



CLARK COUNTY 2025 Legislative Session PROPOSED AMENDMENT

March 6, 2025

AB43 (Assembly Committee on Government Affairs)
Amendment submitted to Assembly Committee on Government Affairs by Clark County

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Purpose/Intent of Proposed Amendment: Amend provisions of AB43 as follows:

- To clarify in Sections 3 and 9 that the job order contracting delivery method should only be used for minor construction of existing facilities. This is offered to clarify that this delivery method should not be used for new construction, but for maintenance and repair, for example, of local government buildings, park and recreation facilities and other publicly owned, existing property.
- To further require that the job order contracting policy referenced in section 9, subsection 4, be considered and adopted at a public hearing before the local government's governing body.
- To require the local governments to report upcoming job orders to be reported as part of the quarterly reports provided for in Section 16.

EXPLANATION: Matter in (1) **blue bold italics** is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

Amend Section 3, Section 2 (a), at page 4 as follows:

a) Establishes a program to gather data on the use of job order contracts for ~~the maintenance, repair, alteration, demolition, renovation, remediation and~~ minor construction of ~~a~~ an existing public work; and

Amend Section 9, subsections 1 and 4 as follows:

Sec. 9. 1. Except as otherwise provided in subsection 2, a public body may award a job order contract for ~~the maintenance, repair, alteration, demolition, renovation, remediation and~~ minor construction of ~~a~~ an existing public work. A job order contract must:

- (a) Be for a fixed period;*
- (b) Provide for indefinite times of delivery and indefinite types of quantities of work;*
- (c) Provide for the use of job orders;*

- (d) Require a contractor to prepare and submit a proposal for each job order, which must include, without limitation, a proposed price for the job order, each construction task required to perform the job order, the unit price for each such task and the adjustment factor applicable to the performance of the task; and*
- (e) Not be for work exclusive to one trade for which a license as a specialty contractor is required.*

4. A public body shall adopt, after a public hearing on the item, a written policy for the assignment of job orders, which must include, without limitation, the procedure by which a job order will be issued

Amend Section 16 as follows:

Sec. 16. 1. Each quarter, a public body shall provide to the governing body of the public body a written report containing, for each job order contract, if any:

- (a) A list of each job order issued;*
- (b) The cost of each job order issued;*
- (c) A list of each subcontractor hired to perform work for each job order;*
- (d) A statement regarding whether the contractor is a minority-owned business, a woman-owned business, a veteran-owned business, a business enterprise owned by persons with physical disabilities, a business enterprise owned by persons who are disabled veterans or a local emerging small business; ~~and~~*
- (e) any job orders expected to issue in the next quarter; and*
- (f) Any other information requested by the governing body.*