

**SUPPLEMENTAL INTERLOCAL CONTRACT NO. 3
MARTIN L. KING BOULEVARD/INDUSTRIAL ROAD, WYOMING AVENUE TO
SYMPHONY PARK AVENUE**

THIS SUPPLEMENTAL INTERLOCAL CONTRACT NO. 3, made and entered into this 7TH day of OCTOBER, 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 July 13, 2006 and supplemental interlocal contracts dated August 14, 2008 and November 13, 2008 to design, purchase right-of-way, perform construction inspection and construct roadway improvements for Martin L. King Boulevard/Industrial Road, Wyoming Avenue to Symphony Park Avenue located wholly within the CITY, has been approved by the Regional Transportation Commission; and

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

WHEREAS, the CITY desires to change the scope of the project, increase project funding and receive a "Revised Authorization to Proceed" for 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. 3 applies to improvements associated with Martin L. King Boulevard/Industrial Road, Wyoming Avenue to Symphony Park Avenue. The basic improvements include but are not limited to; survey, earthwork, curb, gutter, sidewalks, amenity zone pavement, traffic signs, street lighting, pavement, pavement markings, water and sewer mains and all other required components. This supplemental interlocal contract also includes an alternative study for the Martin L. King Boulevard/Industrial Road, Wyoming Avenue to Symphony Park Avenue project. The alternative study will include development of alternative alignments, alternative evaluation and related right-of-way design.

SECTION II-PROJECT COSTS: 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 the alternative study, right-of-way acquisition, and right-of-way other shall not exceed \$7,000,000 which includes all of the above.
2. A "Revised Authorization to Proceed" will be issued for engineering at a cost not to exceed \$300,000, right-of-way acquisition at a cost not to exceed \$6,650,000; and right-of-way other at a cost not to exceed \$50,000; at the time written Authorization to Proceed is received from the RTC.
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.

RTC may at any time thereafter grant time extensions or terminate this Contract and require all sums advanced to the CITY be reimbursed.

The remainder of the Interlocal Contract dated July 13, 2006, and supplemental interlocal contracts dated August 14, 2008 and November 13, 2008 shall remain unchanged.

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IN WITNESS WHEREOF, this Supplemental Interlocal Contract No. 3 is effective as of the date first set forth above.

Date of Commission Action:

8/13/09

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:

October 7, 2009

CITY OF LAS VEGAS

BY: Oscar B. Goodman
OSCAR B. GOODMAN, Mayor

Attest:

Vicky Darling
~~BEVERLY K. BRIDGES, CMC~~
City Clerk By: Vicky Darling, CMC
Acting City Clerk

Approved as to Form and Legality:

John S. Richella 9/3/09
Deputy City Attorney Date