

ASSEMBLY BILL NO. 212—ASSEMBLYMEN WOODBURY;
GOICOECHEA, GRADY, HAMMOND, HANSEN, HARDY,
HICKEY, KITE AND STEWART

FEBRUARY 25, 2011

JOINT SPONSORS: SENATORS HARDY; GUSTAVSON,
KIECKHEFER AND SETTELMAYER

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to design-build contracts
entered into by the Department of Transportation.
(BDR 35-851)

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

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

AN ACT relating to transportation; revising provisions governing
the authority of the Department of Transportation to enter
into contracts with design-build teams; and providing
other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, the Department of Transportation is authorized, under
2 certain circumstances, to enter into one or more contracts known as design-build
3 contracts with teams that consist of at least one general contractor and an architect
4 or professional engineer for the design and construction of projects estimated to
5 cost more than \$20 million. Once each fiscal year, the Department is authorized to
6 enter into a design-build contract for a project estimated to cost between \$5 million
7 and \$20 million. (NRS 408.388) This bill: (1) removes the limitation on the number
8 of smaller projects for which the Department is authorized to enter into design-
9 build contracts in a fiscal year; and (2) decreases to \$1 million the threshold at
10 which the Department is authorized to enter into a design-build contract for a
11 project.



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

Section 1. NRS 408.388 is hereby amended to read as follows:
408.388 ~~{1}~~ Except as otherwise provided in NRS 408.5471
to 408.549, inclusive, the Department may contract with a design-
build team for the design and construction of a project if the
Department determines that:

~~{(a) Except as otherwise provided in subsection 2, the}~~

1. The estimated cost of the project exceeds ~~[\$20,000,000;]~~
\$1,000,000; and

~~{(b)}~~ **2.** Contracting with a design-build team will enable the
Department to:

~~{(1)}~~ **(a)** Design and construct the project at a cost that is
significantly lower than the cost that the Department would incur to
design and construct the project using a different method;

~~{(2)}~~ **(b)** Design and construct the project in a shorter time
than would be required to complete the project using a different
method, if exigent circumstances require that the project be
designed and constructed within a short time; or

~~{(3)}~~ **(c)** Ensure that the design and construction of the
project is properly coordinated, if the project is unique, highly
technical and complex in nature.

~~{2. Notwithstanding the provisions of subsection 1, the
Department may, once in each fiscal year, contract with a design-
build team for the design and construction of a project the estimated
cost of which is at least \$5,000,000 but less than \$20,000,000 if the
Department makes the determinations otherwise required pursuant
to paragraph (b) of subsection 1.}~~

Sec. 2. This act becomes effective on July 1, 2011.

