

Brian Sandoval
Governor



James R. Wells, CPA
Director

Janet Murphy
Deputy Director

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Room 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: December 23, 2016
To: James R. Wells, Clerk of the Board
Governor's Finance Office
From: Nikki Hovden, Executive Branch Budget Officer *NH*
Budget Division
Subject: BOARD OF EXAMINERS **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Board of Examiners' meeting. An analysis of the action item and recommendation is also provided.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH**

Agenda Item Write-up:

Pursuant to NRS 333.705, subsection 1, the division requests approval to continue to contract with former employee, Debra Scott, to support the division's bill draft requests and combine behavioral health licensing boards and bring them into the division. Ms. Scott is anticipated to work approximately 10 hours per month through February 17, 2018.

Additional Information:

Ms. Scott's experience as the former Executive Director of the Nevada Nursing Board includes implementing statutes, regulations and policies, and data collection to support workforce projections. She will conduct onsite reviews of several health professional licensing boards and make recommendations for changes to statutes, regulations, policies, and data collections. Agency staff lacks the experience necessary to complete these tasks.

Statutory Authority:

NRS 333.705

REVIEWED: _____
ACTION ITEM: _____

BRIAN SANDOVAL
Governor

STATE OF NEVADA

CODY L. PHINNEY, MPH
Administrator

RICHARD WHITLEY, MS
Director



JOHN DIMURO, D.O., MBA
Chief Medical Officer

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH

4150 Technology Way, Suite 300
Carson City, NV 89706
Telephone: (775) 684-4200 · Fax: (775) 684-4211

November 18, 2016

MEMORANDUM

RECEIVED

TO: James R. Wells, CPA
Director
Department of Administration

NOV 22 2016

THROUGH: Richard Whitley, MS
Director
Department of Health and Human Services

DH for RZW

GOVERNOR'S FINANCE OFFICE
BUDGET DIVISION

THROUGH: Cody L. Phinney, MPH
Administrator
Division of Public and Behavioral Health

CCOs for

FROM: Joe Pollock, R.E.H.S.
Deputy Administrator
Division of Public and Behavioral Health

SUBJECT: Authorization to Extend Contract with Former State Employee

NRS 333.705 precludes contracting with a person who is a current employee of a state agency or a former employee of a state agency within the past two years without Board of Examiner (BOE) review and/or approval. These provisions also apply to employment through a temporary employment agency. Approval of the BOE requires the BOE to determine the person provides services that are not provided by any other employee of the using agency or for which a critical labor shortage exists or that there is a short-term need or unusual economic circumstance that exists.

The Division of Public and Behavioral Health, Bureau of Preparedness, Assurance, Inspections and Statistics (PAIS) is requesting approval to extend an existing contract with a former employee. As the former Executive Director of the Nevada Board of Nursing, Ms. Scott implemented statutes, regulations and policies to ensure timely and secure licensure, as well as minimum data set collection in support of research and analysis for workforce projections for our state. Our state employees do not have experience managing a licensing board, implementing related statutes, regulations and policies, as well as related data collection systems. Ms. Scott possesses this specific experience as well as the respect of the various stakeholders. Her acquisition would increase credibility for this effort and improve cooperation from the health professional licensing industry.

We are requesting an extension of this contract to support work the Division is doing on a bill draft request from the Legislative Committee on Health Care, to combine behavioral health licensing boards and bring them into the Division of Public and Behavioral Health.

Please recognize this as a request for authorization to contract with the following former employees pending BOE approval anticipated to be January 10, 2017.

Debra Scott – BA 3216, \$100 per hour for approximately 10 hours per month (Extend authorization to contract with former state employee through February 17, 2018, which will be the two-year period following Ms. Scott's retirement. This former employee was previously approved by BOE on October 11, 2016).

Thank you for your consideration in this matter.

Authorization to Contract with a Former Employee

Former Employee Name: Debra S. Scott
Former Employee ID number: 545-90-7703
Former Job Title: Executive Director
Former Employing Agency: Nevada State Board of Nursing
Former Class and Grade: Executive Director
Employment Dates: 11/96 – 2/16
Contracting Agency: MHM Temporary Hiring Services

