

**SUPPLEMENTAL NO. 5 TO THE INTERLOCAL CONTRACT FOR
WINDMILL WASH DETENTION BASIN EXPANSION AND JESS WAITE LEVEE
FACILITIES
(AKA WINDMILL WASH DETENTION BASIN EXPANSION)**

THIS FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT (“CONTRACT”), made and entered into this 13th day of October, 2022, 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”.

W I T N E S S E T H

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 2017 Master Plan Update for the Town of Bunkerville, Structure Nos. WIJE 0000, WIWA 0038 and JEWA 0166 and 0168, hereinafter referred to as “Project”; and

WHEREAS, the flood control improvements proposed herein are generally described in the 2022 Master Plan Update for the Town of Bunkerville, Structure Nos. WIJE 0000, WIWA 0038 and JEWA 0166 and 0168, 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, and environmental for the Project; and

WHEREAS, it is necessary to increase design funding 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 February 10, 2011, supplemental Interlocal Contracts approved November 10, 2011, January 10, 2013, June 9, 2016, and June 10, 2021 to the following:

SECTION II - PROJECT COSTS, shall be revised to read as follows:

The DISTRICT agrees to fund PROJECT costs within the limits specified below:

1. Design in an amount not to exceed \$1,156,000.00.
2. Right-of-way acquisition including appraisals, title and escrow, negotiations, legal fees, recording fees, etc. in an amount not to exceed \$41,000.00.
3. Emergency Action Plan in an amount not to exceed \$4,000.00.
4. Environmental in an amount not to exceed \$179,000.00.
5. The total cost of this Interlocal CONTRACT shall not exceed \$1,380,000.00, 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 must be 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 10 shall be revised to read as follows:

10. Accurate documentation of all work performed and payments made will be maintained by the COUNTY in accordance with applicable state laws and retention policies of the COUNTY,

The remainder of the original Interlocal Contract and Supplemental Interlocal Contracts remains unchanged.

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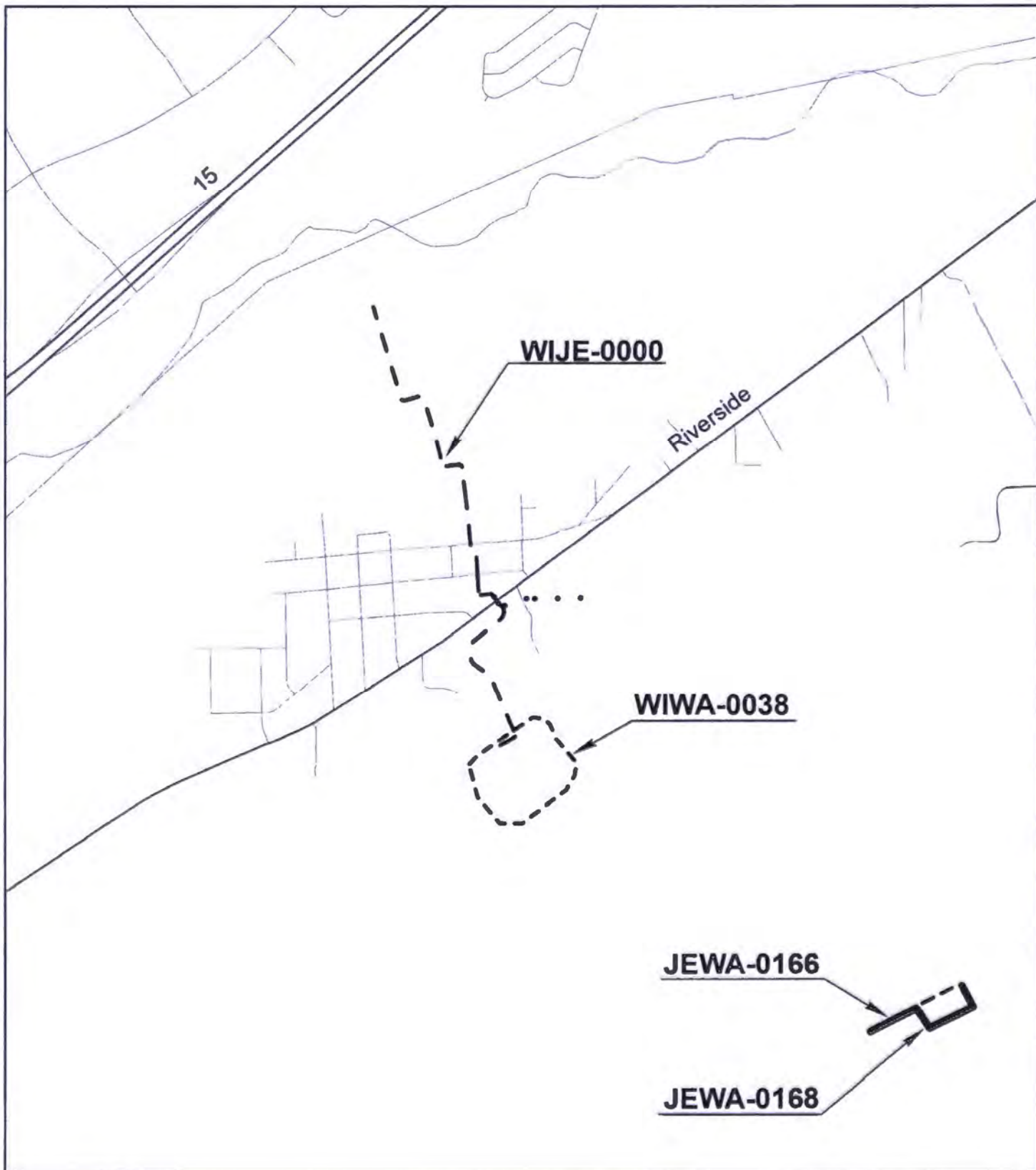
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Date of Commission Action: CLARK COUNTY BOARD OF COMMISSIONERS

Attest:

◆ ◆ ◆

Attest:



Legend

- Proposed
- Existing
- Future

Exhibit A



Project Number: BUN01D11

Windmill Wash Detention Basin Expansion
and Jess Waite Levee Facilities

CLARK COUNTY PUBLIC WORKS

SCALE: NOT TO SCALE

DATE: 09-02-2022

SHEET NUMBER: 1 OF 1