



**CARSON CITY, NEVADA**  
CONSOLIDATED MUNICIPALITY AND STATE CAPITAL

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FEB 11 2013

CARSON CITY  
PLANNING DIVISION

**MEMORANDUM**

To: Planning Commission  
From: Roger Moellendorf, Parks and Recreation Director  
Vern L. Krahn, Park Planner  
Date: February 11, 2013  
Subject: Multi-Use Athletic Center Project – Status Report  
SUP-08-046

*[Handwritten signatures]*

On September 4, 2012, the Parks and Recreation Commission reviewed with City staff a number of different conceptual designs for the Multi-Use Athletic Center Project and their associated cost estimates for each design concept. On a 5 to 2 vote, the Parks and Recreation Commission recommended to the Board of Supervisors Option Five (Refer to Exhibit A). Option Five is a two-story building (32,135 sq. ft.) with a double gym (end-to-end basketball courts), spectator seating for 425 people, administrative offices, a dry locker room, and restrooms on the first floor and has a stretching area and an elevated walking/running track on the second floor (Refer to Exhibits B and C). This proposed option actually has a smaller square footage than the originally approved Recreation Center Project (36,154 sq. ft.).

As indicated at the September 4th meeting, the project's total cost and the City's available budget for Option Five was still a concern to the Parks and Recreation Department staff. Since then, City staff began reviewing various project delivery systems to bring the project within the City's available budget. The delivery system that City staff will be using for this project is called "Construction Management At-Risk" (CMAR). This system is a cost-effective and time conscious alternative to the traditional design-bid-build process (Refer to Exhibit D). Currently, the Public Works Department is developing a "Request for Proposal" (RFP) to solicit proposals from construction management teams. Our department's understanding is the RFP will be advertised during the first week of March, 2013.

If you have any questions regarding the above project status report, please feel free to contact Vern L. Krahn, Park Planner at (775) 887-2262 ext. 7343 or at [VKrahn@carson.org](mailto:VKrahn@carson.org).

## CARSON CITY PARKS AND RECREATION COMMISSION Minutes of the September 4, 2012 Meeting

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forum for this discussion would be the Board of Supervisors. Commissioner Westergard thanked Ms. Vance for airing her concerns even though this Commission could not take any action.

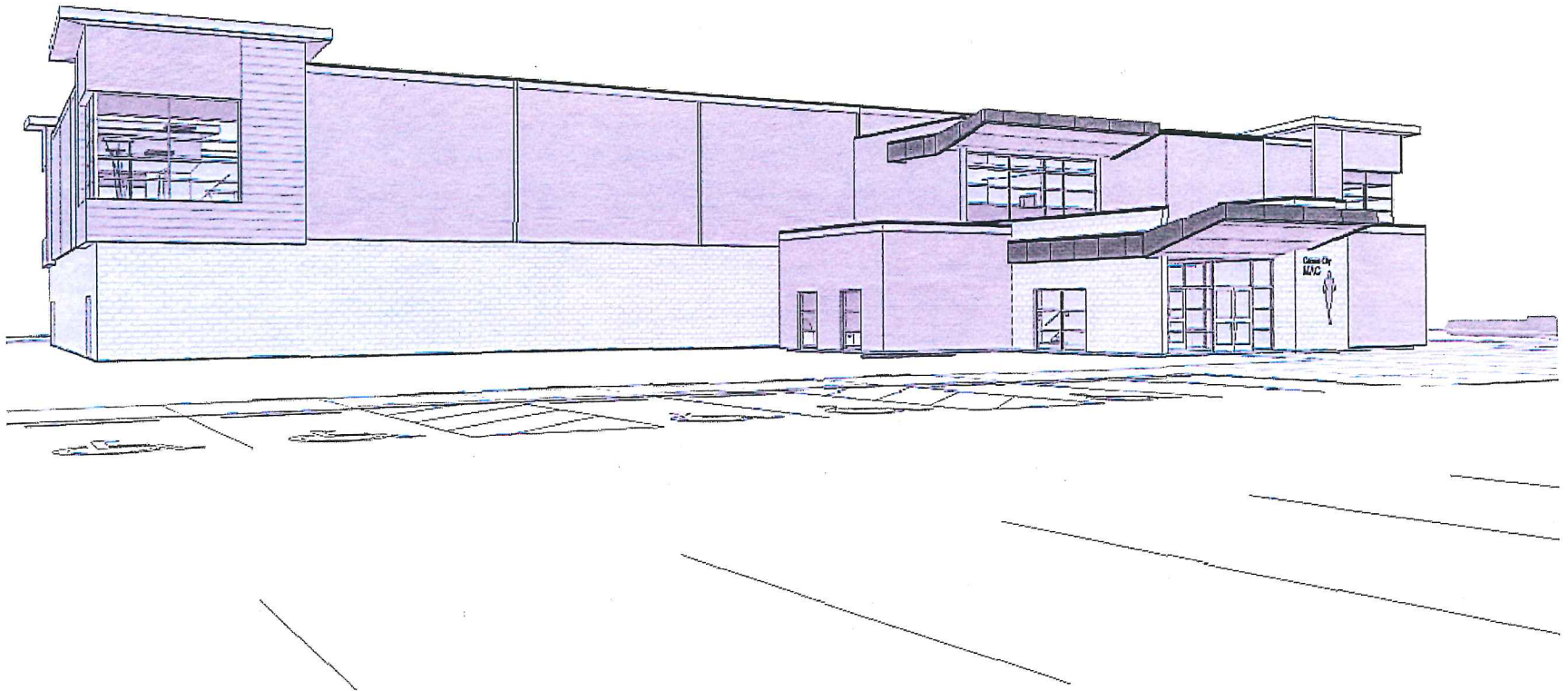
**B. DISCUSSION ONLY REGARDING AN UPDATE OF NEW AQUATIC FITNESS PROGRAMS CURRENTLY HELD AT THE AQUATICS FACILITY.** – This item was addressed along with agenda item 4A.

