

Amendment No. 9

Assembly Amendment to Assembly Bill No. 39	(BDR 27-560)
Proposed by: Committee on Government Affairs	
Amendment Box: Replaces Amendment No. 7.	
Resolves Conflicts with: N/A	
Amends:	Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend section 1, page 2, by deleting lines 5 and 6 and inserting:

“332.039 may, after the bids are opened and within the period specified by the governing body or its authorized representative, file with the governing body”.

Amend sec. 3, page 3, by deleting lines 40 through 42 and inserting:

“(d) Such other matters as may properly pertain to giving notice”.

Amend sec. 7, pages 6 and 7, by deleting line 43 on page 6 and lines 1 through 5 on page 7, and inserting:

“pursuant to an agreement with a vendor that has entered into an agreement with the General Services Administration or another governmental agency located within or outside this State;”.

Amend the bill as a whole by renumbering sections 8 and 9 as sections 9 and 10 and adding a new section designated sec. 8, following sec. 7, to read as follows:

MSM/EGO

Date: 2/23/2005

A.B. No. 39—Revises provisions relating to purchasing by local governments.



“**Sec. 8.** NRS 332.195 is hereby amended to read as follows:

332.195 1. A governing body or its authorized representative *and the State of Nevada* may join or use the contracts of ~~other~~ local governments located within or outside this State with the authorization of the contracting vendor. The originally contracting local government is not liable for the obligations of the ~~local government~~ ***governmental entity*** which joins or uses the contract.

2. A governing body or its authorized representative may join or use the contracts of the State of Nevada or another state with the authorization of the contracting vendor. The State of Nevada or other state is not liable for the obligations of the local government which joins or uses the contract.”.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Existing law provides a procedure for bidders on state purchasing contracts and public works contracts to appeal or protest the awarding of the contract. (NRS 333.370, 338.142)

This bill provides a procedure for bidders on certain local government purchasing contracts to file a notice of protest with the governing body of the local government or its authorized representative concerning the awarding of the contract.

Under existing law, the Local Government Purchasing Act provides procedures and requirements for the purchase of supplies, materials, equipment and services by the governing body of a local government. (Chapter 332 of NRS) In relevant part, the Act prohibits the use of on-line bidding as an exclusive means for receiving bids for a purchasing contract, provides criteria for awarding such contracts and exempts certain types of contracts from the requirements for competitive bidding. (NRS 332.047, 332.065, 332.115)

This bill allows a governing body of a local government to use on-line bidding as the exclusive means for receiving bids when it conducts a reverse auction. In addition, this bill authorizes a governing body to establish additional criteria for the awarding of a contract in the advertisement or request for bids for the contract. This bill also provides that contracts relating to systems of communication are not subject to the requirements of competitive bidding.

Existing law authorizes the Chief of the Purchasing Division of the Department of Administration, on behalf of the State of Nevada and certain local governments in Nevada, to

purchase supplies, materials and equipment from a vendor who has entered into an agreement with the United States General Services Administration or another governmental agency. (NRS 333.480)

This bill provides notice in the Local Government Purchasing Act that the State of Nevada has authority to enter into purchasing contracts with local governments within and outside Nevada.