

**INTERLOCAL CONTRACT
BACKUP POWER
COOLING REQUIREMENTS AT HUBS**

THIS INTERLOCAL CONTRACT is made and entered into this 12TH day of August 2021, by and between Clark County, a political subdivision; the City of Las Vegas, a municipal corporation; the City of North Las Vegas, a municipal corporation; the City of Henderson, a municipal corporation; the City of Boulder City, a municipal corporation; and the City of Mesquite, a municipal corporation; hereinafter referred to individually as "ENTITY" or collectively as "ENTITIES," and the Regional Transportation Commission of Southern Nevada, hereinafter referred to as "RTC." The RTC and the ENTITIES are hereinafter referred to individually as "PARTY" or collectively as "PARTIES."

W I T N E S S E T H

WHEREAS, the RTC, in coordination with the ENTITIES, intends develop requirements for backup power and cooling requirements at the FAST communication hub, which is included on the adopted RTC Capital Improvement Plan, hereinafter referred to as "PROJECT," located wholly within Clark County, City of Las Vegas, City of North Las Vegas, City of Henderson, City of Boulder City; and City of Mesquite, and

WHEREAS, Nevada Revised Statue (NRS) Chapter 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental services, activity or undertaking which any of the public agencies entering into the agreement is authorized by law to perform and refers to such as an interlocal contract; and

WHEREAS, the ENTITIES agrees to conform to the current RTC Policies and Procedures, as amended and incorporated herein by reference; and

WHEREAS, the RTC will be the lead agency for the PROJECT; and

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the Parties hereto, the Parties agree to proceed as follows:

SECTION I: SCOPE OF PROJECT

This Interlocal Contract applies to developing plans for backup power and cooling systems at the FAST communication hubs.

SECTION II: PROJECT COSTS

The RTC agrees to provide funding for all costs associated with the PROJECT from the Highway Improvement Acquisition Fund as outlined below:

1. The total cost for this contract shall not exceed \$500,000.00.
2. Authorizations to Proceed (ATP) are granted as follows:

- a. ENGINEERING not to exceed \$500,000.00
 - b. RIGHT-OF-WAY not to exceed \$0.00
 - c. CONSTRUCTION not to exceed \$0.00
3. At the time the ATP for construction is granted, the ENTITIES will make all attempts to publish the bid for this PROJECT within 90 calendar days.
 4. A supplemental interlocal contract will be required for any changes to the amounts identified in number 2 above.

SECTION III: GENERAL

1. It is understood and agreed that the purpose of this Interlocal Contract is to fund the PROJECT as herein above set forth. It is further understood and agreed that the RTC is responsible for the design of the PROJECT. The RTC will be responsible for the actions or inactions of its Officers and Employees.
2. The PROJECT must be completed to the satisfaction of the RTC prior to the current applicable completion date of December 31, 2026. The RTC may, at any time thereafter, grant time extensions or terminate this Contract.
3. The RTC disavows any responsibility for the actions or inactions of the ENTITIES, their Officers, Employees, or agents.

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IN WITNESS WHEREOF, this Interlocal Contract #1301 is effective as of the date first set forth above:

Date of Commission Action: **REGIONAL TRANSPORTATION COMMISSION**

8/12/2021

BY:

DocuSigned by:

Debra March

AEE79BE2E5AC4B1

DEBRA MARCH, Chairwoman

Attest:

DocuSigned by:

Mariin Dubois

67E25985C7E8458

MARIN DUBOIS, Management Analyst

Approved as to Form:

DocuSigned by:

David Clyde

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RTC Legal Counsel

Date of Council Action: **CLARK COUNTY BOARD OF COMMISSIONERS**

BY:

MARILYN KIRKPATRICK

Chair

Attest

LYNN MARIE GOYA
County Clerk

Approved as to Form

Laura C. Rehfeldt
LAURA C. REHFELDT
Deputy District Attorney

Date of Council Action: CITY OF LAS VEGAS

BY: CAROLYN G. GOODMAN
Mayor

Attest

LUANN D. HOLMES, MMC
City Clerk

Approved as to Form

Deputy City Attorney

Date of Council Action: CITY OF NORTH LAS VEGAS

BY: JOHN J. LEE
Mayor

Attest

CATHERINE A. RAYNOR, MMC
City Clerk

Approved as to Form

MICHAELA RUSTIA MOORE
City Attorney

Date of Council Action: CITY OF HENDERSON

BY:

RICHARD A. DERRICK
City Manager/CEO

Approved as to Finance: Attest

JIM MCINTOSH
Chief Financial Officer

Jose Luis Valdez, CMC
City Clerk

Approved as to Content:

Approved as to Form

EDWARD MCGUIRE, P.E.
Director, Public Works

NICHOLAS G. VASKOV
City Attorney

Date of Council Action:

CITY OF BOULDER CITY

BY:

KIERNAN McMANUS
Mayor

Attest

TAMI MCKAY
Acting City Clerk

Approved as to Form

BRITTANY LEE WALKER, ESQ.
City Attorney

Date of Council Action: CITY OF MESQUITE

BY:

 ALLAN S. LITMAN
Mayor

Attest

TRACY E. BECK
City Clerk

Approved as to Form

ADAM ANDERSON
City Attorney