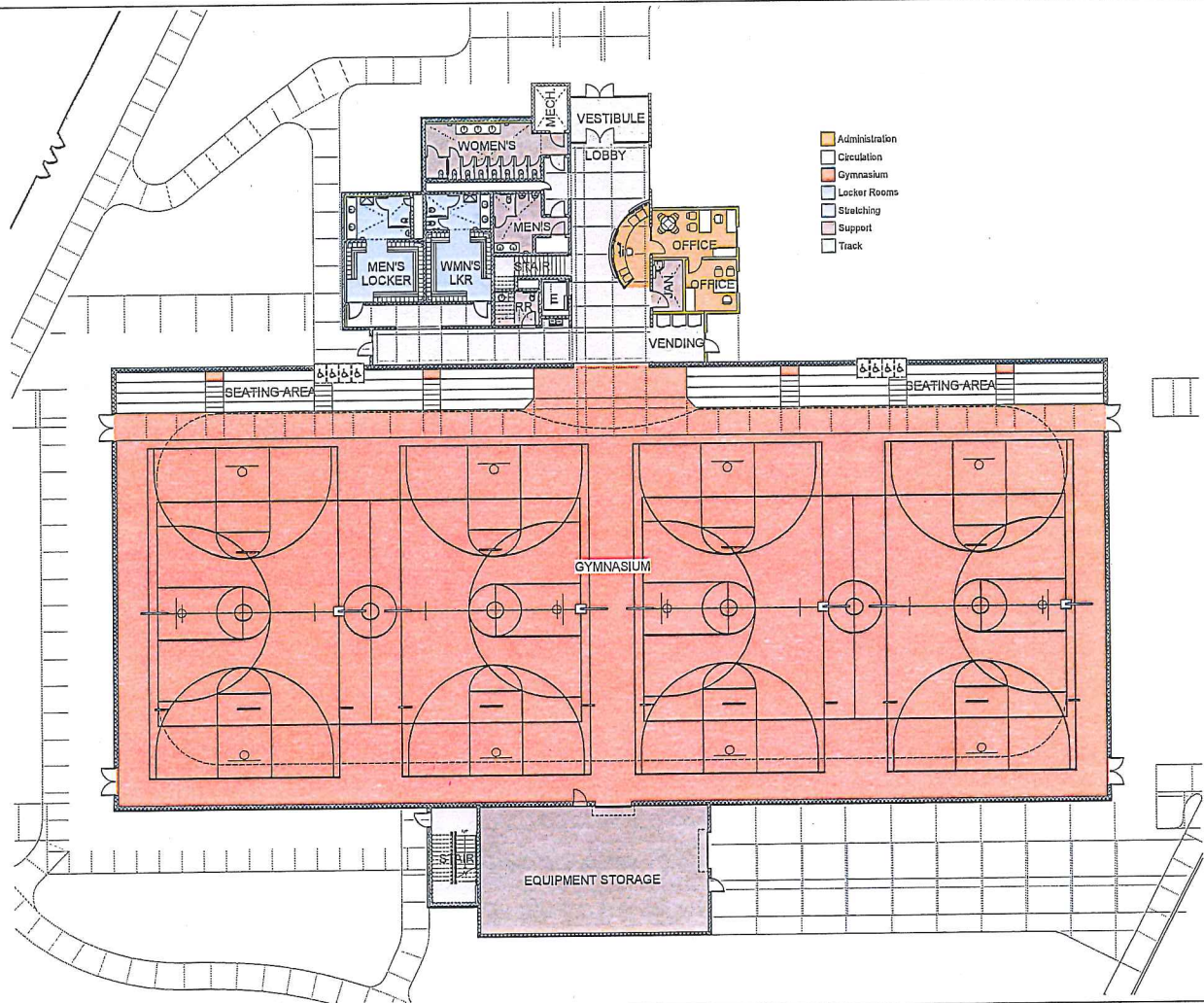
(7:31:13) – Chairperson Lehmann announced a short recess.

