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STATE OF NEVADA

PUBLIC WORKS DIVISION VIDEO CONFERENCE BOARD MEETING

April 12, 2023

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STATE OF NEVADA

PUBLIC WORKS DIVISION VIDEO CONFERENCE BOARD MEETING

WEDNESDAY, APRIL 12, 2023

9:00 A.M.

CARSON CITY, NEVADA

THE BOARD: ADAM HAND, Chairperson
CLINT BENTLEY, Vice-Chair
JACK ROBB,
Director of Administration
KENT LEFEVRE, Administrator
HOMA WOODRUM, Senior Deputy
Attorney General
PHILLIP MANNELLY, Member
KEVIN LEWIS, Member
TITO TIBERTI, Member
KIRSTEN NALLEY, Member
MOHAMMED ROJAS, Member

FOR THE BOARD: SUSAN STEWART,
Construction Law Counsel

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1 CARSON CITY, NEVADA; WEDNESDAY, APRIL 12, 2023,
2 9:00 A.M.
3 -o0o-

4 CHAIRPERSON HAND: This is Chairman Hand, for
5 the record. Good morning, everyone. This is the time
6 and place for the State Public Works Board meeting. It
7 is Wednesday, April 12th, and it is 9:00 a.m. Welcome.
8 The first item on our agenda is roll call.

9 ADMINISTRATOR LEFEVRE: Kent Lefevre, for the
10 record. I'll take the roll. Chairperson Adam Hand?

11 CHAIRPERSON HAND: Present.

12 ADMINISTRATOR LEFEVRE: Vice-Chair Clint
13 Bentley?

14 VICE-CHAIR BENTLEY: Present.

15 ADMINISTRATOR LEFEVRE: Member Tito Tiberti?
16 Member Kevin Lewis?

17 Member Phillip Mannelly?

18 MEMBER MANNELLY: Present.

19 ADMINISTRATOR LEFEVRE: And Member and
20 Director of Department of Administration, Jack Robb?

21 DIRECTOR ROBB: Here.

22 ADMINISTRATOR LEFEVRE: Let the record
23 reflect we have a quorum.

24 CHAIRPERSON HAND: Chairperson Hand, for the
25 record. Thank you.

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1 The next item on our agenda for possible
2 action is acceptance and approval of the public -- Did I
3 go right past public comment? Do we have any public
4 comment this morning? It appears that there's no public
5 comment. Thank you for getting me back on track here:

6 The third item on our agenda this morning for
7 possible action is acceptance and approval of the State
8 Public Works Board's meeting minutes from December 9th,
9 2022 and January 4th, 2023. Do we have any revisions
10 that need to be made?

11 ADMINISTRATOR LEFEVRE: We do have a list of
12 revisions on the handout?

13 VICE-CHAIR BENTLEY: I don't have any
14 revisions. I'd make a motion that we accept and approve
15 the Public Works Board meetings for December 9th, '22,
16 January 4th, '23 as recommended with the following
17 changes: One through 13.

18 DIRECTOR ROBB: Second.

19 CHAIRPERSON HAND: No other comments? All in
20 favor?

21 THE BOARD: Aye.

22 CHAIRPERSON HAND: Opposed? And any
23 abstaining? Okay. It looks like the motion passes and
24 the minutes have been approved.

25 And that will take us to Item 4 on the
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1 agenda, which is for discussion only, and this is the
2 introduction of the new board member Phillip Mannelly,
3 and Jack Robb, the Director of the Department of
4 Administration.

5 DIRECTOR ROBB: Do you want to state anything
6 now?

7 ADMINISTRATOR LEFEVRE: Maybe we can have our
8 new members just introduce themselves.

9 MEMBER MANNELLY: Good morning, everyone.
10 For the record, my name is Phillip Mannelly, and I'm an
11 attorney at McDonald Carano law firm based out of Reno in
12 our Reno office. As I stated in the last meeting, really
13 excited to be a part of this board and thankful for the
14 appointment from Governor Sisolack and look forward to
15 working with the rest of the members including the new
16 administrator, Mr. Robb, and look forward to serving the
17 State and hopefully adding value to this board.

