

The attached document was submitted to the **Washoe County Board of Commissioners** during the meeting

held on 5-9-17

by Quinn Korbulic - IT Manager

for Agenda Item No. 9

and included here pursuant to NRS 241.020(7) as

amended by AB65 of the 2013 Legislative Session.

STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION

# REQUEST FOR PROPOSAL

## 697-16-016

Project Specifications and Instructions  
for Submitting a Proposal to Furnish

# Nevada Shared Radio Replacement Project

Statewide

Due: **August 18, 2017**  
No later than 11:00 A.M. PT



Rudy Malfabon, P.E., Director  
Department of Transportation

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The intent of this Request for Proposal (“RFP”) is to seek communications equipment providers. Proposers interested in submitting a proposal to supply communications equipment for the Nevada Shared Radio System (“NSRS”) (the “PROJECT”). This RFP is being advertised to select one (1) firm with whom each of the NSRS partner members, the Nevada Department of Transportation (“DEPARTMENT”), Washoe County, and NV Energy, hereinafter individually each is a “MEMBER” and collectively the “MEMBERS”) will subsequently, separately negotiate individual agreements with the selected Proposer for the NSRS communications equipment described in this RFP. The successful Proposer will enter negotiations with each MEMBER to provide the communications equipment such MEMBER requires to support its obligations under the separate NSRS Contracts between the MEMBERS.

The DEPARTMENT is responsible for conducting this procurement under its policies and the issuance of this RFP. Issuance of this RFP shall in no way constitute a commitment by any of the MEMBERS to execute an agreement with a Proposer.

The DEPARTMENT reserves the right to issue addenda to this RFP prior to the closing date. It is each Proposer’s responsibility to check for any addendums to this procurement at [www.nevadadot.com](http://www.nevadadot.com) prior to Proposal submission. Submission of a Proposal constitutes acknowledgement of this RFP and all subsequent addenda. The DEPARTMENT reserves the right to reject any or all Proposals received in response to this RFP, or to cancel this RFP if it is deemed in the best interest of the DEPARTMENT to do so.

The laws of the State of Nevada will be applied in interpreting and enforcing the RFP and subsequent agreement(s) arising from this RFP, if any. The Proposers consent to the exclusive jurisdiction of the Nevada state district courts for the interpretation and/or enforcement of this RFP and subsequent agreement(s) arising from this RFP, if any.

In connection with this RFP and subsequent agreement(s) arising from this RFP, if any, Proposers shall comply with all applicable laws in all aspects in connection with the procurement process of this PROJECT and the performance of subsequent agreement(s) arising from this RFP, if any.

## **SECTION I - BACKGROUND**

The PROJECT’s purpose is to replace the existing NSRS with a new system capable of supporting Project 25 (P25) Phase 1 and P25 Phase 2 technology. The new system shall provide enhancements to existing system functionality, coverage, and capacity specified in this RFP. The Proposer shall be responsible to provide a full turnkey solution, including to design, develop, deploy, and cutover the full system with minimal interruption of service to the existing mission-critical system.

The DEPARTMENT’s goals for the PROJECT are to deploy a communication system that provides critical mobile and portable on-street coverage across the state of Nevada. The system will incorporate sub-systems for the DEPARTMENT, NV Energy and Washoe County, while together operating as an integrated statewide communication system providing seamless communication for all users.

## **SECTION II - MINIMUM QUALIFICATIONS**

Statement of Qualifications (SOQ), (see Attachment 10, Form A) will first be reviewed to determine if minimum qualification requirements are met. Qualifications will be evaluated solely based upon information submitted in the SOQ; therefore, the SOQ must include sufficiently detailed information to clearly establish that the Proposer meets the minimum qualifications. Any Proposals submitted that do not meet the minimum qualification requirements, as outlined below, will be disposed of in an appropriate manner, at the sole discretion of the DEPARTMENT, and without further review. All minimum qualifications must be held at time of submittal unless otherwise indicated.

**Minimum Qualification Requirements:**

1. Proposers must currently manufacture radio system infrastructure equipment including system control equipment and site infrastructure equipment, that meets the requirements of the technical specifications outlined in the Scope of Services.
2. Proposer firms shall have a minimum of 20 years of experience in the design and installation of trunked radio systems.

**SECTION III - SCOPE OF SERVICES**

Please see Attachment 1 - Scope of Services for the detailed scope of services.

**SECTION IV - INSTRUCTIONS TO PROPOSER**

Table IV	
Task	Date
RFP Advertised	May 10, 2017
Site Visits	Week of May 22, 2017
Proposers' Questions Due	June 8, 2017 at 11:00 A.M. PT
DEPARTMENT's Response to Proposers' Questions	June 29, 2017
Proposals Due	August 18, 2017 at 11:00 A.M. PT

Site visits representing a cross section of typical NSRS sites will be conducted only at the request of the Proposers. Each Proposer is required to respond to the DEPARTMENT's Authorized Representative by May 17, 2017, if you plan to attend. Site visits will commence on May 22, 2017, and are expected to take up to three (3) full days. Site Survey checklists for 21 NDOT sites are included in Attachment 9.

The following terms and conditions apply to the use of such documents: (a) the Reference Information Documents are not mandatory or binding on the Proposer; (b) Proposer is not entitled to rely on the Reference Information Documents as presenting a feasible, complete, accurate, viable or desirable technical, design, engineering, construction, operations or maintenance solutions or other direction, means or methods for complying with the requirements of the Contract Documents, Governmental Approvals or Governmental Rules; (c) use by a Proposer of any element, aspect or portion of the Reference Information Documents shall be at the sole risk of Proposer; and (d) the Reference Information Documents are provided without any representation or warranty by, or recourse to, the DEPARTMENT, all of which representations and warranties are hereby disclaimed in their entirety.

The DEPARTMENT shall not be responsible or liable in any respect for any suits, judgments, proceedings, investigations, causes of action, claims or Losses whatsoever suffered or incurred by any Proposer Entity by reason of any use of information contained in, or any action or forbearance in reliance on, the Reference Information Documents.

THE DEPARTMENT DOES NOT REPRESENT OR WARRANT, AND HEREBY DISCLAIMS, THAT THE INFORMATION CONTAINED IN THE REFERENCE INFORMATION DOCUMENTS IS EITHER COMPLETE OR ACCURATE OR SUITABLE FOR USE OR THAT SUCH INFORMATION IS IN CONFORMITY WITH THE REQUIREMENTS OF DEPARTMENT-PROVIDED APPROVALS, OTHER CONTRACT DOCUMENTS, GOVERNMENTAL APPROVALS, OR GOVERNMENTAL RULES. THE DEPARTMENT DOES NOT REPRESENT OR WARRANT THE ACCURACY OR COMPLETENESS OF ANY ITEMIZED LIST SET FORTH THEREIN.

**The Proposal must respond to each Evaluation Factor, listed in the exact order below. Provide clearly titled sections, referencing the same number and title as the Evaluation Factor being addressed.**

## RFP EVALUATION CRITERIA

### 1. Response to Scope of Work

- a. Description of the system, including equipment, software, design, and services to be provided:
  - i. P25 systems compliance (with feature table)
  - ii. Coverage
  - iii. Expansion Capabilities (scalability)
  - iv. Site Equipment (Core/s and Radio Sites)
  - v. Dispatch Console Systems – features, functions, capabilities
  - vi. Voice Logging Recorder and interface
  - vii. Network Management Systems features, functions, capabilities
  - viii. Smartphone Interface features, functions, capabilities
  - ix. ISSI – External P25 system interfaces

System design information shall include block diagrams, equipment layouts, and equipment lists necessary to provide a complete and comprehensive description
- b. Infrastructure/facilities and site development
- c. System implementation, test and acceptance plans for the proposed system
- d. Recommended training courses
- e. Subscriber equipment that meets the NSRS requirements

### 2. Project Plans and Schedules

Project management services, preliminary project schedule, change management and quality assurance plan.

The preliminary project schedule with detailed Gantt chart shall address the following at a minimum:

- Detailed site surveys
- Detailed design review
- Equipment manufacturing
- Factory acceptance test plan (FAT)
- Equipment delivery
- System installation (per phase)
- System configuration
- System optimization
- Acceptance testing
- Training
- System cutover
- System documentation development and delivery
- System and equipment warranty period
- Punch List that lists items, descriptions and timeline

### **3. Migration Plan**

Proposed migration plan to deploy NSRS system while not impacting current operations

### **4. Warranty, Support, and Maintenance Plans**

System, subsystem, software, and subscriber warranty, support, and maintenance plans.

#### **a. Warranty and Support**

Proposers shall provide a copy of any standard support agreements (i.e., warranty, maintenance, software licensing)

#### **b. Post Warranty Support**

**i.** Proposers shall submit a proposed fee schedule and contract discount (if applicable) for the hardware, software, and services following the warranty period.

**ii.** Proposers shall guarantee the proposed fee schedule for a minimum of seven (7) years beyond the initial warranty period.

