

**SUPPLEMENTAL INTERLOCAL CONTRACT NO. 5
BONNEVILLE/CLARK ONE-WAY COUPLET**

THIS SUPPLEMENTAL INTERLOCAL CONTRACT NO. 5 made and entered into this 21st day of April, 2010 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 November 13, 2003 and a Supplemental Interlocal Contracts on December 14, 2006, November 13, 2008, May 21, 2009 and June 11, 2009 for a project to design, purchase right-of-way, perform construction inspection and construct roadway improvements for Bonneville/Clark One-Way Couplet, from Main Street to Charleston Boulevard located wholly within the CITY, has been approved by the Regional Transportation Commission.

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

WHEREAS, the CITY desires to increase funding for the Project.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, it is mutually agreed to supplement the Interlocal Contract for the Project 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, engineering, right-of-way acquisition and right-of-way other shall not exceed \$10,190,000.
2. The CITY will be issued a revised "Authorization to Proceed" for construction at a cost not to exceed \$7,590,000, engineering design at a cost not to exceed \$2,400,000, right-of-way acquisition at a cost not to exceed \$100,000 and right-of-way other at a cost not to exceed \$100,000 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.

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 November 13, 2003, and supplemental interlocal contracts dated December 14, 2006, November 13, 2008, May 21, 2009 and June 11, 2009 shall remain unchanged.

IN WITNESS WHEREOF, this Supplemental Interlocal Contract No. 5 is effective as of the date first set forth above.

Date of Commission Action:

3/11/2010

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:

4/21/2010

CITY OF LAS VEGAS

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

Attest:

Beverly K. Bridges
BEVERLY K. BRIDGES, MMC
City Clerk

Approved as to Form and Legality:

John S. Ridilla 3/23/10
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney