

SENATE BILL NO. 175—SENATORS SCHNEIDER, NEAL, MATHEWS,
WIENER, CARE, TITUS AND SHAFFER

FEBRUARY 15, 2001

JOINT SPONSORS: ASSEMBLYMEN GIUNCHIGLIANI, PARKS, BEERS,
CARPENTER, CHOWNING, HUMKE, MANENDO AND NOLAN

Referred to Committee on Government Affairs

SUMMARY—Makes various changes to provisions relating to disabled persons.
(BDR 27-194)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

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

AN ACT relating to disabled persons; creating an exception for certain organizations to the competitive bidding process for purchasing by local governments; requiring the committee on employment of persons with disabilities, if created by the governor, to establish a program to encourage and facilitate the purchase of commodities and services from certain organizations by agencies of state and local government; 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.** Chapter 332 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 ***1. A governing body of a local government or its authorized***
4 ***representative may award, without complying with the requirements for***
5 ***competitive bidding set forth in this chapter, a contract for services or for***
6 ***the purchase of supplies, materials, equipment or labor to an***
7 ***organization or agency whose primary purpose is the training and***
8 ***employment of persons with a mental or physical disability, including,***
9 ***without limitation, a community-based training center for the care and***
10 ***training of mentally and functionally retarded persons described in***
11 ***chapter 435 of NRS.***
12 ***2. An organization or agency that wishes to submit a bid for such a***
13 ***contract must establish a fair-market price for those services, supplies,***



* S B 1 7 5 R 1 *

1 *materials, equipment or labor by conducting a market survey and must*
2 *include the survey with the bid submitted to the local government.*

3 **Sec. 2.** NRS 333.375 is hereby amended to read as follows:

4 333.375 1. The provisions of NRS 331.100 notwithstanding, the
5 ~~director~~ *purchasing division* may award without accepting competitive
6 bids a contract for services or the purchase of commodities to organizations
7 or agencies whose primary purpose is the training and employment of
8 ~~handicapped persons. He shall establish by market survey~~ *persons with a*
9 *mental or physical disability, including, without limitation, a community-*
10 *based training center for the care and training of mentally and*
11 *functionally retarded persons described in chapter 435 of NRS.*

12 2. *An organization or agency that wishes to submit a bid for such a*
13 *contract must establish a fair-market price for those services or*
14 *commodities* ~~+~~ *by conducting a market survey and must include the*
15 *survey with the bid submitted to the purchasing division.*

16 **Sec. 3.** Chapter 334 of NRS is hereby amended by adding thereto a
17 new section to read as follows:

18 1. *If the governor has created a committee on employment of persons*
19 *with disabilities, the committee shall establish a program to encourage*
20 *and facilitate purchases by agencies of commodities and services from*
21 *organizations.*

22 2. *The program may include:*

23 (a) *A method for assisting an agency that wishes to purchase*
24 *commodities or services from an organization to locate such commodities*
25 *and services that meet the needs of the agency;*

26 (b) *A method for assisting an organization to locate an agency that*
27 *wishes to purchase commodities or services from organizations;*

28 (c) *A method for encouraging agencies to purchase commodities and*
29 *services from organizations;*

30 (d) *A method to review objections to an award of a contract to an*
31 *organization, which method must be limited to a review of the process*
32 *used for awarding the contract to ensure that the appropriate procedures*
33 *were followed in awarding the contract;*

34 (e) *The establishment of a percentage, not to exceed 4 percent, of the*
35 *full amount of payment to an organization which is awarded a contract*
36 *for all commodities and services to be provided to the agency pursuant to*
37 *the contract that is sufficient to pay the cost to the committee of*
38 *establishing and administering the program; and*

39 (f) *A method for collecting information from an agency in a report to*
40 *the committee, which report may include, without limitation:*

41 (1) *The number of persons currently employed at the agency who*
42 *are mentally or physically disabled; and*

43 (2) *The number of contracts the agency has entered into pursuant*
44 *to the program which are currently in effect and a list of the*
45 *organizations with which the agency has entered such contracts.*

46 3. *In administering the program, the committee on employment of*
47 *persons with disabilities shall, upon request of an agency or*
48 *organization, assist the agency or organization in establishing a contract*
49 *for the purchase of commodities or services.*



* S B 1 7 5 R 1 *

- 1 4. *A contract entered into pursuant to the program must provide for*
2 *a payment to the committee in an amount equal to the full amount of*
3 *payment to the organization for all commodities and services to be*
4 *provided to the agency pursuant to the contract multiplied by the*
5 *percentage established pursuant to paragraph (e) of subsection 2.*
6 5. *As used in this section:*
7 (a) *“Agency” means a local government as defined in NRS 332.015*
8 *and using agencies as defined in NRS 333.020.*
9 (b) *“Organization” means an organization whose primary purpose is*
10 *the training and employment of mentally or physically disabled persons,*
11 *including, without limitation, community-based training centers for the*
12 *care and training of mentally and functionally retarded persons*
13 *described in chapter 435 of NRS.*
14 **Sec. 4.** This act becomes effective on July 1, 2001.