### **5. Respondent Qualifications and Experience**

- a. The number of years in business providing P25 Phase 2 based radio systems
- b. Qualifications of organizational personnel and staff responsibilities including resumes of key project staff
- c. Supplemental information demonstrating qualifications and experience.
- d. A minimum of one to a maximum of five references from organizations for which your company is currently providing P25 Phase 2 based radio systems similar to the specifications of this solicitation on the Bidder's Qualifications Sheets. Provide the following information for each reference:
  - i. Name of the system
  - ii. Description of system and services provided
  - iii. Location
  - iv. Contact person
  - v. Contact telephone number

(Please make sure that ALL cells are marked, populated, explained, etc. Respondent will not get full points for incomplete submissions.)

### **6. Pricing**

Costs provided on the pricing sheets, which is a separate Excel spreadsheet. This form must be submitted in a separate sealed package.

Proposals shall be submitted in two (2) distinct parts - the **Technical Proposal** and the **Cost Proposal**. The Technical Proposal **must not** include any cost information.

The Proposers **must** follow these guidelines in preparing their Proposals:

1. The Proposal **must** respond to each Evaluation Factor. Each response **must** be contained in its own unique, numbered section bearing the same number and title as the particular Evaluation Factor being addressed, and presented in the exact same order as the Evaluation Factors appear in Section IV - Instructions to Proposer.
2. The responses to the Evaluation Factors **must** use 1.5 line spacing, **must** use no smaller than ARIAL 11-point font, and the Technical Proposal Volume 2 **must not** exceed **ONE HUNDRED SEVENTY-FIVE (175)** 8½" x 11" pages. 11" x 17" pages will be counted as two (2) pages. Proposals must be received NO LATER THAN 11:00 P.M. PDT, on August 18, 2017, and addressed exactly as follows:

Agreement Services  
Nevada Department of Transportation  
Attn: RFP 697-16-016  
1263 South Stewart Street, Room 101A  
Carson City, NV 89712

The Cover Letter **must** be single-spaced, and must not exceed one (1) 8½" x 11" page. Describe your corporate mission and the target market for business activities as they pertain land mobile radio (LMR) public safety systems. Provide history in manufacturing, installing, and maintaining legacy systems while transitioning to a P25 system. It must include the Proposer's Authorized Representative contact information including name, mailing address, telephone number, and email address.

- a. If a Proposer changes its Proposed Authorized Representative to receive documents, communications or notices in connection with this procurement subsequent to its submission of its Proposal, then within twenty-four (24) hours of making such change, the Proposer shall provide the DEPARTMENT's Authorized Representative with the name, telephone, email address, and street address of such new Proposer Authorized Representative. Failure to identify a Proposer Authorized Representative in writing may result in the Proposer failing to receive important communications from the DEPARTMENT. The DEPARTMENT is not responsible for any such failure.
3. Resumes, Nevada State Business License, Statements of Qualifications (see Attachment 10 Form A - Statement of Qualifications), must only be included as an Appendix to the Proposal. Section Dividers, Cover Letter, and aforementioned Appendix do not count towards the page count limitation identified in Paragraph 2 above.
4. The term "Proposal" means a Proposer's complete response to this RFP, including (a) a Technical Proposal and (b) a Price Proposal. Requirements for the Technical Proposal and the Price Proposal are set forth in this Section IV – Instructions to Proposer. The Proposal shall be organized in the order listed and shall be clearly indexed. Each Proposal component shall be clearly titled and shall be submitted without reservations, qualifications, conditions or assumptions set forth therein. Any failure to provide all the information and all completed forms in the format specified, or submittal of a Proposal subject to any reservations, qualifications, conditions or assumptions may result in the DEPARTMENT's rejection of the Proposal. All blank spaces in the Proposal forms must be filled in as appropriate. Except as expressly provided in the Proposal forms (e.g., requirements to complete the forms, etc.), no change shall be made in the Proposal forms by the Proposer.



## Proposal Format

1. Proposers shall complete all mandatory submittals. Failure to provide any of the mandatory submittals with the proposal may result in a Proposal being deemed non-responsive in the DEPARTMENT's sole discretion.
2. The proposal shall give clear, concise information in sufficient detail to allow evaluation based on the requirements. Although the weighting of some of the elements listed in this proposal format varies, all requirements are necessary for evaluation.
3. To assist in clearly describing how Proposers will accomplish work specified in the proposal, samples, literature, program description attachments such as flow charts, tables, and other graphic aids and other materials supporting the program description may be submitted as appendices to the proposal.

## Technical Proposal

The Technical Proposal shall be contained in two volumes: Volume I - Executive Summary, Administrative Materials, and Forms and Volume II – Technical Project Delivery Plan, as more fully described below.

All of the binders comprising the original Technical Proposal, (including drawings) together with electronic copies shall be packaged in a single container, clearly addressed to the DEPARTMENT as provided herein, and labeled “[Proposer Name]: Technical Proposal for NSRS Project.” Proposers shall provide sixteen (16) paper copies plus twelve (12) electronic media copies of the Technical Proposal).

The electronic copies shall be in a searchable Adobe (.pdf) format (except that original executed letters need not be searchable) on USB flash drives, with file names that correspond to the Technical Proposal (or portions thereof); provided, however, that Proposal forms may be submitted in either Adobe (.pdf) or Microsoft Word (.doc or .docx only) format.

## TECHNICAL PROPOSAL -- VOLUME I

Table of contents:

Cover Letter

Executive summary

Completed representations and certification forms

Form A – Statement of Qualification

Form C – Conflict of Interest Disclosure Statement

Form D – Key Personnel

Form E – Compliance Matrix

Form F – Title VI Compliance Questionnaire

### Instructions for Compliance Matrix (Form E)

1. Proposers shall demonstrate compliance with the requirements herein by completing the compliance matrix provided in Attachment 10, Form E
2. Proposers shall mark an “X” in the appropriate column for each row of the matrix. Proposers are not required to address rows of the matrix that are marked with “N/A,” as these rows do not require a statement of compliance. Compliance statements are limited to the following three choices:
  - a. COMPLY – the proposal meets or exceeds the specified requirement, or the Respondent acknowledges the statement in the specifications.

- b. COMPLY WITH CLARIFICATION – the proposal does not meet the exact stated requirement; however, meets a substantial portion of or meets the intent of the requirement. Proposers must provide a detailed explanation for each requirement clarification and where it is applied in the submitted Proposal when using this statement.
- c. EXCEPTION – the proposal does not meet the specified requirements. Proposers must provide a detailed explanation when using this statement.

Failure to meet the above-stated requirements and limitations may result in a Proposal being deemed non-responsive in the DEPARTMENT's sole discretion.

## TECHNICAL PROPOSAL – VOLUME II

### 1. Response to Scope of Work

System description:

- a. Description of the system, including equipment, software, design, and services to be provided as stated in Ref. Attachment 1 – Scope of Services, Sections 1, 2, 3 and 9
  - i. P25 systems compliance (with feature table)
  - ii. Coverage
  - iii. Expansion Capabilities (scalability)
  - iv. Site Equipment (Core/s and Radio Sites)
  - v. Dispatch Console Systems – features, functions, capabilities
  - vi. Voice Logging Recorder and interface
  - vii. Network Management Systems features, functions, capabilities
  - viii. Smartphone Interface features, functions, capabilities
  - ix. ISSI – External P25 system interfaces

System design information shall include block diagrams, equipment layouts, and equipment lists necessary to provide a complete and comprehensive description
- b. Infrastructure/facilities and site development, as stated in Ref. Attachment 1 – Scope of Services, Section 4
- c. System implementation, test and acceptance plans for the proposed system, as stated in Ref. Attachment 1 – Scope of Services, Section 6
- d. Recommended training courses, as stated in Ref. Attachment 1 – Scope of Services, Section 7
- e. Subscriber equipment that meets the NSRS requirements, as stated in Ref. Attachment 1 – Scope of Services, Section 10

**2. Project Management Plans and Schedules**

Project management services, project schedule, change management and quality assurance, as stated in Attachment 1 – Scope of Services, Section 5

The preliminary project schedule with detailed Gantt chart. The schedule shall address the following at a minimum:

- Detailed site surveys
- Detailed design review
- Equipment manufacturing
- Factory acceptance test plan (FAT)
- Equipment delivery
- System installation (per phase)
- System configuration
- System optimization
- Acceptance testing
- Training
- System cutover
- System documentation development and delivery
- System and equipment warranty period
- Punch List that lists items, descriptions and timeline

**3. Migration Plan**

Proposed migration plan to deploy NSRS system while not impacting current operations. The requirements of the Migration Plan are provided in Attachment 1 - Scope of Services, Section 6.6

**4. Warranty, Support, and Maintenance Plan**

System, subsystem, software, and subscriber warranty, support, and maintenance plans, as detailed in Attachment 1 – Scope of Services, Sections 8; 9.9; and 10.4

c. Warranty and Support

Proposers shall provide a copy of any standard support agreements (i.e., warranty, maintenance, software licensing)

d. Post Warranty Support

- iii. Proposers shall submit a proposed fee schedule and contract discount (if applicable) for the hardware, software, and services following the warranty period.
- iv. Proposers shall guarantee the proposed fee schedule for a minimum of seven (7) years beyond the initial warranty period.

