

Are Nevada Local Agencies equipped to meet the administrative requirements of the AB144 “Nevada Jobs First” State and Local Hire Law?

The State of Nevada has passed the “Nevada Jobs First” Act, a new local hire law, designed to help ensure State workers are hired on State and Local public works projects. This goal is to guarantee at least 50% of the workers are residents of the State of Nevada. The law requires the tracking of this on all state and local public works-funded projects. Contractors that qualify for this program will receive a 5 percent bidding preference for public works projects.

A contractor that qualifies must have:

1. At least 50 % of the workers on the project must have a Nevada driver’s License or identification card
2. All vehicles used on the public work will be registered in Nevada, or registered and partially apportioned in Nevada (as applicable)
- 3.
4. At least 50 % of the Design Professionals have State of Nevada driver’s licenses or identification cards
5. At least 25 % of the Suppliers of materials used on the project is purchased from the State of Nevada
6. Payroll Records are maintained and made available to the awarding body

Payroll record requirements by the awarding agency:

- A. Tracking the certified payroll for each contractor and each employee on the project weekly
- B. Tracking the driver’s license and State of issuance of each employee on the projects, and adding this information to the Certified Payroll Report that is submitted each week to the awarding agency
- C. Tracking and ensuring that at least 50% of effective workers on the project are State of Nevada residents

The legislation places the burden of compliance on both the contractor and the agency awarding the project. The penalty is stiff for breaching any of these requirements. The contractor is given a 10 percent liquidated damage penalty or the voiding of the contractor’s bid. The contractor is prohibited of bidding again on a public work project for one year and limited from a preference certificate for five years.

How Technology can Help

LCPtracker is currently providing an automated, electronic method to collect all certified payrolls in the State of Nevada. Agencies like Nevada DOT, City of Las Vegas, City of Reno, and Truckee Meadow Water Authority are already using this to meet the compliance requirements of this new law. LCPtracker software service is an ASP, web-hosted software program from LCPtracker, Inc. that minimizes paperwork and labor hours when enforcing a Labor Compliance Program on public works construction projects. LCPtracker creates an online database of all certified payroll reports (CPR), generates audits, logs, and any correspondence and information for all parties involved.

This solution meets the requirements in # 5A (above) to track the certified payroll of all contractors on the public works project.

Additionally, LCPtracker will be providing specific functionality to meet the needs of the new State law. The driver's license and State of issuance is included with the electronic data collection of the certified payroll from each contractor and each employee on the project. A workforce report will be available to track and report on the 50% residency requirement of all construction workers on the project.

The LCPtracker solution meets the above requirements, # 5B and 5C above to track the driver's license and State of issuance, and the reporting required to track the workforce participation.

Benefits to the Awarding Agency and the Contractor are Significant

Both the agency and the prime contractor can:

1. Electronically monitor and see all subcontractors' certified payrolls
2. Instantly see workforce utilization to ensure 50% participation on the project is maintained
3. Redact personal information on the certified payrolls to ensure privacy of the workers
4. Check certified payrolls are in compliance for other labor regulations