SUPPLEMENTAL NO. 10 TO THE INTERLOCAL CONTRACT FOR
ORCHARD DETENTION BASIN

THIS SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into this day of ___, 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 1997 Master Plan Update, Structures No. SLOR 0085 through 0170, and

WHEREAS, the flood control improvements proposed herein are generally described in the 2002 Master Plan Update, Structures No. SLOR 0087, 0144 through 0148, and

WHEREAS, the flood control improvements proposed herein are generally described in the 2008 Master Plan Update, Structures No. SLOR, 0104, 0125, 0144, 0145, 0146, 0147, 0148 and 0158, 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, environmental mitigation, and an emergency action plan of the Project; and

WHEREAS, it is necessary to reduce right-of-way funding, and increase environmental mitigation costs for the Bureau of Land Management’s required landscape plan, and extend the project completion date 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.

August 12, 2004, July 14, 2005, and March 8, 2007 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 $711,000.00.

2. Right-of-way acquisition including appraisals, title and escrow, negotiations, legal fees, recording fees, etc. in an amount not to exceed $365,000.00.

3. Environmental mitigation in an amount not to exceed $201,900.00.

4. Emergency Action Plan in an amount not to exceed $21,800.00.

5. The total cost of this Interlocal Contract shall not exceed $1,299,700.00, 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.

SECTION III- GENERAL, paragraph 14 shall be changed to read as follows:

14. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to June 30, 2016. The DISTRICT may, at any time thereafter, grant extensions or terminate this Interlocal Contract after thirty (30) days notice.
The remainder of the original Interlocal Contract and supplemental Interlocal Contracts remains unchanged.

IN WITNESS WHEREOF, this Supplemental No. 10 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:

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