**5. Qualifications and Experience**

- a. Describe your twenty (20) years of experience in the design and installation of digital trunked radio systems. All Proposers shall provide information describing their experience with similar

projects. Proposers shall also describe their role in these projects (e.g., integrator, prime contractor, subcontractor, equipment installer, etc.).

- b. Describe three (3) projects of similar size and complexity, successfully completed within the last five (5) years. Similar projects are defined by the following minimum criteria:
  - i. Successfully managed and completed an implementation of a Public Safety Land Mobile Radio system with a minimum of fifty (50) RF sites;
  - ii. Implemented, as the prime contractor, a technology project with a contract value of \$50M or more for a government agency;
  - iii. Successfully implemented at least three (3) customer-accepted P25 Phase 1 or Phase 2 trunked and/or simulcast radio systems; and
  - iv. Completed two (2) successful migrations of legacy land mobile radio (LMR) public safety system with more than 5000 user radios to a P25 system.
- c. Three References – One for each project of similar size and complexity, including the following minimum information:
  - i. Name of the system
  - ii. Location
  - iii. Contact person
  - iv. Current contact telephone number, and
  - v. Current contact e-mail address
- d. Government contracts – Proposers shall list all similar government contracts for similar projects fulfilled within the last three (3) years. If Proposers have an extensive list of contracts, then list no more than five (5) contracts, beginning with the most recent, and ending with the oldest of those selected. Information must include a POC, type of contracted services, and length of contract, performance outcomes, compliance issues, and total value of the contract. State staff will verify contract information. Proposer must provide contact information for the government contracting officer managing the procurement.
- e. Litigation – Proposers shall provide a description of any litigation and resolutions in the past five (5) years related to Proposer’s work or work product and provide a copy of a letter from the Proposer’s attorney and/or in-house legal counsel concerning the status of lawsuits and pending litigation for the most recent year.
- f. Mission and history – Describe the Proposer’s corporate mission and the target market for its business activities as they pertain land mobile radio (LMR) public safety systems. Provide history in manufacturing, installing, and maintaining legacy systems while transitioning to a P25 system.
- g. Proposed staffing:
  - i. Organizational chart – Provide an organizational chart describing the composition of the Proposer’s organization and illustrating the relationships of the proposed services with other organizational divisions, programs, and sections. Indicate the lines of organizational management, authority, and responsibility.
  - ii. Staffing chart – Provide a staffing chart that describes the proposed project staffing plan identifying staff positions (by name and title, if known) and reporting responsibility. Proposers may combine both the organizational and staffing charts, if they contain all of the requested information. Proposers shall include key subcontractor personnel.
  - iii. Job descriptions – Provide job descriptions for all program staff positions outlined in the staffing chart by 1) position title and requirements which may include skills, education, experience, and certifications; 2) position description including decision making

authorities, reporting responsibilities, and duties; and 3) attach a completed Form D for all Key Personnel.

- iv. Staff– Provide brief descriptions of all key personnel to fill positions in the staffing chart to accomplish the requirements in the proposal. Resumes must be included in the Appendices. Resumes must provide sufficient information to determine that the person is qualified for his/her assigned position, including history of relevant education and experience. Resumes shall be included, at a minimum, for the following personnel:

- Project Manager
- Project Engineer

- v. Subcontractors – Proposers shall provide a brief description of all major subcontractors as well as resumes for any subcontractor personnel in key project roles.

h. Financial information:

Proposers shall provide the following information for the last three (3) fiscal years:

- Audited financial statements with applicable notes
- Independent auditor’s report on compliance and internal control over financial reporting based on an audit of the financial statements in accordance with Generally Accepted Accounting Principles (GAAP)
- Independent auditor’s statement of findings and questioned costs

Proposers shall provide documentation upon request that the organization has sufficient financial reserves to successfully complete the project for the expected project duration. Documentation may include cash and/or credit reserves.

i. Appendices

- i. All required tower structure submittals specified.
- ii. Detailed equipment specification sheets for all proposed equipment
- iii. Supplemental information not included in the body of the proposal
- iv. Nevada State Business License
- v. Statement of Qualifications
- vi. Resumes

## PRICE PROPOSAL

The Price Proposal shall be delivered to the DEPARTMENT in six (6) paper copies and six (6) electronic copies on flash drive using searchable Adobe (.pdf) or Microsoft Excel (.xls or xlsx only) format. The documents shall be included in a sealed container labeled “[Proposer Name]: Price Proposal for NSRS Project.” Currency shall be US\$ only and shall be provided in 2017 dollars as of the Proposal Date. This section does not count towards the 175-page limit specified in Section IV, paragraph 2, page 6 of this document.

1. Proposers shall submit the **pricing proposal in a separate, sealed envelope or package.**
2. Proposers shall submit the pricing schedule using the forms provided in Attachment 9, Form B, following the instructions as provided in Attachment 8.

3. Proposers shall provide a cover page listing all completed RFP Pricing Forms (Form B).

4. Table of contents:

Section 1 – Description of pricing proposal, including all assumptions used to prepare the Price Proposal. The proposal shall include a copy of the Proposer's detailed itemized pricing information (including part numbers) provided as part of the pricing proposal.

Section 2 – Pricing schedule:

- i. The MEMBERS require the proposals to include the overall cost of ownership for their respective portion of the system. Proposers shall provide detailed cost of ownership information for the proposed network including over a ten- (10-) year period:
  - Radio system equipment
  - Infrastructure/facilities
  - Support systems (i.e., NMS, Asset Management, and Extended Warranty)
- ii. Proposers shall assume that the MEMBERS will maintain the system following the 1-year warranty period.
- iii. Proposers shall provide individual pricing for the proposed products and services using the form provided. The MEMBERS may elect to purchase all, some, or none of the items offered.
- iv. Proposer shall include a statement guaranteeing that pricing for all system equipment, including subscriber equipment, will be valid for a minimum of 5 years from the date of each Member's final system acceptance.
- v. Proposers shall also submit a proposed milestone payment schedule listing each milestone and/or deliverable for which payment will be due. Payment for all deliverables or milestones is dependent on the Partners' acceptance.
- vi. The Proposer shall provide one or more financing proposals. The Proposer shall provide both 10- and 15-year financing options for the system and the financing options offered may be a lease or term financing.

### **Submission of Proposals**

Any Proposal received prior to the date and time specified above for receipt of Proposals may be withdrawn or modified; Proposals can be modified any time prior to the date and time specified above. The modified Proposal must be received before the time and date specified above for receipt of Proposals.

Proposals received after the specified deadline **will not** be considered and will be disposed of in an appropriate manner suitable to the DEPARTMENT, in its sole discretion.

Confidential Information, Trade Secrets, and/or Proprietary Information must be marked as such in the Proposal. The failure to mark this information as per NRS 333.020 and 333.333 shall constitute a complete waiver of any and all claims for damages caused by release of the information by the MEMBERS. If the DEPARTMENT reviews the confidential information and determines that the information is not considered confidential pursuant to NRS Chapter 333, the DEPARTMENT will contact the Proposer. The Proposer must advise the DEPARTMENT as to whether it either accepts the DEPARTMENT's determination that the information is not confidential, or withdraws the information. The

Proposer will not be allowed to alter the Proposal after the date and time set for receipt of Proposals shown above. Notwithstanding the provisions in NRS Chapter 333, the DEPARTMENT retains its immunity pursuant to the provisions of NRS 239.012 for any "good faith" release of information, and the immunities from liability provided to it pursuant to NRS Chapter 41.

The DEPARTMENT assumes no financial responsibility in connection with the Proposers' costs incurred by attending the Site visits if requested by the proposer, in the preparation and submission of the Proposal packets.

Each Proposer shall familiarize itself with the "Sample Service Agreement" template which can be found under the "Vendor Opportunities / Nevada Shared Radio System" heading on the Nevada Department of Transportation website. To maintain consistency between the DEPARTMENT and its SERVICE PROVIDERS, only those portions of the "Sample Service Agreement" which are blank may be open for negotiation. MEMBERS may also provide Proposer with agreement templates.

A pre-negotiation audit may be required by the DEPARTMENT's Audit Services. The objective of a pre-negotiation audit is to establish a provisional indirect cost rate of direct labor to be utilized for negotiations and progress payments to the SERVICE PROVIDER during the course of the project. All DEPARTMENT audits will be conducted and/or indirect cost rates will be accepted in accordance with the guidelines stated in the most recent American Association of State Highway and Transportation Officials (AASHTO) Uniform Audit and Accounting Guide, which can be found at www.transportation.org, and the DEPARTMENT's policy on the same. DEPARTMENT may share the results of the pre-negotiation audit with MEMBERS.