18 COUNSEL STEWART: Welcome.

19 CHAIRPERSON HAND: Welcome.

20 MEMBER MANNELLY: Thank you.

21 ADMINISTRATOR ROBB: Thank you. My name is
22 Jack Robb. I'm the new director of the Department of
23 Administration. Prior to that, I was at Nevada
24 Department of Wildlife for eight years, and prior to
25 that, I owned Pacific Meter Services which I did utility
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1 automation. I'm an A general contractor in five western
2 states and traveled the West Coast for years.

3 Prior to that, I was at Sierra Pacific Power
4 Company and Truckee Meadows Water Authority working
5 through new business construction and water resources.
6 So that's -- I can't figure out what I want to be in
7 life, so I keep changing.

8 COUNSEL STEWART: Welcome, Director.

9 CHAIRPERSON HAND: Yes. Welcome and thank
10 you both for the introductions.

11 COUNSEL STEWART: Chair, if I may, for the
12 record, could we make a point of order that Member Tito
13 Tiberti has arrived. Good morning, Tito.

14 MEMBER TIBERTI: Good morning. Too many red
15 lights.

16 CHAIRPERSON HAND: Thank you, Susan. Good
17 morning, Tito.

18 The next item on our agenda for discussion is
19 the 2023 Legislative Session update, and it looks like
20 we've got the CIP bills and then other relevant bills.

21 ADMINISTRATOR LEFEVRE: I'll take that one.
22 Kent Lefevre, for the record. We have -- I'll give you a
23 brief update on the CIP first. Since the last time we've
24 met, the Public Works has presented all of the gov rec
25 projects to the Legislature in three different sessions.

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1 Our last one was just last week.

2 And the Governor's Office has issued a CIP
3 amendment last week which shifted some of the CIP items
4 to a new vision. If approved, the State will be
5 acquiring 14 new buildings at the McCarran Center south
6 of the airport in Las Vegas for a new seat of state
7 government in Southern Nevada. So that's the update on
8 the CIP.

9 We've continued to respond to questions from
10 legislative staff, and we're anticipating a work session
11 on the 18th which is next Tuesday, and then we have our
12 budget closings next Friday a week from the Friday.

13 So as far as the CIP bills go, we've had
14 three bills that were presented to the legislature. One
15 was SB 52, which added the consideration of net zero to
16 the standards for State Public Works. That item was
17 withdrawn, but we still have two bills going forward: SB
18 25, which implements a program for long-term planning for
19 state office space, and SB 26, which raises the dollar
20 threshold on State Public Works contract change order
21 limits, and both of those were passed by the Government
22 Affairs Committee last week and they're moving to the
23 house the floor, right? They're moving to the floor.
24 I'm not sure what the timing is on that. And then
25 Susan's got an update on other relevant bills.

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1 COUNSEL STEWART: Susan Stewart, for the
2 record. Very briefly, because we of course we really
3 just don't know where any of this is going or where it's
4 going to land or what it's going to look like, there are
5 right now four bills that expand application of
6 prevailing wage in pretty significant ways. They're
7 making their way through their original committees.

8 There is a deadline this Friday for passage
9 out of the original committee unless exempt, so we'll
10 have a good idea of how many of these are going to die a
11 natural death. There's also two bills that make changes
12 to the apprenticeship requirements on Public Works
13 projects. Again, there's an original bill, there's
14 mock-up amendments on these, and so again, where they're
15 going to land is unclear.

16 There's also another bill that changes how
17 contractors have to list one percent subcontractors and
18 five percent subcontractors. Again, unclear where that's
19 going to go. We're tracking all of that. Grateful that
20 there's nothing policy wise that is going to be a
21 problem. You know, it will mean revising some of our
22 procedures. We may have to change some of our contract
23 documents, but there's no, you know, earth-shattering
24 bills out there that impact on Public Works program. And
25 I don't know if there's any questions.

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1 CHAIRPERSON HAND: Thank you, Susan. Does
2 anybody have any questions for Susan on the bills or
3 Kent?

4 COUNSEL STEWART: And for the record, could
5 we reflect that Member Lewis has joined us via Teams.
6 Good morning, Member Lewis.

7 MEMBER LEWIS: Good morning.

8 AG WOODRUM: Just for information for board
9 members, it's always a good reminder if you do want to --
10 this is Homa Woodrum, for the record.

