

FIRST SUPPLEMENTAL INTERLOCAL CONTRACT

ELKHORN SPRINGS & BUFFALO STORM DRAIN

THIS FIRST SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 30th day of May, 2010 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT" and the CITY OF LAS VEGAS, hereinafter referred to as "CITY".

WITNESSETH

WHEREAS, pursuant to Chapter 543 of the Nevada Revised Statutes, the DISTRICT may approve a project to design and construct flood control improvements; and

WHEREAS, the flood control improvements proposed herein are the same as those generally identified in the 2008 Master Plan Update, as facility EKBK 0000 hereinafter referred to as "PROJECT"; and

WHEREAS, the PROJECT is identified and shown on the attached Exhibit "A"; and

WHEREAS, the PROJECT has been approved by the DISTRICT on its annual Ten Year Construction Program; and

WHEREAS, an Interlocal Contract was entered into between the DISTRICT and the CITY on June 11, 2009; and

WHEREAS, the PROJECT has regional flood control significance and is located in the same hydrographic area as the Las Vegas Valley.

WHEREAS, the CITY wishes to decrease funding, extend the project completion date, and approve a waiver of the 17% design engineering cap.

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

SECTION II - PROJECT COSTS, shall be revised to read as follows:

The DISTRICT agrees to fund project costs within the limits specified below:

1. Construction Management at a cost not to exceed \$222,050.
2. Construction at a cost not to exceed \$1,500,000.

3. The total cost of the contract shall not exceed \$1,722,050 which includes all of the items described in the paragraphs above.
4. A written request must be made to the DISTRICT and approved by the Board to reallocate funds between phases of the project. No other approval by the Lead Entity is required.
5. A written request must be made to the DISTRICT and a Supplemental Interlocal Contract approved by the Board to increase the total cost of the contract noted above prior to payment of any additional funds.

SECTION III – GENERAL, paragraph 15 shall be revised to read as follows:

15. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to September 30, 2011. The DISTRICT may, at any time thereafter, grant extensions or terminate this Contract after thirty (30) days notice.

///

///

///

///

///

///

///

///

///

///

///

///

///

The remainder of the Interlocal Contract dated June 11, 2009 shall remain unchanged.

IN WITNESS WHEREOF, the Parties have caused this First Supplemental Interlocal Contract to be executed by their duly authorized representatives the day and year first above written.