#### **SECTION V - RULES OF CONTACT**

The following rules of contact shall apply during this procurement:

After release of the RFP and through the Notice of Intent to the Notice of Award of the Agreement, the Proposers shall **ONLY** correspond with the DEPARTMENT regarding this RFP through the DEPARTMENT's designated representative as per NAC 333.155. The designated representative's contact information is:

Agreement Services  
Attention: Doug R. Benamati  
Nevada DEPARTMENT of Transportation  
1263 South Stewart Street, Room 101A  
Carson City, Nevada 89712  
Phone: 775-888-7070, Option 1  
[agreeservices@dot.nv.gov](mailto:agreeservices@dot.nv.gov)

The Proposers shall not contact the DEPARTMENT's or MEMBER agency employees, including DEPARTMENT heads, members of the review committee and/or any official who will participate in the decision to award the Agreement regarding the Project, except through the process identified above. Any communications determined to be improper may result in disqualification, at the sole discretion of the DEPARTMENT. Any official information regarding the RFP will be disseminated by the DEPARTMENT. Specific information necessary for the preparation of Proposals will be disclosed to all Proposers. The MEMBERS will not be responsible for any oral exchange or any other information or exchange that occurs outside the official process specified herein. Failure to comply with these rules of contact may result in a Proposal being deemed non-responsive in the DEPARTMENT's sole discretion.

#### **SECTION VI - PROPOSER QUESTIONS**

Any irregularities or lack of clarity in the RFP must be brought to Agreement Service's attention, in writing, as soon as possible, using the following email address: [agreeservices@dot.nv.gov](mailto:agreeservices@dot.nv.gov) title the subject line

NSRS Replacement Project so that corrective addenda may be furnished by the DEPARTMENT in a timely manner to all Proposers.

Any questions raised by Proposers must be submitted in writing using the following email address: [agreeservices@dot.nv.gov](mailto:agreeservices@dot.nv.gov) title the subject line NSRS Replacement Project no later than **11:00 A.M. PT, on June 8, 2017**. The DEPARTMENT will respond to questions regarding the RFP, including requests for clarification and requests to correct errors, on or before **June 29, 2017**. Only requests submitted through the Open Procurements webpage will be considered. No requests for additional information or clarification to any other DEPARTMENT or MEMBER office, consultant, employee, or the Federal Highway Administration (FHWA) will be considered.

### **SECTION VII - DBE REQUIREMENTS**

There are no Disadvantaged Business Enterprise (DBE) program goals for this procurement.

However, the DEPARTMENT, in accordance with Title VI of the Civil Rights Act of 1964 and Title 49 Code of Federal Regulations Part 26, hereby notifies all bidders and proposers that it will affirmatively ensure that in regard to any contract entered into, certified DBE firms will be afforded full opportunity to submit bids and proposals in response to our invitation and will not be discriminated against on the grounds of race, color, sex, age, disability, or national origin in consideration for an award. Although there is no contract-specific goal associated, the DEPARTMENT encourages SERVICE PROVIDERS to make the same effort to ensure nondiscrimination in the award and administration of subcontracts, to help remove barriers to the participation of DBEs, and to assist in the development of firms that can compete successfully in the marketplace outside the DBE program.

### **SECTION VIII - NEVADA BUSINESS LICENSE REQUIREMENT**

The selected firm, prior to doing business in the State of Nevada, must be appropriately licensed by the Office of the Secretary of State pursuant to NRS 76.100. Information regarding the Nevada State Business License can be located at [www.nvsos.gov](http://www.nvsos.gov).

Proposers must provide the following:

- A. Nevada State Business License Number; and
- B. Business Entity's Legal Name (affirm that it is the same name under which the Proposer is doing business).

Additionally, if the Proposer is a corporation, LLC, LP, LLP, or LLLP, or non-profit corporation based out of state, it must be registered as a foreign business entity equivalent in Nevada, in active status, and in good standing with the Nevada Secretary of State.

Each Proposer shall clearly state, at the time of Proposal submission, its willingness to adhere to this requirement by providing a copy of its Nevada State Business License, a copy of its application from the Secretary of State Office, or a print out of the entity status, which can be obtained from the Nevada Business Search found on the homepage of the Nevada Secretary of State's website at [www.nvsos.gov](http://www.nvsos.gov).

Award of any Agreement is contingent on a Proposer having and holding an active and valid Nevada State Business License. The successful Proposer must satisfy this requirement within five (5) business days of issuance of the Notice of Intent. If a Proposer is unable or unwilling to adhere to this requirement, the DEPARTMENT will deem the Proposer to be non-responsive, and the DEPARTMENT will proceed to negotiate with the next most qualified firm, and so on, until an Agreement, that is acceptable to the DEPARTMENT, is negotiated.



To apply for a Nevada State Business License or to file appropriate formation documents with the Nevada Secretary of State's office, please visit [www.nvsos.gov](http://www.nvsos.gov). Business licenses can be obtained immediately by applying on-line; however, paper applications may take several weeks to process.

### **SECTION IX - SELECTION PROCESS**

Selection will be based on the Evaluation Factors listed in the Evaluation Factors section (Section IV), which will be used by a Review Committee to evaluate the Proposals. The Review Committee will be comprised of DEPARTMENT, Washoe County, and NV Energy staff and may include other members representing local entities, who shall remain anonymous to protect the integrity of the procurement process.

The committee may use the information submitted in the Proposer's Proposal package, the information referenced in this RFP, to arrive at the final ranking. The Proposals will be ranked and an Agreement may be negotiated following the selection of a most qualified Proposer. If an acceptable Agreement cannot be reached with the highest ranked firm, the MEMBERS may proceed to negotiate with the next highest ranked firm, and so on, until an acceptable Agreement is negotiated, or the DEPARTMENT, in its sole discretion, elects to terminate the solicitation.

### **SECTION X - DISCLOSURE OF CURRENT AND FORMER STATE EMPLOYEES**

Proposals from firms employing current employees or former employees of the State of Nevada will be considered pursuant to the requirements and limitations set forth in the NRS 333.705, and the State Administrative Manual, Section 323.

If the apparent top-ranked firm proposes any current state employees or former state employees who left state service within the preceding two (2) years, the DEPARTMENT must request approval from the State Board of Examiners (BOE) prior to entering into an Agreement with such firm. Each Proposer shall submit, as part of their Proposal, the "Authorization Current Employee" and/or "Authorization Former Employee" form(s) to assist the DEPARTMENT in requesting such approval from the BOE. The forms are located at <http://purchasing.nv.gov/contracts/empcontracting>.

In the event of a denial by the BOE, the Proposer will be allowed one (1) opportunity to replace the disapproved employee with another employee who possesses substantially equivalent capabilities. The DEPARTMENT has the authority to approve or deny the equivalent employee.

### **SECTION XI - AWARD PROCESS**

The MEMBERS will subsequently, separately negotiate individual agreements with the selected Proposer for the NSRS communications equipment described in this RFP. The DEPARTMENT shall issue its Notice of Intent in accordance with NAC 333.170. Any award is contingent upon the successful negotiation of final contract terms and upon approval of the Transportation Board, when required. Negotiations shall be confidential and not subject to disclosure to competing firms. The terms agreed to by the parties shall be confidential until an Agreement is executed. If contract negotiations cannot be concluded successfully, the DEPARTMENT, at its sole discretion and upon written notice to all firms, may negotiate a contract with the next highest ranking firm or withdraw the RFP and cancel this procurement.

Upon the successful negotiation and execution of an Agreement, the DEPARTMENT shall issue a Notice of Award in accordance with NAC 333.170, at which time Proposals are no longer confidential and can be requested from the DEPARTMENT via a Public Records Request, available at: <http://www.nevadadot.com/doing-business/contact-us/public-records-request>.

## SECTION XII - TERMS, CONDITIONS AND EXCEPTIONS

This procurement is being conducted in accordance with NRS Chapters 333 and 408, NAC Chapter 333, and SAM Section 300.

The DEPARTMENT reserves the right to alter, amend, or modify any provisions of this RFP, or to withdraw this RFP, at any time prior to the award of a contract pursuant hereto, if, in the sole discretion of the DEPARTMENT, it is in the best interest of the state to do so.

The DEPARTMENT reserves the right to waive informalities and minor irregularities in Proposals received.

The DEPARTMENT reserves the right to reject any or all Proposals received prior to contract award (NRS 333.350).

The DEPARTMENT shall not be obligated to accept the lowest priced Proposal, but will make an award in the best interests of the State of Nevada after all factors have been evaluated (NRS 333.335).

Alterations, modifications or variations to a Proposal may not be considered unless authorized by the RFP, or by an addendum or an amendment to the RFP.

Proposals which appear unrealistic in the terms of technical commitments, lack of technical competence, or are indicative of failure to comprehend the complexity and risk of the requirements of this RFP, may be rejected.

All materials submitted in accordance with the prescribed deadline become the property of the DEPARTMENT and will not be returned. The DEPARTMENT's selection or rejection of a Proposal does not affect this right. The master copy of each Proposal shall be retained for official files and will become public record after execution of an Agreement. Only specific parts of the Proposal may be labeled a "trade secret," provided that the Proposer agrees to defend and indemnify the DEPARTMENT for honoring such a designation (NRS 333.333); unsuccessful Proposals containing "trade secrets" will be returned pursuant to NRS 239.010. The failure to so label any information shall constitute a complete waiver of any and all claims for damages caused by any release of such information by the DEPARTMENT. The DEPARTMENT shall not be liable for disclosure or release of information when authorized or required by law to do so pursuant to NRS 239.012. DEPARTMENT may share the materials described in this paragraph with MEMBERS.

