES, their Officers, Employees, or agents.

...
...
...
...
...
...
...
...
...

Date of Commission Action:

REGIONAL TRANSPORTATION COMMISSION

3/13/08

BY: 
BRUCE L. WOODBURY, Chairman

Attest:


TONI MICHENER, Executive Assistant

Approved as to Form and Legality:


ZEV KAPLAN, General Counsel

Date of Commission Action:

CLARK COUNTY BOARD OF COMMISSIONERS

BY: _____
RORY REID, Chairman

Attest:

SHIRLEY B. PARRAGUIRRE, County Clerk

Date of Council Action:

CITY OF LAS VEGAS

BY: _____
OSCAR B. GOODMAN, Mayor

Attest:

BEVERLY K. BRIDGES, CMC, City Clerk

Date of Council Action:

CITY OF NORTH LAS VEGAS

BY:

MICHAEL L. MONTANDON, Mayor

Attest:

KAREN L. STORMS, CMC, City Clerk

Date of Council Action:

CITY OF HENDERSON

BY:

JAMES B. GIBSON, Mayor

Attest:

MONICA M. SIMMONS, CMC, City Clerk