
ASSEMBLY BILL NO. 84—ASSEMBLYMEMBER KOENIG

PREFILED DECEMBER 9, 2024

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions relating to county roads.
(BDR 35-152)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to county roads; revising provisions relating to certain projects to perform work or construction relating to county roads; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, if a project to perform work or construction relating to
2 county roads is estimated to cost \$100,000 or more, the board of county highway
3 commissioners must, with certain exceptions, advertise for bids and let contracts to
4 complete the project. (NRS 403.490) This bill provides that if the board advertises
5 for bids not less than two times and does not receive any bid, the project may be
6 performed by county employees or through the employment of day labor under the
7 supervision of the board and by the use of county equipment.

8 In a county whose population is less than 52,000 (currently all counties other
9 than Clark, Washoe, Lyon and Elko Counties and Carson City), if a project is
10 estimated to cost between \$100,000 and \$250,000, existing law authorizes the
11 board of county highway commissioners to hold a hearing to determine whether the
12 project can be performed by county employees or through the use of day labor
13 under the supervision of the board and by the use of county equipment. (NRS
14 403.490) This bill: (1) provides that the maximum amount of the estimated cost of a
15 project for which the board may hold such a hearing must be adjusted each fiscal
16 year using a formula based on 2011 as the base year in accordance with the
17 National Highway Construction Cost Index, as published by the United States
18 Department of Transportation; and (2) revises the maximum amount to \$547,570,
19 which reflects the application of this formula to the previous maximum amount.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 403.490 is hereby amended to read as follows:

2 403.490 1. To perform any work or construct any
3 superstructure under this chapter wherein an expenditure of
4 \$100,000 or more may be necessary, the board of county highway
5 commissioners shall cause definite plans of such work or
6 superstructure to be made, estimates of the amount of work to be
7 done and the probable cost thereof, together with a copy of the
8 specifications thereof.

9 2. Except as otherwise provided in ~~subsection 3.~~ *subsections*
10 *3 and 4*, upon receipt of the plans, estimates and specifications for a
11 project for which the estimated cost is \$100,000 or more, the board
12 of county highway commissioners shall advertise for bids and let
13 contracts in the manner prescribed by chapter 332 or 338 of NRS, as
14 applicable.

15 3. *If the board of county highway commissioners advertises*
16 *for bids pursuant to subsection 2 not less than two times and does*
17 *not receive any bid for the project, the project may be performed*
18 *by county employees or through the employment of day labor*
19 *under the supervision of the board and by the use of its own*
20 *machinery, tools and other equipment without letting contracts*
21 *pursuant to subsection 2.*

22 4. In a county whose population is less than 52,000, if the
23 estimated cost of a project is \$100,000 or more but less than
24 ~~[\$250,000,]~~ *\$547,570, as adjusted pursuant to this subsection*, the
25 board of county highway commissioners may hold a hearing to
26 determine, by majority vote of the board, if the project can be
27 performed by county employees or through the employment of day
28 labor under the supervision of the board and by the use of its own
29 machinery, tools and other equipment without advertising for bids
30 and letting contracts pursuant to subsection 2. *Using 2011 as the*
31 *base year, the maximum amount of the estimated cost of a project*
32 *for which a hearing may be held pursuant to this subsection must*
33 *be adjusted for each fiscal year using the following formula:*

34 (a) *Subtract the amount of the highway construction index for*
35 *the first quarter of the base year from the amount of the highway*
36 *construction index for the last quarter of the calendar year*
37 *immediately preceding the fiscal year for which the adjustment is*
38 *made;*

39 (b) *Divide the difference calculated pursuant to paragraph (a)*
40 *by the amount of the highway construction index for the first*
41 *quarter of the base year;*



1 (c) *Add one to the quotient calculated pursuant to paragraph*
2 *(b); and*

3 (d) *Multiply the sum calculated pursuant to paragraph (c) by*
4 *\$250,000.*

5 5. Notice for ~~[such]~~ a hearing *held pursuant to subsection 4*
6 must be provided not less than 15 days before the date of the hearing
7 and must be published pursuant to the provisions of NRS 238.010 to
8 238.080, inclusive. The board shall provide, in the notice and at
9 least 15 days before the hearing at the office of the board and at the
10 place of the hearing, the following information, without limitation:

11 (a) A list of:

12 (1) All county employees, if any, including supervisors, who
13 will perform the work, including, without limitation, the
14 classification of each employee and an estimate of the direct and
15 indirect costs of the labor;

16 (2) The number of day laborers, if any, that will be employed
17 to perform the work; and

18 (3) All machinery, tools and other equipment of the county to
19 be used on the project.

20 (b) An estimate of:

21 (1) The direct and indirect costs of the labor of the county
22 employees who will perform the work, if any;

23 (2) The direct and indirect costs of the labor of any day
24 laborers who will be employed to perform the work pursuant to
25 chapter 338 of NRS;

26 (3) The cost of any administrative support that will be
27 required for the performance of the work;

28 (4) The total cost of the project, including, without
29 limitation, the fair market value or, if available, the actual cost of all
30 materials, supplies, equipment and labor necessary for the project;
31 and

32 (5) The amount of savings to be realized by having county
33 employees or day laborers perform the work.

34 ~~[4.]~~ 6. In cases of emergency the board of county highway
35 commissioners may let contracts for repairs in the manner
36 prescribed by chapter 332 of NRS.

37 ~~[5.]~~ 7. Nothing in this section shall prevent any county from
38 opening, building, improving or repairing any public road or
39 highway in the county through the work of county employees or the
40 employment of day labor, under the supervision of the board of
41 county highway commissioners and by the use of its own
42 machinery, tools and other equipment, without letting contracts to
43 the lowest responsible bidder, if the probable cost of the work does
44 not exceed \$100,000.



1 8. *For the purposes of this section, “highway construction*
2 *index” means the National Highway Construction Cost Index, as*
3 *published by the United States Department of Transportation or, if*
4 *that index ceases to be published by the United States Department*
5 *of Transportation, the published index that most closely resembles*
6 *that index, as determined by the board of county highway*
7 *commissioners.*

8 **Sec. 2.** This act becomes effective on July 1, 2025.

