
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.

~

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:

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



* A B 2 1 2 R 1 *

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

1 **Section 1.** NRS 408.388 is hereby amended to read as follows:
2 408.388 1. Except as otherwise provided in NRS 408.5471 to
3 408.549, inclusive, the Department may contract with a design-build
4 team for the design and construction of a project if the Department
5 determines that:
6 (a) Except as otherwise provided in subsection 2, the estimated
7 cost of the project exceeds ~~[\$20,000,000;]~~ *\$10,000,000;* and
8 (b) Contracting with a design-build team will enable the
9 Department to:
10 (1) Design and construct the project at a cost that is
11 significantly lower than the cost that the Department would incur to
12 design and construct the project using a different method;
13 (2) Design and construct the project in a shorter time than
14 would be required to complete the project using a different method,
15 if exigent circumstances require that the project be designed and
16 constructed within a short time; or
17 (3) Ensure that the design and construction of the project is
18 properly coordinated, if the project is unique, highly technical and
19 complex in nature.
20 2. Notwithstanding the provisions of subsection 1, the
21 Department may, ~~once~~ *twice* in each fiscal year, contract with a
22 design-build team for the design and construction of a project the
23 estimated cost of which is at least \$5,000,000 but less than
24 ~~[\$20,000,000]~~ *\$10,000,000* if the Department makes the
25 determinations otherwise required pursuant to paragraph (b) of
26 subsection 1.
27 **Sec. 2.** This act becomes effective on July 1, 2011.

