SUPPLEMENTAL NO. 11 TO THE INTERLOCAL CONTRACT FOR
FLAMINGO WASH, MCLEOD DRIVE TO MARYLAND PARKWAY

THIS SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into this 3rd day of MAY, 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 the same as those generally identified in the 1997 Master Plan Update, Structures No. FLWA 0400 through 0593, and

WHEREAS, the flood control improvements proposed herein are generally identified in the 2002 Master Plan Update, Structures No. FLWA 0376 through 0593, and

WHEREAS, the flood control improvements proposed herein are generally described in the 2008 Master Plan Update, Structure Nos. FLSP 0000, FLAG 0000 and 0020, FLWA 0377, 0399, 0401, 0406, 0471, 0473, 0477, 0478, 0482, 0483, 0492, 0493, 0555, 0556, 0563, 0564, 0578, 0588, 0589 and 0593, 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 interlocal contracts to provide funds for design, right-of-way acquisition, and environmental mitigation of the Project; and

WHEREAS, it is necessary to increase right-of-way acquisition funding and add a line item for a CLOMR/LOMR 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 August 12, 1999, and Supplemental Interlocal Contracts approved March 8, 2001, September 12, 2002, March 13, 2003, May 20, 2004, December 9, 2004, August...
11, 2005, June 8, 2006, October 11, 2007, March 13, 2008, and June 10, 2010 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. Design in an amount not to exceed $1,477,500.00.

2. Right-of-way acquisition including appraisals, title and escrow, negotiations, legal fees, recording fees, etc. in an amount not to exceed $693,500.00.

3. Environmental mitigation in an amount not to exceed $289,000.00.

4. CLOMR/LOMR in an amount not to exceed $20,000.00.

5. The total cost of this Interlocal Contract shall not exceed $2,480,000.00, which includes all the items described in the paragraphs above.

6. 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.

7. 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 Contracts remains unchanged.

IN WITNESS WHEREOF, this Supplemental No. 11 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: 

APRIL 14, 2011

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