

SUPPLEMENTAL INTERLOCAL CONTRACT NO. 4
ARTERIAL RESTORATION AND PRESERVATION PROJECT

FISCAL YEAR 2008

THIS SUPPLEMENTAL INTERLOCAL CONTRACT NO. 4 made and entered into this _____ day of _____, 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 September 13, 2007 and supplemental interlocal contracts on June 11, 2009, November 12, 2009 and December 10, 2009 for improvements associated with the Fiscal Year 2008 Annual Restoration and Preservation Projects; and

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

WHEREAS, the CITY desires to increase project funding and change the scope of 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 I - SCOPE OF PROJECT shall be revised to read as follows:

This Interlocal Contract applies to improvements associated with the 2008 Annual Restoration and Preservation Projects. The basic improvements may include crack sealing, concrete repairs, pavement and base failure reconstructions, pavement resurfacing and re-profiling and traffic striping as necessary. Where applicable, wheel chair ramps will be installed at curb returns and temporary asphalt sidewalk installed in accordance with the RTC policy on sidewalk installation. Bike lanes and bike paths will be part of the striping of the finished roadway as long as the bike lane or path is part of the Bicycle and Pedestrian Element of the Regional Transportation Plan. The PROJECT is more specifically described in Exhibit "A" which is hereto and by this reference incorporated herein.

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 \$4,058,000.
2. The City will be issued a revised "Authorization to Proceed" for construction at a cost not to exceed \$3,489,000 and engineering design at a cost not to exceed

\$569,000, at the time written Authorization to Proceed is received from the RTC. Expenditures incurred after January 20, 2010 for the ARRA Overlay Projects identified in Exhibit A shall be considered encumbered or allocated and reimbursement shall be made for these expenditures preceding the "Authorization to Proceed" approval by the RTC.

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.

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 September 13, 2007 and supplemental interlocal contracts dated June 11, 2009, November 12, 2009 and December 10, 2009 shall remain unchanged.

IN WITNESS WHEREOF, this Supplemental Interlocal Contract No. 4 is effective as of the date first set forth above.

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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:

CITY OF LAS VEGAS

BY:

Oscar B. Goodman
OSCAR B. GOODMAN, Mayor

Attest:

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

Approved as to Form and Legality:

John S. Ridilla

Deputy City Attorney

3/23/10

Date

John S. Ridilla
Deputy City Attorney