

**SUPPLEMENTAL INTERLOCAL CONTRACT
KYLE CANYON INTERCHANGE AT US-95**

THIS SUPPLEMENTAL INTERLOCAL CONTRACT 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 June 14, 2007 for a project to design, purchase right-of-way, perform construction inspection and construct roadway improvements for an overpass with associated ramps at Kyle Canyon Interchange at US-95, being located wholly within the CITY; and

WHEREAS, the RTC previously granted "Authorization to Proceed" for engineering and,

WHEREAS, the CITY desires to decrease funding 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 engineering, right-of-way other, right-of-way acquisition, construction, other shall not exceed \$260,000.
2. The City will be issued a revised "Authorization to Proceed" for engineering design at a cost not to exceed \$238,000, and right-of-way other at a cost not to exceed \$22,000 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.

The remainder of the Interlocal Contract dated June 14, 2007 shall remain unchanged.

IN WITNESS WHEREOF, this Supplemental Interlocal Contract 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. Ridella
Deputy City Attorney

6/22/09
Date