

**SUPPLEMENTAL INTERLOCAL CONTRACT NO. 2
BUS TURNOUT PROJECT-FISCAL YEAR 2005**

THIS SUPPLEMENTAL INTERLOCAL CONTRACT No. 2 made and entered into this 16TH day of December, 2009 by and between the City of Las Vegas, a municipal corporation, hereinafter referred to as the "CITY", County of Clark, a political subdivision of the State of Nevada hereinafter referred to as "COUNTY" and the Regional Transportation Commission of Southern Nevada, hereinafter referred to as the "RTC".

WITNESSETH

WHEREAS, a Project for the design and installation of bus turnouts including right-of-way acquisition, construction of bus turnout, passenger loading pad, ADA accessibility, utility relocation, retaining walls, landscaping, sign relocation, driveways relocation, storm drain drop inlets relocation along Charleston Boulevard between Fremont Street and Nellis Boulevard, located partially within the CITY and partially within the COUNTY, has been approved by the RTC.

WHEREAS, the parties have executed an interlocal contract dated August 12, 2004 and supplemental interlocal contract on December 11, 2008; and

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

WHEREAS, the CITY wishes to reduce total project funding and extend the project completion date.

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 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 \$1,925,000.
2. The CITY will be issued a revised "Authorization to Proceed" for engineering design at a cost not to exceed \$1,175,000, right-of-way acquisition at a cost not to exceed \$500,000, and right-of-way at a cost not to exceed \$250,000 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 revised to read as follows:

7. The project must be completed to the satisfaction of the RTC prior to November 30, 2015.

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 August 12, 2004 and supplemental interlocal contract dated December 11, 2008 shall remain unchanged.

IN WITNESS WHEREOF, this Supplemental Interlocal Contract No. 2 is effective as of the date first set forth above.

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Date of Commission Action:

10/8/09

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:

12/16/09

CITY OF LAS VEGAS

BY: Gary Reese
~~OSCAR B. GOODMAN, Mayor~~
Gary Reese, Mayor Pro-Tem

Attest:

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

Approved as to Form and Legality:

John S. Ridilla 10/19/09
Deputy City Attorney Date

Date of Commission Action:

2/16/10

CLARK COUNTY BOARD OF COMMISSIONERS

BY: Rory Reid
RORY REID, Chairman

Attest:

Diana Alba
DIANA ALBA, County Clerk