

**INTERLOCAL AGREEMENT FOR
BUS TURNOUTS REQUIRED BY SENATE BILL 173**

THIS INTERLOCAL AGREEMENT made and entered into this 16th day of December, 2009, by and between the CITY OF LAS VEGAS, a municipal corporation and political subdivision of the State of Nevada, hereinafter referred to as "CITY", and the Regional Transportation Commission of Southern Nevada, hereinafter referred to as RTC.

W I T N E S S E T H

WHEREAS, pursuant to Chapter 373 of the Nevada Revised Statutes, the RTC has the authority to provide for the construction, installation and maintenance of benches, shelters, and transit stops for passengers of public mass transportation (NRS 373.1183); and,

WHEREAS, pursuant to Nevada Legislative Senate Bill No. 173, effective July 1, 2009, the RTC shall designate ten (10) locations in the County of Clark, Nevada, at which a bus turnout must be constructed by December 31, 2012, and for each location designated, execute an interlocal or cooperative agreement that authorizes the construction of the turnouts; and,

WHEREAS, the CITY is willing to either construct the designated turnouts using RTC funds or allow the RTC to construct the turnouts.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, the RTC and the CITY mutually agree as follows:

SECTION I - SCOPE OF PROJECT

This Interlocal Agreement applies to improvements for bus turnouts at the locations acceptable to the CITY within the jurisdictional limits of the CITY identified in Exhibit "A", attached hereto and by this reference made a part hereof. The improvements may include constructing bus turnouts at the locations designated, drainage facilities, traffic control devices, and other appurtenances as may be necessary to construct a complete and functional project hereinafter referred as "Project." Other basic improvements such as curb, gutter, sidewalk, pavement, and streetlights may be included.

SECTION II - PROJECT COSTS

The RTC agrees to provide funding for Project costs related to the design, construction, and construction inspection of the turnouts.

SECTION III – GENERAL

CITY AGREES:

The CITY agrees to either design and construct the turnouts within the CITY jurisdiction identified in Exhibit “A” as referenced in Section I above, as part of a larger project or as a stand-alone project, or allow the RTC to design and construct the turnouts within the CITY rights-of-way as separately approved in writing by the CITY.

For turnouts constructed by the CITY:

1. The title sheet of both the plans and specifications shall show the RTC as the funding agency. If construction funds are provided by sources other than the RTC, the plans, contract documents, special provisions, and Project signs shall also show the RTC as a funding agency.
2. Preliminary engineering, design, and right-of-way engineering shall be performed by the CITY or by a consultant employed by the CITY.
3. The design, construction, right-of-way acquisition and contract administration of the Project shall comply with the requirements as set forth in the current “Policies and Procedures” of the RTC.
4. Upon completion of the construction of the Project it shall be maintained by the CITY and no funding is provided by this Agreement for such maintenance.
5. The Project must be completed prior to December 31, 2012. The RTC may, thereafter, grant time extensions to this Agreement.
6. The CITY will be responsible for the actions or inactions of its officers, employees or agents. The RTC disavows any responsibility for the actions or inactions of the CITY, its officers, employees, or agents.

For turnouts constructed by the RTC:

1. The CITY will review the plans prepared by the RTC or a consultant employed by the RTC and if said plans are acceptable provide a written notice to the RTC to proceed with the construction of the bus turnouts.
2. The CITY will review and approve an encroachment permit, and allow the RTC to inspect and approve the work.
3. The RTC will be responsible for the actions or inactions of its officers, employees or agents. The CITY disavows any responsibility for the actions or inactions of the RTC, its officers, employees or agents.

- RTC AGREES:**

For turnouts constructed by the CITY:

- For turnouts constructed by the RTC:

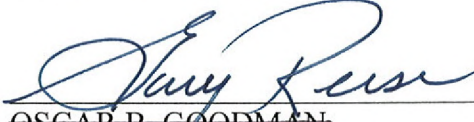
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IN WITNESS WHEREOF, this INTERLOCAL AGREEMENT is hereby executed as of the date first set forth below:

Date of City Council Action:

CITY OF LAS VEGAS

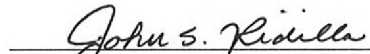
12/16/09


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

Attest:


~~BEVERLY K. BRIDGES, MMC~~
~~City Clerk~~ **By: Vicky Skelbred, CMC**
Acting City Clerk

Approved as to Legality and Form:


~~Deputy City Attorney~~

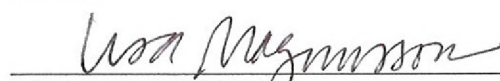
Date of Commission Action:

REGIONAL TRANSPORTATION COMMISSION

12/10/09


LAWRENCE L. BROWN, III
Chairman

Attest:


LISA MAGNUSSON
Executive Assistant

Approved as to Form:


ZEV KAPLAN
General Counsel

EXHIBIT "A"

Senate Bill No. 173 - Bus Turnouts

List of 10 Turnouts To Be Constructed By December 31, 2012

Clark County

Stop ID	Owner	Jurisdiction	Travel Street	Dir	Cross Street	NS/FS
901	CC Parks and Rec	Clark County	Eastern	N	Warm Springs	FS
4172	Clark County	Clark County	Las Vegas	N	Sunset	NS
3029	Clark County	Clark County	Warm Springs	E	Las Vegas Blvd	FS

Las Vegas

Stop ID	Owner	Jurisdiction	Travel Street	Dir	Cross Street	NS/FS
517	Clark County (UMC)	Las Vegas	Charleston	E	Rancho	FS
2090	Las Vegas	Las Vegas	Pecos	S	Bonanza	FS
1857	Las Vegas	Las Vegas	Rainbow	S	Lake Mead	FS

Henderson

Stop ID	Owner	Jurisdiction	Travel Street	Dir	Cross Street	NS/FS
1068	Henderson Library District	Henderson	Green Valley Pkwy	S	Sunset	FS
348	Henderson	Henderson	Burkholder	E	Major	FS

North Las Vegas

Stop ID	Owner	Jurisdiction	Travel Street	Dir	Cross Street	NS/FS
1645	Clark County	North Las Vegas	Martin L. King	N	Carey	FS
418	City of North Las Vegas	North Las Vegas	Carey	W	West St	FS

Alternates

Stop ID	Owner	Jurisdiction	Travel Street	Dir	Cross Street	NS/FS
2211	NDOT/Private	Las Vegas	Rainbow	S	Lake Mead	FS
697	Las Vegas	Las Vegas	Decatur	S	Charleston	FS
752	Las Vegas (Redevelopment)	Las Vegas	Decatur	S	Vegas	FS
888	CC Parks and Rec	Clark County	Eastern	N	Sunset	NS
2670	CC Parks and Rec	Clark County	Sunset	E	Eastern	FS
2850	University of Nevada	Clark County	Tropicana	E	Swenson	FS