

ASSEMBLY BILL NO. 2—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF CLARK COUNTY)

PREFILED NOVEMBER 15, 2018

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing the employment of certain professionals on public works projects. (BDR 54-487)

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 public works; increasing the threshold for requiring the employment of a professional engineer, professional land surveyor or registered architect on certain public works; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law exempts a public work that costs \$35,000 or less from a requirement that a public work requiring the practice of professional engineering or land surveying be executed under the supervision of a professional engineer, professional land surveyor or registered architect. (NRS 625.530) This bill increases the threshold for this exemption to \$100,000 or less.

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

Section 1. NRS 625.530 is hereby amended to read as follows:
625.530 Except as otherwise provided in NRS 338.1711 to 338.173, inclusive, and 408.3875 to 408.3888, inclusive:
1. The State of Nevada or any of its political subdivisions, including a county, city or town, shall not engage in any public work requiring the practice of professional engineering or land surveying, unless the maps, plans, specifications, reports and estimates have been prepared by, and the work executed under the



1 supervision of, a professional engineer, professional land surveyor
2 or registered architect.

3 2. The provisions of this section do not:

4 (a) Apply to any public work wherein the expenditure for the
5 complete project of which the work is a part does not exceed
6 ~~[\$35,000.]~~ **\$100,000.**

7 (b) Include any maintenance work undertaken by the State of
8 Nevada or its political subdivisions.

9 (c) Authorize a professional engineer, registered architect or
10 professional land surveyor to practice in violation of any of the
11 provisions of this chapter or chapter 623 of NRS.

12 (d) Require the services of an architect registered pursuant to the
13 provisions of chapter 623 of NRS for the erection of buildings or
14 structures manufactured in an industrial plant, if those buildings or
15 structures meet the requirements of local building codes of the
16 jurisdiction in which they are being erected.

17 3. The selection of a professional engineer, professional land
18 surveyor or registered architect to perform services pursuant to
19 subsection 1 must be made on the basis of the competence and
20 qualifications of the engineer, land surveyor or architect for the type
21 of services to be performed and not on the basis of competitive fees.
22 If, after selection of the engineer, land surveyor or architect, an
23 agreement upon a fair and reasonable fee cannot be reached with
24 him or her, the public agency may terminate negotiations and select
25 another engineer, land surveyor or architect. Except as otherwise
26 provided in this subsection, in assigning the relative weight to each
27 factor for selecting a professional engineer, professional land
28 surveyor or registered architect pursuant to this subsection, the
29 public agency shall assign, without limitation, a relative weight of 5
30 percent to the possession of a certificate of eligibility to receive a
31 preference when competing for public works. If any federal statute
32 or regulation precludes the granting of federal assistance or reduces
33 the amount of that assistance for a particular public work because of
34 the provisions of this subsection relating to a preference when
35 competing for public works, those provisions of this subsection do
36 not apply insofar as their application would preclude or reduce
37 federal assistance for that public work.

38 **Sec. 2.** The amendatory provisions of this act do not apply to a
39 public work that is awarded before October 1, 2019.

