

**SUPPLEMENTAL INTERLOCAL CONTRACT NO. 2
HORSE DRIVE INTERCHANGE AT US-95**

THIS SUPPLEMENTAL INTERLOCAL CONTRACT NO. 2 made and entered into this 10th day of March, 2011 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 August 14, 2008 and supplemental interlocal contract on October 8, 2009 to perform construction inspection and construct roadway improvements for Horse Drive Interchange at US-95 located wholly within the CITY: and

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

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

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 revised to read as follows:

The RTC agrees to provide funding from Question 10 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 construction inspection shall not exceed \$6,871,000.
2. The City will be issued a revised "Authorization to Proceed" for construction and construction inspection at a cost not to exceed \$6,871,000 at the time written Authorization to Proceed is received from RTC and, upon approval by the RTC, only that amount shall be encumbered and allocated.
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.

The remainder of the interlocal contract dated August 14, 2008 and the supplemental interlocal contract dated October 8, 2009 shall remain unchanged.

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IN WITNESS WHEREOF, this Supplemental Interlocal Contract No. 2 is effective as of the date first set forth above.

Date of Commission Action:

REGIONAL TRANSPORTATION COMMISSION

3/10/11

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, Mayor

Attest:

BEVERLY K. BRIDGES, MMC
City Clerk

Approved as to Form and Legality:

John S. Ridilla 3/29/11
Deputy City Attorney Date
John S. Ridilla
Deputy City Attorney