Once an agreement is negotiated by the individual Members and the Proposer, the awarded Proposer will be the sole point of Agreement responsibility. The MEMBERS will look solely to the awarded Proposer for the performance of all contractual obligations, which may result from an award based on this RFP, and the awarded Proposer shall not be relieved for the non-performance of any or all of its subcontractors.

The awarded Proposer must maintain, for the duration of its Agreement, insurance coverage as set forth in the Agreement executed in response to this RFP. Work under the Agreement shall not begin until after the awarded Proposer has submitted to the MEMBERS acceptable evidence of the required insurance coverage. Failure to maintain any required insurance coverage or alternative method of insurance acceptable to the MEMBERS in its sole discretion will be deemed a breach of contract.

Each Proposer must disclose any existing or potential conflict of interest relative to the performance of the contractual services resulting from this RFP. Any such relationship that might be perceived or represented as a conflict must be disclosed. By submitting a Proposal in response to this RFP, each Proposer affirms that they have not given, nor intend to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant or any employee or representative of same, in connection with this procurement. Any attempt to intentionally or unintentionally conceal or obfuscate a conflict of interest will automatically result in the disqualification of a Proposer's Proposal. An award will not be made where a conflict of interest exists.

The DEPARTMENT, in its sole discretion, will determine whether a conflict of interest exists and whether it may reflect negatively on the DEPARTMENT's selection of a Proposer. The DEPARTMENT reserves the right in its sole discretion to impose additional requirements upon the Proposer to mitigate such conflict of interest or to disqualify any Proposer on the grounds of an actual or an apparent conflict of interest.

The MEMBERS will not be liable for Federal, State, or Local excise taxes.

The DEPARTMENT reserves the right to negotiate final Agreement terms with any Proposer selected in accordance with NAC 333.170. The Agreement between the parties will consist of the final executed Agreement, the RFP with any modifications thereto, and the awarded Proposer's Proposal with any modifications and clarifications thereto that are incorporated at the request of the DEPARTMENT during the evaluation and negotiation process. In the event of any conflict or contradiction between or among these documents, the documents shall control in the following order of precedence: the final executed Agreement, addenda to the RFP, the RFP. Specific exceptions to this general rule may be noted in the final executed Agreement. Washoe County and NV Energy will each conduct separate negotiations with the selected proposer under the rules and policies of each MEMBER.

The Proposer understands and acknowledges that the representations above are material and important, and will be relied on by the DEPARTMENT in its evaluation of a Proposal. **Any misrepresentation by a Proposer shall be treated as fraudulent concealment from the DEPARTMENT of the true facts relating to the Proposal.**

No announcement concerning the award of an Agreement as a result of this RFP can be made without the prior written approval of the DEPARTMENT.

The Nevada Attorney General will not render any type of legal opinion regarding this transaction.

### **SECTION XIII - PROTEST PROCEDURE**

Protests will be administered in accordance with, but not limited to, NRS 333.370, the terms contained herein, and may be filed only with respect to:

1. Allegations that the terms of the RFP are wholly ambiguous, are contrary to legal requirements applicable to the procurement, or exceed the DEPARTMENT's authority, and/or
2. A determination as to whether a Proposal is responsive to the requirements of the RFP, or failed any Pass/Fail criteria, as applicable, and/or
3. The award of an Agreement.

#### **A. DEADLINES FOR PROTESTS**

Protests concerning the issues described in Section XIII (1) and contained in the RFP must be filed no later than ten (10) calendar days prior to the Proposal due date, and those contained in any amendment to the RFP must be filed no later than three (3) business days after the DEPARTMENT distributes the related addenda.

Protests concerning the issues described in Section XIII (2) must be filed within ten (10) calendar days after the DEPARTMENT issues to the Proposer a notice regarding the failure of any pass/fail criteria, or a notice regarding the non-responsiveness of the Proposal.

Protests concerning the issue described in Section XIII (3) must be filed within ten (10) calendar days after the DEPARTMENT issues the Notice of Award.

The DEPARTMENT will not accept any protests received after the above-stated deadlines for receipt of such protests.

## **B. PROTEST CONTENTS**

Protests shall include information about the protesting firm, including the firm's name, mailing address, email address, and phone number, as well as the name of the individual responsible for the submission of the protest. Protests shall completely and succinctly state the grounds for the protest, its legal authority, and its factual basis; protests shall include all factual and legal documentation in sufficient detail to establish the merits of the protest. Statements shall be sworn and submitted under penalty of perjury.

## **C. FILING OF PROTEST**

Protests shall be in writing, and sent to:

Nevada Department of Transportation  
ATTN: Administrative Services/Dispute Resolution Office  
RE: Protest of RFP 697-16-016  
1263 South Stewart Street, Room 101  
Carson City, NV 89712

## **D. BURDEN OF PROOF**

The Protester shall have the burden of proving the basis of its protest. The DEPARTMENT may, in its sole discretion, discuss the protest with the Protester and other Proposers. No hearing will be held on the protest. The protest shall be decided on the basis of written submissions.

## **E. DECISION ON PROTEST**

The DEPARTMENT's Director or designee shall issue a written decision regarding the protest within thirty (30) calendar days after the filing of the detailed statement of protest. If it is necessary to address the issues raised in a protest, the DEPARTMENT may, in its sole discretion, make appropriate revisions to the RFP by issuing addenda.

## **F. PROTESTER'S PAYMENT OF COSTS**

If a protest is denied, the Protester shall be liable for the MEMBER's costs reasonably incurred to defend against or resolve the protest, including attorney's fees, consultant fees and costs, and any reasonably unavoidable damages sustained by the MEMBER as a consequence of the protest.

## **G. RIGHTS AND OBLIGATIONS OF PROPOSERS**

Each Proposer, by submitting its Proposal, expressly recognizes the limitation on its rights to protest provided in this Section XIII and expressly waives all other rights and remedies, and agrees that the decision on the protest is final and conclusive. If a Proposer disregards, disputes, or does not follow the exclusive protest remedies provided in this section, it shall indemnify and hold harmless the DEPARTMENT, MEMBERS, and its officers, employees, agents, and consultants from and against all liabilities, fees and costs, including legal and consultant fees and costs, and damages incurred or suffered as a result of such Proposer's actions. **Each Proposer, by submitting a Proposal, shall be deemed to have irrevocably and unconditionally agreed to this indemnity obligation.**

No Stay Pending Final Determination: Agreement negotiations with the selected Proposer shall not be stayed during the pendency of any protest. Any Agreement with the selected Proposer shall be made contingent upon the outcome of any pending protest.

**ATTACHMENTS**

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**FORMS**

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Form B – RFP Pricing Forms .....32  
Form C – Conflict of Interest Disclosure Statement.....33  
Form D – Key Personnel.....35  
Form E – Compliance Matrix.....36  
Form F – Title VI Compliance Questionnaire .....37

**ATTACHMENT 1 – SCOPE OF SERVICES**

*Available upon Request.*

Email [Agreeservices@dot.nv.gov](mailto:Agreeservices@dot.nv.gov) to obtain Attachments to RFP

**ATTACHMENT 2 – EXISTING AND CANDIDATE SITES INFORMATION**

*Available upon Request.*

*Email [Agreeservices@dot.nv.gov](mailto:Agreeservices@dot.nv.gov) to obtain Attachments to RFP*

**ATTACHMENT 3 – EXISTING COVERAGE MAPS AND POOR COVERAGE AREAS**

*Available upon Request.*

*Email [Agreeservices@dot.nv.gov](mailto:Agreeservices@dot.nv.gov) to obtain Attachments to RFP*

**ATTACHMENT 4 – SHAPEFILES NEEDED FOR COVERAGE STUDIES**

*Available upon Request.*

*Email [Agreeservices@dot.nv.gov](mailto:Agreeservices@dot.nv.gov) to obtain Attachments to RFP*



**ATTACHMENT 5 – SYSTEM TRAFFIC REPORT FOR 2015**

*Available upon Request.*

*Email [Agreeservices@dot.nv.gov](mailto:Agreeservices@dot.nv.gov) to obtain Attachments to RFP*

**ATTACHMENT 6 – EXISTING LICENSED 800 MHz FREQUENCIES**

*Available upon Request.*

*Email [Agreeservices@dot.nv.gov](mailto:Agreeservices@dot.nv.gov) to obtain Attachments to RFP*

**ATTACHMENT 7 – NSRS MICROWAVE SYSTEM INFORMATION**

*Available upon Request.*

*Email [Agreeservices@dot.nv.gov](mailto:Agreeservices@dot.nv.gov) to obtain Attachments to RFP*

## ATTACHMENT 8 – RFP PRICING INSTRUCTIONS

*Available upon Request.*

*Email [Agreeservices@dot.nv.gov](mailto:Agreeservices@dot.nv.gov) to obtain Attachments to RFP*

**ATTACHMENT 9 – NDOT SITE SURVEY CHECKLISTS**

*Available upon Request.*

*Email [Agreeservices@dot.nv.gov](mailto:Agreeservices@dot.nv.gov) to obtain Attachments to RFP*

**ATTACHMENT 10 – FORMS**

## FORMS - TABLE OF CONTENTS

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**FORM A – STATEMENT OF QUALIFICATION**

**RFP-specific fillable PDF form is available on the NDOT Portal's "Documents" tab.**

The Statement of Qualification form must be completed in full, and submitted as part of the Proposal package per Request for Proposal instructions.

