

Amendment No. 2 to
Cooperative (LPA) Agreement No. P089-16-063

This Amendment is made and entered into on _____, between the State of Nevada, acting by and through its Department of Transportation, hereinafter referred to as the "DEPARTMENT", and the City of Las Vegas, 495 S. Main St., Las Vegas, Nevada 89106, hereinafter referred to as the "CITY."

WITNESSETH:

WHEREAS, on May 9, 2016, the parties entered into Agreement No. P089-16-063 for the CITY to design, acquire right-of-way, adjust and/or relocate utilities, advertise, award, and manage construction of sidewalk widening, curb bulb outs, crosswalk improvements, refuge islands, signage, and to modify striping; and

WHEREAS, on October 19, 2016 the parties entered into Amendment No. 1 to Agreement No. P089-16-063 to increase the amount of funding; and

WHEREAS, the termination date must be amended due to a delay in the Right-of-Way acquisition process of the PROJECT; and

WHEREAS, the Agreement shall be amended from a payable agreement to a payable/receivable agreement to allow for the Agreement to include the required five percent (5%) match of the Federal TAP funding; and

WHEREAS, the contact information for the CITY needs to be updated; and

WHEREAS, the parties hereto desire to make certain amendments to Agreement No. P089-16-063.

NOW, THEREFORE, the parties agree as follows:

- A. The termination date referenced in Article III, Paragraph 1, shall be changed from December 31, 2020 to June 30, 2024.
- B. Article III, Paragraph 14, is amended by deleting it in its entirety and inserting in its place:
"All notices or other communications required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been duly given if delivered personally in hand, by telephonic facsimile or electronic mail with simultaneous regular mail, or mailed certified mail, return receipt requested, postage prepaid on the date posted, and addressed to the other party at the address set forth below:

FOR DEPARTMENT:	Kristina L. Swallow, P.E., Director Attn: Jason Tyrrell, P.E. Local Public Agency Coordinator Nevada Department of Transportation Roadway Design 123 E. Washington Avenue P.O. Box 170 Las Vegas, Nevada 89125 Phone: (702) 671-8852 Fax: (702) 671-8850 E-mail address: jtyrrell@dot.nv.gov
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FOR CITY:	Greg McDermott
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City of Las Vegas
495 S. Main Street
Las Vegas, Nevada 89101
Phone: (702) 229-2143
Fax: (702) 382-8551
E-mail address: gmcdermott@lasvegasnevada.gov

- C. The Agreement shall be renamed from "P089-16-063" to "PR089-16-063". This change allows for the inclusion of the required five percent (5%) match of the Federal TAP funding.
- D. The first paragraph, is amended by deleting it in its entirety and inserting in its place:
"This Agreement is made and entered on May 9, 2016, by and between the STATE OF NEVADA, acting by and through its Department of Transportation (hereinafter "DEPARTMENT") and the City of Las Vegas, 495 S. Main Street, Las Vegas, NV 89101 (hereinafter "CITY")."
- E. All of the other provisions of Agreement No. P089-16-063 dated May 9, 2016, and Amendment No. 1 dated October 19, 2016, shall remain in full force and effect as if fully 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

Carolyn G. Goodman, Mayor

Director

Attest:

Approved as to Legality and Form:

LuAnn D. Holmes, MMC
City Clerk

Deputy Attorney General

Approved as to Form:

 10/20/2020

Deputy City Attorney

John S. Ridilla
Deputy City Attorney