



RESOLUTION NUMBER 902

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE ADOPTING AMENDMENT NO. 2 TO INTERLOCAL AGREEMENT (NM068-15-015) BETWEEN THE CITY OF MESQUITE (COM) AND NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) FOR THE CONSTRUCTION OF EXIT 118 LOCATED ON I-15, WITHIN THE CITY OF MESQUITE, NEVADA.

WHEREAS, Nevada Revised Statutes Chapter 277.180 provides that two or more public agencies may enter into an agreement for the performance of any governmental service, activity or undertaking which any of said agencies is authorized by law to perform; and

WHEREAS, Nevada Revised Statutes Chapter 277.045(2) requires that interlocal agreements be adopted by formal resolution or ordinance; and

WHEREAS, on March 25, 2015, the Parties entered into Agreement No. NM068-15-015 to complete the work to build a new interchange on Interstate 15 (I-15) at Milepost 118, including an approach roadway (the extension of Lower Flat Top Parkway), interchange ramps, and a bridge over I-15; and

WHEREAS, on May 19, 2016, the Parties entered into Amendment No.1 to Agreement No. NM068-15-015 to set forth the DEPARTMENT's and the CITY's cost participation and responsibilities to upgrade and rehabilitate existing drainage culverts crossing I-15 and identify the right-of-way ownership within the control access of the PROJECT; and

WHEREAS, the DEPARTMENT has directed the CITY to perform Naturally Occurring Asbestos (NOA) testing of local materials used on the PROJECT (hereinafter called the "TESTING"); and

WHEREAS, as a result of the DEPARTMENT's direction to the CITY to perform TESTING, the CITY's Contractor was delayed and has incurred additional costs to compete TESTING requirements, and the DEPARTMENT is willing to participate in such Contractor costs resulting from the TESTING; and

WHEREAS, the purpose of this Amendment is to set forth the DEPARTMENT's and the CITY's cost participation and responsibilities related to the TESTING; and

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Mayor and City Council of the City of Mesquite that Amendment No. 2 to the Interlocal Agreement (NM068-15-015) between the City of Mesquite and Nevada Department of Transportation is adopted.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Mesquite, Nevada on the 26th day of July, 2016.

THE CITY OF MESQUITE, NEVADA:

APPROVED AS TO FORM:

By: _____
Allan S. Litman, Mayor

By: _____
Robert Sweetin, City Attorney

ATTEST:

By: _____
Tracy E. Beck, City Clerk