

SUPPLEMENTAL INTERLOCAL CONTRACT NO. 2
INDUSTRIAL ROAD ARTERIAL, SAHARA AVENUE TO WYOMING AVENUE

THIS SUPPLEMENTAL INTERLOCAL CONTRACT NO. 2 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 March 13, 2003 and a supplemental interlocal contract on October 12, 2006 for a project to construct roadway improvements for the Industrial Road Arterial, Sahara Avenue to Wyoming Avenue, being located wholly within the CITY; and

WHEREAS, the RTC previously granted "Authorization to Proceed" for engineering, and 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 engineering, and right-of-way other, other shall not exceed \$218,000.
2. The City will be issued a revised "Authorization to Proceed" for engineering at a cost not to exceed \$196,000, 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.

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 June 30, 2013. 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 March 13, 2003 and a supplemental interlocal contract on October 12, 2006 shall remain unchanged.

IN WITNESS WHEREOF, this Supplemental Interlocal Contract No. 2 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

ZEVI KAPLAN, General Counsel

Date of Council Action:

August 5, 2009

CITY OF LAS VEGAS

BY:

Oscar B. Goodman

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. Riddila

Deputy City Attorney

6/22/09

Date