

FIRST SUPPLEMENTAL INTERLOCAL CONTRACT

LAS VEGAS WASH – JONES BOULEVARD, ELKHORN ROAD TO FARM ROAD

THIS FIRST SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 9th day of April, 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".

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 generally identified in the 2002 Master Plan Update as Facility Number LVMJ 0000 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 decrease construction funding, extend the project completion date, and approve a waiver of the design cap.

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 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 \$ 172,584.
2. Construction at a cost not to exceed \$ 1,768,141.
3. The total cost of the contract shall not exceed \$ 1,940,725 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.

SECTION III – GENERAL, paragraph 15 shall be revised to read as follows:

15. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to December 31, 2010. The DISTRICT may, at any time thereafter, grant extensions or terminate this Contract after thirty (30) days notice.

The remainder of the original Interlocal Contract dated July 10, 2008 shall remain unchanged.

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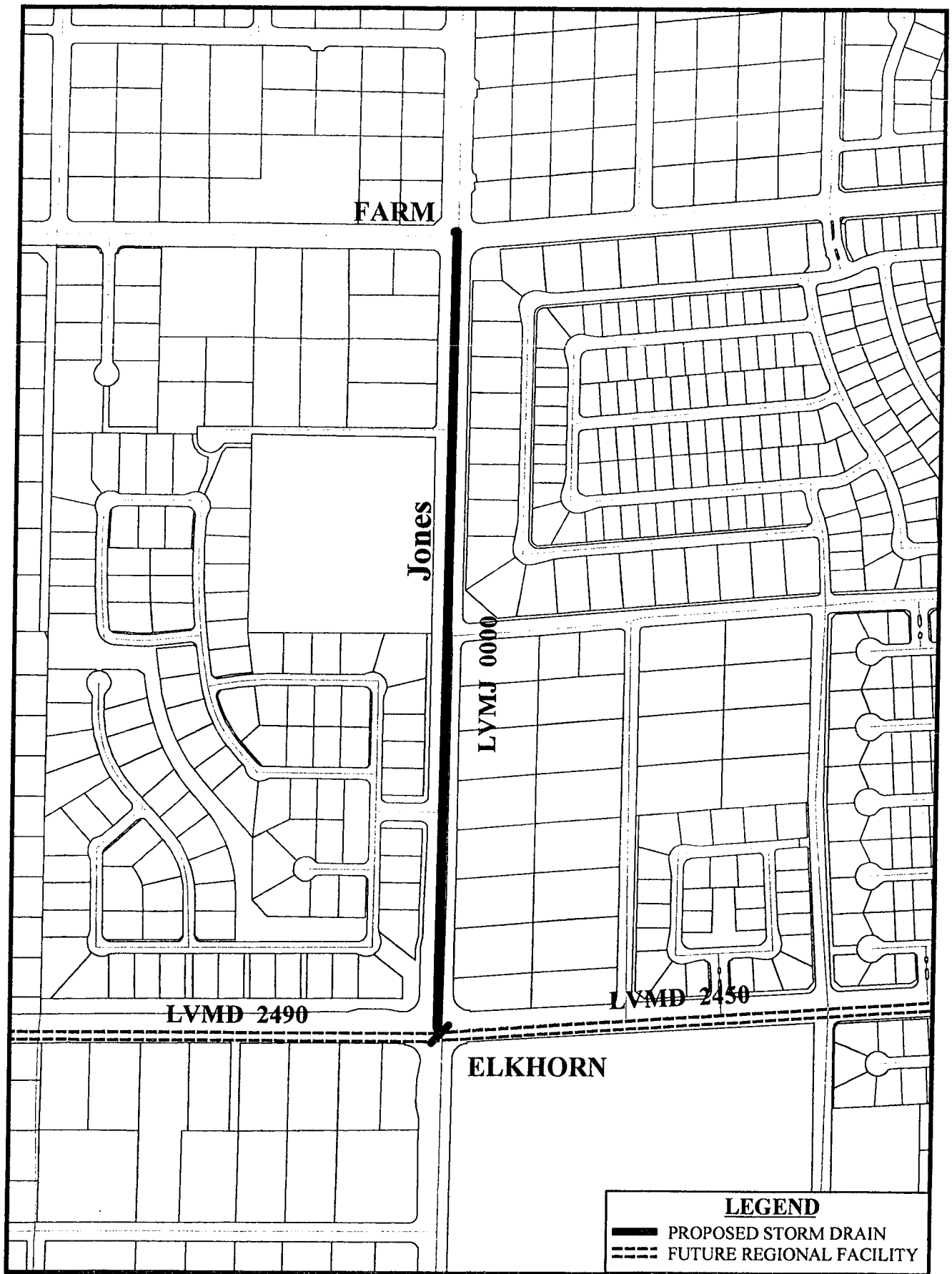


EXHIBIT A

LAS VEGAS WASH - JONES (ELKHORN TO FARM) - LAS22J08



F:\#Depot\Engineering_Planning\Flood\ARCVIEW\Exhibit A - Jones - Elkhorn to Horse

LAS22J08

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

Date of Council Action

6/17/09

Date of District Action

April 9, 2009

City of Las Vegas

Regional Flood Control District

By:

Oscar B. Goodman

Oscar B. Goodman, Mayor

By:

Lawrence L. Brown III

Lawrence L. Brown, III,
Chairman

Attest

Attest

By:

Beverly K. Bridges

Beverly K. Bridges, CMC
City Clerk

By:

Carolyn Frazier

Carolyn Frazier
Secretary to the Board

Approved as to Form

Approved as to Form

By:

John S. Rodella 5/6/09
Deputy City Attorney Date

By:

Christopher Figgins April 9, 2009
Chief Deputy District Attorney Date