

**SUPPLEMENTAL INTERLOCAL CONTRACT NO. 4
CASINO CENTER / 3RD STREET REALIGNMENT**

THIS SUPPLEMENTAL INTERLOCAL CONTRACT NO. 4 made and entered into this 5TH day of August, 2009 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 August 11, 2005 and supplemental interlocal contracts on May 17, 2007, September 13, 2007 and April 9, 2009 for a project to design, purchase right-of-way, perform construction inspection and construct roadway improvements for Casino Center / 3rd Street Realignment located wholly within the CITY, has been approved by the Regional Transportation Commission.

WHEREAS, the RTC previously granted "Authorization to Proceed" for construction, engineering, right-of-way acquisition and right-of-way other; and,

WHEREAS, the City desires to change the scope of the Project.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, the RTC authorizes the CITY to proceed with the PROJECT as it is mutually understood and agrees as follows.

SECTION I - SCOPE OF PROJECT shall be revised to read as follows:

This Supplemental Interlocal Contract No. 4 applies to improvements associated with the Casino Center / 3rd Street Realignment. The basic improvements will result in full roadway improvements, drainage improvements, traffic signals, design and utility relocations at Casino Center and Bonneville Avenue for the RTC's Central City Intermodal Transportation Terminal (CCITT), median islands and/or median access according to adjacent land use, landscaping, replace curb and gutter and widen sidewalks, pavement markings and signing.

SECTION II – PROJECT COSTS shall be revised to read as follows:

The RTC agrees to provide funding for 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 engineering design, contract administration, surveying, inspection, testing, right-of-way engineering, right-of-way negotiations and acquisition, utility relocation and construction shall not exceed \$11,025,000 which includes all of the above.

2. A "Revised Authorization to Proceed" for construction at a cost not to exceed \$3,255,000, engineering design at a cost not to exceed \$645,000, right-of-way acquisition in an amount not to exceed \$7,000,000, and right-of-way other at an amount not to exceed \$125,000 at the time written Authorization to Proceed is received from the RTC.
3. A separate request for an "Authorization to Proceed" will be required for construction engineering.
4. 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 Interlocal Contract dated August 11, 2005, and supplemental interlocal contracts dated May 17, 2007, September 13, 2007 and April 9, 2009 shall remain unchanged.

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IN WITNESS WHEREOF, this Supplemental Interlocal Contract No. 4 is effective as of the date first set forth above.

Date of Commission Action:

6/11/09

REGIONAL TRANSPORTATION COMMISSION

BY: Lawrence L. Brown III
LAWRENCE L. BROWN III, Chairman

Attest:

Lisa Magnusson
LISA MAGNUSSON, Executive Assistant

Approved as to Form and Legality:

Zev Kaplan
ZEV KAPLAN, General Counsel

Date of Council Action:

August 5, 2009

CITY OF LAS VEGAS

BY: Gary Reese
~~OSCAR B. GOODMAN, Mayor~~
Gary Reese, Mayor Pro-Tem

Attest:

Beverly K. Bridges
BEVERLY K. BRIDGES, CMC
City Clerk

Approved as to Form and Legality:

John S. Rodilla 6/22/09
Deputy City Attorney Date