**Request for Proposal number: 697-16-016**

**Date prepared: \_\_\_\_\_**

**Firm's name: \_\_\_\_\_**

**Minimum Qualification Requirements:**

Does your firm currently manufacture radio system infrastructure equipment including system control equipment and site infrastructure equipment, that meets the requirements of the technical specifications outlined in the Scope of Services.

Yes     No

Please identify your firm's minimum of 20 years of experience in the design and installation of trunked radio systems.



**FORM B – RFP PRICING FORMS**

*Available upon Request.*

*Email [Agreeservices@dot.nv.gov](mailto:Agreeservices@dot.nv.gov) to obtain Attachments to RFP*

FORM C – CONFLICT OF INTEREST DISCLOSURE STATEMENT

CONFLICT OF INTEREST DISCLOSURE STATEMENT

Proposer's attention is directed to 23 CFR Part 636, Subpart A and in particular to Subsection 636.116 regarding organizational conflicts of interest. Section 636.103 defines "organizational conflict of interest" as follows:

Organizational conflict of interest means that because of other activities or relationships with other persons, a person is unable or potentially unable to render impartial assistance or advice to the owner, or the person's objectivity in performing the contract work is or might be otherwise impaired, or a person has an unfair competitive advantage.

Proposers are advised that in accordance with the DEPARTMENT's conflicts of interest policy certain firms will not be allowed to participate on any Proposer's team for the Project because of their work with the DEPARTMENT in connection with the Project procurement. Proposer's attention is also direct to Section 2.9.2 of the Instructions to Proposers regarding Organizational Conflicts of Interest and the restrictions applicable to such conflicts.

**1. Disclosure Pursuant to Section 636.116(2)(v)**

In the space provided below, and on supplemental sheets as necessary, identify all relevant facts relating to past, present, or planned interest(s) of the Proposer's team (including the Proposer, Principal Participants, the Major Participants, proposed consultants and proposed subcontractors, and their respective chief executives, directors, and key project personnel) which may result, or could be viewed as, an organizational conflict of interest in connection with this RFP. If no disclosure is necessary, indicate "None".

By way of example only, and in no way limiting the Proposer's disclosure obligations, Proposer should disclose (a) any current contractual relationships with the DEPARTMENT, (b) any past, present, or planned contractual or employment relationships with any officer or employee of the DEPARTMENT; and (c) any other circumstances that might be considered to create a financial interest in the contract by any DEPARTMENT member, officer, or employee if Proposer is awarded the contract. Proposer should also disclose matters such as ownership of 10% or more of the stock of, or having directors in common with, any of the individuals or entities involved in preparing the RFP. Proposer should also disclose contractual relationships (e.g. joint ventures) with any of the individuals or entities involved in preparing the RFP, as well as relationships wherein the RFP preparer is a contractor or consultant (or subcontractor or subconsultant) to Proposer or a member of Proposer's team. The foregoing is provided by way of example, and shall not constitute a limitation on the disclosure obligations.

**2. Explanation**

In the space provided below, and on supplemental sheets as necessary, identify steps that have been or will be taken to avoid, neutralize, or mitigate any organizational conflicts of interest described herein.

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3. **Certification**

The undersigned hereby certifies that, to the best of his or her knowledge and belief, no interest exists that is required to be disclosed in this Conflict of Interest Disclosure Statement, other than as disclosed above.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Company Name

[\_\_\_\_\_, 2017]  
Date

**FORM D – KEY PERSONNEL**

**Name of Proposer:** \_\_\_\_\_

<b>Position</b>	<b>Name</b>	<b>Years of Exper.</b>	<b>Education/ Registration</b>	<b>Parent Firm Name</b>	<b>% of Time Dedicated to Project</b>
Project Manager					
Project Engineer					
Deputy Project Manager					
Lead Engineer					
Quality Manager					
Construction Manager					

**FORM E – COMPLIANCE MATRIX**

*Available upon Request.*

*Email [Agreeservices@dot.nv.gov](mailto:Agreeservices@dot.nv.gov) to obtain Attachments to RFP*

**FORM F – TITLE VI COMPLIANCE QUESTIONNAIRE**

Title VI is a statute provision of the Civil Rights Act of 1964:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” (42 USC Sec 2000d)

The following information will be used by the Nevada DEPARTMENT of Transportation (DEPARTMENT) and the Federal Highway Administration (FHWA) for statistical purposes only. This information will be stored confidentially, and will not affect any decisions made by the DEPARTMENT.

Your participation is voluntary, but would be greatly appreciated. If you choose to participate, please do not include this form with your technical Proposal. Please upload this questionnaire to the Confidential folder provided in EPATS.

**Choose one ethnic group with which the principal owner(s) most identify:**

- Black** (Not of Hispanic origin: All persons having origins in any of the Black racial groups.)
- Asian/Pacific Islander** (All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands, and Samoa.)
- Hispanic** (All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.)
- Native American** (All persons having origins in any of the original peoples of North America and who maintain cultural identification through a tribal affiliation or community recognition.)
- White** (Not of Hispanic origin: All persons having origins in any of the original peoples of Europe, North Africa, or Middle East.)
- Other** (All persons not matching one of the other choices.)

Sex:  Male  Female

I understand my participation is voluntary and decline to provide the requested information

Firm Name: \_\_\_\_\_

Owner Name (Print): \_\_\_\_\_

Owner Name (Sign): \_\_\_\_\_

Date: \_\_\_\_\_

The attached document was submitted to the **Washoe County Board of Commissioners** during the meeting

held on 5-16-17

by Al Rogers

for Agenda Item No. 9  $\frac{1}{2}$  10

and included here pursuant to NRS 241.020(7) as amended by AB65 of the 2013 Legislative Session.



# WASHOE COUNTY

## OFFICE OF THE COUNTY MANAGER

INTEGRITY      COMMUNICATION      SERVICE

### 2017 Legislative Session Week 14 Report May 8 to May 12 2017

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#### Items of Interest

#### Week of May 8

#### Monday:

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##### Assembly Government Affairs

- SB462: Authorizes a board of county commissioners to create a committee to review general improvement districts.
  - The purpose of the bill is to allow for some oversight of the GIDs to ensure they are doing their jobs and are still needed. Senator Settlemyer discussed that some of these districts no longer meet, but Counties have little to no authority to disband them. The bill does not allow for any action against a GID, however it does leave it open should a local government or Legislator wish to bring forward a bill, similar to how the Legislative Sunset Subcommittee does now.
  - Commissioner Berkbigler spoke in support of the bill as a useful tool, for things like TV Districts which are no longer needed, and confirmed that our DA has advised that we do not have nay oversight of GIDs.

##### Senate Judiciary

- AB254: Revises provisions governing guardianships.
  - Bill aims to set forth guardian to get accounting of trust, if beneficiary, ward is beneficiary of trust.
- AB288: Revises provisions relating to the protection of older persons and vulnerable persons.
  - Closes some of the loop holes that currently exist, which they believe helps to allow abuse to occur.
  - There was an amendment to help clarify some of the criminalization issues and concerns with the bill.

##### Senate Health and Human Services

- AB438: Revises provisions relating to offenses involving controlled substances.
  - This would be a tool to help not to jail those who simply transport drugs between locations and allows for avenues to be followed to help direct charges and convictions to the "real drug dealers"

##### Senate Finance

- SB124: Revises provisions concerning the ownership, possession and control of firearms by certain persons.
  - The bill will restrict those convicted of domestic violence, battery or stalking from owning a firearm. The bill is not retroactive.





# WASHOE COUNTY

## OFFICE OF THE COUNTY MANAGER

INTEGRITY      COMMUNICATION      SERVICE

### **Tuesday:**

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#### Assembly Government Affairs

- SB356: Revises provisions to collective bargaining.
  - Makes all fact-finding binding, with exception to sheriff and fire, as well as evergreen provisions.
  - We submitted a letter from our DA to express our opposition.

#### Assembly Natural Resources, Agriculture and Mining

- SB270: Revises provisions relating to water.
  - Would allow anyone with vested claims 10 years to present such claims to the state to confirm such claims. The purpose of the bill is to ensure that when water rights are discussed people with vested water rights that those rights are confirmed, and allows for a better understanding of what water rights might be available before allowing for more water rights in basins where there may not be enough water to grant such requests.
  - There were some concerns expressed that people could lose their water rights, whether that occurs for not filing with the state, or for not having appropriate proof of claim to their rights.
- SB371: Establishes provisions governing the care of an animal which has been impounded.
  - Gives more strength and allowance for counties, by putting in statute options that are available should a resident be in jail and what will happen with their pets. The bill allows for a pet owner to allow release of the animal to a family member or friend, allows them to relinquish their rights, or allows for a charge to be placed on the pet, which must be paid by the owner prior to the animal being released back to the owner upon their release.
  - Animal Regional Services testified in support, noting these follow our current practices and how well we work with the sheriff's office to help find appropriate accommodations for a pet should the owner be in jail.
- SB411: Revises provisions governing cruelty to animals.
  - This puts into statute the rules should a county adopt an ordinance for feral cats, and that the adoption of a "Trap, Neuter and Release" (TNR) program is not abandonment of a cat. It will mirror the program that Washoe currently has for our feral cat program. Senator Manendo discussed the number of cats that we no longer euthanize due to our now enacted "TNR" program.
  - Shyanne Schull testified in support of the bill.

