



NEVADA STATE BOARD OF ARCHITECTURE, INTERIOR DESIGN & RESIDENTIAL DESIGN

2080 E. Flamingo Rd., Suite 120
Las Vegas, NV 89119

(702) 486-7300 – phone
(702) 486-7304 – fax
nsbaidrd@nsbaidrd.nv.gov

NOTICE

January 2010

To: Nevada public works departments
State and local government agencies
School districts
Nevada architects, registered interior designers and residential designers

From: Nevada State Board of Architecture, Interior Design and Residential Design

Re: Proposals for professional services for public works projects

The purpose of this notice is to educate those who issue Requests for Proposals (RFP) for professional design services for public works projects. Architects, registered interior designers and residential designers may not include information about potential fees in response to an RFP for a public project funded in whole or in part with public monies.

Design professionals regulated by this board must be selected on the basis of their competence and qualifications for the particular project. As such, state law precludes them from including information about their fees in response to an RFP for a public project. A registrant who includes this information will be subject to disciplinary action by this board.

Once the public body (client) has selected the most qualified design professional/firm, it may request a fee proposal from that firm. The agency may then negotiate a satisfactory contract with the selected firm. If an agreement cannot be reached and the negotiations are formally terminated, the agency may then proceed to select the next most qualified design professional/firm on the list and continue negotiations until an agreement is reached.

If you have any questions about this regulation, please contact the board's Executive Director, Gina Spaulding, at (702) 486-7300.

Applicable state law follows:

NAC 623.800 Proposals for public works projects.

An architect, residential designer or interior designer who holds a certificate of registration shall not submit any information to the State of Nevada or any of its political subdivisions as part of a proposal for a public works project which would enable the public agency to evaluate the proposal on any basis other than the competence and qualifications of the registrant to perform the type of services required.

NRS 338.010 (14, 15) defines public body and public work as follows:

14. *“Public body” means the State, county, city, town, school district or any public agency of this State or its political subdivisions sponsoring or financing a public work.*
15. *“Public work” means any project for the new construction, repair or reconstruction of:*
 - (a) *A project financed in whole or in part from public money for:*
 - (1) *Public buildings;*
 - (2) *Jails and prisons;*
 - (3) *Public roads;*
 - (4) *Public highways;*
 - (5) *Public streets and alleys;*
 - (6) *Public utilities;*
 - (7) *Publicly owned water mains and sewers;*
 - (8) *Public parks and playgrounds;*
 - (9) *Public convention facilities which are financed at least in part with public money; and*
 - (10) *All other publicly owned works and property.*
 - (b) *A building for the Nevada System of Higher Education of which 25 percent or more of the costs of the building as a whole are paid from money appropriated by this State or from federal money.*