

## **FIRST SUPPLEMENTAL INTERLOCAL CONTRACT**

### **GRAND TETON OVERPASS - STORM DRAIN**

**THIS FIRST SUPPLEMENTAL INTERLOCAL CONTRACT** made and entered into as of the 8th day of October, 2009 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT" and the CITY OF LAS VEGAS, hereinafter referred to as "CITY".

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

**WHEREAS**, pursuant to Chapter 543 of the Nevada Revised Statutes, the DISTRICT may approve a project to design and construct flood control improvements; and

**WHEREAS**, the flood control improvements proposed herein are the same as those generally identified in the 2008 Master Plan update as Facility Number CNGT 0000 hereinafter referred to as "PROJECT"; and

**WHEREAS**, the PROJECT is identified and shown on the attached Exhibit "A"; and

**WHEREAS**, the PROJECT has been approved by the DISTRICT on its annual Ten Year Construction Program; and

**WHEREAS**, the PROJECT has regional flood control significance and is located in the same hydrographic area as the Las Vegas Valley.

**WHEREAS**, the City wishes to decrease construction funding and extend the project completion date.

**NOW, THEREFORE**, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

### **SECTION II - PROJECT COSTS, shall be revised to read as follows**

The DISTRICT agrees to fund project costs within the limits specified below:

1. Construction management at a cost not to exceed \$ 142,940.
2. Construction at a cost not to exceed \$ 2,041,910.
3. The total cost of the contract shall not exceed \$ 2,184,850 which includes all of the items described in the paragraphs above.

4. A written request must be made to the DISTRICT and approved by the Board to reallocate funds between phases of the project. No other approval by the Lead Entity is required.
5. A written request must be made to the DISTRICT and a Supplemental Interlocal Contract approved by the Board to increase the total cost of the contract noted above prior to payment of any additional funds.

**SECTION III – GENERAL, paragraph 15 shall be revised to read as follows**

15. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to December 31, 2011. The DISTRICT may, at any time thereafter, grant extensions or terminate this Contract after thirty (30) days notice.

The remainder of the original Interlocal Contract remains unchanged.

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IN WITNESS WHEREOF, the Parties have caused this First Supplemental Interlocal Contract to be executed by their duly authorized representatives the day and year first above written.

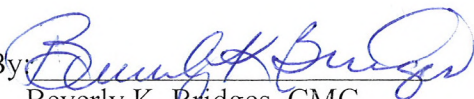
Date of Council Action

11/18/2009

City of Las Vegas

By:   
Oscar B. Goodman, Mayor

Attest

By:   
Beverly K. Bridges, CMC  
City Clerk

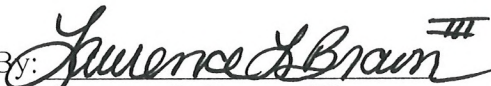
Approved as to Form

By: John S. Ridella 10/19/09  
Deputy City Attorney Date

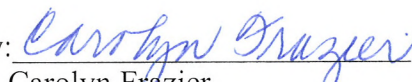
Date of District Action

October 8, 2009

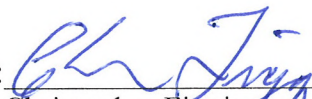
Regional Flood Control District

By:   
Lawrence L. Brown, III,  
Chairman

Attest

By:   
Carolyn Frazier  
Secretary to the Board

Approved as to Form

By:                        
Christopher Figgins Date  
Chief Deputy District Attorney