

**SUPPLEMENTAL INTERLOCAL CONTRACT NO. 6
ITS COMMUNICATION INFRASTRUCTURE PROJECT**

THIS SUPPLEMENTAL INTERLOCAL CONTRACT NO. 6, 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", the COUNTY OF CLARK, hereinafter referred to as "COUNTY" a political subdivision of the State of Nevada, and the Regional Transportation Commission of Southern Nevada hereinafter referred to as "RTC".

WHEREAS, the parties hereto previously entered into an Interlocal Contract on March 11, 2004 and supplemental interlocal contracts on October 14, 2004, September 9, 2005, March 13, 2008, February 12, 2009 and June 11, 2009 for improvements needed to provide fiber optics interconnect conduit and fiber optic cable, located partially within the CITY and partially within the COUNTY; and,

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

WHEREAS, the CITY desires to revise the scope of the project and receive a revised authorization to proceed for construction and engineering.

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. 6 applies to all improvements needed to provide fiber optics interconnect conduit and fiber optic cable along: (1) Charleston Boulevard from Clark County 215 to Nellis Boulevard, (2) Rancho Road from Rainbow Boulevard to Sahara Avenue, (3) Cheyenne Avenue from Clark County 215 to Decatur Boulevard, (4) Rainbow Boulevard from Ann road to Rancho Road, (5) Ann Road from Centennial Center Boulevard to Rainbow Boulevard, (6) Centennial Center Boulevard from Tropical Parkway to Ann Road and (7) Alexander Road, Durango Drive and US-95. Including striping and intersection improvements as necessitated by the fiber optics interconnect conduit and fiber optic cable installation and add improvements to (8) Craig Road, Tenaya Way to Decatur Boulevard and the installation of "Closed Circuit Television Cameras" and "Permanent Count Stations" along the various corridors that are part of this project, and to include an additional run along (9) Rainbow Boulevard from Charleston Boulevard to Sahara Avenue to tie into the Microwave hub at this location

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 and engineering shall not exceed \$6,500,000.

2. The City will be issued a revised "Authorization to Proceed" for construction at a cost not to exceed \$4,150,000, engineering design at a cost not to exceed \$750,000, 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 March 11, 2004, and supplemental interlocal contracts dated October 14, 2004, September 9, 2005, March 13, 2008, February 12, 2009 and June 11, 2009 shall remain unchanged.

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IN WITNESS WHEREOF, this Supplemental Interlocal Contract No. 6 is effective as of the date first set forth above.

Date of Commission Action:

REGIONAL TRANSPORTATION COMMISSION

8/13/09

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:

CITY OF LAS VEGAS

October 7, 2009

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. Ridella 9/3/09
Deputy City Attorney Date

Date of Commission Action:

CLARK COUNTY BOARD OF COMMISSIONERS

11/17/09

BY:

Rory Reid
RORY REID, Chairman

Attest:

Diana Alba
DIANA ALBA, County Clerk