11 If you do want to participate in the
12 legislative process and want to give public comment, you
13 want to make sure you're not trying to speak for the
14 Board or in relation to your position on any board. Make
15 sure you're speaking in your own professional and
16 personal capacity. But definitely, always encourage
17 people to participate and, you know, in public comment or
18 those opportunities during session.

19 COUNSEL STEWART: Thank you, Homa.

20 CHAIRPERSON HAND: Thank you. That brings us
21 to Item Number 6 on our agenda, which is for discussion
22 only also, and it's Public Workshop, Executive Order
23 2023-003, regulation review. And I assume Susan is
24 taking this one, too.

25 COUNSEL STEWART: Good morning. Susan
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1 Stewart, for the record. So as reflected in the agenda
2 item, there is a Governor's Executive Order that was
3 issued earlier this year requiring agencies conduct a
4 regulation review. Part of the direction given was to
5 hold a public meeting. So to facilitate the public
6 meeting, we're holding a board meeting with the workshop
7 as an agenda item. It's not an action item.

8 At the conclusion of this meeting, the State
9 Public Works Division will prepare a report as required
10 on the outcome of our review which will include the
11 process that's happening here today. So just as an
12 overview, what you have attached to your packet and I
13 believe there are extra board packets there if anybody
14 wants one, but I prepared a memo to discuss the process.

15 Attached to that is the Governor's Executive
16 Order, the informational report which is additional
17 information and guidance given by the Governor's Office.
18 Exhibit C is a survey questions and results, which I'll
19 talk about a little bit more, and then finally Exhibit D
20 is the notice of workshop.

21 So right behind Agenda Item Number 6 is a
22 memo, and I'll just be walking through this briefly and
23 then we'll conclude with comment from those who took the
24 time to come today, and we certainly appreciate that. So
25 as I said, Executive Order 2023-003 requires all

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1 executive branch agencies to conduct a review of our
2 regulations. The order directed that the State Public
3 Works Division provide a report to detail how our regs
4 can be streamlined, clarified, reduced or otherwise
5 improved to insure our regulations provide for the
6 general welfare of the state without inhibiting economic
7 growth.

8 Part of our report includes the name,
9 address, business, phone number and email address of
10 everyone who participated in the survey as well as who
11 participates here at the meeting, so please make sure
12 that you've signed in and you've signed in with all of
13 the required information.

14 So the Governor's Office, the guidance that I
15 mentioned, which is attached as Exhibit B, says that we
16 have to hold a public meeting and we're going to get
17 input from stakeholders to vet our changes, changes that
18 the Public Works Division recommended, and also to
19 solicit input from other stakeholders.

20 So the first thing that the State Public
21 Works Division did was we prepared the survey. And I
22 think everyone here has seen the survey. It was emailed
23 to over 600 Public Works Division vendors, contractors,
24 consultants seeking their input on our regulations.

25 Participants had two weeks to respond. The survey was
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1 also posted on our website and Exhibit C, you've got a
2 large copy, and there were large copies, I think, put at
3 the front for folks too that you could actually read it
4 if it's in a large version.

5 And you can see part of what we did was we
6 crafted the questions in a way that they responded to the
7 Governor's Executive Order. So that was the reason for
8 the way we crafted the questions.

9 So the next step was on March 28th, we
10 provided notice of a workshop, and so there was a
11 separate notice done and that's attached to the Exhibit
12 D. And the notice provided a summary of the survey
13 results as well as SBWD staff recommendations for changes
14 to the regs. That workshop notice was also emailed to
15 the 600 vendors, contractors, consultants. It was sent
16 to LCB for posting there. It was also put on our website
17 and then posted at both Public Works Division's offices
18 north and south.

19 So for the workshop, I'll briefly go over the
20 survey results. Staff has made some recommendations.
21 We'll cover those. As far as public stakeholder input,
22 mentioned in the workshop was the opportunity to submit
23 comments in writing. We didn't receive any written
24 comments. And then we'll go to other stakeholder input,
25 and that would be for those here that are personally in

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1 attendance.

