

**THIRD SUPPLEMENTAL INTERLOCAL CONTRACT FOR
ELKHORN ROAD OVERPASS AT US-95**

THIS THIRD SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into this 19th day of November, 2008, 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 April 8, 2004 and a First Supplemental Interlocal Contract dated June 10, 2004 and Second Supplemental Interlocal Contract dated December 14, 2006 for a project to perform construction inspection and construction of the Elkhorn Road Overpass at US-95; and

WHEREAS, the RTC previously granted “Authorization to Proceed” for construction and construction engineering; and,

WHEREAS, the CITY desires to decrease the 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:

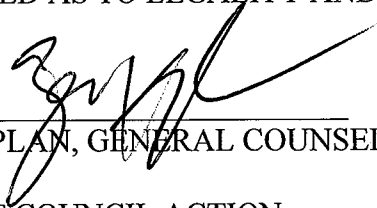
The RTC agrees to provide funding for the project costs according to Section 6.1 REIMBURSEMENT COSTS of the Policies and Procedures Manual of the RTC within the limits specified below:

1. The total cost for construction, engineering design, right of way acquisition, and right of way other shall not exceed \$11,090,000 which includes all of the above items.
2. The City will receive a revised “Authorization to Proceed” for construction at a cost not to exceed \$10,223,000, engineering at a cost not to exceed \$111,000, acquisition at a cost not to exceed \$703,000, and right-of- way other at a cost not to exceed \$53,000.
3. 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 original Interlocal Contract dated April 8, 2004, First Supplemental Interlocal Contract dated June 10, 2004 and Second Supplemental Interlocal Contract dated December 14, 2006 shall remain unchanged.

IN WITNESS WHEREOF, this Supplemental Interlocal Contract is hereby executed as of the date first set forth below:

APPROVED AS TO LEGALITY AND FORM:



ZEV KAPLAN, GENERAL COUNSEL

DATE OF COUNCIL ACTION:

CITY OF LAS VEGAS

11-19-08
ATTEST:

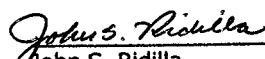
By: 

OSCAR B. GOODMAN, MAYOR



BEVERLY K. BRIDGES, CMC
CITY CLERK

Approved as to form

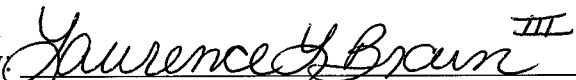
 10/15/08

John S. Ridilla Date
Deputy City Attorney

DATE OF COMMISSION ACTION:

REGIONAL TRANSPORTATION COMMISSION

10/9/08
ATTEST

By: 

LAWRENCE L. BROWN, III, CHAIRMAN



TONI MICHENER
EXECUTIVE ASSISTANT