

ASSEMBLY BILL NO. 228—ASSEMBLYMEN HICKEY, HANSEN;
GOEDHART, GOICOECHEA, GRADY, HAMBRICK, HARDY,
KIRNER, MCARTHUR, SEGERBLOM, SHERWOOD, SMITH
AND STEWART

MARCH 2, 2011

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing contracts for public works. (BDR 28-582)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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 public works; requiring a public body to use a standard form construction contract that is endorsed by national associations representing industry professionals for a public work; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Under existing law, a public body is required to include certain provisions in a
2 contract for a public work. (NRS 338.150, 338.153, 338.155) This bill requires a
3 public body to use a standard form construction contract which has been endorsed
4 by national associations representing industry professionals for each contract for a
5 public work.

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

- 1 **Section 1.** Chapter 338 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

- 3 *A contract for a public work must be a standard form*
4 *construction contract which includes terms, conditions and*
5 *agreements endorsed by at least one national association that*
6 *primarily represents the interests of public owners and at least one*
7 *national association that primarily represents the interests of*
8 *private contractors, provided that:*



- 1 ***1. A public body shall make any modifications necessary to***
2 ***conform with the laws and regulations of this State;***
- 3 ***2. A public body may make any reasonably necessary***
4 ***modifications for project-specific considerations; and***
- 5 ***3. The terms, conditions and agreements of a contract***
6 ***between a subcontractor and a contractor must be consistent with***
7 ***the terms, conditions and agreements of the contract for a public***
8 ***work entered into between the contractor and a public body***
9 ***pursuant to this section.***