2 So the survey questions and results. The
3 survey directions told participants to only comment on
4 regulations under the State Public Works Division
5 jurisdiction. Unfortunately, we did get several comments
6 on regs that were under the purview of the labor
7 commissioner that pertained only to NSHE. There was a
8 comment about NDOT's electronic system. So seven of the
9 responses did not pertain to Public Works Division regs.
10 We got four comments that said no changes were necessary.
11 We got four comments concerning construction manager at
12 risk, concerns that we should eliminate CMAR -- and
13 that's the acronym for construction manager at risk. We
14 should eliminate it, and the CMAR process should be open
15 to more general contractors.

16 There was a change in the timeframe for
17 subcontractors to appeal a decision of disqualification.
18 On our veteran's preference, there was a comment that it
19 should be open to all disabilities, and then there was a
20 comment that NAC 33A and NAC 341 should be deleted in
21 their entirety as they're outdated and obsolete.

22 Then there were a few comments on
23 administration, our billing platform, the bid form, and
24 then also a comment that the consultant fee should be
25 able to include inflation. So that is the brief summary
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1 of the survey results. Everyone has those. There's been
2 copies available there. And so unless there are
3 questions, I can go into what staff recommended for
4 changes. Seeing none, I'll keep going.

5 So when staff considered making their
6 recommendations, we took into consideration that Public
7 Works is guided by NAC 341 and NAC 338. However, NAC 338
8 also implicates local government, it implicates other
9 state agencies that can do their own construction, for
10 example, Department of Wildlife, NDOT, and so for
11 purposes of staff recommendations, they just focused on
12 NAC 341 which is the NAC that only applies to State
13 Public Works Division.

14 And so with that in mind, there was one
15 recommendation under the green building design regs to
16 delete the simple payback period as unnecessary and
17 redundant and then other general provisions which were
18 all considered unnecessary and redundant which was the
19 contract documents, alternative bids, and the review of
20 proposals regarding local adoption of UPC. Those are
21 primarily administrative functions that are handled by
22 contract.

23 The last recommendation which is probably the
24 most substantive is NAC 341.136 which provides for the
25 State Public Works Division to select consultants using a
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1 formal committee where the estimated price is \$250,000.
2 And staff considered that to be a fairly low threshold
3 for a formal solicitation process, and so the
4 recommendation was to increase the threshold to a million
5 dollars where there's more value added for larger
6 projects and a more formal procedure. So those were
7 staff's recommendations.

8 And if there are no questions, I will move to
9 the next part of the workshop which would be other
10 stakeholder input which would be the input from those
11 that are here attending the meeting, and I have Phillip.

12 MEMBER MANNELLY: Susan, I do have a question
13 on the staff recommendations. Phil Mannelly.

14 On number one, the green building design
15 regulations, NAC 3.41.341, simple payback period defined,
16 when I looked at NAC 341, I noticed that that phrase
17 "simple payback period" is used in two other regulations:
18 341.351, Subsection 1C and 341.356 Subsection 2. So if
19 the definition of simple payback period is defined, how
20 would that potentially impact the interpretation of those
21 other regulations where that phrase is used?

22 COUNSEL STEWART: Susan Stewart, for the
23 record. I believe the reason for deleting it was it's
24 covered in the NRS, so there is a requirement in the NRS
25 as how we analyze the application of the green building

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1 design regulations, and so that was why it was suggested
2 for deletion.

3 MEMBER MANNELLY: Okay.

4 MEMBER WOODRUM: And Homa Woodrum, for the
5 record. We're finding this with a lot of reviews of
6 regulations that there's duplicative regs that redefine
7 things that you can find elsewhere in statute so people
8 would know to look at the companion NRS to find it. So
9 it's been a common issue that's come up.

10 ADMINISTRATOR LEFEVRE: Kent Lefevre, for the
11 record. One other thing that we learned in this exercise
12 is that the green standard is somewhat of a coined phrase
13 from 20 years ago, and it might be more appropriately
14 defined as high-performance buildings rather than a green
15 building. So we're looking at maybe changing that
16 around.

17 MEMBER MANNELLY: Okay. I have one other.
18 Phil Mannelly. On NAC 341.1127, the proposals regarding
19 local adoption of Uniform Plumbing Code, can you maybe
20 explain how that's currently used and why that would be,
21 you know, what the impact of that is as well?

