

**PROPOSED REGULATION OF THE
STATE CONTRACTORS' BOARD**

LCB File No. R128-08

June 23, 2008

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

AUTHORITY: §1, NRS 624.100 and 624.220.

A REGULATION relating to contractors; revising provisions governing an application for an increase in the monetary limit on a contractor's license for a single project; and providing other matters properly relating thereto.

Section 1. NAC 624.670 is hereby amended to read as follows:

624.670 1. A licensee may submit to the Board a written application ~~[for]~~ *requesting* an increase, for a single project, in the monetary limit on his license. The application must be made at least 2 working days before the date he submits his bid for the project. *Not more than five such applications may be submitted by a licensee during any 12-month period.*

2. A licensee must submit with the application:

(a) If the ~~[license has a]~~ *licensee is requesting an increase in the* monetary limit ~~[of]~~ *on his license for a single project to an amount that is* less than \$1,000,000:

(1) A current financial statement that is:

(I) Prepared by an independent certified public accountant;

(II) Submitted on a form prescribed by the Board and accompanied by an affidavit that verifies the accuracy of the financial statement; or

(III) Prepared using accounting software in accordance with generally accepted accounting principles and accompanied by an affidavit that verifies the accuracy of the financial statement; and

(2) Any supporting information the Board requests.

(b) If the ~~[license has a]~~ *licensee is requesting an increase in the* monetary limit ~~[of]~~ *on his license for a single project to an amount that is* \$1,000,000 or more:

(1) A financial statement that is prepared and reviewed or audited by a certified public accountant within 1 year before the filing of the application; and

(2) Any other supporting information the Board requests.

3. The Board will approve the application if it finds that the financial status of the licensee is adequate to justify the increase and if the licensee:

(a) Procures and agrees to maintain any performance or payment bond, or both, that the Board requires; and

(b) Complies with any other conditions the Board finds necessary to protect the public interest.

4. A licensee who has complied with the requirements of subsections 1 and 2 may submit his bid for the project before the Board acts upon his application if he submits with the bid a statement that the bid is contingent upon the approval of his application by the Board. The Board may deny the application if it determines that the licensee has submitted his bid without submitting the statement required pursuant to this subsection.

5. If a licensee submits a bid in compliance with subsection 4 and the Board:

(a) Approves his application, the approval shall be deemed to become effective at the time the bid was submitted.

(b) Denies his application, the bid shall be deemed void and not to have exceeded the monetary limit placed on his license.