



DEPARTMENT OF ADMINISTRATION

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Date: December 29, 2011
To: Jeff Mohlenkamp, Clerk
Board of Examiners
From: Julia Teska, Budget Analyst
Budget and Planning Division
Subject: BOARD OF EXAMINERS **ACTION** ITEM

ADJUTANT GENERAL AND NATIONAL GUARD – MILITARY

Pursuant to Assembly Bill 240, Section 1, Subsection 2 of the 2011 Legislature, the Office of the Military seeks a favorable Board of Examiner's decision regarding the Office of the Military's determination to use a temporary services contract to employ a former Administrative Assistant to provide coverage during the recruitment and training period of a new employee due to a vacancy during the closing of the state and federal fiscal years. The term of the contract services is August 8, 2011 through February 14, 2012.

Additional Information:

The last incumbent quit on August 1, 2011, with almost no notice at the end of the Federal Fiscal Year 2011, a time with strict deadlines requiring a knowledgeable individual familiar with coding and processing transactions compliant with the Master Cooperative Agreement. The terms of the contract were to close out the fiscal year (2011), prepare for the next fiscal year (2012) and then train the person hired to fill the vacant position.

<p>REVIEWED: _____</p> <p>ACTION ITEM: _____</p>

Authorization to Contract with a Former Employee

Former Employee Name: Roxanne Wilson
Former Employee ID number: 13707
Former Job Title: Administrative Assistant III
Former Employing Agency: Office of the Military
Former Class and Grade: Grade 27
Employment Dates: 3/12/90 – 6/1/10
Contracting Agency: Office of the Military 431-3650

Please check which of the following applies:

- Contract is with a former State employee (contractor) or a temporary employment agency providing a former employee. Please complete steps a-i below.
- Contract is with an entity (contractor) other than a temporary employment agency that employs a former State employee who will be performing any or all of the contracted services. Please complete all steps except f-h below.

a. Summarize scope of contract work.	Maintain accounting for a Federal/State Master Cooperative Agreement
b. Document former job description.	Administrative Assistant III
c. Is the former employee being hired because of their specialized knowledge of the agency's operations? Is there a clause in the contract for transfer of the specialized knowledge of the contracting agency and a time frame for the transfer?	Yes. The last incumbent quit with almost no notice at the end of the Federal Fiscal Year 2011, a time that requires a knowledgeable individual to meet strict deadlines. The terms of the contract were to close out the fiscal year (2011), prepare for the next fiscal year (2012) and then train the person hired to fill the vacant position.
d. Explain why existing State employees within your agency cannot perform this function.	The position is 100% federally reimbursed State position. The accounting is unique to the Military Department and the Master Cooperative Agreement. There were no trained replacements.
e. Document if the individual overseeing or establishing the contract is related to the contractor – if so, explain the relationship and why this would not affect independence and why this would not violate NAC 284.750.	N/A

f. List contractor's hourly rate.	\$30.00
g. List the range of comparable State employee rates.	\$22.23
h. Justify contract rate if it exceeds the maximum employee/employer rate paid for a comparable State position by more than 10 percent. Additionally, has the contract term been limited as a result?	The higher rate was offered due to the fact it was short notice, for a short duration, and due to the unique requirements of the position.
i. Document justification for hiring contractor.	There were no trained replacements due to the uniqueness of the position requirements.

Comments:

James McEntee 11/3/11

Contracting Agency Head's Signature and Date

Budget Analyst

Clerk of the Board of Examiners

DEPARTMENT OF ADMINISTRATION
OFFICE OF THE DIRECTOR
BUDGET AND PLANNING DIVISION

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