22 COUNSEL STEWART: Yeah. Susan Stewart, for
23 the record. It is not being currently used.

24 MEMBER MANNELLY: Okay. Fair enough. Yeah,
25 I reviewed the regulation, and I personally was not
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1 familiar with it, so I was wondering what the current use
2 is.

3 COUNSEL STEWART: Yeah. Thank you.

4 MEMBER MANNELLY: Good to know. Thank you.

5 COUNSEL STEWART: Any other questions on
6 staff recommendations? Okay. Susan Stewart, for the
7 record.

8 So now is the time for additional stakeholder
9 input. And what I would ask is that you identify your
10 name and spell your name for the court reporter. I would
11 also ask that if you have a general comment on the
12 regulations as a whole that you please state that, and if
13 you have a specific regulation that you're concerned
14 about, that you would state that as well.

15 For the court reporter's sake, I ask that
16 only one person speak at a time because she can only take
17 down one person at a time. And I also brought my own
18 copies of NAC 341 and 338 if anybody wanted to look at
19 them or needed assistance with that and we'll pause. And
20 if there's no preference, maybe we'll start in the south
21 and we'd just go around the table. And with the Chair's
22 permission, I don't think this is a one shot that you
23 only get to speak one time. So certainly, if someone
24 brought something up that was relevant, you know, I think
25 it's meant to be a robust discussion and to get your

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1 input, so thank you.

2 Does anyone in the south want to start with
3 their comments on State Public Works Division regs?

4 MEMBER NALLEY: I'm here. This is Kirsten
5 Nalley, for the record. I don't think we have anybody
6 jumping in down here for any comments.

7 COUNSEL STEWART: All right. Thank you.
8 Well, then, with that, we'll shift to the north. Does
9 anybody in the north want to provide public comment on
10 State Public Works Division regulations?

11 MR. KEMNER: No, ma'am. Kevin Kemner:
12 K-E-M-N-E-R. TSK Architects, for the record. No, I have
13 no comment.

14 DIRECTOR ROBB: Jack Robb, for the record.
15 I've been in multiple of these now because all of the
16 agencies are doing it, and that means staff hit it down
17 the middle of the fairway because in other ones, staff
18 was in the rough on both sides and it brought both -- it
19 brought multiple people to the table.

20 Both processes work. Both are accepted. So
21 if there's no comment, I was hoping for some comments
22 today of what else we can improve upon. That's not just
23 our recommendations, but are there other things that we
24 can look at to improve upon. This is about
25 simplification not just for the agency, but for all

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1 stakeholders and a better way to get a better product to
2 the citizens of the State of Nevada to reduce costs.

3 MR. KEMNER: All right. Kevin Kemner:
4 K-E-M-N-E-R, TSK, for the record. I didn't see it in the
5 survey. I do think that if the State is looking at
6 opportunities to handle costs a little differently and to
7 improve delivery of services that a closer look -- and I
8 believe that there's a look at happening now, but a
9 closer look at how the funding cycle, hiring cycle,
10 design cycle is structured.

11 So the multi -- and part of this of course is
12 State of Nevada is a biennium. It's not an annual
13 system. But the biennium structure drags projects out
14 for a long time, and it creates inefficiencies that maybe
15 could be resolved better or get better delivery by
16 accelerating that delivery method somehow.

17 COUNSEL STEWART: Thank you. Anyone else?
18 Suggestions? You guys are awesome.

19 MEMBER NALLEY: Kirsten Nalley, for the
20 record. We do have a comment down here.

21 MR. COWLES: Hi. My name is Wayne Cowles.
22 I'm with Able Integrated Solutions. Forgive me if I'm
23 out of order here whatever, but I didn't get a chance to
24 provide an input on the survey, but I would like to
25 understand or comment on the 338.040, the Apprenticeship
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1 Utilization Act. It was put together by mandate and
2 forced onto the market which essentially eliminated our
3 ability to participate in Public Works projects because
4 we are not a union shop. We don't participate in an
5 approved apprenticeship program.

6 However, we have previously for the last 20
7 plus years successfully completed and participated in
8 State Public Works projects and don't really understand
9 -- well, from our perspective, it appears to be a push to
10 go a hundred percent union. And we pretty much believe
11 it to be or look at it to be unfair. We'd like to see it
12 eliminated.

