

**NOTICE OF WORKSHOP TO
SOLICIT COMMENTS ON PROPOSED CHANGES TO REGULATIONS WITHIN THE NEVADA
ADMINISTRATIVE CODE (NAC) FOR THE NEVADA DEPARTMENT OF TRANSPORTATION (NDOT)**

This Notice also serves as notice for the purposes of the
Open Meeting Law, NRS 241.020

A public workshop has been scheduled for **Tuesday, February 17, at 10:00 a.m.** to solicit comments from interested persons regarding the proposed regulatory changes. The public may attend this workshop at:

Nevada Department of Transportation
4615 W. Sunset Road
Las Vegas, Nevada 89118

Nevada Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

Or join virtually via Microsoft Teams ([Click for link](#), Meeting ID: 262 139 536 661 09, Passcode: gQ727uA6)

Dial in by phone: +1 702-780-6673,, 36359903#, United States, Las Vegas ([Find a local number](#)) Phone conference ID: 363 599 03#

The workshop will be livestreamed and archived on the Department's YouTube channel at: youtube.com/NVDOT

PURPOSE OF THE WORKSHOP

The purpose of this workshop is to solicit comments from interested persons regarding proposed additions to regulations administered by the Department. The workshop provides an opportunity for the public and stakeholders to offer comments, data, views, or arguments related to the proposed regulatory action.

WRITTEN COMMENTS

Persons wishing to comment on the proposed action of the Department may submit written or emailed comments. Emailed and written comments must be received by the Department **on or before February 13, 2026**.

Mail comments to:
Maya Bourgeois
Nevada Dept. of Transportation
1263 S Stewart St
Carson City, NV 89712

Comments may be submitted by email to: MBourgeois@dot.nv.gov

SUMMARY OF REGULATIONS

- **Design-Build Procurement Regulation (Chapter 408, NAC – Proposed)**

[Click here for PDF of full regulation proposal](https://www.dot.nv.gov/home/showdocument?id=24164&t=639047785693530000)

<https://www.dot.nv.gov/home/showdocument?id=24164&t=639047785693530000>

Overview and Purpose

This regulation establishes a comprehensive administrative framework governing how the Nevada Department of Transportation selects and contracts with design-build teams for highway projects. The regulation implements and operationalizes the statutory design-build authority granted to NDOT under **NRS 408.3875 through 408.3888**, ensuring a transparent, competitive, and best-value-based procurement process.

Statutory Authority

The regulation is adopted pursuant to **NRS 408.215(4)** and is grounded primarily in:

- **NRS 408.3883** (Requests for preliminary proposals)
- **NRS 408.3884** (Qualification requirements)
- **NRS 408.3885** (Selection of finalists)
- **NRS 408.3886** (Final proposals, scoring, and award of contract)

Key Regulatory Elements

1. Requests for Preliminary Proposals (RPPs)

The Department may issue Requests for Letters of Interest prior to advertising a project to gauge market interest. When formally advertising preliminary proposals, NDOT must comply with the content and notice requirements of **NRS 408.3883**, including public access to project information and disclosure of whether unsuccessful finalists will receive partial reimbursement for proposal preparation costs.

2. Qualification Requirements

All design-build teams must meet statutory qualification standards under **NRS 408.3884** before their proposals are evaluated. This ensures teams have the technical capacity, licensing, and financial responsibility required to perform major transportation projects.

3. Evaluation and Shortlisting of Proposals

NDOT must appoint a panel of at least three members to review preliminary proposals. The panel selects between three and five finalists in accordance with **NRS 408.3885**. NDOT retains discretion to accept, reject, or request reconsideration of panel recommendations.

4. Requests for Final Proposals (RFPs)

Finalists receive an RFP that meets the requirements of **NRS 408.3886**, including clear evaluation criteria, a scoring methodology, and the option for NDOT to issue draft RFPs for industry review. Both technical and price proposals are evaluated.

5. Best-Value Selection and Contract Award

Technical and price scores are combined using a formula prescribed in statute to determine the best-value proposer. NDOT may accept the recommendation, reject all proposals, request reevaluation, or seek best and final offers. Any contract awarded must comply with **NRS 408.3886(7)**.

- **Public-Private Partnership (Transportation Facilities) Regulation**

[Click here for PDF of full regulation proposal](#)

<https://www.dot.nv.gov/home/showdocument?id=24166&t=639047785698430000>

Overview and Purpose

This regulation governs NDOT's procurement of transportation facilities through public-private partnerships in counties with populations of 700,000 or more. It establishes a structured best-value procurement process for complex, long-term infrastructure projects involving private financing, operation, or maintenance.

