

**NORTH LAS VEGAS CITY COUNCIL
AGENDA ITEM**

Number: **18**

SUBJECT:

Fifth Supplemental Interlocal Contract with the Clark County Regional Flood Control District for the Simmons Street Channel Project.

REQUESTED BY:

Dr. Qiong Liu, P.E., P.T.O.E., Director of Public Works

RECOMMENDATION OR RECOMMENDED MOTION:

That the City Council approve the Fifth Supplement Interlocal Contract with the Clark County Regional Flood Control District (District) for the Simmons Street Channel Project.

FISCAL IMPACT:

Amount: \$ None

Explanation: N/A

ACCOUNT NUMBER:

N/A

STAFF COMMENTS AND BACKGROUND INFORMATION:

This Fifth Supplemental Interlocal Contract has recently been approved by the District. It is a standard operating procedure to obtain approval by both parties on all interlocal contracts and supplementals.

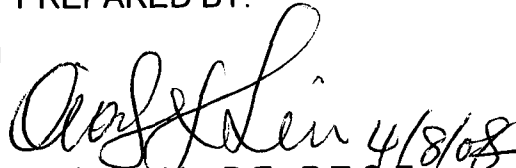
Interlocal Contract - Simmons Street Channel - The regional storm drainage pipeline is primarily located along Simmons Street, between Centennial Parkway and the Western Tributary of the Las Vegas Wash, as shown on the enclosed vicinity map.

This Fifth Supplemental is to change the completed date for right-of-way acquisition, design and construction engineering, construction and environmental documents, landscaping and flood insurance rate map amendments. Work must completed prior to June 30, 2008.

There are no additional costs associated with this supplemental.

LIST CITY COUNCIL GOAL(S): This Flood Control Project is consistent with Council's Priority of Well-Planned and Quality Growth.

PREPARED BY:



Dr. Qiong Liu, P.E., P.T.O.E.
Director of Public Works

**RESPECTFULLY
SUBMITTED:**



Gregory E. Rose
City Manager

**CITY COUNCIL
MEETING DATE:**

05/07/08

FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT

SIMMONS STREET CHANNEL

THIS FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 13th day of March, 2008, by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT", and the City of North 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 identified in the 1997 Master Plan Update, to include Structures No. LVSM 0000, LVSM 0084, and LVSM 0168; and as identified in the 2002 Flood Control Master Plan Update, to include Structures No. LVSM 0000 and LVSM 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 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, an Interlocal Contract was entered into on July 13, 2000, a First Supplemental Interlocal Contract was entered into on July 11, 2002, a Second Supplemental Interlocal Contract was entered into on May 20, 2004, a Third Supplemental Interlocal Contract was entered into on April 13, 2006, and a Fourth Supplemental Interlocal Contract was entered into on July 13, 2006 between the DISTRICT and the CITY; and

WHEREAS, it is desired to supplement the aforementioned contract to extend the date of completion.

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

RFCO

2008 FEB 20 AM 10:42

SECTION III - GENERAL, Paragraphs 10 and 15 are amended to read as follows:

10. 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. Right-of-Way acquisition including appraisals, title and escrow, negotiations, legal fees, recording fees, etc.
 - b. Predesign Engineering (all work prior to design, excluding right-of-way)
 - c. Design Engineering
 - d. Construction Engineering
 - e. Construction (all work after award of construction contract)
 - f. Environmental: costs incurred by the Lead Entity for the preparation of environmental documentation applicable to the project and costs incurred for the implementation of mitigation measures provided in an environmental document (e.g., EIS OR EA)
 - g. Other including landscaping, flood insurance rate map amendments or revisions, etc.
15. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to June 30, 2008. The DISTRICT may, at any time thereafter, grant extensions or terminate this CONTRACT after thirty (30) days notice.

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RFCD

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All other sections of the original Interlocal Contract dated July 13, 2000 and supplementals dated July 11, 2002, May 20, 2004, April 13, 2006, and July 13, 2006 shall remain unchanged.

IN WITNESS WHEREOF, this Fifth Supplemental Interlocal Contract is hereby executed as of the date first set forth above.

Date of District Action:

REGIONAL FLOOD CONTROL DISTRICT

March 13, 2008

BY: Laurence L. Brown III
LAWRENCE L. BROWN, III
Chairman

ATTEST:

Carolyn Frazier
CAROLYN FRAZIER
Secretary to the Board

Approved as to Form:

BY: Chris Figgins
CHRISTOPHER FIGGINS
Chief Deputy District Attorney

Date of Council Action:

