

**SUPPLEMENTAL NO. 1 TO THE INTERLOCAL CONTRACT FOR
DUCK CREEK/BLUE DIAMOND, BERMUDA ROAD TO LAS VEGAS BOULEVARD**

THIS FIRST SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into this 10th day of June, 2021, 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 2020 Master Plan Update for Laughlin, Nevada, as Structure No.'s DCBD 0075, 0082 and 0084, 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, it is necessary to increase funding for the Project; and

WHEREAS, the Project has regional flood control significance and is located in the unincorporated area of Clark County outside of 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 April 11, 2019, as follows:

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 \$1,700,000.00.
2. Right-of-way acquisition including appraisals, title and escrow, negotiations, legal fees, recording fees, etc. in an amount not to exceed \$18,000.00.
3. CLOMR/LOMR in an amount not to exceed \$20,000.00.
4. Environmental in an amount not to exceed \$15,000.00.

5. The total cost of this Interlocal CONTRACT shall not exceed \$1,753,000.00, 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, paragraphs 9 and 15 shall be revised/added to read as follows:

9. The DISTRICT will pay the (CITY or COUNTY), 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
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 shall remain unchanged.

IN WITNESS WHEREOF, this Supplemental No. 1 to the Interlocal Contract is hereby executed as of the date first set forth above.

Date of Commission Action:

CLARK COUNTY BOARD OF COMMISSIONERS

By:

Marilyn Kirkpatrick
Chair

Attest:

LYNN MARIE GOYA
County Clerk

Date of District Action:

REGIONAL FLOOD CONTROL DISTRICT

June 10, 2021

By:

Debra March
Debra March (Jun 14, 2021 10:35 PDT)

DEBRA MARCH, Chair

Attest:

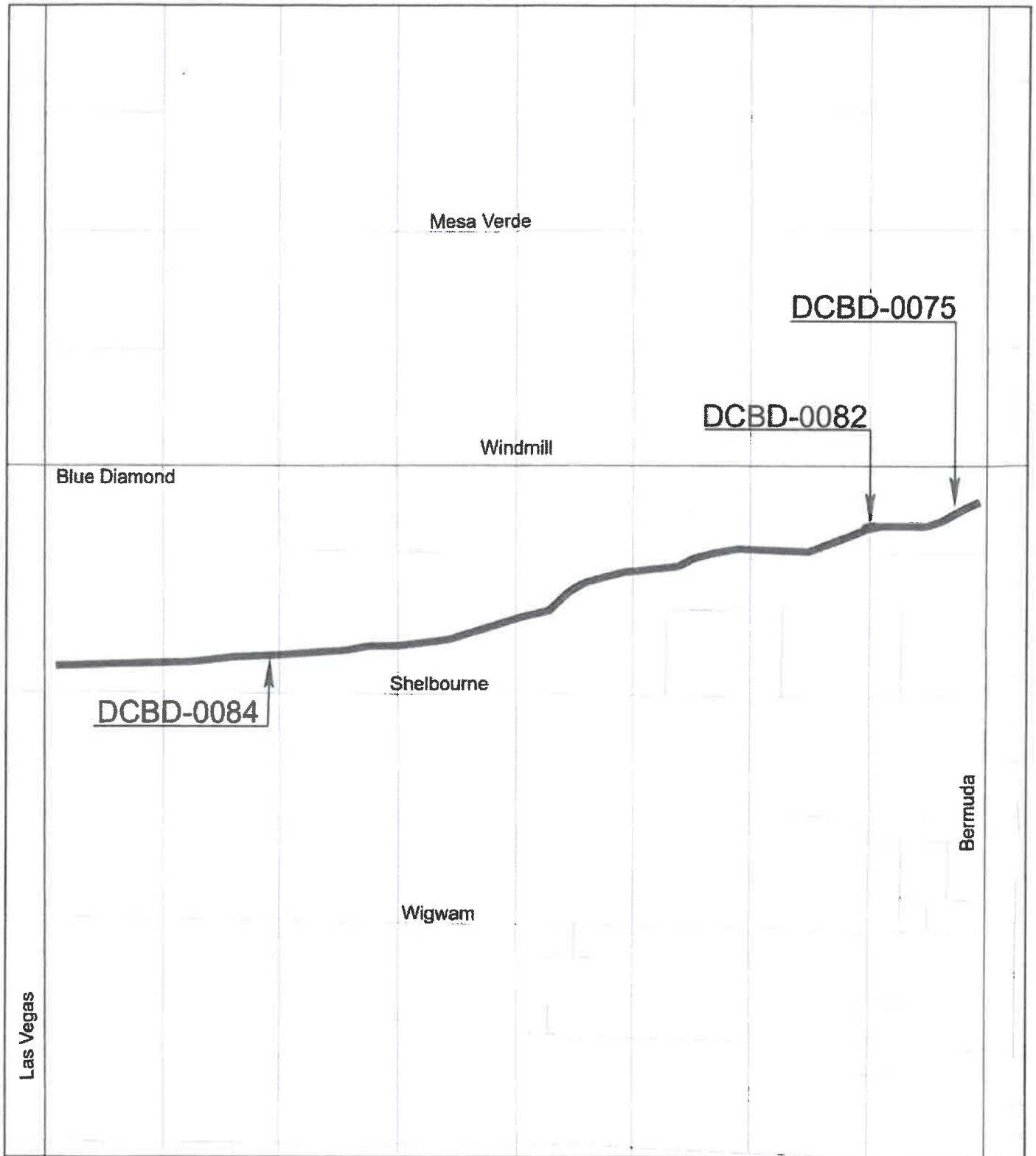
Deanna Hughes

DEANNA HUGHES
Secretary to the Board

Approved as to Form:

Christopher Figgins
Christopher Figgins (Jun 14, 2021 09:20 PDT)

CHRISTOPHER FIGGINS
RFCD Attorney



Legend

— Proposed

Exhibit A



Project Number: CLA39A19

**Duck Creek/ Blue Diamond Road, Bermuda
Road to Las Vegas Boulevard**

CLARK COUNTY PUBLIC WORKS

SCALE: NOT TO SCALE

DATE: 05-13-2021

SHEET NUMBER: 1 OF 1