

**SUPPLEMENTAL INTERLOCAL CONTRACT NO. 4  
BUFFALO DRIVE, CHEYENNE AVENUE TO LONE MOUNTAIN ROAD**

**THIS SUPPLEMENTAL INTERLOCAL CONTRACT NO. 4** made and entered into this 11<sup>th</sup> day of June, 2009, by and among the CITY OF LAS VEGAS, a municipal corporation, hereinafter referred to as the CITY, the COUNTY OF CLARK, a political subdivision of the State of Nevada, hereinafter referred to as the COUNTY and the Regional Transportation Commission of Clark County, hereinafter referred to as RTC.

**W I T N E S S E T H**

**WHEREAS**, RTC approved an Interlocal Contract on November 13, 1997 and Supplemental Interlocal Contracts dated August 10, 2002, November 14, 2002 and February 8, 2007 for a project to design, purchase right-of-way, perform construction inspection and construct roadway improvements for Buffalo Drive, Cheyenne Avenue to Lone Mountain Road located partially within the CITY and partially within the COUNTY; and

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

**WHEREAS**, the CITY desires reduce project funding and extend the completion date 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 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, right-of-way acquisition, right-of-way other, shall not exceed \$8,684,000.
2. The City will be issued a revised "Authorization to Proceed" for construction at a cost not to exceed \$7,255,200, engineering design at a cost not to exceed \$1,140,900, right-of-way acquisitions at a cost not to exceed \$211,900, and right-of-way other at a cost not to exceed \$76,000 at the time written Authorization to Proceed is received from the RTC. The "Revised Authorization to Proceed" shall state a specific amount within the total estimated cost of the Project and, upon approval by the RTC, only that amount shall be encumbered and allocated.
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.

**SECTION III - GENERAL, paragraph 7 shall be changed to read as follows:**

7. The Project must be completed to the satisfaction of the RTC prior to December 31, 2009. The RTC may, at any time thereafter, grant time extensions or terminate this Contract and require all sums advanced to the CITY be repaid.

The remainder of the Interlocal Contract dated November 13, 1997 and supplemental interlocal contracts dated August 10, 2002, November 14, 2002 and February 8, 2007 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:

Zey Kaplan  
ZEY 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. Ridilla 6/22/09  
Deputy City Attorney Date

Date of Commission Action:

10/20/09

CLARK COUNTY BOARD OF COMMISSIONERS

BY: Rory Reid  
RORY REID, Chairman

Attest:

Diana Alba  
DIANA ALBA, County Clerk