CITY OF NORTH LAS VEGAS

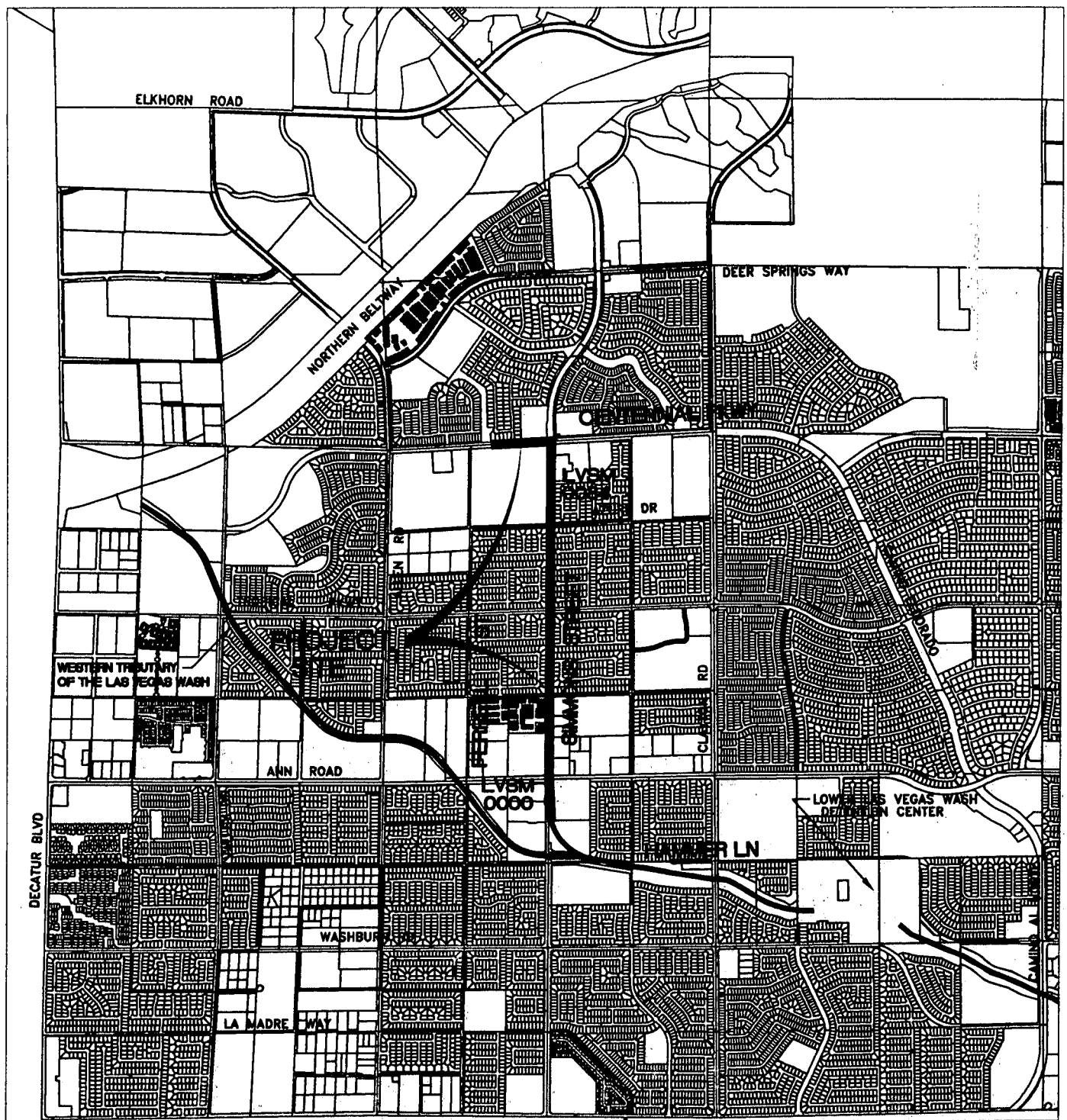
BY: _____
MICHAEL L. MONTANDON
Mayor

ATTEST:

KAREN L. STORMS, CMC
City Clerk

RFCO

2008 FEB 20 AM 10:41



VICINITY MAP



**DEPARTMENT OF PUBLIC WORKS
ENGINEERING SERVICES DIVISION**

SIMMONS STREET CHANNEL PROJECT

SCALE: NONE

DRAWING NAME: 10083-VIC.Dwg

DRAWN BY: D. BERRY

DATE: 10/02/03

SHEET NUMBER 1

NLV16A00

RFCD
2008 FEB 19 PM 4:42

CITY OF NORTH LAS VEGAS
INTEROFFICE MEMORANDUM

To: Qiong Liu, Acting Director of Public Works
From: Barbara Andolina, Deputy City Clerk
Subject: Regional Flood Control District
Date: March 18, 2008

Dr. Liu, attached to this memo is a letter from the RFCD referencing the following:

5th Supplemental Interlocal Contract for Simmons Street Channel (NLV16A00)

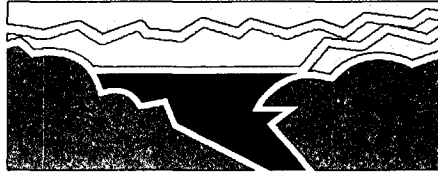
They are requesting approval by the City Council. Please prepare an agenda item for these contract and return the item along with the RFC's letter and the original contract to this office for placement on a City Council agenda. We have retained one original contract.

Thank you for your assistance.



Barbara A. Andolina
Deputy City Clerk

REGIONAL FLOOD CONTROL DISTRICT



Gale Wm. Fraser, II, P.E.
General Manager/Chief
Engineer

BOARD OF DIRECTORS

Larry Brown
Chairman
City of Las Vegas

Chip Maxfield
Vice-Chairman
Clark County

David Bennett
City of Mesquite

Robert L. Eliason
City of North Las Vegas

Mayor Oscar Goodman
City of Las Vegas

Andy Hafen
City of Henderson

Mayor Roger Tobler
City of Boulder City

Bruce L. Woodbury
Clark County

March 14, 2008

Ms. Karen L. Storms, CMC
City Clerk
City of North Las Vegas
2200 Civic Center Drive
North Las Vegas, NV 89030

Dear Ms. Storms:

Enclosed are two (2) originals of the following contract:

- Fifth Supplemental Interlocal Contract Simmons Street Channel (NLV16A00)

The Regional Flood Control District's Board of Directors at their March 13, 2008 meeting approved this contract. Please place this contract on the next available agenda for approval and obtain the necessary signatures. Once this contract has been fully executed, you may keep one copy for your files and return the other copy to the District.

Thank you for your prompt attention to this matter.

Sincerely,


Carolyn M. Frazier
RFCD Board Secretary

CMF:ph

Enclosure(s)

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