

SENATE BILL NO. 217—SENATOR MANENDO (BY REQUEST)

MARCH 7, 2013

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to the manner of performing work on roads in smaller counties. (BDR 35-925)

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 county roads; revising provisions relating to the manner of performing work for the construction and repair of roads and bridges in smaller counties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, in a county whose population is less than 100,000
2 (currently all counties other than Clark and Washoe Counties), the county
3 commissioners of the county make up the board of county highway commissioners.
4 (NRS 403.010) With exceptions for emergencies and instances in which a county
5 performs its own work with day labor and county equipment, if the construction of
6 any superstructure related to a county road may require the expenditure of \$500 or
7 more, the board of county highway commissioners is required to advertise for bids
8 and let contracts pursuant to certain competitive bidding provisions imposed on
9 local government. (NRS 332.039, 403.490) **Section 1** of this bill creates a
10 bifurcated system under which: (1) if the probable cost of road work does not
11 exceed \$25,000, a county may advertise for bids and let contracts pursuant to
12 chapter 332 of NRS or perform its own work with day labor and county equipment;
13 and (2) if the probable cost of the work exceeds \$25,000, a county is required to
14 advertise for bids and let contracts pursuant to chapter 338 of NRS. **Section 2** of
15 this bill makes a parallel, conforming change with respect to the construction and
16 repair of bridges.



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

1 **Section 1.** NRS 403.490 is hereby amended to read as follows:
2 403.490 1. To perform any work or construct any
3 superstructure under this chapter wherein an expenditure of \$500 or
4 more may be necessary, the board of county highway
5 commissioners shall cause definite plans of such work or
6 superstructure to be made, estimates of the amount of work to be
7 done and the probable cost thereof, together with a copy of the
8 specifications thereof.

9 2. ~~Upon~~ *If the probable cost of the work does not exceed*
10 *\$25,000, upon* receipt of the plans, estimates and specifications, the
11 board of county highway commissioners shall advertise for bids and
12 let contracts in the manner prescribed by chapter 332 of NRS.

13 ~~3-1~~ After submission of bids, the board of county highway
14 commissioners may reject any and all bids and advertise anew, or
15 the board may order the work done by day's work under the
16 supervision of the county road supervisor.

17 3. *Except as otherwise provided in subsection 4, if the*
18 *probable cost of the work exceeds \$25,000, upon receipt of the*
19 *plans, estimates and specifications, the board of county highway*
20 *commissioners shall advertise for bids and let contracts in the*
21 *manner prescribed by chapter 338 of NRS.*

22 4. In cases of emergency the board of county highway
23 commissioners may let contracts for repairs in the manner
24 prescribed by chapter 332 of NRS.

25 5. Nothing in this section shall prevent any county from
26 opening, building, improving or repairing any public road or
27 highway in the county by the employment of day labor, under the
28 supervision of the board of county highway commissioners and by
29 the use of its own machinery, tools and other equipment, without
30 letting contracts to the lowest responsible bidder, ~~irrespective of~~ *if*
31 the probable cost of the work ~~+~~ *does not exceed \$25,000.*

32 **Sec. 2.** NRS 403.600 is hereby amended to read as follows:

33 403.600 1. No bridge shall be constructed or repaired except
34 on the order of the board of county commissioners, or unless a
35 petition is filed as provided in NRS 403.610.

36 2. In entering into a contract for the construction or repair of a
37 bridge, the board of county commissioners shall comply with
38 ~~chapter 332 of~~ NRS ~~+~~ *403.610.*

39 **Sec. 3.** This act becomes effective on July 1, 2013.

