

**THIRD SUPPLEMENTAL INTERLOCAL CONTRACT
FLAMINGO – BOULDER HIGHWAY NORTH, CHARLESTON –
MAIN STREET TO MARYLAND PARKWAY**

THIS THIRD SUPPLEMENTAL INTERLOCAL CONTRACT (“CONTRACT”) made and entered into as of the 9th day of March, 2023 by and between the Clark County Regional Flood Control District, hereinafter referred to as “DISTRICT”, and the City of Las Vegas hereinafter referred to as “CITY”.

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 2018 Master Plan Update as Facility Number FLBN 0280, 0281 and 0312, 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 Ten Year Construction Program; and

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

WHEREAS, the Interlocal Contract dated August 10, 2017, First Supplemental Interlocal Contract dated May 24, 2018 and Second Supplemental Interlocal Contract dated April 9, 2020 were entered into between the DISTRICT and the CITY; and,

WHEREAS, the City desires to extend project completion date.

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

SECTION III – GENERAL, paragraphs 6, 9, 10, 14 and 15 shall be revised/added to read as follows:

6. Applicable portions of the current editions of the Clark County Regional Flood Control District Policies and Procedures, the Hydrologic Criteria and Drainage Design Manual, and Uniform Regulations for the Control of Drainage adopted by the DISTRICT will apply in developing this PROJECT unless specifically superseded by this CONTRACT.
9. The DISTRICT will pay the CITY, or make payment directly to its contractor or its consultant, each month for PROJECT costs as outlined in SECTION II – PROJECT COSTS. Invoices must identify and allocate all costs to the categories noted below:
 - a. Predesign Engineering
 - b. Design Engineering
 - c. Entity Design Labor
 - d. Right-of-way
 - e. Environmental
 - f. Emergency Action Plan
 - g. Flood Map Revision
 - h. Construction
 - i. Construction Management
 - j. Entity Construction Management Labor
 - k. Landscape Construction
 - l. Other
10. Accurate documentation of all work performed and payments made will be maintained by the CITY in accordance with applicable state laws and retention policies of the CITY.
14. The items covered in SECTION II – PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to June 30, 2026. The DISTRICT may, at any time thereafter, grant extensions or terminate this CONTRACT after thirty (30) days notice.
15. This CONTRACT may be executed in multiple counterparts, each of which shall be deemed an original CONTRACT and each of which shall constitute one and the same CONTRACT. The counterparts of this CONTRACT may be executed and delivered by facsimile or other electronic signature (including portable document format) by either of the parties and the receiving party may rely on the receipt of such document so executed and delivered electronically or by facsimile as if the original had been received.

The remainder of the original Interlocal Contract dated August 10, 2017, First Supplemental Interlocal Contract dated May 24, 2018 and Second Supplemental Interlocal Contract dated April 9, 2020 shall remain unchanged.

IN WITNESS WHEREOF, the Parties have caused this Third Supplemental Interlocal Contract to be executed by their duly authorized representatives the day and year first above written.

