

Amendment No. 4 to
Cooperative Local Public Agreement No. PR485-16-063

This Amendment is made and entered into on _____ between the State of Nevada, Department of Transportation, hereinafter referred to as the DEPARTMENT, and the City of Las Vegas, 495 S. Main St., Las Vegas, NV 89101, hereinafter referred to as the CITY.

WITNESSETH:

WHEREAS, on September 9, 2016, the Parties entered into Agreement No. PR485-16-063 for the construction of a shared use path along the Summerlin Parkway from Rampart Boulevard to CC 215 Beltway; and

WHEREAS, on June 19, 2018, the Parties entered into Amendment No. 1 to Agreement No. PR485-16-063 to increase the amount of funding by One Million Fifty-Two Thousand Six Hundred Thirty-One and No/100 Dollars (\$1,052,631.00); and

WHEREAS, on January 18, 2022, the Parties entered into Amendment No. 2 to Agreement No. PR485-16-063 to increase the amount of funding by One Hundred Eighteen Thousand Four Hundred Twenty-One and No/100 Dollars (\$118,421.00); and

WHEREAS, on May 28, 2024, the Parties entered into Amendment No. 3 to Agreement No. PR485-16-063 to increase the amount of funding by Sixteen Million Nine Hundred Sixty-Eight Thousand Four Hundred Twenty-One and No/100 Dollars (\$16,968,421.00); and

WHEREAS, this Amendment No. 4 is needed to increase the amount of funding under Agreement No. PR485-16-063 by Five Million Nine Hundred Forty-Three Thousand Four Hundred Twenty-Two and No/100 Dollars (\$5,943,422.00) due to the Regional Transportation Commission of Southern Nevada's (RTC's) approval of an additional Five Million Six Hundred Forty-Six Thousand Two Hundred Fifty and No/100 Dollars (\$5,646,250.00) of Congestion Mitigation and Air Quality (CMAQ) funds; and

WHEREAS, the Parties hereto desire to make certain amendments to Agreement No. PR485-16-063.

NOW, THEREFORE, the Parties agree as follows:

- A. Article I, Paragraph 3, is amended by deleting it in its entirety and inserting in its place,
"To obligate Federal CMAQ funding for a maximum amount of Twenty-Eight Million Eight Hundred Seventy-Eight Thousand Seven Hundred Fifty and No/100 Dollars (\$28,878,750.00) and Federal TAP funding for a maximum amount of Six Hundred Thousand and No/100 Dollars (\$600,000.00)."
- B. Article II, Paragraph 26, is amended by deleting it in its entirety and inserting in its place,
"To be responsible for the five percent (5%) match of One Million Five Hundred Fifty-One Thousand Five Hundred Fourteen No/100 Dollars (\$1,551,514.00) and for one hundred percent (100%) of all costs exceeding the obligated Federal funds. The CITY agrees the DEPARTMENT and the State of Nevada are not responsible for any costs exceeding the obligated Federal funds."
- C. Article III, Paragraph 5, is amended by deleting it in its entirety and inserting in its place,

"The following is a summary of TOTAL ESTIMATED PROJECT COSTS and available funds:

TOTAL ESTIMATED PROJECT COSTS:

DEPARTMENT Preliminary Engineering Costs:	\$ 12,000.00
CITY Preliminary Engineering Costs:	\$ 2,393,263.00
Right-of-Way Costs:	\$ 1,050,000.00
DEPARTMENT Construction Engineering Costs:	\$ 75,000.00
CITY Construction Engineering	\$ 1,500,000.00
Construction Costs:	<u>\$ 26,000,001.00</u>

TOTAL ESTIMATED PROJECT COSTS: \$ 31,030,264.00

AVAILABLE FUNDING SOURCES:

Federal CMAQ Funds:	\$ 28,878,750.00
Federal TAP Funds:	\$ 600,000.00
CITY Match Funds:	<u>\$ 1,551,514.00</u>

TOTAL PROJECT FUNDING: \$ 31,030,264.00"

- D. All of the other provisions of Agreement No. PR485-16-063 dated September 9, 2016, Amendment No. 1 to PR485-16-063 dated June 19, 2018, Amendment No. 2 to PR485-16-063 dated January 18, 2022, and Amendment No. 3 to PR485-16-063 dated May 28, 2024, shall remain in full force and effect as if set forth herein.

IN WITNESS WHEREOF, the above named Parties have hereunto set their hands and executed this Amendment on the date first written above.

CITY OF LAS VEGAS

State of Nevada, acting by and through its DEPARTMENT OF TRANSPORTATION

Shelley Berkley
Mayor

On behalf of Director

Attest:

Approved as to Legality & Form:

LuAnn D. Holmes, MMC
City Clerk

Deputy Attorney General

Approved as to Form:

John S. Ridilla 2/6/24
Deputy City Attorney Date

John S. Ridilla
Assistant City Attorney