#### Senate Revenue and Economic Development

- SB487: Imposes an excise tax on sales of marijuana and related products by a retail marijuana store.
  - Allows for up to a 3% tax be added to the cultivation, production and sale of marijuana and marijuana products by a local government
  - Requires flat fee for business licensure of recreational and medicinal marijuana.

#### Assembly Taxation

- SB442: Revises provisions relating to economic development.
  - Governor's Office of Economic Development had language that clarified many of the original provisions from the 2015 session and added some language to deal with things not anticipated in 2015.



# WASHOE COUNTY

## OFFICE OF THE COUNTY MANAGER

INTEGRITY      COMMUNICATION      SERVICE

### Wednesday

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#### Senate Commerce, Labor and Energy

- AB163: Revises provisions governing short-term loans.
  - Addresses some of the issues that allow some bad actors in the short-term lending business to take advantage of existing laws.
  - Many of the pay-day lenders worked with the sponsor and supported the bill that tightens up these issues.

#### Assembly Government Affairs

- SB469: Revises provisions governing collective bargaining by local government employers.
  - The bill changes the budgeted ending fund balance subject to collective bargaining regarding the local government's ability to pay from 25% to 16.67%.

#### Assembly Judiciary

- SB29: Provides for the transfer of a criminal case from one justice court or municipal court to another such court or a district court in certain circumstances.
  - Allows for criminal cases where the defendant could be eligible for a specialty court, if were offered in the jurisdiction where the crime occurred, to use such specialty courts in neighboring jurisdictions that do have such courts.
- SB277: Revises provisions relating to criminal justice information.
  - Allows for a centralized crime repository to strengthen the sharing of information between different areas and departments within the State.
  - Sheriff and our District Attorney supported the bill.
- SB344: Revises provisions relating to the labeling, packaging and advertising of marijuana.
  - The bill restricts a local government from implementing their own packaging criteria for marijuana and marijuana edibles. However it does allow for licensure and other rights to the local governments so long as they are not more restrictive or conflicts with state law and regulation. For example, if the state allows for marijuana brownies to be made and sold, a local government cannot create an ordinance which states that marijuana brownies cannot be sold in that jurisdiction.

#### Senate Government Affairs

- AB271: Revises provisions governing collective bargaining by local government employers.
  - This bill makes no changes to how collective bargaining with law enforcement and firefighters works now. It would make all other fact finding binding and would require local governments to pay for time spent by an employee for their collective bargaining negotiations.

#### Assembly Ways and Means

- AB295: Makes a supplemental appropriation to the Division of Emergency Management of the Department of Public Safety for a projected shortfall for activities related to reimbursement for the 2017 floods.
  - Work session and passed out of committee



# WASHOE COUNTY

## OFFICE OF THE COUNTY MANAGER

INTEGRITY      COMMUNICATION      SERVICE

### **Thursday:**

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#### Assembly Government Affairs

- SB176: Revises provisions relating to public safety.
  - There were questions of including school police, however it was decided that it was not appropriate for this bill, but is something they are looking at for the future.
  - Verizon submitted a letter that doing the E911 surcharge would exempt the state from federal grants. It was clarified in the hearing that because Nevada does not have a statewide 911 system, we are not eligible for such grants anyways.
  - Testified in support for the bill, along with the Sheriff's office and the Public Defenders.

#### Senate Revenue and Economic Development

- SJR14: Proposes to amend the Nevada Constitution to revise certain provisions relating to property taxes. (Work Session)
  - Passed (5-1)

### **Friday:**

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#### Assembly Judiciary

- SB387: Provides for the issuance of certain protection orders.
  - Allows for protection orders to be initiated by law enforcement officers with approval from district court if they feel a person is in danger and does not feel safe filing one themselves.
  - Also restricts those convicted of domestic violence, stalking or battery from owning a firearm.

#### Assembly Government Affairs

- SB236: Requires a license or permit issued by a local government to operate certain businesses in which the use of marijuana is allowed or to allow the use of marijuana at certain events.
  - Allows for local governments to issue licenses for marijuana social clubs, where they would not be able to sell the marijuana, but patrons of the establishment would need to bring their own.
- SB176: Revises provisions relating to public safety. (Work Session)
  - Passed out of committee with a 9-4 vote

### **Bills of Interest:**

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AB32 (Pest and weed abatement), AB45 (Voter registration), AB97 (sexual assault testing), AB80 (Reno redevelopment extension), AB120 (school construction tax), AB163 (Payday), AB194 (CrossRoads), AB246 (allows for improvement district between 2 counties), AB271 (would make the findings and award of a fact finder concerning employee organizations "final and binding), AB297 (E-commerce safe transaction zones at sheriff office locations), AB379 (creation of parks districts), ACR7 (interim study on property taxes)  
SB8 (fee for PSI reports), SB9 (option to run PSI reports), SB176 (Law enforcement body cameras), SB271 (water), SB315 (Recycling), SB352 (Tax abatement for natural disasters). SB462 (GID review board), SJR14 (Amend Nevada Constitution on property taxes)



# WASHOE COUNTY

## OFFICE OF THE COUNTY MANAGER

INTEGRITY      COMMUNICATION      SERVICE

### **Preview of Next Week: May 22 to May 26**

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Friday May 19 is Second Committee Passage, meaning without an exemption if the bill does not pass out of the second house committee it will be considered dead.

SB282: Revises provisions relating to peace officers.

AB120: Revises provisions relating to school construction.

AB375: Allows the imposition of certain taxes in a county to fund flood management projects of a flood management authority based on the recommendations of a flood control projects needs committee and voter approval.

SB409: Revises provisions relating to animals.

## Washoe County 2017 Legislative Week 14 Bills of Interest

Bill	Description	Direction
<b>Support</b>		
AB297	<p><b>Requires certain local governments to designate sites for person to meet in order to complete the sale of personal property that was initiated on the Internet.</b></p> <p><u>Summary:</u> Requires local governments to designate at least 1 law enforcement location to have a designated area for people to meet and conduct their ecommerce sales.</p> <p><u>Status:</u> The bill was heard and passed unanimously out of Senate Government Affairs on May 5. We again testified in support of the bill.</p>	Support
SB176	<p><b>Revises provisions relating to public safety. (BDR: 23-666)</b></p> <p><u>Summary:</u> Requires that law enforcement employees who routinely interact with the public wear body cameras. Amended to extended the effective date to July 1, 2018 rather than January 1, 2018. The other provisions have remained the same for the requirement for certain law enforcement officers to wear body cameras and allows a board of county commissioners to enact a 911 surcharge of up to \$1.00, currently Washoe has a \$0.25 charge which means we can increase that by no more than an additional \$0.75.</p> <p><u>Status:</u> The bill was heard in Assembly Government Affairs on May 11, we testified in support of the bill.</p>	Support
SB352	<p><b>Revises provisions governing the taxation of property rebuilt after a natural disaster.</b></p> <p><u>Summary:</u> Makes changes to the calculation of property taxes imposed on single-family residences that are being replaced after a natural disaster is declared by the Governor.</p> <p><u>Status:</u> The bill was heard in Assembly Taxation on May 4, we and the Assessor's Office testified in support of the bill.</p>	Support
SB462	<p><b>Authorizes a board of county commissioners to create a committee to review general improvement districts.</b></p> <p><u>Summary:</u> Allows for a board of county commissioners to create a committee to review each general improvement district in the county, establishing certain requirements for such a committee and requiring the GID to submit certain requested information to said committee.</p> <p><u>Status:</u> The bill was heard on May 8 in Assembly Government Affairs Committee, Commissioner Berkgigler testified in support.</p>	Support

