

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 Commission to Study Governmental
Purchasing to conduct a study on contracts for public
works. (BDR S-582)

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

CONTAINS UNFUNDED MANDATE (§ 2)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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; directing the Commission to
Study Governmental Purchasing to conduct a 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 Commission to Study Governmental Purchasing to conduct a study of the
- 4 feasibility of the use of a standard form construction contract for each contract for a
- 5 state or local public 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 Commission to Study Governmental
- 3 Purchasing created pursuant to NRS 332.215 shall conduct a study
- 4 concerning the feasibility of using standard form construction
- 5 contracts for public works by state and local governments.



- 1 2. The study must include, without limitation:
2 (a) A review of:
3 (1) The laws of this State governing public works; and
4 (2) The use of standardized contracts in other states and
5 localities;
6 (b) Construction contract clauses recommended for inclusion;
7 and
8 (c) Any other matters which the Commission deems relevant to
9 the consideration of the issues.
10 3. In conducting the study, the Commission shall consider the
11 recommendations and testimony from experts in construction and
12 public works contracts, including, without limitation:
13 (a) National associations primarily representing the interests of
14 public owners or private contractors;
15 (b) Representatives of management and labor organizations;
16 (c) The State Public Works Board; and
17 (d) Local government public works officials.
18 4. On or before January 15, 2013, the Commission shall submit
19 a report of the results of the study and any recommendations for
20 legislation to the Director of the Legislative Counsel Bureau for
21 transmittal to the 77th Session of the Nevada Legislature.
22 **Sec. 2.5.** The provisions of NRS 354.599 do not apply to any
23 additional expenses of a local government that are related to the
24 provisions of this act.
25 **Sec. 3.** This act becomes effective on July 1, 2011.

