

Amendment No. 239

Assembly Amendment to Assembly Bill No. 212

(BDR 35-851)

Proposed by: Assembly Committee on Transportation**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date
Adopted	☐	Lost	☐ _____	Adopted	☐	Lost	☐ _____
Concurred In	☐	Not	☐ _____	Concurred In	☐	Not	☐ _____
Receded	☐	Not	☐ _____	Receded	☐	Not	☐ _____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) ~~orange double underlining~~ is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold underlining*** is newly added transitory language.

DLJ/TMC



Date: 4/17/2011

A.B. No. 212—Revises provisions relating to design-build contracts entered into by the Department of Transportation. (BDR 35-851)



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:**

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

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;]~~
\$10,000,000; 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~~ twice 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; \$10,000,000]~~ 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.