13 COUNSEL STEWART: Susan Stewart, for the
14 record. I have no opinion on your comment other than to
15 say 338.040 is under the jurisdiction of the labor
16 commissioner, and I would encourage you to reach out to
17 her. I don't know if they've done their reg review, but
18 they will be doing a reg review.

19 And also, you may have heard earlier there's
20 legislation pending right now that's under consideration
21 where I would certainly encourage you to reach out to
22 your representative to express your concerns. And if you
23 want, I will actually I'll have your contact information
24 and can provide you with some resources for folks that
25 could report on your concerns. Because the 338.040
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1 Public Works doesn't have the authority to report on that
2 at this time.

3 MR. COWLES: Okay.

4 COUNSEL STEWART: But I hear you.

5 MR. COWLES: Thank you.

6 COUNSEL STEWART: Thank you.

7 CHAIRPERSON HAND: Any other comments from
8 the south?

9 COUNSEL STEWART: All right. Well, thank
10 you. The State Public Works Division will put together a
11 report that will include a report on our workshop here
12 and that there were a number of people in attendance that
13 didn't talk. You bribed them with doughnuts and
14 everything. So unless there are any other questions,
15 that concludes the workshop.

16 VICE-CHAIR BENTLEY: If I may, Chairman
17 Bentley. Before we close that item, I would strongly
18 recommend please, if you have any comments at all, please
19 state them because this is our best chance to get things
20 in here. If you can see places where we can make changes
21 to simplify and make the thing better, we need to do it
22 now. It's extremely important. And I applaud you for
23 your comments. I'm behind you one hundred percent.
24 Kevin. Thank you.

25 DIRECTOR ROBB: Mr. Chairman, Jack Robb, for
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1 the record. Like I said, I've participated in this
2 process with multiple agencies. And the Governor is
3 shooting for simplification, which in a lot of people's
4 minds, that says more redline on the document than blue.
5 Blue is the new stuff. Red is the stuff that gets taken
6 out. And a lot of the agencies, it's 95 percent red,
7 five percent blue just to tie sentences together and
8 stuff.

9 One of my agency's hearings and appeals for
10 workman's comp has more blue than red. There are some
11 times that additional is simplification not just
12 subtraction. So keep that in mind also that if there's
13 things that we need to add that will make a process more
14 streamlined or efficient, cost effective or give us a
15 better product, we want to know about that too.

16 I think a lot of people thought of
17 simplification in terms of the Executive Order is find
18 ten regulations to make it go away or change
19 substantially to make the process easier or get rid of
20 antiquated things that don't apply anymore. But if we
21 need to add stuff, we need to keep that in mind too.

22 CHAIRPERSON HAND: So, Susan, Chairperson
23 Hand, for the record. So beyond today, there's simply a
24 report. But is there a process? We have public comment
25 at every meeting and so forth and so there's still a

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1 window that's open and an opportunity in the future. I'm
2 asking the question because I want to make sure that
3 that's possible. It may not be directly associated with
4 the order, but folks can make public comment at any time,
5 right?

6 DIRECTOR ROBB: Jack Robb, for the record.
7 Coming from the Department of Wildlife and Clint's been
8 involved with -- Commissioner Bentley has been involved
9 in it a long time, the regulation process, currently,
10 we're in temporary reg process. So even if we were
11 trying to do something, it would be a temporary reg.
12 That expires in November.

13 When the legislature is in session, you
14 cannot change a reg on a permanent status. So if we
15 wanted to change it, if we sent this report to the
16 Governor's Office and he says yes, I like -- the
17 Governor's staff says this is what we want to go forward
18 with, then we have to send official language to LCB to
19 have them put it into official LCB language. You send
20 your intent. A lot of times, it comes back different.
21 You've got to go back and forth a couple times because
22 they speak a different language than most people. So
23 after you get through that process -- I'm just being
24 serious here, but it's the truth.

25 COUNSEL STEWART: I think we're chuckling
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1 because we agree.

2 DIRECTOR ROBB: But once you get through the
3 back and forth with staff and LCB staff, then we would
4 have to agendize it and have a workshop. And it's
5 against the rules to workshop and adopt in one time, so
6 then there would be another hearing to adopt. So there
7 would be multiple publication periods, multiple meetings
8 about it and a formal adoption.

