

Assembly

GOVERNMENT AFFAIRS COMMITTEE

1- 0074

MINUTES OF THE MEETING

February 11, 1975

MEMBERS PRESENT: CHAIRMAN DINI
ASSEMBLYMAN SCHOFIELD
ASSEMBLYMAN MAY
ASSEMBLYMAN CRADDOCK
ASSEMBLYMAN HARMON
ASSEMBLYMAN MOODY
ASSEMBLYMAN YOUNG
ASSEMBLYMAN FORD
VICE-CHAIRMAN MURPHY

ALSO PRESENT: Mr. W. E. Hancock, Public Works Board
Mr. Robert Gregory, Civil Defense
Mr. Robert Warren, Nevada League of Cities
Miss M. Blondel, Nevada Tax Commission
Mr. Bill Adams, City of Las Vegas

Mr. Dini called the meeting to order at 8:10 A.M., and announced that a quorum was present. (Assemblymen Young, Ford and Murphy entered the meeting after it was called to order).

Mr. Dini stated that the first bill on the agenda for discussion was A.B. 79, which requires fallout shelters to be incorporated, where feasible, into plans of public buildings. Mr. Robert Gregory testified with regard to A.B. 79. Mr. Gregory stated that there was a possibility of a nuclear attack on this country and this possibility cannot be ignored. He further stated that it is the government's responsibility to provide fallout shelters. Mr. Gregory then asked the committee if there were any questions.

Mr. Dini asked Mr. Gregory that as far as the local governments are concerned, what the cost would be to them to provide these fallout shelters.

Mr. Gregory stated that the cost would be determined on the size of the shelter, and what protection factor was involved. Mr. Gregory further stated that A.B. 79 referred only to slanting techniques which many times have no cost at all. Mr. Gregory explained to the committee that the fallout radiation hits the ground and that when it does, it comes in a straight direction. A flower box or some other diversion will deflect radiation.

Mr. Schofield then informed Mr. Gregory that he did not know what a slanting type of fallout shelter was.

Mr. Gregory stated that in this building, when you come in the entrance, it is a direct opening from the outside so fallout would come directly into the building. If you had "baffles", it would not.

Mr. Hancock of the Public Works Board then stated that if you had an entrance like a school building, it would not come directly in.

Mr. Schofield then stated that this would be some type of diversion.

Mr. Hancock stated yes and also that one type of diversion would be by deflection and also by the density of the materials that you use. He stated that a school building does not have the density in the walls. He further stated that when you get into a reinforced concrete building, that from the fifth floor to the third floor, you have protection against fallout. He also stated that in his opinion, slanting is probably only helpful in multi-story buildings or buildings of heavy concrete.

Mr. Dini asked if there were any other questions.

Mr. Hancock stated that it would be more appropriate that this bill, instead of under public works, be through Civil Defense. The Public Works Board would do nothing more than funnel them back to Mr. Gregory, and that this bill should be written around Bob Gregory's Office.

Mr. Schofield questioned the words "where feasible" in the bill. Mr. Hancock then read that portion of the bill and stated that it would be a subjective decision. He stated that there was certain technical information that you could develop a program around. He further stated that subjective judgment should be used, and that in previous legislation they have spoken in terms of 3% of the construction cost. He also stated that if it could be done for less, then it should be considered.

Mr. Dini asked if there were any further questions.

Mr. Craddock stated that he had had some experience with the federal government in construction and questioned the words reasonable period of time, and stated that very often, "reasonable period of time" could be lengthy.

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Mr. Hancock stated that the slanting would be done in the schematics, and that once the working drawing is put together that it would then have to be redrawn if the slanting was to be added. He then stated that they would be receiving a report keeping them informed of all of the construction in the state. As soon as we find out, we contact the builder and ask if we can send someone over to talk to them about the fallout shelter. Mr. Hancock then stated that without some law and some enforcement of it, people are not aware of the fact that this should be done if possible and feasible.

Mr. Schofield stated that the word "feasible" could be a problem.

Mr. Gregory stated that he realized that it was permissive.

Mr. Dini asked if there were any further questions or comments.

Mr. Bill Adams of the City of Las Vegas next testified. He stated that he was sitting on the fence on this bill and that they really had no objection with the exception of the word feasible and that a price tag should be inserted. He stated that the bill was appropriately written and is good and that it ties it back to the Public Works Board and if there was a price tag put in, it would be sufficient.

Mr. Dini asked if there were any questions. Mr. Bob Warren confirmed what Mr. Adams stated.

Mr. Dini then proceeded to A.B. 177 which was not scheduled on the agenda, but because Mr. Gregory was at the meeting, the committee would discuss it.

Mr. Gregory stated that A.B. 177 changes the name of civil defense and disaster agency to office of emergency services and revises certain emergency provisions. He stated that this bill is an amendment to present NRS 414. He further stated that changing the name of the office of Civil Defense would be appropriate in light of the services they provide for the State, and that it would give a better identification. Mr. Gregory stated that California, Arizona and Washington have gotten away from the words Civil Defense and have gone into Emergency Preparedness or Emergency Services. He said this amendment changes the Civil Defense Act which was originally written in 1953, and that these changes delete language that is no longer appropriate and bring it up to date and provide for the natural disaster aspect of it. When this was written in 1953, it was written on the basis of war. The amendment also states that the governor or the legislature can declare an emergency and also provides the governor with more definite and definitive controls should a state of emergency be called.

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He further stated that the bill was written under Section 414.150 and deletes language on page 12, paragraph 3 where reference is made to the oath, which language has been contested in the Supreme Court and found to be unconstitutional.

Mr. Hancock then stated that there was one other change on page 3, paragraph 3 with regard to mobil support unit. He asked that this definition be left in the bill because it refers to mobile support unit in other portions of the bill. He further stated that lines 13 through 60 should be left in.