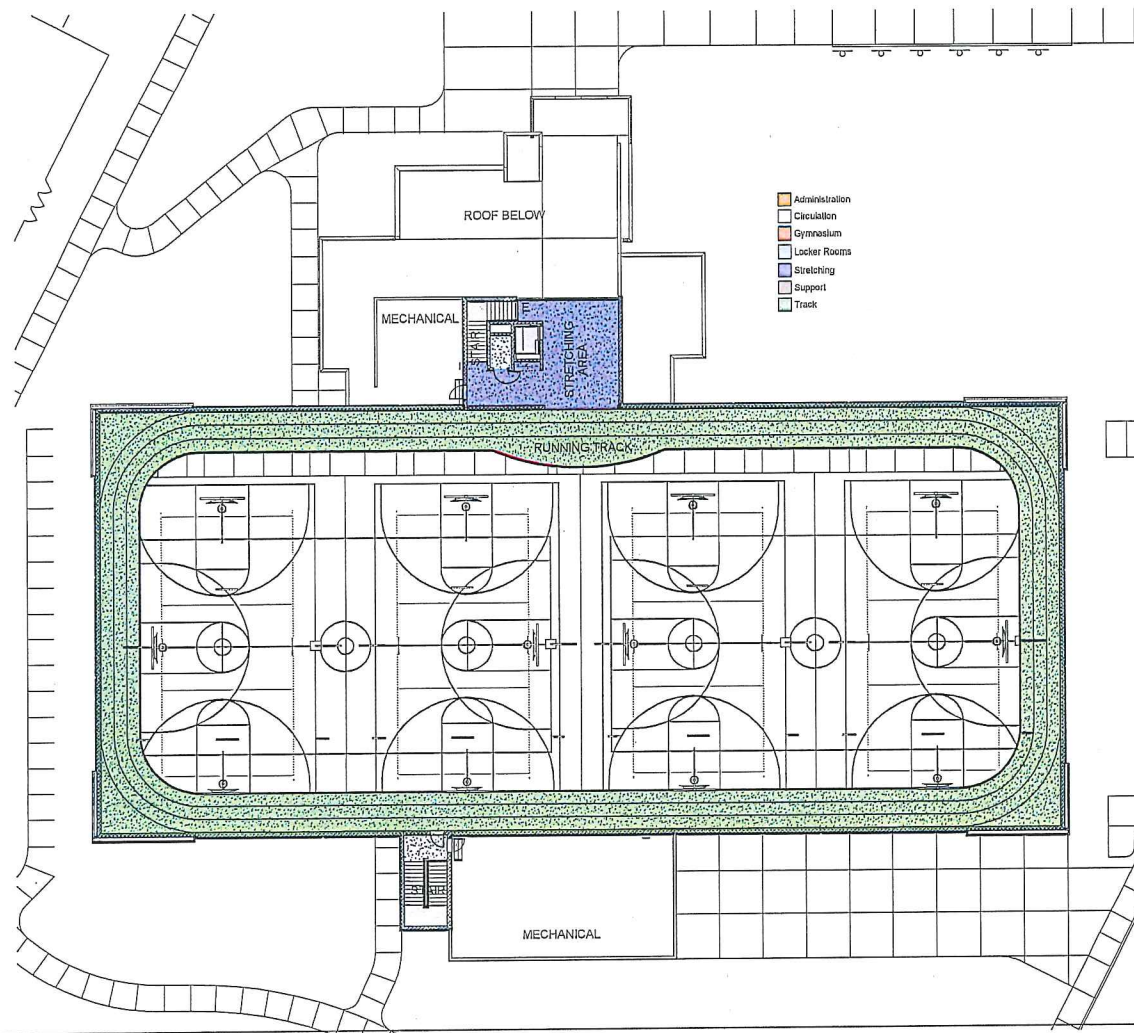
(7:41:49) – Chairperson Lehmann called the meeting back to order.

**C. FOR POSSIBLE ACTION: REGARDING PROPOSED DESIGN OPTIONS FOR THE MULTI-PURPOSE ATHLETIC CENTER.** (7:41:53) – Chairperson Lehmann introduced the item. Mr. Moellendorf gave background and noted that the previous design had been downsized due to budget constraints, and this Commission had expressed concern that the gymnasium size had been reduced and the walking track had been eliminated. He added that Staff had met with the architect and would present additional options per the Commission's request. Mr. Moellendorf clarified that four options had been presented, one of which had been eliminated because it was only a point of reference. He presented an additional option and responded to Commissioner Walt that two of the options would not support the current budget, but were included as reference points. Discussion ensued regarding consideration of options that were over budget. Commissioner Walt suggested getting bids from local contractor since the nature of the project had changed from a recreation center to a gymnasium; however, Mr. Moellendorf reminded the Commission, that was not agendaized for discussion. Mr. Moellendorf referred to a Staff Report and showed a PowerPoint presentation depicting the four options. Discussion ensued regarding cost variances, and Mr. Moellendorf noted that these costs were estimates. Commissioner Walt questioned whether this new facility would be outgrown in a few years. Discussion ensued regarding accommodating different age groups in different size courts. Chairperson Lehmann received confirmation that youth could play in the larger size courts because they could be resized by age group. Mr. Moellendorf added that many adults preferred the smaller courts. Commissioner Walt explained that the community needed additional gym space as the high school gym was not available during the basketball season, and expressed frustration towards the estimates. Mr. Moellendorf clarified that construction prices in Northern Nevada were significantly higher than the nationwide rates. Mr. Moellendorf stated that the budget was "finite" and more elaborate plans could not be considered. Commissioner Walt noted that the Edmonds Sports Complex was popular because tournament participants did not have to "drive all over town" for games. In response to a question by Commissioner Long, Mr. Moellendorf explained that Reno did not have a large enough facility like this one. Chairperson Lehmann noted that given the budget constraints, options four and five were the only viable choices, and was in favor of choosing option five, the one with the walking track. **Commissioner Walt moved to recommend the option five MAC design to the Board of the Supervisors, with some cost estimates presented to the Board of Supervisors. The motion was seconded by Commissioner Myers.** Commissioner Adams questioned spending \$500,000 for a walking track in exchange for a smaller gym. Mr. Moellendorf reminded the Commission that the project budget was \$5.7 million and the current construction estimate for option five was \$5.6 million. Commissioner Westergard received confirmation that should additional funds become available, that Staff would re-agendaize the item. Chairperson Lehmann entertained public comments, and when none were forthcoming, a vote. **Motion carried 5-2.**

