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Proposed Amendment to SB 146

Proposed by Tom Skancke on behalf of the Las Vegas Convention and Visitors Authority.

NRS Section 332.115

Add the following:

- p. Commercial advertising recreational facilities operated by county fair and recreations board,**

Delete NRS Sections 244A.657, 244A.659, 244A.661, 244A.663, 244A.665, 244A.667.

Under the present statutory scheme, the Las Vegas Convention and Visitors Authority cannot effectively sell advertising inside the Las Vegas Convention Center. Additionally, as a result of the statutory scheme, the LVCVA is hindered in obtaining an integrated system of advertising and way finding message boards for use in the Las Vegas Convention Center.

In today's digital age, it is important to obtain a state of the art advertising and way finding system for the Las Vegas Convention Center. In order to obtain that system for little or no cost, the LVCVA would need to negotiate terms and evaluate the digital systems. The current statutory scheme is based solely on a closed bidding system and the only negotiation that is authorized can only be with the highest bidder after a bid opening in a public meeting.

In sum, the process created in 1973, is not conducive with today's digital environment where everything is integrated and connected.

S.B. 146

SENATE BILL NO. 146—COMMITTEE ON GOVERNMENT
AFFAIRS

(ON BEHALF OF THE NEVADA ASSOCIATION OF
COUNTIES)

FEBRUARY 18, 2003

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing purchasing contracts
of local governments. (BDR 27-321)

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

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

Green numbers along left margin indicate location on the printed bill (e.g., 5-15 indicates page 5, line 15).

AN ACT relating to governmental purchasing; exempting from the requirements of competitive bidding an agreement between a local government and a vendor of supplies, materials or equipment that has entered into an agreement with the General Services Administration or another governmental agency located within or outside this state; authorizing a local government to join or use contracts of another state or its subdivisions; and providing other matters properly relating thereto.

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

1-1 **Section 1.** NRS 332.115 is hereby amended to read as follows:

1-2 332.115 1. Contracts which by their nature are not adapted to
1-3 award by competitive bidding, including contracts for:

1-4 (a) Items which may only be contracted from a sole source;

1-5 (b) Professional services;

1-6 (c) Additions to and repairs and maintenance of equipment
1-7 which may be more efficiently added to, repaired or maintained
by a

1-8 certain person;

1-9 (d) Equipment which, by reason of the training of the personnel
1-10 or of an inventory of replacement parts maintained by the local
1-11 government is compatible with existing equipment;

2-1 (e) Perishable goods;

2-2 (f) Insurance;

2-3 (g) Hardware and associated peripheral equipment and devices
2-4 for computers;

2-5 (h) Software for computers;

2-6 (i) Books, library materials and subscriptions;

2-7 (j) Motor vehicle fuel purchased by a local law enforcement
2-8 agency for use in an undercover investigation;

2-9 (k) Motor vehicle fuel for use in a vehicle operated by a local
2-10 law enforcement agency or local fire department if such fuel is
not

2-11 available within the vehicle's assigned service area from a
fueling

2-12 station owned by the State of Nevada or a local government;

2-13 (l) Purchases made with money in a store fund for prisoners in
a

2-14 jail or local detention facility for the provision and maintenance
of a

2-15 canteen for the prisoners;

2-16 (m) Supplies, materials or equipment that are available ~~from~~
2-17 ~~contracts~~ *pursuant to an agreement with a vendor that has*
2-18 *entered into an agreement* with the General Services

2-19 Administration or another governmental agency ~~{in the regular~~
2-20 ~~course of its business;}~~ *located within or outside this state;*

2-21 (n) Items for resale through a retail outlet operated in this state
2-22 by a local government or the State of Nevada; and

2-23 (o) Goods or services purchased from organizations or
agencies

2-24 whose primary purpose is the training and employment of
2-25 handicapped persons,

(p) Commercial advertising in recreational facilities
operated by a fair and recreation board,

2-26 are not subject to the requirements of this chapter for
competitive

2-27 bidding as determined by the governing body or its authorized
2-28 representative.

2-29 2. The purchase of equipment for use by a local law
2-30 enforcement agency in the course of an undercover investigation
is

2-31 not subject to the requirements of this chapter for competitive
2-32 bidding if:

2-33 (a) The equipment is an electronic or mechanical device
which

2-34 by design is intended to monitor and document in a clandestine
2-35 manner suspected criminal activity; or

2-36 (b) Purchasing the equipment pursuant to such requirements
2-37 would limit or compromise the use of such equipment by an
agency

2-38 authorized to conduct such investigations.

2-39 3. The governing body of a hospital required to comply with
2-40 the provisions of this chapter, or its authorized representative,
may

2-41 purchase goods commonly used by the hospital, under a contract
2-42 awarded pursuant to NRS 332.065, without additional
competitive

2-43 bidding even if at the time the contract was awarded:

3-1 (a) The vendor supplying such goods to the person awarded the
3-2 contract was not identified as a supplier to be used by the person
3-3 awarded the contract; or

3-4 (b) The vendor was identified as a supplier but was not
3-5 identified as the supplier of such goods.

3-6 The governing body of the hospital shall make available for
public

3-7 inspection each such contract and records related to those
purchases.

3-8 4. This section does not prohibit a governing body or its
3-9 authorized representative from advertising for or requesting bids.

3-10 **Sec. 2.** NRS 332.195 is hereby amended to read as follows:

3-11 332.195 1. A governing body or its authorized representative
3-12 ~~{and the State of Nevada}~~ may join or use the contracts of other
3-13 local governments *located* within *or outside* this state with the
3-14 authorization of the contracting vendor. The originally
contracting

3-15 local government is not liable for the obligations of the local
3-16 government which joins or uses the contract.

3-17 2. A governing body or its authorized representative may join
3-18 or use the contracts of the State of Nevada *or another state* with
the

3-19 authorization of the contracting vendor. The State of Nevada *or*
3-20 *other state* is not liable for the obligations of the local
government

3-21 which joins or uses the contract.

3-22 **Sec. 3.** This act becomes effective on July 1, 2003.