

Contract #470d

**SUPPLEMENTAL INTERLOCAL CONTRACT NO. 4
SUMMERLIN PARKWAY, CC-215 TO US-95**

THIS SUPPLEMENTAL INTERLOCAL CONTRACT NO. 4 made and entered into this _____ day of _____, 2014 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".

W I T N E S S E T H

WHEREAS, RTC approved an Interlocal Contract on May 20, 2004 and a supplemental interlocal contracts on December 11, 2008, August 13, 2009 and November 8, 2012 to design, purchase right-of-way, perform construction inspection and construct roadway improvements for Summerlin Parkway, CC-215 to US-95 located wholly within the CITY, has been approved by the Regional Transportation Commission.

WHEREAS, the RTC previously granted "Authorization to Proceed" for construction, engineering, right-of-way acquisition and right-of-way other; and,

WHEREAS, the CITY wishes to increase total Project funding and extend the Project completion date.

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 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, engineering and right-of-way other shall not exceed \$7,660,000.
2. The CITY will be issued a revised "Authorization to Proceed" for construction at a cost not to exceed \$5,100,000, engineering design at a cost not to exceed \$2,550,000, and right-of-way other at a cost not to exceed \$10,000 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.
3. A separate request of an "Authorization to Proceed" will be required for right-of-way acquisition, construction and construction engineering.
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.

SECTION III – GENERAL paragraph 7 shall be revised to read as follows:

7. The Project must be completed to the satisfaction of the RTC prior to June 30, 2017. The 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 May 20, 2004 and supplemental interlocal contracts dated December 11, 2008, August 13, 2009 and November 8, 2012 shall remain unchanged.

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

Date of Commission Action:

REGIONAL TRANSPORTATION COMMISSION

04/10/2014

BY:

DocuSigned by:

Laurence L. Brown III

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LAWRENCE L. BROWN III, Chairman

Attest:

DocuSigned by:

Shavonne Jones

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SHAVONNE JONES, Executive Secretary

Approved as to Form:

DocuSigned by:

Greg Gilbert

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GREG GILBERT, Outside General Counsel, RTC

Date of Council Action:

CITY OF LAS VEGAS

BY:

CAROLYN G. GOODMAN, Mayor

Attest:

BEVERLY K. BRIDGES, MMC
City Clerk

Approved as to Form:

John S. Ridilla

Deputy City Attorney

4/28/14

Date

John S. Ridilla
Deputy City Attorney