

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—Directs the Legislative Commission to conduct an
interim study on contracts for public works.
(BDR S-582)

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

~

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

AN ACT relating to public works; directing the Legislative
Commission to conduct an interim study of the feasibility
of standard form contracts for public works at the state
and local levels; 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 directs the
- 3 Legislative Commission to conduct an interim study of the feasibility of the use of
- 4 a standard form construction contract for each contract for a state or local public
- 5 work.

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

- 1 **Section 1.** (Deleted by amendment.)
- 2 **Sec. 2.** 1. The Legislative Commission shall appoint a
- 3 committee to conduct an interim study concerning the feasibility of
- 4 using standard form construction contracts for public works by state
- 5 and local governments.



* A B 2 2 8 R 1 *

2. The committee appointed by the Legislative Commission pursuant to subsection 1 must be composed of six Legislators as follows:

(a) Three members appointed by the Majority Leader of the Senate, at least one of whom must be appointed from the membership of the Senate Standing Committee on Government Affairs during the immediately preceding session of the Legislature; and

(b) Three members appointed by the Speaker of the Assembly, at least one of whom must be appointed from the membership of the Assembly Standing Committee on Government Affairs during the immediately preceding session of the Legislature.

3. The study must include, without limitation:

(a) A review of:

(1) The laws of this State governing public works; and

(2) The use of standardized contracts in other states and localities;

(b) Construction contract clauses recommended for inclusion; and

(c) Any other matters which the Legislative Commission deems relevant to the consideration of the issues.

4. In conducting the study, the committee shall consider the recommendations and testimony from experts in construction and public works contracts, including, without limitation:

(a) National associations primarily representing the interests of public owners or private contractors;

(b) The Commission to Study Governmental Purchasing created by NRS 332.215;

(c) Representatives of management and labor organizations;

(d) The State Public Works Board; and

(e) Local government public works officials.

5. The Legislative Commission shall submit a report of the results of the study and any recommendations for legislation to the 77th Session of the Nevada Legislature.

Sec. 3. This act becomes effective on July 1, 2011.