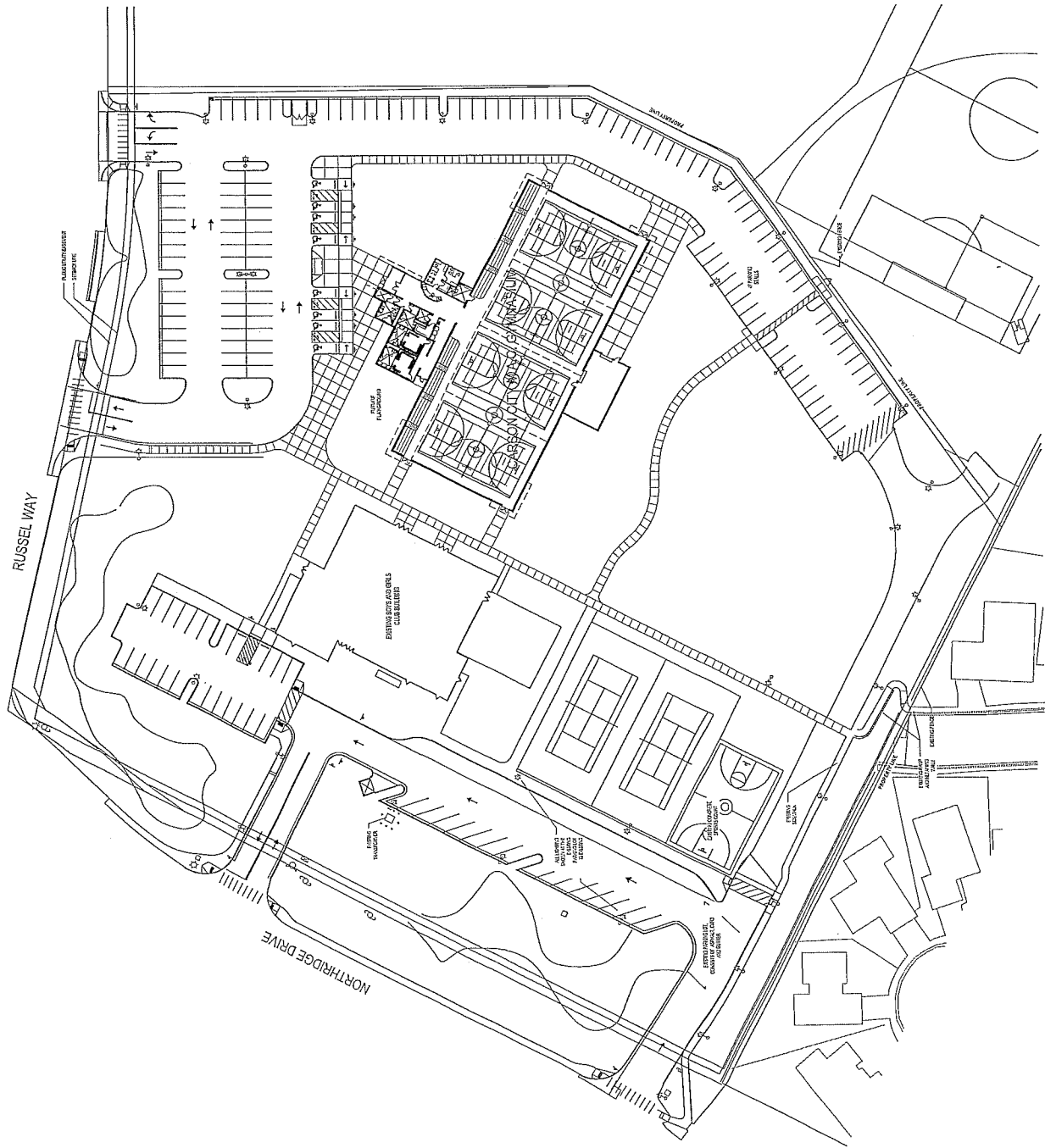
**D. DISCUSSION ONLY REGARDING THE ACTIVE STRATEGY QUARTERLY REVIEW.** (8:38:30) – Chairperson Lehmann introduced the item. Mr. Moellendorf presented the second quarter's "Quarterly Business Review", which had also been presented to the Board of Supervisors. He clarified that this was an evolving document, and some of the data and its methodology would be changed. In response to a question by Commissioner Westergard, Mr. Moellendorf noted that a portion of the data was collected by the Public Works Department. He also stated that Staff had taken this on without additional headcount. Mr. Moellendorf showed a PowerPoint presentation, incorporated into the record, depicting Parks and Recreation Department trends, such as use of the Bob Boldrick Theater, Community Center Meeting Rooms (including fitness classrooms), Community Center Gym, tournament use of facilities, and taxable sales. He explained that tracking averages had not resulted in good metrics, therefore usage times would be tracked instead. Commissioner Long received confirmation that similar metrics would be used for the Aquatics Facility. Mr. Moellendorf also noted that the reduced numbers for the aquatic facility could be due to the reduction of the pool







# Exhibit C



CARSON CITY MAC GYMNASIUM - BUILDING SITING OPTION  
SCALE 1" = 30'

## Introduction:

Construction management at-risk is seen by many policy-makers and legislators as an innovative approach to public sector project delivery. The CM at risk delivery method is an alternative procurement process similar to long-standing private sector construction contracting. CM at-risk is a cost effective and time conscious alternative to the traditional design-bid-build process.