Mr. Hancock further stated that on page 12, sections 18 and 19 were added. He stated that this was completely new material which was added to the act which sought no new funds.

Mr. Schofield asked what he thought it would take to change over and to change the name and what the projected costs would be.

Mr. Hancock stated that the only thing they would have to change would be the stationery.

Mr. Schofield asked Mr. Hancock if they would have to change their advertising material and Mr. Hancock replied that nothing else would have to be changed other than the stationery.

Mr. Dini then read from Page 13, paragraph 6 and asked Mr. Hancock if he had the authority now.

Mr. Hancock stated no.

Mr. Dini asked if there were any questions. Mr. Dini then stated that the committee would appoint a sub-committee and will assign A.B. 177 to the subcommittee. Mr. Dini said that the sub-committee would consist of Mr. Harmon as Chairman and Mr. May and Mr. Craddock.

Mr. Dini then stated that the testimony was now concluded on A.B. 177.

The committee then proceeded to A.B. 172 and Mr. Hancock then testified on this bill. Mr. Hancock handed out a copy of a chart entitled Sequential Program (which is attached to the minutes of this meeting) and explained the chart to the committee members. He stated that this bill was asking for authority for the State Public Works Board to use Construction management on certain projects, and that in his opinion it was only appropriate on certain major projects which would cost a lot of money and that \$5,000,000 was the cut off. He stated that the State's procedure now was a sequential program.

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Mr. Hancock stated that the procedure would be the selection of the architect; the pre-qualifying of the general architect and that a contractor would have to have a big organization. He stated that all of the bidding was done within one month of each other and that 99% of the time the low general contractor does not have the low bid subcontractors. Mr. Hancock stated that under this procedure of construction management, the bidding is put into a more logical progress. It would be like a bid depository and only recommended for major projects.

Mr. May stated that a lot of times a general contractor will not take a low bid in all categories and other times they will be purposely low as they might need the job desperately.

Mr. Hancock stated that under the construction management method all bids would be exposed and that the general contractor would have the over-all responsibility. He stated that under the present system they never do see all of the bids now, and that the general contractor awards the contracts to the subcontractors and not the state.

Mr. May then questioned Mr. Hancock with regard to the licensing Board.

Mr. Hancock stated that the licensing board was not looking for managerial skills.

Mr. May then suggested to Mr. Hancock that a pilot program be arranged for a year or two.

Mr. Hancock stated that that would be all right and referred to the prison project which would be appropriate for the construction management program as it was large enough and stated that the construction management program must be tried on a big project only. Mr. Hancock stated that the general contractor on any job probably has 15% to 20% interest in the job and the general contractor's risk is less than normal.

Mr. Hancock then read from the AGC rules and stated that you must prequalify.

Mr. Young questioned Mr. Hancock about the effect on the smaller communities and whether there is anyone there that has been able to bond himself. He asked if this would allow some of the smaller contractors to get a shot at it.

Mr. Hancock replied that it would allow more local subcontractors to get in on it and that it would not allow more contractors, but only for subcontractors. He further stated that the advantage would be an early start and an early completion.

Mr. Dini asked Mr. Hancock if in the bidding process on an upturn if they would not get stuck?

Mr. Craddock then asked if they would have control in the project if the sequence got out of hand or out of order and that he thought it would present problems.

Mr. Hancock stated that the general contractor has the authority to run the job as he sees fit.

Mr. Craddock then read Section 2(d).

Mr. Hancock then stated that a procedure would have to be developed. It would be how the construction management process would work. He stated that there would be substantial financial savings.

Mr. Dini asked Mr. Hancock if there was any appropriation involved in this bill.

Mr. Hancock stated that there would be none.

Mr. May then asked Mr. Hancock if this would preclude anyone from out of state.

Mr. Hancock then stated that they must be licensed under Title 28.

Mr. May then asked Mr. Hancock if there was any federal money involved in the prison project. Mr. Hancock replied no.

Mr. May then asked Mr. Hancock if they were exempting minorities.

Mr. Hancock stated that they were.

Mr. May then asked if this was federally funded if it would endanger it.

Mr. Hancock stated that he did not think so and that all of them had equal rights and equal opportunities and that the HEW Rules and Regulations include forms and procedure.

Mr. Dini then asked if there were any further questions or discussion on A.B. 172.

Mr. Adams then stated that they were aware of the concept of construction management and that a lower limit should be placed on the funds involved. He stated that \$5,000,000 was generally recognized. He stated that an advantage of construction management is the use of subcontractors in the bidding process. He stated that he felt that construction management was good.

Mr. Dini asked if there were any other questions or comments.

Mr. Dini stated that a subcommittee should be appointed with regard to A.B. 172 and that Mr. May would be the chairman of the subcommittee and that Mr. Murphy and Mr. Young would be the other members of the committee and that the subcommittee would work with Mr. Hancock. Mr. Craddock stated that some contractors be involved in this and Mr. Dini agreed.

A.B. 171 was next on the agenda for discussion but that no one was available to testify from the State Purchasing Department so A.B. 171 would be placed on the agenda for Wednesday, February 12, 1975.

There being no further business to come before the meeting, it was adjourned at 9:15.

Respectfully submitted,

Barbara Gomez
Committee Secretary

ASSEMBLY

1-0073

AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday,

Date February 11, 1975 Time 8:00 A.M. Room 214

Bills or Resolutions
to be considered

Subject

Counsel
requested*

A.B. 79

Requires fallout shelters to be incorporated, where feasible, into plans of public buildings.

A.B. 171

Eliminates aggregate provision for local purchases in State Purchasing Act and makes using agencies responsible for current record-keeping.

A.B. 172

Allows public works board to utilize construction management service procedures.

