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Proposed Amendment to Assembly Bill No. 295

April 9, 2003

Submitted by: Ted Olivas

Assistant Director of Finance, Clark County, Nevada &
Chairman of the Nevada Public Purchasing Study
Commission (NRS 332.215)

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Executive Vice President, Associated General Contractors
– Las Vegas Chapter

Jeanette Belz

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Construction Manager, City of Henderson

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Southern Nevada Water Authority &
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James Bell

Public Works Director, City of North Las Vegas

Jack Jeffrey

Southern Nevada Building & Construction Trades Council

1. Page 1, Section 1, Line 5, delete “*by ordinance*”.
2. Page 3, Section 1, add the following items after Subsection 10:

11. *Whether, in the 5 years preceding the application, the applicant has failed to perform any contract due to causes within the control of the applicant, its subcontractors, and suppliers:*

- (a) *in the manner specified in the contract and any change orders initiated or approved by the owner or its authorized representative;***
- (b) *within the time specified in the contract, unless extended by the owner or its authorized representative; or***
- (c) *for the amount of money specified in the contract, unless modified or approved by the owner or its authorized representative.***

Failure of an applicant to perform a contract as identified in this section may be evidenced by, but is not limited to, the assessment of liquidated damages against the applicant, the forfeiture of any bonds posted by the applicant, an arbitration award issued against the applicant, or judgment or findings by a court of law against the applicant; and

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Government Affairs
SUBCOMMITTEE on AB 295 and AB 540
DATE: 4/10/03 EXHIBIT C
SUBMITTED BY: Jeanette Belz