9 And once that formal adoption happens by the
10 board, then it goes to LCB or it goes back to LCB, gets
11 put on a calendar and goes in front of ledge commission.
12 And if people don't like what the board has done, they
13 can go complain to ledge commission. And it doesn't
14 become law until ledge commission says yes, it's passed.
15 So even if we started today, a year, a year and a half
16 down the road is what we've talked about today.

17 COUNSEL STEWART: Yeah. Susan Stewart, for
18 the record. And to add onto what the director has said,
19 the staff will be coming to the Board for adoption of the
20 2024 Building Code. And so as some of the board members
21 may remember, that's just as the director described,
22 that's the entire reg process.

23 Administrator Lefevre mentioned earlier we're
24 looking at our green building standards, and perhaps
25 those need to be updated as they may be antiquated. So

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1 that process will be happening. And certainly, what's
2 been discussed here as well as what else makes sense for
3 the Division will all be considered.

4 For those of you that have been on the board
5 for some time, you may recall several years ago we
6 developed regulations for the CMAR subcontractor
7 selection process and that involved many, many, many
8 meetings. And so I hope when I say this that others
9 agree. The State Public Works Division has a good
10 reputation and a good practice of working with our
11 stakeholders, and that would certainly be the process
12 going forward as far as any new regs were developed.

13 MR. MAURER: Seth Maurer: S-E-T-H
14 M-A-U-R-E-R with CORE, all caps. Our marketing
15 department wouldn't like it to be in all caps.

16 I do support that, Ms. Stewart, because a lot
17 of other public agencies ask what is the State doing.
18 How are they doing it. I think this is a really good
19 problem to have in terms of a few questions. We're here
20 for support. We think that the State has a high level of
21 accountability and transparency in terms of competition.
22 We hard bid plenty of projects for the State. We've
23 served the State for 25 years now, I believe. But the
24 delivery methods and the processes that you put out in
25 our construction industry are very fair, and I think a

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1 lot of other public agencies look to duplicate your
2 processes.

3 COUNSEL STEWART: Thank you. I don't have
4 anything else.

5 CHAIRPERSON HAND: So with that --
6 Chairperson Hand, for the record. With that, I think
7 it's great that you all were here today in the north and
8 in the south. We appreciate your participation. And
9 thank you for taking the time to review the regs, provide
10 comments if you participated in the survey and be here
11 today.

12 And with that, we'll move onto Item 7 on the
13 agenda, which is discussion only which is board comment
14 and discussion. And, Kent, are you going to take that?

15 COUNSEL STEWART: This is Susan Stewart, for
16 the record. So just a couple of items. We, the State
17 Public Works Division, in my 16 years with the Division,
18 has not had a board meeting ever during the session. So
19 there are several items from the December meeting that
20 staff has made a note of and we will be following up with
21 the Board and reporting back when we get together after
22 the session.

23 As you may recall, typically, at the
24 conclusion of the session, we'll schedule a Board
25 meeting, we'll report on the session, impact that that

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1 may have on the Public Works Division's program. Also,
2 we'll be talking about, as I mentioned, adopting the
3 building code for 2024, what that process is going to
4 look like.

5 Also, as we reported in December, we are
6 doing some energy efficiency studies on a couple of test
7 projects that we'll be reporting back. Member Kevin
8 Lewis and I had a follow-up discussion, and he graciously
9 gave me until the next board meeting to follow up on some
10 loose ends I'm going to tie up. And then also, we have a
11 discussion to follow up on the window replacements and
12 our coordination with other state agencies on that issue.
13 So that's what I have on my list for our next meeting.
14 And I just didn't want the Board to think that I hadn't
15 made a note of that and we wouldn't be following up. We
16 just were not going to do it today. Sorry.

17 CHAIRPERSON HAND: Is there I guess does
18 anybody have any questions for Susan based on what she
19 just shared? I'm glad to hear that we're going to follow
20 up.

