

DISCLAIMER

Electronic versions of the exhibits in these minutes may not be complete.

This information is supplied as an informational service only and should not be relied upon as an official record.

Original exhibits are on file at the Legislative Counsel Bureau Research Library in Carson City.

Contact the Library at (775) 684-6827 or library@lcb.state.nv.us.



WORK SESSION

Assembly Committee on Government Affairs

PREPARED BY
RESEARCH DIVISION
LEGISLATIVE COUNSEL BUREAU
Nonpartisan Staff of the Nevada State Legislature

ASSEMBLY BILL 86

Revises provisions concerning purchasing contracts of certain local governments. (BDR 27-338)

Sponsored by: Assembly Committee on Government Affairs
On Behalf of the Nevada League of Cities and Municipalities

Date Heard: February 17, 2003

Assembly Bill 86, in its original form, revises the provisions concerning purchasing contracts for counties whose populations are less than 100,000, by making such procedures consistent with the larger counties.

Amendments: The Nevada League of Cities and Municipalities proposed amendments to the bill that would make the advertising and bidding requirements for purchasing contracts the same for all counties by deleting the separate requirements for counties with less than 100,000 in population.

A mock-up of the proposed amendments is attached.

Opposition: Kent Lauer, representing the Nevada Press Association, opposed the bill.

Fiscal Impact: Local Government: No
State Government: No

PROPOSED AMENDMENTS TO ASSEMBLY BILL 86
APRIL 7, 2003

1. Repeal NRS 332.035 and NRS 332.036 (see attached)

2. Amend NRS 332.039 to remove population restriction

NRS 332.039 Contracts in county ~~whose population is 100,000 or more.~~

1. Except as otherwise provided by specific statute:

(a) A governing body or its authorized representative in a county whose population is 100,000 or more shall advertise all contracts for which the estimated amount required to perform the contract exceeds \$25,000.

(b) Such a governing body or its authorized representative may enter into a contract of any nature without advertising if the estimated amount required to perform the contract is \$25,000 or less.

(c) If the estimated amount required to perform the contract is more than \$10,000 but not more than \$25,000, requests for bids must be submitted to two or more persons capable of performing the contract, if available. The governing body or its authorized representative shall maintain a record of all requests for bids and all bids received for at least 7 years after the date of execution of the contract.

2. This section does not prohibit a governing body or its authorized representative from advertising for or requesting bids regardless of the estimated amount to perform the contract.

NRS 332.035 Contracts in county whose population is less than 100,000 and whose annual appropriated expenditures are less than \$1,000,000.

1. Except as otherwise provided by specific statute:

(a) If a local government that is located in a county whose population is less than 100,000 has annual appropriated expenditures of less than \$1,000,000, the governing body of the local government or its authorized representative shall advertise all contracts for which the estimated amount required to perform the contract exceeds \$10,000.

(b) Such a governing body or its authorized representative may enter into a contract of any nature without advertising if the estimated amount required to perform the contract is \$10,000 or less.

(c) If the estimated amount required to perform the contract is more than \$5,000 but not more than \$10,000, requests for bids must be submitted to two or more persons capable of performing the contract, if available. The governing body or its authorized representative shall maintain a permanent record of all requests for bids and all bids received.

2. Nothing in this section prohibits a governing body or its authorized representative from advertising for or requesting bids regardless of the estimated amount to perform the contract.

NRS 332.036 Contracts in county whose population is less than 100,000 and whose annual appropriated expenditures are \$1,000,000 or more.

1. Except as otherwise provided by specific statute:

(a) If a local government that is located in a county whose population is less than 100,000 has annual appropriated expenditures of \$1,000,000 or more, the governing body of the local government or its authorized representative shall advertise all contracts for which the estimated amount required to perform the contract exceeds \$25,000.

(b) Except as otherwise provided in paragraph (d), such a governing body or its authorized representative may enter into a contract of any nature without advertising if the estimated amount required to perform the contract is \$25,000 or less.

(c) If the estimated amount required to perform the contract is more than \$5,000 but not more than \$25,000, requests for bids must be submitted to two or more persons capable of performing the contract, if available. The governing body or its authorized representative shall maintain a record of all requests for bids and all bids received for the contract for at least 7 years after the date on which the contract was executed.

(d) If the governing body or its authorized representative intends to award a contract for which the estimated amount required to perform the contract is more than \$10,000 but not more than \$25,000, the governing body or its authorized representative shall publish a notice that sets forth:

- (1) The date on which the contract may be awarded;
- (2) The estimated amount for which the contract may be awarded;
- (3) The general purpose for which the contract may be awarded; and
- (4) Information regarding the manner in which a contractor may have his name placed on

a list maintained by the local government of properly licensed contractors who are interested in receiving offers from the local government to bid on contracts.

The notice required pursuant to this paragraph must be published in a newspaper published and having general circulation within the county wherein the local government, or a major portion thereof, is situated. If no such newspaper is published in the county, then publication must be in any newspaper published in the state having general circulation in the county.

2. Nothing in this section prohibits a governing body or its authorized representative from advertising for or requesting bids regardless of the estimated amount to perform the contract.