Administrative Procedure PUR-311

CONSTRUCTION MANAGER AT RISK (CMAR) ANNUAL REPORTING TO THE STATE OF NEVADA'S LEGISLATIVE COUNSEL BUREAU

Responsible: Purchasing Department

PURPOSE

This Administrative Procedure shall provide guidance for the Purchasing Department when processing required annual reporting pursuant to Assembly Bill 283; Section 14.5 to the State of Nevada's Legislative Counsel Bureau (LCB) on each public work for which the Washoe County School District (District) has entered into a contract with a Construction Manager at Risk (CMAR) pursuant to Nevada Revised Statute (NRS) 338.169 to 338.16995.

PROCEDURE

1. General Report Information

    a. In 2015, the Nevada Legislature approved Assembly Bill 283. Section 14.5 of the Bill requires each public entity to submit annually to the Legislature or the Legislative Commission, a report on each public work for which a public body (e.g., Washoe County School District) enters into a contract with a CMAR.

    b. On or before January 1 of each year, each public body that enters into a contract during the immediately preceding year with a CMAR pursuant to NRS 338.169 to 338.16995, inclusive, for pre-construction services for or to construct a public work shall submit a report to the Director of the LCB for transmittal to the Legislature, or the Legislative Commission if the report is submitted during an odd-numbered year.

    c. The report must include, for each public work for which the District has entered into a contract with a CMAR the following:

        i. A description of the public work;

        ii. The name of the CMAR;

        iii. If the public work has not been completed at the time the report is submitted, a report on the progress of the public work; and

        iv. If the public work has been completed at the time the report is submitted, an explanation of whether DISTRICT is satisfied with the public work and with the contractual arrangement with the CMAR.

2. Preparing the CMAR Report and Cover Letter to the LCB

a. Previous electronic copies of the annual CMAR reports and accompanying cover letters are maintained in the Purchasing Department's SharePoint e-file under Public Works titled *AB283 CMAR Reporting to LCB.*

b. The assigned Purchasing Department employee completes a *DRAFT* of the report and the cover letter by using the previous year's documents and submits them for review by the Director of Procurement and Contracts before finalizing both documents for submission to the LCB.

c. The *DRAFT* report should be in continuation of the previous year's report, so as to capture all completed CMAR public work projects that took place in the reporting year along with any in mid-construction or recently awarded CMAR public works projects.

3. Once the Director of Procurement and Contracts has reviewed and approved the *DRAFT* CMAR report and cover letter, any revisions are then completed, and the documents are finalized and prepared for signature (cover letter only).

    a. The Director of Procurement and Contracts has authority to sign the cover letter, unless otherwise designated.

4. The signed cover letter and final CMAR report are scanned into one PDF document and sent via email to the Director of the Legislative Counsel Bureau at the current known email address.

    a. Email "CC" recipients to the email should include, at a minimum:

        - Assigned Purchasing Dept. employee who prepared the documents
        - Director of Procurement and Contracts
        - Director of Government Affairs
        - Chief Operations Officer
        - Chief Facilities Management Officer
        - Executive Assistant to the Chief Financial Officer

        Electronic copies of the cover letter and report are maintained by the Purchasing Department.

LEGAL REQUIREMENTS AND ASSOCIATED DOCUMENTS

1. This Administrative Procedure reflects the goals of the District's Strategic Plan and aligns/complies with the governing documents of the District, to include:
    a. Board Policy 3321 – Contract Review and Approval; and
    b. Administrative Regulation 3322 – Bids/Quotations and Contracts.
2. This Administrative procedure aligns with Nevada Revised Statutes, to include:
    a. NRS Chapter 338 – Public Works.

REVISION HISTORY

Date	Revision	Modification
01/01/2022	1.0	Adopted