Many states are beginning to authorize CM at-risk as a choice for project delivery for their respective state agencies. Much like design-build, authorization for this alternative procurement method has not been uniform. Some states have authorized CM at-risk, but exempted specific state agencies, while others have authorized only demonstration projects. A few states have gladly incorporated CM at-risk into their procurement laws with little or no restrictions.

Statutes throughout the country can differ widely in scope, dependent on a broad range of issues. This compendium is meant to offer a list of these statutes in order to compare the similarities and differences that exist on this issue throughout the country.<sup>1</sup>

## Advantages of Construction Management at-Risk:

Construction management at-risk is a process that allows the client of a project to choose the CM before the design stage is complete. The CM is chosen based on qualifications, and then the entire operation is centralized under a single contract. The architect and CM work together in order to cultivate and assay the design. Then, the CM gives the client a guaranteed maximum price, and coordinates all subcontract work. The A/E is hired separately from the CM at-risk and the traditional client – A/E relationship is maintained. However, A/E's can generally perform the CM role, with various restrictions imposed based on state.

Proponents have cited many advantages to construction management at-risk over traditional methods of procurement. These advantages are:<sup>2</sup>

- Increases the speed of the project and can also strengthen coordination between the architect/engineer and the construction manager.
- The client hires the construction manager based on qualifications, thus better ensuring a construction manager with a strong allegiance to the client, because their business relies on references and repeat work.
- Construction managers, architects/engineers, and the client all collaborate. This creates enhanced synergies throughout the process.
- Transparency is enhanced, because all costs and fees are in the open, which diminishes adversarial relationships between components working on the project, while at the same time eliminating bid shopping.

<sup>1</sup> Please note: While every effort has been made to find statutes which cover construction management at-risk for a particular state, this list is not all inclusive. This compendium is an ongoing project which is expected to grow over time. There exists the possibility that a state may have authorized construction management at-risk through administrative, regulatory, or some other action. This compendium is for reference only and in no way is expected to take the form of legal advice. For that reason, please contact the state directly if there is a question on a state's authority to use construction management at-risk. Further, the statutes listed herein were culled from the official websites for each state. As such, the formatting and display of the statute will differ widely.

<sup>2</sup> 3D/International Essay. CM at Risk. [www.3di.com](http://www.3di.com)

## **REQUEST FOR PROPOSALS FOR CONSTRUCTION MANAGER AT RISK**

Date: February 22, 2013  
Project Name: Multi-Use Athletic Center (MAC)  
Project Location: Carson City, Nevada

### **Owner**

Carson City  
201 North Carson Street, Suite 3  
Carson City, Nevada 89701

Carson City RFP Contact: Kim Belt, Purchasing and Contracts Manager  
[KBelt@carson.org](mailto:KBelt@carson.org) – (775) 283-7137

All questions or comments pertaining to the RFP shall be directed to the Carson City RFP Contact listed above.

### **Architect**

VCBO Architects  
524 South 600 East  
Salt Lake City, Utah 84102  
(801) 575-8800  
(801) 531-9850

Note: Construction documents are roughly 60% complete on a larger facility that will need to be modified to fit the budget. Currently, the plans for a modified footprint are at schematic design. Attached to the RFP you will find .pdf copies of the cost summary, elevation, floor plans, and site plans of the proposed and modified facility.

### **Responses to RFP - Delivery Deadline**

RFP response packages (5 hard copies and 1 electronic copy (.pdf format on CD) required) from all interested parties will be accepted at City Hall (address above). Packages to be addressed to the attention of Ms. Kim Belt, Purchasing and Contract Manager, with the project title "Response to CMAR RFP – MAC" and clearly identifying the name/address of the submitting firm.

**RFP response Due Date: March 21, 2013 at 4:00 p.m. (local time)**

A **Mandatory Pre-submittal meeting** will be held at the Carson City Public Works' office located at 3505 Butti Way, Carson City, on **Thursday, March 7 at 10:00 A.M.** All interested CMAR applicants are required to attend and sign in. Firms that do not have a representative at this Mandatory meeting are not allowed to submit an RFP response. At this meeting we will discuss the project in further detail and review: scope and expectations for the selected CMAR

firm, the submittal requirements, the RFP evaluation process, short listing and cost proposal, the subsequent interview process that will be used to select the successful CMAR firm(s) and the anticipated milestones of the selection, design, and construction process.

## **ARTICLE 1 PROJECTS DESCRIPTION AND BUDGET**

Project Name:	Multi-Use Athletic Center (MAC)
Building Areas:	28,670 square feet (Overall Building)
	500 square feet (Administrative Offices)
	630 square feet (Locker/Restrooms)
	5646 square feet (Suspended Running Track)
	626 square feet (Stretching Area)
Established Construction Budget:	\$5,400,000

### **Description of the Construction:**

The proposed Multi-Use Athletic Center (MAC) project includes building construction, site grading, paved driveway and parking lots, pedestrian sidewalks, drainage improvements, utility improvements, site lighting, landscaping and irrigation on approximately 10.6 acres of vacant land. See attached drawings for more information on proposed amenities.