# Washoe County 2017 Legislative Week 14 Bills of Interest

Neutral		
AB97	<p><b>Revises provisions relating to evidence collected from forensic medical examinations of victims of sexual assaults.</b>  <u>Summary:</u> Requires law enforcement agencies to submit sexual assault forensic evidence kits to a forensic laboratory within a certain amount of time.</p> <p><i>Status: The bill has been referred to Assembly Committee on Ways and Means, therefore the bill is exempt from the deadline requirements. The bill has been amended with the change that requires a law enforcement entity to submit and sexual assault kits to a forensic lab by 30 days and that the forensic lab has 120 days to test the kit. The bill does allow a \$3,000,000 transfer from the General Fund to the Attorney General's office which can be paid out to the forensic labs through an interlocal agreement to help address the backlog of sexual assault kits. The expect a one time cost of \$300,000 for the lab renovations needed to accomodate the additional staff needed to meet the deadline requirements. We also expect an annual impact of \$1,341,617 for personnel and supplies needed to test the kits.</i></p>	Neutral, with concerns regarding the fiscal impact
Oppose		
AB384	<p><b>Revises provisions governing the consideration of the criminal history of an applicant for employment by the State or a county or city.</b>  <u>Summary:</u> Requires the review and consideration of a persons criminal history occur at the final stages of consideration for employment. Also set peramitures that must be considered concerning the criminal history of an applicant. There are exeptions for law enforcement and some others. If a person is not offered the position due to their criminal history it requires the county to send in writing the cause for not hiring them. It also allows the applicate to bring forward a complaint to the Nevada Equal Rights Commission should they beleive that they were denied the position without just cause.  <u>Status:</u> The bill is scheduled to be heard on May 15 in Senate Legislative Operations and Elections.</p>	Oppose
SB315	<p><b>Revises provisions relating to waste disposal.</b>  <u>Summary:</u> requires reporting to amount or soiid waste that is recycied in a County and manadates what that amount must be, if the mandated amount is not met it would require the governing body to pay a fine to the State Environmental Commission. The bill was amended to apply to both construction recycling as well as their solid waste. What that means is that the 25% recycle mandate that the bill puts into place would only be measuring residential waste collected and compare it to residential recycling collected. If 25% of total residential waste collected is not recycling then we as the County would still be held liable for not meeting the mandate and be subject to penalties.  <i>deadlines.</i></p>	Oppose

## Washoe County 2017 Legislative Week 14 Bills of Interest

SB356	<p><b>Revises provisions relating to collective bargainig.</b></p> <p><u>Summary:</u> Removes the Evergreen provision which prohibits a local government employer from increasing any compenstion or monetary benefits upon the end of the term of a collective bargaining agreement until the sucessor agreement becomes effective. The bill also revises the requirement for the EMRB to conduct a hearing 45 days after deciding to here the complaing regarding collective bargaining.</p> <p><u>Status:</u> <i>The bill passed heard in Assembly Government Affairs on May 9, we submitted a letter from Civil District Attorney David Watts Vial outlining our opposition to the bill.</i></p>	Oppose
<b>Bills Suggested to Take Position on</b>		
AB271	<p><b>Revises provisions governing collective bargaining by local employers.</b></p> <p><u>Summary:</u> Would make the findings and award of a fact finder concerning employee organizations final and binding.</p> <p><u>Status:</u> <i>The bill has been scheaured to be heard on may 10 in senate government Ajjairs.</i></p>	Oppose
SB169	<p><b>Revises provisions relating to sexual offenses. (BDR 15-472)</b></p> <p><u>Summary:</u> Requires law enforcement agencies to submit sexual assault forensic evidence kits to a forensic laboratory within a certain amount of time.</p> <p><u>Status:</u> <i>The bill has been amended with the change that requires a law enforcement entity to submit and sexual assault kits to a forensic lab by 30 days and that the forensic lab has 180 days to test the kit. This would require a \$300,000 one time cost for lab renovations needed to meet the new staff requirements that would be needed. We also expect a \$1,221,515 fiscal impact annually for both staff and equipment needed to test the kits in the timeline given.</i></p>	Neutral, with concerns regarding the fiscal impact
<b>Watch</b>		
SB344	<p><b>Revises provisions relating to the labeling, packaging and advertising of marijuana.</b></p> <p><u>Summary:</u> Establishes state standards for packaging and restrictions for the production of marijuana and marijuana products. Also does not allow for local governments to create restrictions more stringent or in conflict with the state regualtions created by the bill.</p> <p><u>Status:</u> Has been heard in Assembly Judiciary on May 10.</p>	Watch
SB487	<p><b>Imposes an excise tax on sales of marijuana and related products by a retail marijuana store.</b></p> <p><u>Summary:</u> Allows for local governments who allow for sale of marijuana to impose a 3% tax at the cultivation, production and retail level.</p> <p><u>Status:</u> The bill was passed out of the Senate Revenue and Economic Committee on May 9 with a 4-3, party line vote.</p>	Watch

## Washoe County 2017 Legislative Week 14 Bills of Interest

AB379	<p><b>Amends provisions relating to general improvement districts created for the purpose of furnishing recreational facilities.</b></p> <p><u>Summary:</u> Allows for the creation of special general improvement districts to create park districts, that can be formed by cities and/or counties and also allows for the creation of one that could be jointly created by cities and counties if they have shared space.</p> <p><u>Status:</u> The bill was heard in Senate Government Affairs on May 5. We are working with the sponsor to work out some concerns with the bill.</p>	Watch
AB120	<p><b>Revises provisions relating to school construction.</b></p> <p><u>Summary:</u> Creates a residential school construction tax and extends the time period for school districts to develop land that they acquire through new developments. The bill states that if a school districts asks for the construction tax to be implemented a Board of County Commissioners must enact the tax.</p> <p><u>Status:</u> The bill is scheduled to be heard on May 15 in Senate Government Affairs.</p>	Watch
AB80	<p><b>Revises provisions governing redevelopment in certain cities. (BDR 22-416)</b></p> <p><u>Summary:</u> Allowed Reno to extend the date of termination for certain redevelopment plans.</p> <p><u>Status:</u> The bill is scheduled to be work sessioned in Senate Government Affairs on May 15.</p>	Watch
AB32	<p><b>Revises provisions governing pest control. (BDR: 49-176)</b></p> <p><u>Summary:</u> Requires certain persons who engage in pest control, including government agencies and their employees to obtain a license from the Director of the State Department of Agriculture. Establishes procedures relating to such licensure and providing penalties to those not in compliance.</p> <p><u>Status:</u> The bill has passed out of the senate with a 20-0 vote.</p>	Watch
AB45	<p><b>Revises provisions relating to public office.</b></p> <p><u>Summary:</u> Requires training and accountability for people who work registration drives to decrease illegible, duplicate and incomplete voter registration forms.</p> <p><u>Status:</u> The bill was heard in Senate Legislative Operations and Elections on May 5.</p>	Watch
AB163	<p><b>Revises provisions governing certain short-term loans.</b></p> <p><u>Summary:</u> Requires a licensee to verify the ability of the customer to repay the loan before issuing a loan. Increases the grace period before a customer can obtain a second short-term loan.</p> <p><u>Status:</u> The bill was heard in Senate Commerce, Labor and Energy on May 10.</p>	Watch



## Washoe County 2017 Legislative Week 14 Bills of Interest

AB194	<p><b>Provides for the certification of behavioral healthcare peer recovery support specialist.</b></p> <p><u>Summary:</u> Providing certification for behavioral healthcare peer recovery support.</p> <p><u>Status:</u> <i>The bill was heard on May 8 in Senate Commerce, Labor and Energy.</i></p>	Watch
ACR7	<p><b>Directs the Legislative Commission to conduct an interim study concerning property taxes.</b></p> <p><u>Summary:</u> The legislature will appoint a committee to conduct an interim study on property taxes to be considered by the next legislative session.</p> <p><u>Status:</u> <i>The bill was heard in Assembly Legislative Operations and Elections on March 30. The bill does not fall under the deadline rules.</i></p>	Watch
SB8	<p><b>Revises provisions relating to presentence and general investigations and reports. (BDR: 14-439)</b></p> <p><u>Summary:</u> Reduces the amount due to be paid by the County for presentence investigation reports to 30% instead of the 70% we currently pay. Further authorizes the County at its own expense to assume the duty of preparing a presentence or general investigation and report from the Division.</p> <p><u>Status:</u> <i>The bill has been referred to Senate Committee on Finance with the amendment to clarify that if a county enters into an agreement with the Division of Parole and Probation it may agree to pay up to the total costs of the presentence investigation reports, rather than paying the total costs. Because the bill has been referred to Finance it is exempt from the First House Passage deadline.</i></p>	Watch
SB9	<p><b>Revises provisions relating to presentence and general investigations and reports. (BDR: 14-437)</b></p> <p><u>Summary:</u> Authorizes a county to enter into an agreement with the Division to pay the total cost of the county's presentence or general investigations and reports. Keeps the presentence investigation reports at 70% paid by the County.</p> <p><u>Status:</u> <i>The bill passed has been referred to the Senate Committee on Finance with the amendment that clarifies the costs for the presentence investigation reports the same as SB8, it also states that if a county elects to conduct the reports themselves it will do so with county employees. Because the bill has been referred to Finance it is exempt from the First House Passage Deadline.</i></p>	Watch
SJR14	<p><b>Proposes to amend the Nevada Constitution to revise certain provisions relating to property taxes.</b></p> <p><u>Summary:</u> Makes changes to the Nevada Constitution to how property taxes are assessed for purposes of property taxes owed, which states that when a property is sold or transferred the taxes owed by the new owner will reset based on the assessed value of the property is. Requires the legislature to enact a "Senior and Disabled Taxpayer Protection Act" to provide property tax assistance to senior citizens and persons with disabilities.</p> <p><u>Status:</u> <i>The bill was passed out of Senate Revenue and Economic Development on May 11.</i></p>	Watch