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ASSEMBLY BILL NO. 295

SUBMITTED BY:
TED OLIVAS
CLARK COUNTY
ASST. DIRECTOR OF FINANCE

SUMMARY

Purpose: Assembly Bill No. 295 expands and clarifies the criteria to be used by local governments to pre-qualify contractors who wish to bid on contracts for public works. The proposed criteria are an objective measure of whether a contractor may successfully complete a public works project if he is the lowest responsible and responsive bidder.

Section 1, Page 1, Lines 1 – 11: This paragraph requires a local government to adopt the criteria set forth in NRS 338.1377 if it elects to pre-qualify contractors to bid on contracts for public works in accordance with NRS 338.1379. We do not believe that the local government needs to adopt their criteria by ordinance and have therefore introduced an amendment to eliminate this redundancy.

Section 1, Page 2, Lines 1 – 20: Subsections 2 and 3 of the current statute are deleted. The criteria set forth in these subsections have proven to be subject to varying interpretation and disputes.

Section 1, Page 2 – 3, Lines 21 – 45 and 1 – 10: The new subsections 1 through 10 are criteria which local governments and the construction industry have agreed will provide an objective measure of whether a contractor may successfully complete a public work project if he is the lowest responsible and responsive bidder.