## **ARTICLE 2 - FEE PROPOSAL**

CMAR Fee Proposal will be required of firms being interviewed only.

## **ARTICLE 3 - CMAR PRE-CONSTRUCTION & CONSTRUCTION SERVICES**

The scope of the selected CMAR firm's service to include, but is not limited to the following:

### **Pre-Construction Phase**

- Participate in regularly schedule design progress meetings with the architect, the various consultants, and Carson City. The CMAR shall provide on-going input with respect to constructability, construction costs, material selection/evaluations, construction duration and phasing, sequence of construction, along with construction means and methods. Since the original facility is at 60% complete in design and the modified facility is at schematic design, an emphasis will be placed on value engineering and developing alternates that may be used to lower the overall project cost.
- Coordinate/participate in meetings with City, utility companies, and regulatory agencies in order to expedite the design/permit process.
- Development of review comments, suggestions and cost estimates throughout the phases of design.
- Development of constructability and value engineering suggestions throughout the phases of design – considering different design/material/life cycle elements.
- Assisting Carson City in the development of potential bidders lists and coordination of the input from various subcontractor with regards to each of the items described in the description of work.

- Development of a Guaranteed Maximum Price (GMP) based on the nearly complete Construction Documents.
- The GMP will have a stated contingency for “Owner’s Purposes” and another contingency for CMAR usage called “Estimating contingency” with specific uses allowed upon documentation and agreement with Owner. After project completion and upon final audit and reconciliation of costs, the CMAR will share in any savings between the GMP and actual final cost (including all project costs, stated CMAR fee & General Conditions). Any resulting savings will be split 50-50 between Carson City and the CMAR, with the CMAR share being capped at an additional 1% fee. CMAR will not share in savings (if any) on the balance remaining in either of the contingency amounts.

**CMAR’s Construction Phase**

Upon agreement of the GMP Proposal with the Owner, construction phase services consist of construction and management for the delivery of the project based on a GMP contract. These services include by are not necessarily limited to: construction, utility coordination, scheduling, procurement, subcontractor/supplier bids and proposals, award, management, bonds, insurance, contract administration, billing/lien releases and prevailing wage reporting/accounting, safety management, quality control and finally closeout documents (final wage reports, billings, lien releases, O&M manuals, as-builts, warranties, final subcontractor listing, etc...).

**Service by Others**

Testing/inspection services, design/engineering consultants, property survey (construction staking included in CMAR contract), potential test/balance and commissioning may be part of Owner provided services or might be included within the CMAR GMP.

The Owner reserves the right to negotiate additional services with the selected firm as it may deem necessary to fulfill the Project’s needs and intent.

**ARTICLE 4 - PROJECT AND RFP TIME SCHEDULE**

NOTE: These dates are tentative and are subject to revision by the owner.

Request for Proposal (RFP) issued	February 22, 2013
Mandatory pre-Submittal meeting	March 7, 2013
Request for Proposal due date	March 21, 2013
Notification Issued to Short-Listed CMAR firms	April 1, 2013
Final Proposal/Cost Proposal Due Date – Short-Listed firms	April 8, 2013
Anticipated Interviews of Short-Listed CMAR firms	April 11, 2013
Anticipated Notification of selected CMAR firm	April 15, 2013
Anticipated Awards Date	May 2, 2013
Design/Construction Initial team meeting (all day meeting)	Week of May 13, 2013
Anticipated Beginning of Construction	August 2013

The Baseline Project Schedule includes a tentative schedule of events and dates. The Baseline Project Schedule is subject to change as deemed appropriate by the Owner.

The official award will be at the Board of Supervisors meeting. The Boards' decision will be final.

The schedule for Construction Documents, CMAR GMP Proposal, CMAR Construction Agreements, Construction and Completion for the project will be jointly determined by the Owner, Design Team, and CMAR at the Initial team meeting.

## **ARTICLE 5 - STATEMENT OF PROPOSALS SUBMITTAL REQUIREMENTS**

The submittal shall be bound and indexed and shall be separated into the following specific categories. A cover letter shall be included that addresses pertinent general information as deemed appropriate (including the contact person for the applicant along with phone number and e-mail address). The cover letter is EXCLUDED from the page count.

**THE PROPOSAL SHALL BE LIMITED TO 25 PAGES**, excluding items noted in each section. The proposal shall be bound, indexed, and contain (in this order) the following information:

### **1. Firm Information**

Firm name, business address, year established, type of firm ownership (i.e., single source, joint venture), name and address of parent company, former parent company names, name and contact information for principal personnel, areas of responsibility, and total number of personnel. Include an explanation of whether or not the applicant has an office within Carson City (or the contiguous counties to Carson City in Nevada).

Page count: All items in this section are part of the page count limit.

### **2. Firm Organizational Chart**

Provide a project-specific organizational chart. Indicate lines of responsibility and/or communication. Specifically include the CMAR team leader, project manager, estimator, superintendent, schedule coordinator and relationships between Owner and Architect.

Page count: All items in this section are part of the page count limit.

### **3. Current Workload**

Provide a list and a summary paragraph describing the firm's current workload, including a list of project names and the associated contract values and rough percentage of completion.

