

Assembly Bill No. 212—Assemblymen Woodbury; Goicoechea, Grady, Hammond, Hansen, Hardy, Hickey, Kite and Stewart

Joint Sponsors: Senators Hardy; Gustavson, Kieckhefer and Settlemeyer

CHAPTER.....

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:**

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

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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

**Section 1.** NRS 408.388 is hereby amended to read as follows:  
408.388 1. Except as otherwise provided in NRS 408.5471 to 408.549, inclusive, the Department may contract with a design-build team for the design and construction of a project if the Department determines that:

(a) Except as otherwise provided in subsection 2, the estimated cost of the project exceeds ~~[\$20,000,000;]~~ ***\$10,000,000***; and

(b) Contracting with a design-build team will enable the Department to:

(1) Design and construct the project at a cost that is significantly lower than the cost that the Department would incur to design and construct the project using a different method;

(2) Design and construct the project in a shorter time than would be required to complete the project using a different method,



if exigent circumstances require that the project be designed and constructed within a short time; or

(3) Ensure that the design and construction of the project is properly coordinated, if the project is unique, highly technical and complex in nature.

2. Notwithstanding the provisions of subsection 1, the Department may, ~~once~~ *twice* in each fiscal year, contract with a design-build team for the design and construction of a project the estimated cost of which is at least \$5,000,000 but less than ~~[\$20,000,000]~~ *\$10,000,000* if the Department makes the determinations otherwise required pursuant to paragraph (b) of subsection 1.

**Sec. 2.** This act becomes effective on July 1, 2011.

