

THIRD SUPPLEMENTAL INTERLOCAL CONTRACT
LOCAL DRAINAGE IMPROVEMENTS IN
BRUSH STREET STORM DRAIN

THIS THIRD SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into as of the 21st day of May, 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 PROJECT is identified and shown on the attached Exhibit "A"; and

WHEREAS, an Interlocal Contract for the construction of the Local Drainage Improvements for the Brush Street Storm Drain was entered into between the DISTRICT and the CITY on June 10, 2004 and supplemented July 13, 2006 and May 15, 2008; and

WHEREAS, the CITY wishes to increase construction funding and extend the date of completion.

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 revised to read as follows:

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

1. Construction costs shall not exceed \$450,000 or 100 percent of construction of the first quarter mile and 50 percent for the remainder of the project, whichever is less.
2. The total cost of this Contract shall not exceed \$450,000 which includes all Items described in Paragraph one above and funds will be made available after July 1, 2004.

SECTION III – GENERAL, paragraph 13 shall be revised to read as follows;

13. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to August 11, 2010. 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 June 10, 2004, First Supplemental Interlocal Contract dated July 13, 2006, and Second Supplemental Interlocal Contract dated May 15, 2008 shall remain unchanged.

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

Date of Council Action

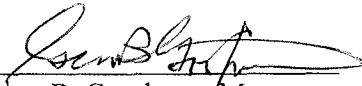
July 1, 2009

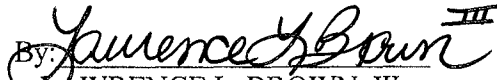
Date of District Action

May 21, 2009

City of Las Vegas

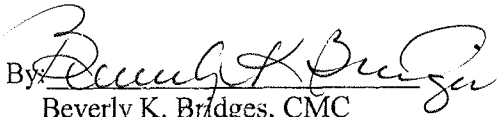
Regional Flood Control District

By: 
Oscar B. Goodman, Mayor

By: 
LAWRENCE L. BROWN, III,
Chairman

Attest

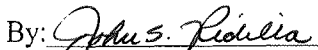
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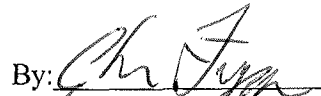
By: 
Beverly K. Bridges, CMC
City Clerk

By: 
Carolyn Frazier
Secretary to the Board

Approved as to form

Approved as to Form

By:  8/31/09
Deputy City Attorney Date

By:  _____
Christopher Biggins Date
Chief Deputy District Attorney