21 COUNSEL STEWART: Yes. No questions?

22 CHAIRPERSON HAND: Okay. I just have one.
23 And this is -- I looked at the org chart this morning
24 just to catch up because there have been a lot of
25 changes, and there are still quite a few vacancies in
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1 there. And I'm curious sort of how that is impacting
2 Public Works today. I think there were like ten
3 inspector vacancies and a couple of PM vacancies. Could
4 you maybe comment on that?

5 ADMINISTRATOR LEFEVRE: Sure. Kent Lefevre,
6 for the record. We have actually made quite a bit of
7 progress with filling in vacancies over the past year,
8 year and a half to the point that we've on-boarded some
9 new staff including one new mechanical engineer since we
10 last met and we made an offer to an architect candidate.
11 Hopefully he'll accept and we'll have another candidate,
12 another architect in the south.

13 So as far as the inspector vacancies, that
14 still remains a challenge for us, but we've gone from 11
15 vacancies in professional services down to, I think,
16 we've got two or three. So we have made quite a bit of
17 stride in that area. We're excited about that. We also
18 asked the Legislature for four new project managers and
19 one program officer. So that's still floating around out
20 there, but we'll see if that's approved. But the other
21 thing I want I to tell the Board is that vacancies are
22 lower now than they were before COVID. So that's a good
23 step in the right direction.

24 DIRECTOR ROBB: If I may add to what
25 Mr. Lefevre brought up, I have a report that I got this
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1 morning. The State has a vacancy rate of 24.03 as of
2 April 1st. That is one of the Governor's priorities and
3 that's one of his executive orders is it's put on one of
4 my agencies to figure out how to streamline the hiring
5 process.

6 And in one of the Governor's big bills SB
7 431, there's a total rewrite as to how we hire people.
8 NRS 284 has changed top to bottom to make it easier for
9 State agencies to hire and for directors like Kent or
10 administrators like Kent to be able to make decisions
11 without having to go through HR and get watered-down
12 lists, it will be his list to deal with in the future
13 which we are hoping has some impacts.

14 Also, the Governor is looking at some
15 substantial pay increases trying to get us back into --
16 and we're not going to be up to market with the pay
17 increases, but it's going to be more attractive than it
18 currently is. So it's not just this division. It's
19 every division. And it's recognized, and a lot of things
20 are in the works to make that better.

21 CHAIRPERSON HAND: Thank you for the insight.
22 The compensation was really good to hear that it's, you
23 know, that there's some effort there. It obviously is a,
24 you know, an issue for the State. So I'm glad to hear
25 that. Thank you for the information.

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1 Any other questions or how about from down
2 south? If not, then we'll go to the next item on our
3 agenda which is public comment.

4 Do we have any public comment down south?
5 Okay. Do we have any here?

6 COUNSEL STEWART: Seeing none.

7 CHAIRPERSON HAND: Okay. Hearing none, the
8 next item on our agenda is to adjourn. I had anticipated
9 that this would be a much longer meeting with a workshop
10 and was pleasantly surprised. Again, obviously, you're
11 all doing a good job at the workshop with so few
12 comments, so thank you all for being here today.
13 Welcome, Phillip. Thank you all that joined us today for
14 being here and with that, I'll ask for a motion to
15 adjourn.

16 MEMBER MANNELLY: So moved.

17 MEMBER TIBERTI: Tito Tiberti. So moved.

18 VICE-CHAIR BENTLEY: Second.

19 CHAIRPERSON HAND: Any discussion? All in
20 favor, say aye.

21 THE BOARD: Aye. Abstain? The motion passes
22 and we're adjourned. Thank you all.

23 (The meeting concluded at 9:49 a.m.)

24 -o0o-

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1 STATE OF NEVADA)
COUNTY OF WASHOE)

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I, Nicole J. Hansen, Certified Court Reporter,
State of Nevada, do hereby certify:

That said proceedings were taken before me at
the time and places therein set forth and were taken down
by me in shorthand and thereafter transcribed into
typewriting under my direction and supervision;

I further certify that I am neither counsel for,
nor related to, any party to said proceedings, not in
anywise interested in the outcome thereof.

In witness whereof, I have hereunto subscribed
my name.

Dated: April 17, 2023

Nicole J. Hansen
NV. CCR No. 446, RPR, CRR, RMR
CA. CSR 13,909
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