Page count: All items in this section are part of the page count limit

### **4. Key Personnel on this Project**

Provide a resume for each key person that will be assigned to this Project. Include their name and title, project assignment, total years of construction experience, years of experience with CMAR, years of experience with this firm, education including degree(s),

year and discipline, active registrations and licenses including the number and State, qualifications, and experience. Describe the specific role performed on each project listed in the resume, highlighting projects of similar size and scope where the person's role was similar to their role on this project. As a minimum provide a resume, qualifications, and experience for the Project Manager, Superintendent, Estimator, and Schedule Coordinator (for both Pre-Construction and Construction phases if different).

Page count: Resume pages are EXCLUDED from the page count.

**5. Project Experience in CMAR Method of Delivery (including any other Alternative Project Delivery Methods).**

Include project name, project description, client references of those who have knowledge of the background, character and technical competence of the applicant (including contact name, address, and telephone), completion date, project budget, type of services provided, and other pertinent information for up to 5 projects.

Page count: All items in this section are part of the page count limit.

**6. Project Experience in Projects of Similar Size and Scope (CMAR or Non-CMAR Experience).**

Include project name, project description, client references of those who have knowledge of the background, character and technical competence of the CMAR firm (including contact name, address, and telephone), completion date, project budget, type of services provided, and other pertinent information for up to 5 projects of similar size and scope, both public and private, including an explanation of the experience the applicant has in assisting in the design of such projects and an explanation of the applicant has in such projects in the State of Nevada.

Page count: All items in this section are part of the page count limit.

**7. Project Implementation**

- Describe your approach to performing pre-construction services.
- Describe how you would typically involve subcontractors in the Pre-Construction process and obtain subcontractor bids in a CMAR process.
- Describe your approach to performing construction administration and construction management.
- Describe your approach to controlling the project construction budget and schedule.
- Describe your approach to performing quality assurance/quality control during construction.
- Describe your approach to administering a safety program.
- Describe your approach to achieving project close-out (commissioning, punch-list, and warranty work).
- Discuss your approach to request for change orders from subcontractors.
- Discuss what you believe is a legitimate change order to the GMP contract for additional time, cost, and general conditions.

- Discuss how you deal with adverse weather conditions and the potential costs/delays that might arise due to weather.
- Provide an explanation of what work duties are being completed out of the office within Carson City (or contiguous counties to Carson City in Nevada).

Page count: All items in this section are part of the page count limit

**8. Past Performance (for all projects with a construction cost between \$1,000,000 and \$25,000,000 completed in the last 5 years)**

- List the name and general description of each project.
- List your firm's record of cost performance (list contract award amount versus final construction cost). Explain any cost deviations.
- List your firm's record of schedule performance (list original schedule versus final completion date). Explain any schedule deviations.
- Provide a letter certifying that your firm has not been disqualified from any project (per NRS 338.1691.2).

Page count: All items in this section are part of the page count limit

**9. Litigation & Dispute History (list all projects that have had litigation or disputes within the last 5 years)**

- Have liquidated damages been assessed against your firm? If so, describe when, where, and why.
- Has there been a termination from a contract before completion? If so, describe when, where, and why.
- Has your firm been declared to be in default on any contract (whether bonded or not bonded)?
- Has any type of settlement been paid by your firm or to your firm in excess of \$25,000? If so, describe when, where, and why.
- Has there been a judgment rendered for breach of contract, other than a breach for legitimate cause? If so, describe when, where, and why.
- If a judgment has been entered and a case has been appealed, provide the general facts of the case and the basis of the appeal.

Page count: All items in this section are EXCLUDED from the page count.

**10. Miscellaneous Submittal Requirements**

- The applicant shall include a copy of his current State of Nevada Certificate of Eligibility.
- The applicant shall include a copy of the Preferential Bidder Statute Affidavit (copy attached).
- The applicant shall include a copy of his current Nevada Contractor's License.
- The applicant shall include the Safety Programs established and the safety records accumulated by the firm.

Page count: All items in this section are EXCLUDED from the page count limit.

### **11. Insurance and Bonding Capacity**

- Submit evidence of the financial capability of your bonding company.
- Is your bonding company listed by the United States Treasury?
- Submit written certification or other appropriate evidence from your bonding company confirming that your firm will have bonding capacity if this project, estimated at the value listed in Article 1 of this Request for Qualifications, is added to your current and anticipated workload.
- Submit evidence that your firm is covered by workers compensation insurance as stipulated in the CMAR General Conditions of the Contract.
- Present evidence of ability to obtain insurance per limits as stipulated below.

#### **The CMAR shall maintain limits no less than:**

- **General Liability:** \$10,000,000 minimum or the amount customarily carried by CONTRACTOR, whichever is greater, combined single limit per occurrence for bodily injury, personal injury and property damage with an endorsement that shows the \$10,000,000 limit applies solely to this project. General Liability coverage shall specifically apply to the acts and/or omissions of CONTRACTOR and its subcontractors. Moreover, the above General Liability coverage shall be maintained in full force and effect for five (5) years from the date of completion of the project, and shall solely apply to this project.
- **Automobile Liability:** \$2,000,000 minimum or the amount customarily carried by the CONTRACTOR, whichever is greater, combined single limit per accident for bodily injury and property damage. No aggregate limits may apply. Non-owned and hired automobile liability must be included.
- **Workers' Compensation:** CONTRACTOR shall provide workers' compensation insurance as required by Nevada Revised Statutes Chapters 616A through 616D inclusive and Employer's Liability insurance with a minimum limit of \$500,000.

