

THIRD SUPPLEMENTAL INTERLOCAL CONTRACT

ANN ROAD CHANNEL WEST – RAINBOW BOULEVARD

THIS THIRD SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 13th day of September, 2012 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”.

W I T N E S S E T H

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 Numbers ANRB 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 Ten Year Construction Program; and,

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

WHEREAS, the Interlocal Contract dated December 10, 2009, the First Supplemental Interlocal Contract dated September 9, 2010 and the Second Supplemental Interlocal Contract dated April 12, 2012 were entered into between the DISTRICT and the CITY; and,

WHEREAS, The City desires to increase project funding for engineering design.

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 – PROJECTS COSTS shall be revised to read as follows:

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

1. The engineering and design shall not exceed \$445,000.

2. The total cost of this Contract shall not exceed \$445,000 which includes all the items described in the paragraphs above.
3. If at any time during the term of this Contract the entity determines that a portion of the funds provided pursuant to this Contract will not be needed for the project, then the entity will notify the District in writing of the amount of funds that are not anticipated to be used for the project. Upon receipt of said notification the District's obligation to pay the maximum amount set forth herein will automatically be reduced by the amount specified in the notification.
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.

The remainder of the original Interlocal Contract dated December 10, 2009, the First Supplemental Interlocal Contract dated September 9, 2010 and the Second Supplemental Interlocal Contract dated April 12, 2012 shall remain unchanged.

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

Date of Council Action

City of Las Vegas

By: _____
Carolyn G. Goodman, Mayor

Attest

By: _____
Beverly K. Bridges, MMC
City Clerk

Approved as to Form

By: John S. Ridilla 9/26/12
Deputy City Attorney Date
John S. Ridilla
Deputy City Attorney

Date of District Action

September 13, 2012

Regional Flood Control District

By: Lawrence L. Brown III
LAWRENCE L. BROWN, III,
Chairman

Attest

By: Carolyn Frazier
Carolyn Frazier
Secretary to the Board

Approved as to Form

By: Christopher Figgins 9/13/12
Christopher Figgins Date
Chief Deputy District Attorney



LEGEND
— PROPOSED REGIONAL
STORM DRAIN FACILITY
- - - EXISTING STORM
DRAIN FACILITY

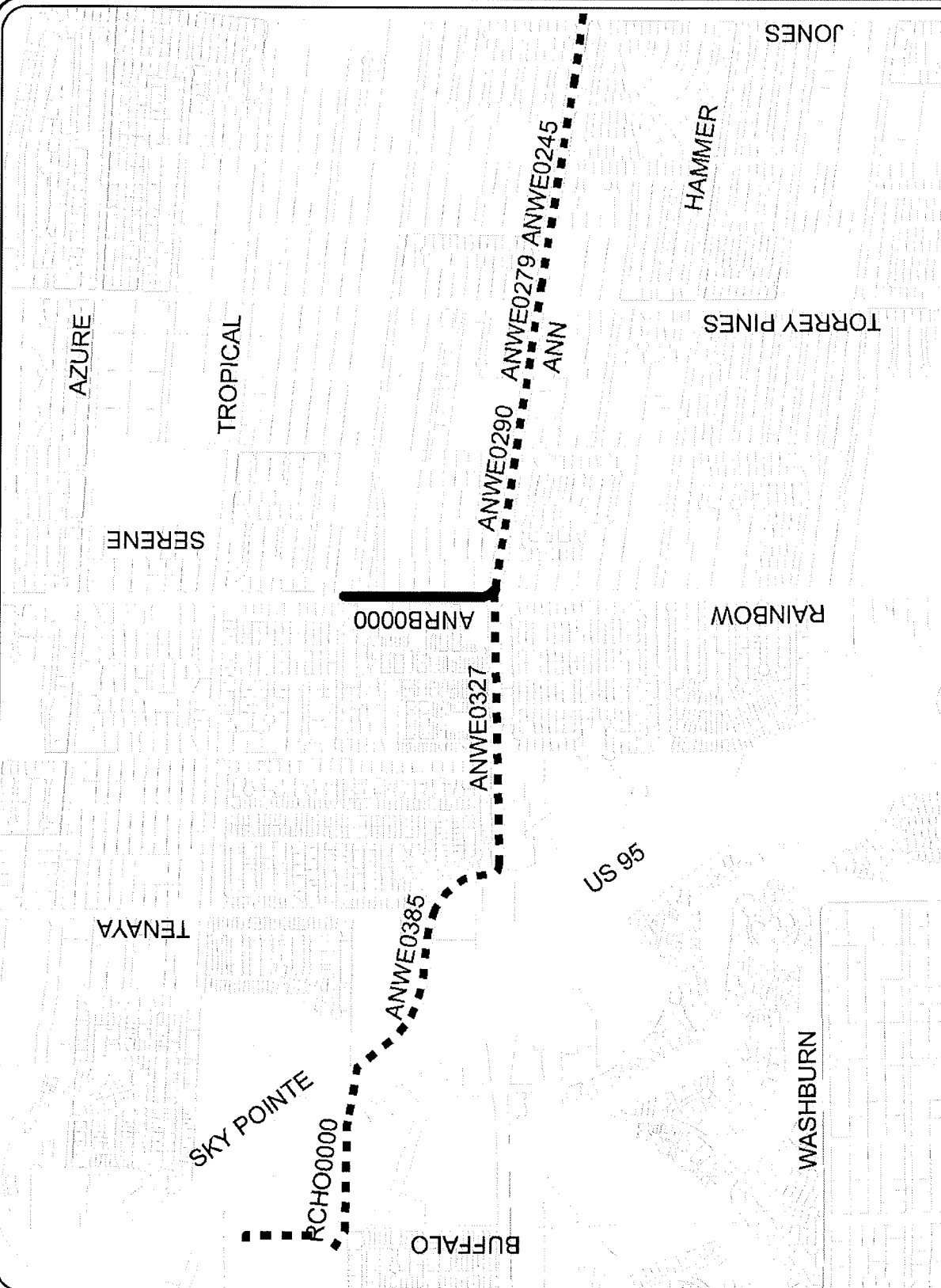
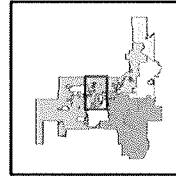


EXHIBIT A
ANN ROAD CHANNEL WEST - RAINBOW BOULEVARD
(LAS16109)

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

F:\RoadEngineering\Planning\Public\DC\REMS\Map\A - Ann Road Channel West - Rainbow Boulevard (LAS16109)_1025009.mxd

