

Brian Sandoval
Governor



Patrick Cates
Director

Chris Chimits
Interim Administrator

Carson City Offices:
Public Works Section
515 East Musser Street, Suite 102
Carson City, Nevada 89701-4263
(775) 684-4141 | Fax (775) 684-4142

Buildings & Grounds Section
515 East Musser Street, Suite 102
Carson City, Nevada 89701-4263
(775) 684-1800 | Fax (775) 684-1821

STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Public Works Division

Las Vegas Offices:
Public Works Section
2300 McLeod Street
Las Vegas, Nevada 89104-4314
(702) 486-5115 | Fax (702) 486-5094

Buildings & Grounds Section
2300 McLeod Street
Las Vegas, Nevada 89104-4314
(702) 486-4300 | Fax (702) 486-4308

STATE PUBLIC WORKS DIVISION
PUBLIC WORKSHOP AGENDA
Video Conferenced

May 1, 2018
8:00 a.m.

Locations:
State Public Works Division
515 East Musser Street
Conference Room
Carson City NV 89701
775-684-4141

State Public Works Division
2300 McLeod Street
Las Vegas Nevada 89104
702-486-5115

The Department of Administration, State Public Works Division, will conduct a Public Workshop meeting on May 1, 2018 beginning at 8:00 a.m. at the State Public Works Division located at 515 E. Musser Street, Carson City, Nevada with video-conferencing to 2300 McLeod Street, Las Vegas, Nevada.

1. Call to Order/ Introductions.
2. Public Comment-Public comments will be taken during this agenda item. No action may be taken on any matter raised under this item until the matter is included on an Agenda as an item on which action may be taken. Public Comment may be limited to three minutes per person.
3. Review of proposed draft regulations revising various sections of Nevada Administrative Code (NAC) Chapters 338 and 341 and creating NAC Chapter 331.
4. Public Comment-Public comments will be taken during this agenda item. No action may be taken on any matter raised under this item until the matter is included on an Agenda as an item on which action may be taken. Public Comment may be limited to three minutes per person

Lyon County Library System
20 Nevin Way
Yerington, NV 89447-2399

Pershing County Library
1125 Central Ave.
Lovelock, NV 89419

Tonopah Public Library (Nye County)
PO Box 449
Tonopah, NV 89049

White Pine County Library
950 Campton Street
Ely, NV 89301

Mineral County Public Library
PO Box 1390
Hawthorne, NV 89415

Storey County Clerk's Office
Drawer D
Virginia City, NV 89440

Washoe County Library System
301 South Center Street
Reno, NV 89501-2102

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April 16, 2018
PROPOSED REGULATION OF THE
DEPARTMENT OF ADMINISTRATION
STATE PUBLIC WORKS DIVISION
NAC 338 and 341

Small Business Impact Statement

Pursuant to NRS 233B.0608(1), the State Public Works Division is required to make a determination whether its proposed regulations will: (a) impose a direct and significant economic burden upon small business, and (b) directly restrict the formation, operation, or expansion of small business. NRS 233B.0383 defines a small business to be any business that employs 150 or fewer employees.

The State Public Works Division has considered the two factors in NRS 233B.0608(1) and also acknowledges the following:

1. The State Public Works Division is statutorily directed by NRS 338.1384 to 338.13847 to qualify businesses owned by veterans with a service connected disability a 5% preference on certain contracts. Assembly Bill 62, passed in the 2015 Legislative Session amended these statutes. The proposed amendments conform the NAC to Assembly Bill 62.
2. SPWD is required to qualify contractor for public works projects over \$100,000 and \$100,000 or less. The qualification process will include a contractor evaluation. An evaluation on a project under \$100,000 is not helpful in accessing a contractor's performance history. The Amendment revises NAC 338.285 requiring contractor evaluations only on projects over \$100,000.
3. NRS 338.1375 requires the State Public Works Division to qualify contractors before they contract for public works projects. Current statute and regulation allows for consideration of past performance including dispute history. The proposed amendment revises NAC 338.240 and requires a more comprehensive report of a contractor's dispute history on public works projects allowing for a more accurate assessment of a contractor's past performance.
4. Senate Bill 246 (2017) made minor modifications to the statutes governing Public Works use of Construction Manager at Risk. The proposed amendment reflects the new legislation.
5. The proposed regulation also eliminates the requirement of an "original" certified statement of bonding capacity.
6. Pursuant to NRS 341.100 (9)(a), the Division's Deputy Administrator - Compliance and Code Enforcement serves as the building official for construction of buildings or structures on State property. The proposed regulations propose adopting 2018 buildings codes and make other

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April 16, 2018
PROPOSED REGULATION OF THE
DEPARTMENT OF ADMINISTRATION
STATE PUBLIC WORKS DIVISION
BUILDINGS & GROUNDS SECTION

Small Business Impact Statement

Pursuant to NRS 233B.0608(1), the State Public Works Division, Buildings & Grounds Section (Buildings & Grounds) is required to make a determination whether its proposed regulation will: (1) impose a direct and significant economic burden upon small business, and (b) directly restrict the formation, operation, or expansion of small business. NRS 233B.0383 defines a small business to be any business that employs 150 or fewer employees.

Buildings & Grounds has considered the two factors in NRS 233B.0608 (1) and makes the following findings:

1. Buildings & Grounds is statutorily directed by NRS 331.110 to negotiate and manage all leases for office space outside state buildings.
2. Buildings & Grounds is statutorily directed by NRS 331.070 to supervise and control all state buildings, grounds and properties not otherwise provided for by law.
3. Buildings & Grounds is statutorily directed by NRS 331.120 to assign rooms within the Capitol Building, and rooms elsewhere used by the state.

The Proposed Regulations implement each of these statutory obligations.

Therefore, the State Public Works Division makes the following finding:

The proposed regulations will not impose a direct and significant economic burden upon small business and will not directly restrict the formation, operation, or expansion of small business.

Prepared By:

A handwritten signature in black ink, appearing to read "Chris Chimits", written over a circular stamp or seal.

Chris Chimits, RA SPWD Interim Administrator