Page count: All items in this section are EXCLUDED from the page count limit.

### **12. Drug & Alcohol Policy**

- In order to be eligible to perform work on Carson City (CITY) construction projects all contractors who will work on such projects must have in existence a Drug and Alcohol Policy. This requirement is a reasonable precaution to ensure a safe and drug-free environment on City construction projects as they may involve workers being in relatively close contact with the public or users of the adjacent Boys & Girls Club.

Page count: All items in this section are EXCLUDED from the page count limit.

## **ARTICLE 6 - CMAR EVALUATION AND SELECTION CRITERIA**

Evaluations will be based on the information requested and provided in the CMAR's Proposal. The defined categories will be evaluated on a percentage score or on a pass/fail basis, as may be applicable. All proposers understand and accept that the weighted selection criteria are both subjective and objective by nature and that the weight factor of each category is intended to define its relative importance. The final ranking of each firm will be based on a combined evaluation of all evaluation criteria. By submitting Proposal, the proposer acknowledges that Carson City has sole and absolute discretion in determining the selection criteria and in evaluating the proposer based on the selection criteria in each category.

RFP Evaluation/Selection Criteria and Weighting

- |  |           |
|--|-----------|
| 1. Number of CMAR Projects managed by the applicant in the State of Nevada.  | 20 points |
| 2. Project Experience with projects of similar size and scope in both public and private sectors.  | 15 points |
| 3. Project experience with similar projects in the State of Nevada both public and private sectors.  | 10 points |
| 4. Professional Qualifications and experience of the applicant personnel, including the resume of any employee who will be managing the pre-construction and construction of the work.   | 20 points |
| 5. The proposed implementation plan of the applicant to manage the pre-construction and construction of the work which sets forth the ability of the applicant to provide pre-construction services and to construct the work. | 20 points |
| 6. Whether or not the applicant has an office within Carson City (or the contiguous counties to Carson City in Nevada).  | 5 points  |
| 7. The safety program established and the safety records accumulated by the applicant.   | 5 points  |
| 8. The evidence that the applicant holds a Certificate of Eligibility for Preferential Bidders status per NRS 338.   | 5 points  |

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**Total Possible Points**

**100 points**

- |  |           |
|--|-----------|
| 11. Statement of whether the applicant has been found liable for breach of contract with respect to a previous project, other than breach for legitimate cause, during the five years preceding the date of the advertisement for this proposal pursuant to NRS 338.1692. (NRS 338.1691) | Pass/Fail |
| 12. Statement of whether the applicant has been disqualified from being awarded a contract pursuant to NRS 338.017, 338.13895, 338.1475, or 408.333. (NRS 338.1691)  | Pass/Fail |
| 13. The evidence of the ability of the applicant to obtain the necessary bonding for the work as defined in the RFP.   | Pass/Fail |
| 14. The evidence of the ability of the applicant to obtain the necessary insurance for the work as defined in the RFP.   | Pass/Fail |
| 15. The evidence that the applicant is licensed as a contractor pursuant to chapter 624 of NRS. (NRS 338.1691)   | Pass/Fail |

Note: If an applicant has a “Fail” on any of the above “Pass/Fail” criteria, their proposal will be rejected.

Short listed firms only will be asked to review pre-construction & construction agreements and general conditions of the contract for comments.

## Local Preference Affidavit

(This form is required to receive a preference in bidding)

I, \_\_\_\_\_, on behalf of the Contractor, \_\_\_\_\_, swear and affirm that in order to be in compliance with NRS 338.XXX\* and be eligible to receive a preference in bidding on Project No. \_\_\_\_\_, Project Name \_\_\_\_\_, certify that the following requirement will be adhered to, documented and attained on completion of the contract. Upon submission of this affidavit on behalf of \_\_\_\_\_, I recognize and accept that failure to comply with any requirements is a material breach of the contract and entitles the City to damages. In addition, the Contractor may lose their preference designation and/or lose their ability to bid on public works for one year, pursuant to NRS 338. XXX\*:

1. The Contractor shall ensure at least 50 percent of the workers possess a Nevada driver's license or identification card;
2. The Contractor shall ensure all vehicles used primarily for the public work will be registered and (where applicable) partially apportioned to Nevada;
3. The Contractor shall ensure at least 50 percent of the design professionals who work on the project (including sub-contractors) have a Nevada driver's license or identification card.
4. The Contractor shall ensure at least 25 percent of the material suppliers used for the public work are located in Nevada and;
5. The Contractor shall ensure payroll records related to this project are maintained and available within the State of Nevada.

**\*Note that specific sections of NRS 338 detailing the continued procedures associated with the use of the "bidder's preference" have been amended by the passage of Assembly Bill 144 on April 27, 2011, requiring this affidavit and subsequent record keeping and reporting by the General Contractor using the preference program and awarded this project . These requirements are not applicable to Contractors who do not use the "Bidder's Preference" eligibility certificate in their bid.**

By: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signed and sworn to (or affirmed) before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ (name of person making statement).

State of \_\_\_\_\_ )

)ss.

County of \_\_\_\_\_ )

\_\_\_\_\_  
Notary Signature STAMP AND SEAL