Date of Council Action

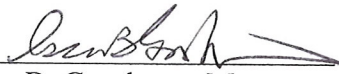
July 7, 2010

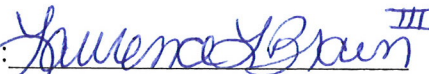
Date of District Action

May 20, 2010

City of Las Vegas

Regional Flood Control District

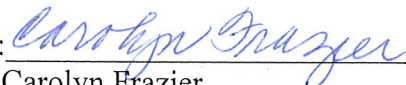
By: 
Oscar B. Goodman, Mayor

By: 
Lawrence L. Brown, III
Chairman

Attest

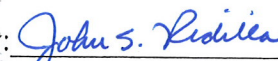
Attest

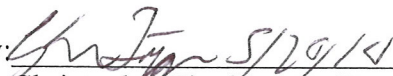
By: 
Beverly K. Bridges, MMC
City Clerk

By: 
Carolyn Frazier
Secretary to the Board

Approved as to form

Approved as to Form

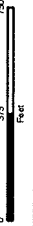
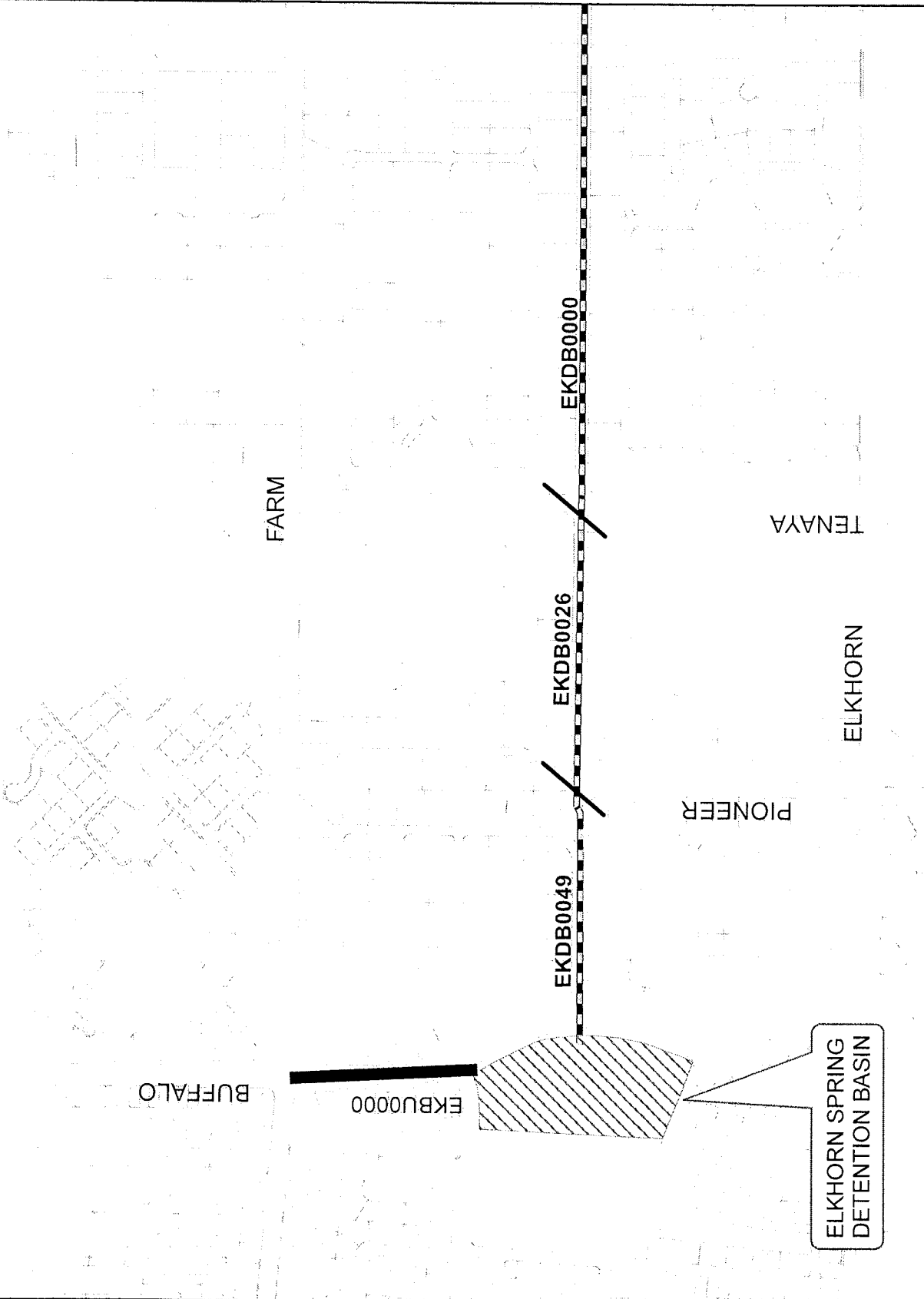
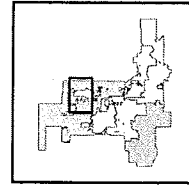
By:  6/1/10
Deputy City Attorney Date

By:  5/29/10
Christopher Figgins Date
Chief Deputy District Attorney



LEGEND

- EXISTING
CCRCD
FACILITY
- PROPOSED
CCRCD
FACILITY
- EXISTING
REGIONAL
DETENTION
BASIN



Due to continuous development activity
this map is for reference only.

EXHIBIT A - ELKHORN SPRINGS AND BUFFALO STORM DRAIN (LAS22P09)