Statutory Authority

The regulation is adopted under **NRS 408.100(6)** and implements the procurement framework established by:

- **NRS 338.1587**
- **NRS 338.1588**

Key Regulatory Elements

1. Definitions and Scope

The regulation defines essential procurement terms such as "apparent successful proposer," "financial close," "project," "proposal," and "shortlist." These definitions ensure consistency with statutory language and clarity for proposers.

2. Requests for Qualifications (RFQs)

NDOT may issue Requests for Letters of Interest followed by RFQs to identify qualified proposers. RFQs must include project scope, contract duration, financial close requirements, evaluation criteria, and major contract terms, as required by **NRS 338.1588**.

3. Qualification Evaluation and Shortlisting

A panel of at least three members evaluates qualification submittals and selects between three and five proposers for a shortlist. NDOT may accept, reject, or request further analysis of panel recommendations.

4. Requests for Final Proposals (RFPs)

Shortlisted proposers receive an RFP that includes technical requirements, financial model specifications, and evaluation criteria. NDOT may issue draft RFPs for industry comment and may appoint separate technical and price proposal committees.

5. Best-Value Selection Process

Proposals are evaluated using a best-value methodology combining technical merit and price. NDOT identifies an apparent successful proposer and may accept the recommendation, seek reevaluation, reject all proposals, or request best and final offers.

6. Contract Award and Public Oversight

Before contract execution, NDOT must hold a public meeting under **NRS Chapter 241 (Open Meeting Law)** to review and ratify the contract. NDOT may also provide debriefings to unsuccessful proposers.

- **Delegation of Authority from the Board to the Director Regulation**

[Click here for PDF of full regulation proposal](#)

<https://www.dot.nv.gov/home/showdocument?id=24162&t=639047785688600000>

Overview and Purpose

This regulation establishes the formal process by which the Board of Directors of the Nevada Department of Transportation may delegate authority to the Director. It responds directly to recommendations from the Division of Internal Audits to enhance transparency, legislative oversight, and public participation.

Statutory Authority

The regulation is adopted pursuant to:

- **NRS 408.100(6)**
- **NRS 408.131(6) and (7)**
- **NRS 408.141(1)**

It implements the expressly contemplated delegation authority under NRS 408.131(6), subject to the statutory limitations in **NRS 408.389**.

Key Regulatory Elements

1. Delegation by Resolution

The Board may delegate authority only through a formal resolution adopted by vote or order entered into its records, as required by **NRS 408.131(7)**. The resolution must clearly describe the scope of authority being delegated.

2. Public Notice and Transparency

A draft resolution must be included in the public meeting notice. The meeting must be scheduled at least 30 days after notice is posted, and notice must be provided on NDOT's website and to all persons on the regulation mailing list.

3. Public Participation

The Board must accept both written and in-person public comments. The Board may establish deadlines for written comments but must fully consider all comments received.

4. Response to Public Comments

The Board must respond to written comments and explain why requested changes were accepted or rejected. This requirement ensures meaningful public participation and creates an administrative record supporting the Board's decision.

5. Final Action

After considering public input, the Board votes on the resolution. Upon adoption, the Director may exercise the delegated authority in accordance with **NRS 408.205(2)**.

AGENDA

1. **Call to order the public workshop**
2. **Introduction of presenters for the Department**
3. **Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.
4. **Approval of Agenda – *FOR POSSIBLE ACTION***

DISCUSSION ITEM/RULEMAKING WORKSHOP – *FOR POSSIBLE ACTION*
5. **Regulation Presentation – *INFORMATIONAL ONLY***
Department staff will provide a detailed overview of each proposed regulation.
6. **Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.
7. **Adjournment** – In accordance with Nevada's Open Meeting Law, the Department may consider agenda items taken out of order. The Department may combine two or more agenda items for consideration. The Department may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The Department may continue the meeting as deemed necessary.

The Department, at its discretion, may take public comment during times other than the designated Public Comment agenda items. The Department reserves the right to limit public comment to three minutes. Comment may not be restricted based on viewpoint.

This Notice of Workshop has been properly noticed and posted online at Public Involvement and Information | Nevada Department of Transportation (dot.nv.gov/doing-business/public-involvement-information), <https://notice.nv.gov/>, and in the following locations:

Nevada State Library Archives
100 North Stewart Street
Carson City, Nevada 89701

Nevada Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

Nevada Department of Transportation
4615 W. Sunset Road
Las Vegas, Nevada 89118

Nevada Department of Transportation
1951 Idaho Street
Elko, Nevada 89801

NOTE: The Department is pleased to make reasonable accommodations and will assist people with disabilities who wish to attend its meetings and hearings. If special arrangements are necessary, please contact Justin Hopkins at jhopkins@dot.nv.gov or by calling 702-385-6509.

Dated: 01/29/2026