Date of Council Action

Date of District Action

March 9, 2023

City of Las Vegas

Regional Flood Control District

By: _____
Carolyn G. Goodman, Mayor

By: 
Justin Jones (Mar 13, 2023 22:44 EDT)
Justin Jones
Chair

Attest

Attest

By: _____
LuAnn Holmes, MMC
City Clerk

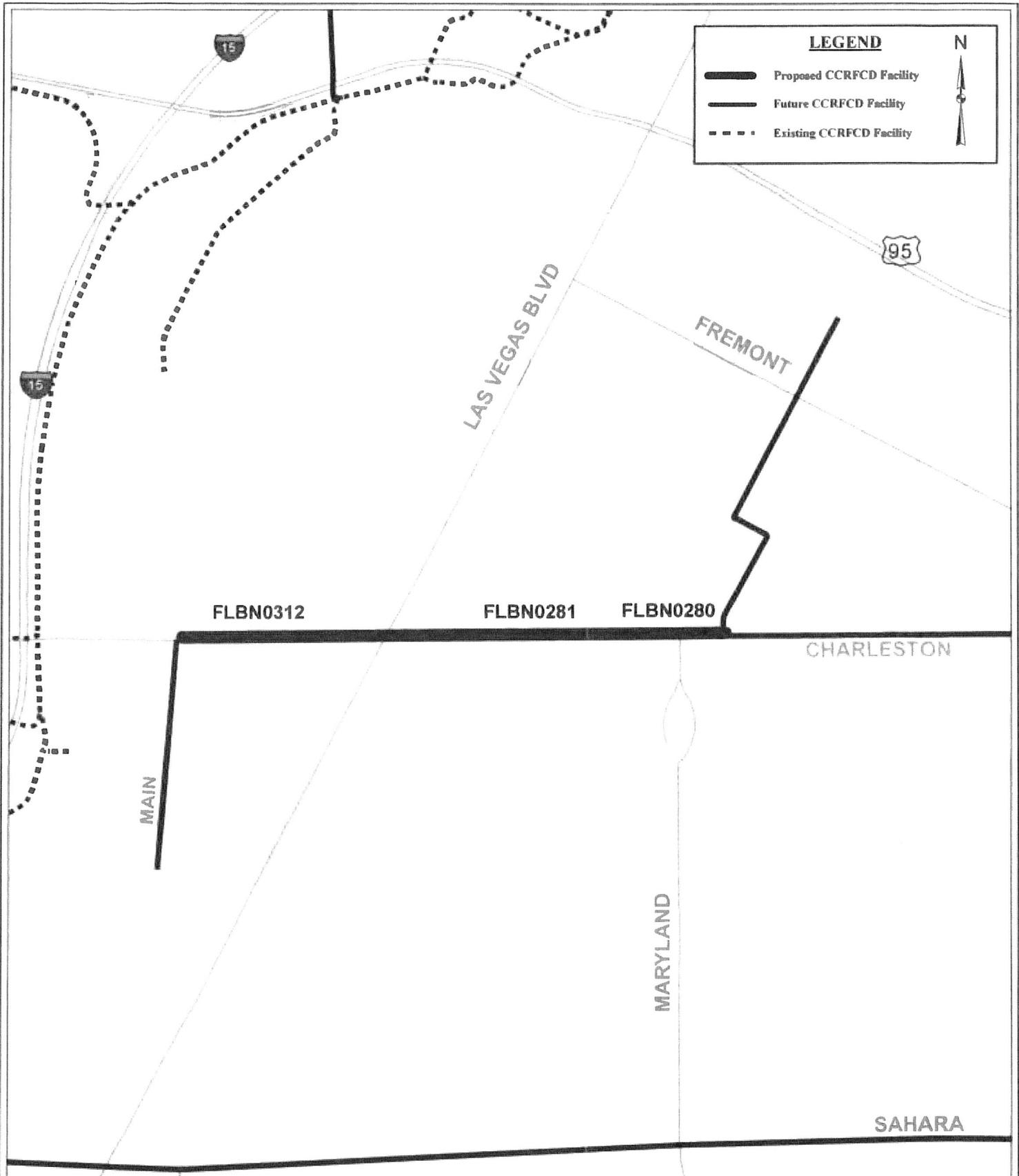
By: *Deanna Hughes*
Deanna Hughes
Secretary to the Board

Approved as to Form

Approved as to Form

By:  *March 24, 2023*
Deputy City Attorney Date
Timothy J. Geswein
Deputy City Attorney

By: 
Christopher Figgins (Mar 13, 2023 15:24 PDT)
Christopher Figgins
RFCD Attorney



**EXHIBIT A
FLAMINGO - BOULDER HWY NORTH, CHARLESTON -
MAIN STREET TO MARYLAND PARKWAY (LAS29D17)**

SCALE: 1:16,000
DRAWING NAME:
 Flamingo_BoulderHwyNorth_
 Charleston_MainSt-MarylandPky-WEST
DRAWN BY: C. JONES
DATE: 03/12/2020
SHEET NUMBER 1 OF 1