

**SUPPLEMENTAL INTERLOCAL CONTRACT NO. 5
CITY PARKWAY – D STREET CONNECTOR**

THIS SUPPLEMENTAL INTERLOCAL CONTRACT NO. 5, 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, the Regional Transportation Commission approved an Interlocal Contract on August 12, 2004 and Supplemental Interlocal Contracts dated February 8, 2007, April 12, 2007, May 17, 2007 and November 12, 2008 for an alignment study for City Parkway, D Street Connector between Grand Central Parkway and I-15;

WHEREAS, the CITY wishes to decrease project funding; and

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 changed 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 the engineering, right-of-way acquisition and right-of-way other shall not exceed \$107,000 which includes all of the above items.
2. The cost of the study will not be included in engineering percentage limitations.
3. The City will be granted a revised “Authorization to Proceed” for engineering at a cost not to exceed \$100,000 and right-of-way other at a cost not to exceed \$7,000 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.
4. 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 August 12, 2004 and Supplemental Interlocal Contracts dated February 8, 2007, April 12, 2007, May 17, 2007 and November 12, 2008 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:

Zey Kaplan
ZEY KAPLAN, General Counsel

Date of Council Action:

CITY OF LAS VEGAS

BY: _____
OSCAR B. GOODMAN, Mayor

Attest:

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