SUPPLEMENTAL NO. 2 TO THE INTERLOCAL CONTRACT FOR FLAMINGO WASH, DESERT INN TO EASTERN AVENUE

THIS SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into this 15th day of March 2011, by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT", and the County of Clark, hereinafter referred to as "COUNTY".

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 generally described in the 2008 Master Plan Update, Structures No. FLWA 0377, 0401, and 0406, 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, the DISTRICT approved an interlocal contract to provide funds for construction and construction engineering of the Project; and

WHEREAS, it is necessary to add funding for legal fees for the Project; and

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

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the COUNTY agree to supplement the Interlocal Contract approved October 9, 2008; and supplemental interlocal contract approved August 13, 2009, as follows:

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

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

1. Construction in an amount not to exceed $7,755,000.00.

2. Construction management in an amount not to exceed $1,100,000.00.
3. Other (Legal Fees) in an amount not to exceed $100,000.00.

4. The total cost of this Interlocal Contract shall not exceed $8,955,000.00, which includes all the items described in the paragraphs above.

5. 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.

6. 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 and supplemental Interlocal Contract remains unchanged.

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

Date of Commission Action: 

CLARK COUNTY BOARD OF COMMISSIONERS

By: 

SUSAN BRAGER  
Chair

Attest: 

DIANA ALBA  
County Clerk

Date of District Action: 

REGIONAL FLOOD CONTROL DISTRICT

By: 

LAWRENCE L. BROWN, III, Chairman

Attest: 

CAROLYN FRAZIER  
Secretary to the Board

Approved as to Form: 

CHRISTOPHER FIGGINS  
Chief Deputy District Attorney
Exhibit A
Flamingo Wash, Desert Inn to Eastern Avenue