

**PROPOSED REGULATION OF THE  
PURCHASING DIVISION OF THE DEPARTMENT OF  
ADMINISTRATION**

**LCB FILE NO. R080-26I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 04/02/2026**

The Purchasing division is seeking a change to the Nevada Administrative Code so that it conforms with a change made to the Nevada Revised Statute back in 2019.

**Why the change is necessary:** The change to NAC 333.170 is necessary because it conflicts with NRS 333.370.

**NRS. 333.370(1)** says, *A person who makes an unsuccessful bid or proposal may file a notice of appeal with the Purchasing Division and with the Hearings Division of the Department of Administration within 11 days after the date of award as entered on the bid record. The notice of appeal must include a written statement specifying any alleged violation of this chapter.*

**NAC 333.170(5)(b)** says, *After the contract has been executed by all the appropriate parties, the person designated by the Administrator or the using agency as the contact person pursuant to NAC 333.155 shall provide to each person who submitted a proposal a written notice of the award of the contract. The notice of the award of the contract must: (b) State that the 10-day period after which a person who makes an unsuccessful proposal may file a notice of appeal as set forth in subsection 1 of NRS 333.370*

**Conflict:** NAC 333.170 references NRS 333.370 as part of the requirements for awarding a contract but then states the unsuccessful bidder will have 10 days to appeal the award instead of 11 days required in NRS 333.370.

**Agency's Authority:** The Purchasing Agency's authority to revise NAC. 333.170 comes from NRS 333.135 & NRS 333.130.

NRS 333.135 gives Purchasing's Administrator the authority to establish procedures for awarding contracts under chapter 333.

NRS 333.130 gives Purchasing's Administrator the authority to adopt regulations necessary for the administration of chapter 333.

**Conclusion:** The Purchasing Division's goal is to make a permanent change to NAC. 333.170(5)(b) from 10 days to 11 days so the NAC and NRS are consistent under Nevada Law. The Purchasing Division is requesting the change to avoid ambiguity and seek conformity under Nevada Law.