

FIRST SUPPLEMENTAL INTERLOCAL CONTRACT

LAS VEGAS WASH – DECATUR BOULEVARD (ELKHORN ROAD TO FARM ROAD)

THIS FIRST SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 18th day of January, 2009 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".

W I T N E S S E T H

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 generally identified in the 2002 Master Plan Update as Facility Number LVDE 0000 and the 2008 Master Plan Update as Facility Numbers LVDE 0000 and 0027 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, an Interlocal Contract was entered into between the CITY and the DISTRICT on July 10, 2008; and

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

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 I - SCOPE OF THE PROJECT

THIS INTERLOCAL CONTRACT applies to construction management and construction associated with the Las Vegas Wash – Decatur Boulevard (Elkhorn Road to Farm Road). The basic improvements shall consist of flood water facilities including pipes, channels, dikes, energy dissipators, channel structures, channel access and other appurtenances as may be necessary to control floodwaters. The improvements shall be funded through DISTRICT funds as herein described. This project is further identified and shown on the attached Exhibit "A".

SECTION II – PROJECT COSTS, shall be changed to read as follows

The DISTRICT agrees to fund project costs within the limits specified below:

1. Construction management at a cost not to exceed \$302,717.
2. Construction at a cost not to exceed \$ 3,010,000.
3. The total cost of the contract shall not exceed \$3,312,717 which includes all of the items described in the paragraphs above.
4. A written request must be made to the DISTRICT and approved by the Board to reallocate funds between phases of the project. No other approval by the Lead Entity is required.
5. A written request must be made to the DISTRICT and a Supplemental Interlocal Contract approved by the Board to increase the total cost of the contract noted above prior to payment of any additional funds.

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IN WITNESS WHEREOF, the Parties have caused this Interlocal Contract to be executed by their duly authorized representatives the day and year first above written.

Date of Council Action

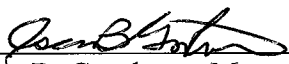
5/20/09

Date of District Action

January 12, 2009

City of Las Vegas

Regional Flood Control District

By: 
Oscar B. Goodman, Mayor

By: 
LAWRENCE L. BROWN, III,
Chairman

Attest

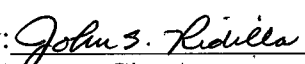
Attest

By: 
~~Beverly K. Bridges, CMC~~
~~City Clerk~~
By **Vicky Darling, CMC**
Acting City Clerk

By: 
Carolyn Frazier
Secretary to the Board

Approved as to form

Approved as to Form

By:  4/27/09
Deputy City Attorney Date

By:  2/12/09
Christopher Figgins Date
Chief Deputy District Attorney

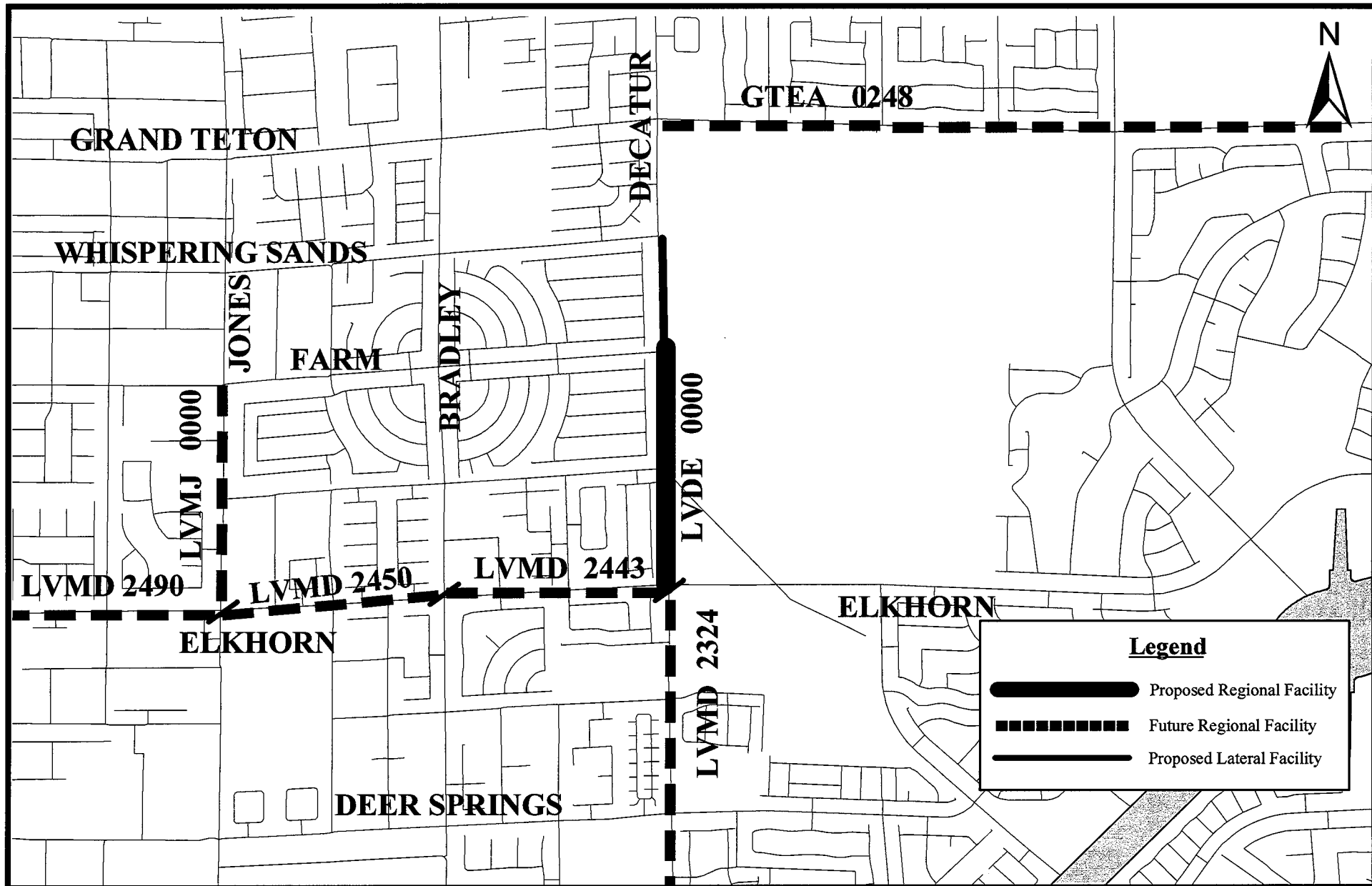


EXHIBIT A

LAS VEGAS WASH-DECATUR, ELKHORN ROAD TO FARM ROAD (LAS22I08)

JUNE 2008