

ASSEMBLY BILL NO. 445—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF CLARK COUNTY)

MARCH 10, 1999

Referred to Committee on Government Affairs

SUMMARY—Exempts contracts for purchase of computer hardware and associated peripheral equipment and devices from requirements for competitive bidding set forth in Local Government Purchasing Act. (BDR 27-573)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: 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 purchasing by local governments; exempting contracts for the purchase of computer hardware and associated peripheral equipment and devices from the requirements for competitive bidding set forth in the Local Government Purchasing Act; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 332.115 is hereby amended to read as follows:
2 332.115 1. Contracts which by their nature are not adapted to award
3 by competitive bidding, including contracts for:
4 (a) Items which may only be contracted from a sole source;
5 (b) Professional services;
6 (c) Additions to and repairs and maintenance of equipment which may
7 be more efficiently added to, repaired or maintained by a certain person;
8 (d) Equipment which, by reason of the training of the personnel or of an
9 inventory of replacement parts maintained by the local government is
10 compatible with existing equipment;
11 (e) Purchases of perishable goods by a county or district hospital;
12 (f) Insurance;
13 (g) ***Hardware and associated peripheral equipment and devices for***
14 ***computers;***

1 **(h)** Software for computers;
2 ~~**(i)**~~ **(i)** Books, library materials and subscriptions;
3 ~~**(j)**~~ **(j)** Motor vehicle fuel purchased by a local law enforcement
4 agency for use in an undercover investigation;
5 ~~**(k)**~~ **(k)** Motor vehicle fuel for use in a vehicle operated by a local law
6 enforcement agency or local fire department if such fuel is not available
7 within the vehicle's assigned service area from a fueling station owned by
8 the State of Nevada or a local government;
9 ~~**(l)**~~ **(l)** Purchases made with money in a store fund for prisoners in a
10 jail or local detention facility for the provision and maintenance of a
11 canteen for the prisoners; and
12 ~~**(m)**~~ **(m)** Supplies, materials or equipment that are available from the
13 General Services Administration or another governmental agency in the
14 regular course of its business,
15 are not subject to the requirements of this chapter for competitive bidding
16 as determined by the governing body or its authorized representative.
17 2. The purchase of equipment for use by a local law enforcement
18 agency in the course of an undercover investigation is not subject to the
19 requirements of this chapter for competitive bidding if:
20 (a) The equipment is an electronic or mechanical device which by
21 design is intended to monitor and document in a clandestine manner
22 suspected criminal activity; and
23 (b) Purchasing the equipment pursuant to such requirements would
24 limit or compromise the use of such equipment by an agency authorized to
25 conduct such investigations.
26 3. The governing body of a hospital required to comply with the
27 provisions of this chapter, or its authorized representative, may purchase
28 goods commonly used by the hospital, under a contract properly awarded
29 pursuant to NRS 332.065, without additional competitive bidding even if
30 at the time the contract was awarded:
31 (a) The vendor supplying such goods to the person awarded the contract
32 was not identified as a supplier to be used by the person awarded the
33 contract; or
34 (b) The vendor was identified as a supplier but was not identified as the
35 supplier of such goods.
36 The governing body of the hospital shall make available for public
37 inspection each such contract and records related to those purchases.
38 4. Except in cases of emergency, at least 60 days before the expiration
39 of an existing contract for insurance in which the local government is the
40 insured, the governing body shall cause to be given, by advertising or in
41 another manner deemed adequate and desirable by the governing body,
42 notice of the date the contract for insurance expires.

- 1 5. Nothing in this section prohibits a governing body or its authorized
- 2 representative from advertising for or requesting bids.

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