

Amendment No. 261

Senate Amendment to Senate Bill No. 467	(BDR 28-816)
Proposed by: Committee on Government Affairs	
Amendment Box:	
Resolves Conflicts with: N/A	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: No	

ASSEMBLY ACTION	Initial and Date		SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____		Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____		Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
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Amend section 1, page 1, line 5, by deleting “*and*” and inserting “*or*”.

Amend the bill as a whole by deleting sections 2 and 3 and inserting:

“**Secs. 2 and 3.** (Deleted by amendment.)”.

Amend the bill as a whole by adding a new section designated sec. 4.5, following sec. 4, to read as follows:

“**Sec. 4.5.** NRS 338.1378 is hereby amended to read as follows:

338.1378 1. Before a ~~{governing body}~~ **local government** accepts applications pursuant to NRS 338.1379, the ~~{governing body}~~ **local government** must, in accordance with subsection 2, advertise in a newspaper that is:

- (a) Qualified pursuant to the provisions of chapter 238 of NRS; and



(b) Published in a county in which the contracts for the potential public works will be performed or, if no qualified newspaper is published in that county, published in a qualified newspaper that is published in the State of Nevada and which has a general circulation in the county in which the contracts for the potential public works will be performed.

2. An advertisement required pursuant to subsection 1:

(a) Must be published at least once not less than 21 days before applications are to be submitted to the ~~[governing body;]~~ **local government**; and

(b) Must include:

(1) A description of the potential public works for which applications to qualify as a bidder are being accepted;

(2) The time and place at which applications are to be submitted to the ~~[governing body;]~~ **local government**;

(3) The place at which applications may be obtained; and

(4) Any other information that the ~~[governing body]~~ **local government** deems necessary.”.

Amend sec. 5, page 7, line 22, by deleting “governing body.” and inserting:

“~~[governing body.]~~ **local government.**”.

Amend sec. 5, page 7, lines 24, 30 and 35, by deleting “governing body” and inserting:

“~~[governing body]~~ **local government**”.

Amend sec. 5, page 7, by deleting line 41 and inserting “**local government.**”

Amend sec. 5, page 8, lines 1 and 6, by deleting “governing body” and inserting:

“~~[governing body]~~ **local government**”.

Amend sec. 6, page 8, line 14, by deleting “governing body,” and inserting:

~~“governing body,”~~ ***local government,***”.

Amend sec. 6, page 8, by deleting lines 20 and 21 and inserting:

“the Board or ~~governing body,~~ ***local government.*** At least 10 days before the date set for the hearing, the Board or ~~governing body,~~ ***local government*** shall serve the applicant or”.

Amend sec. 7, page 9, lines 13 and 22, by deleting “~~[\$100,000] \$250,000~~” and inserting “\$100,000”.

Amend sec. 8, page 11, lines 13 and 22, by deleting “~~[\$100,000] \$250,000~~” and inserting “\$100,000”.

Amend the bill as a whole by deleting sections 9 through 11 and inserting:

“**Secs. 9-11.** (Deleted by amendment.)”.

Amend the bill as a whole by adding a new section designated sec. 12.5, following sec. 12, to read as follows:

“**Sec. 12.5.** NRS 338.139 is hereby amended to read as follows:

338.139 1. A ~~public body,~~ ***governing body*** or its authorized representative may award a contract for a public work pursuant to NRS 338.1375 to 338.13895, inclusive, to a specialty contractor if:

(a) The majority of the work to be performed on the public work to which the contract pertains consists of specialty contracting for which the specialty contractor is licensed; ~~and~~

(b) The public work to which the contract pertains is not part of a larger public work ~~[-]~~; ***and***

(c) ***All work to be performed on the public work to which the contract pertains that is outside the scope of the license of the specialty contractor is performed by a subcontractor that is licensed to perform such work.***

2. If ~~[a public body or its authorized representative]~~ *the State Public Works Board* awards a contract to a specialty contractor pursuant to NRS 338.1375 to 338.13895, inclusive, all work to be performed on the public work to which the contract pertains that is outside the scope of the license of the specialty contractor must be performed by a subcontractor who:

(a) Is licensed to perform such work; and

(b) At the time of the performance of the work, is not on disqualified status with the State Public Works Board pursuant to NRS 338.1376.”.

Amend sec. 15, page 18, lines 32 and 41, by deleting “[~~\$100,000~~] **\$250,000**” and inserting “\$100,000”.

Amend sec. 16, page 20, lines 27 and 36, by deleting “[~~\$100,000~~] **\$250,000**” and inserting “\$100,000”.

Amend the bill as a whole by deleting sections 17 through 19 and inserting:

“**Secs. 17-19.** (Deleted by amendment.)”.

Amend sec. 20, page 23, line 45, by deleting:

“*in addition to*” and inserting “*before*”.

Amend sec. 21, page 24, line 5, by deleting “[~~\$100,000~~] **\$250,000.**” and inserting “\$100,000.”.

Amend the title of the bill to read as follows:

“AN ACT relating to public works; requiring only first tier subcontractors to be listed in the bid by the prime contractor in certain circumstances; providing an exception to the competitive bidding process in certain circumstances; requiring an arbitration clause in certain public works contracts; revising the requirements for a request for preliminary proposals for the design and construction of certain public works; decreasing the required number of

proposals required before awarding a contract to a design-build team; requiring certain proposals and related information to be made available to the public; and providing other matters properly relating thereto.”.