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.	Conduct onsite reviews with Nevada's health professional licensing boards, make recommendations for statutory, regulatory and policy changes, and develop agreements for improved data collection and utilization of online surveys. Health Professional licensing boards include the following: Board of Medical Examiners, Board of Osteopathic Medicine, Board of Dental Examiners, Board of Psychology Examiners, Board of Social Work Examiners, Board of Marriage and Family Therapists and Clinical Professional Counselors, and Board of Alcohol, Drug and Gambling Counselors.
b. Document former job description.	Executive Director, NV Board of Nursing - Oversaw all aspects of the NSBN activities. Reported directly to the Governor appointed Board of 7 persons. Responsible for supervising 25 employees of the Board.
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?	<p>As ED of the NV Board of Nursing, Debra Scott implemented statutes, regulations and policies to ensure timely and secure licensure, as well as minimum data set collection in support of research and analysis for workforce projections for our state.</p> <p>Recommendations for each licensing board will be documented to support ongoing work with our partners in state government, as well as health professional employers and others in the private sector.</p>
d. Explain why existing State employees within your agency cannot perform this function.	Our state employees do not have experience managing a licensing board, implementing related statutes, regulations and policies, as well as related data collection systems. Ms. Scott has this specific experience, and is well-respected by the various stakeholders, which would

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Director

Janet Murphy
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STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

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Date: November 18, 2016
To: James R. Wells, Clerk of the Board
Governor's Finance Office
From: Nikki Hovden, Budget Analyst
Budget Division
Subject: BOARD OF EXAMINERS **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Board of Examiners' meeting. An analysis of the action item and recommendation is also provided.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES –
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH**

Agenda Item Write-up:

Pursuant to NRS 333.705, subsection 1, the division requests to contract with former employee, Christabell Sotelo-Zecena, to assist with program implementation, grant management and fiscal monitoring of the Pregnancy Risk Assessment Monitoring Survey Program (PRAMS) and Abstinence Education Grant Program. It is anticipated that she will work 40 hours per week effective January 10, 2017 to June 30, 2018.

Additional Information:

Ms. Sotelo-Zecena is uniquely qualified to fill this position given her expertise in working with populations and epidemiological tools that map with PRAMS grant-required deliverables. Additionally, her experience in program evaluation as a Health Resource Analyst II, Research Coordinator, and Accounting Manager are directly relevant to this position.

Statutory Authority:

NRS 333.705

REVIEWED: 
ACTION ITEM: _____

BRIAN SANDOVAL
Governor

STATE OF NEVADA

CODY L. PHINNEY, MPH
Administrator

RICHARD WHITLEY, MS
Director



JOHN DIMURO, D.O., MBA
Chief Medical Officer

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH

4150 Technology Way, Suite 300
Carson City, NV 89706
Telephone: (775) 684-4200 · Fax: (775) 684-4211

November 8, 2016

MEMORANDUM

TO: James R. Wells, CPA
Director
Department of Administration

THROUGH: Richard Whitley, MS
Director
Department of Health and Human Services

THROUGH: Cody L. Phinney, MPH *CCH for*
Administrator
Division of Public and Behavioral Health

FROM: Julia Peek, MHA
Deputy Administrator, Community Services
Division of Public and Behavioral Health

SUBJECT: Authorization to Contract with Former State Employee – Christabell Sotelo-Zecena, MPH

RECEIVED

NOV 17 2016

GOVERNOR'S FINANCE OFFICE
BUDGET DIVISION

NRS 333.705 precludes contracting with a person who is a current employee of a state agency or a former employee of a state agency within the past two years without Board of Examiner (BOE) review and/or approval. These provisions also apply to employment through a temporary employment agency. Approval of the BOE requires the BOE to determine the person provides services that are not provided by any other employee of the using agency or for which a critical labor shortage exists or that there is a short-term need or unusual economic circumstance that exists.

The position is the contracted Grants and Projects Analyst 1 (GPA1), Pregnancy Risk Assessment Monitoring Survey (PRAMS) Program Coordinator for the Maternal, Child and Adolescent Health Section and will be responsible for program implementation, grant management, and fiscal monitoring. The position will also help support the Abstinence Education Grant Program with grant management and fiscal oversight in the Maternal, Child and Adolescent Health Section of the Bureau of Child, Family and Community Wellness of the Division of Public and Behavioral Health. This is a newly created position as a result of Nevada being awarded a five year grant for PRAMS for the first time. Not filling the PRAMS Program Coordinator position would jeopardize survey implementation, grant reporting requirement fulfillment, and future funding. This position will actively expand and enhance the PRAMS Program promoting prevention of poor birth outcomes and monitoring maternal attitudes and practices relating to infant health. The position will assure grant deliverable completion and scope of work completion by sub-recipients. This is a multi-year Centers for Disease Control and Prevention (CDC) federal grant with deliverables requiring a dedicated staff member to provide oversight and accountability

Authorization to Contract with a Former Employee

Former Employee Name:	<u>Christabell Sotelo-Zecena, MPH</u>
Former Employee ID number:	<u>N/A</u>
Former Job Title:	<u>Research Coordinator</u>
Former Employing Agency:	<u>University of Nevada, Reno (UNR)</u>
Former Class and Grade:	<u>Hourly Student Worker for UNR</u>
Employment Dates:	<u>8/2014-5/2016 UNR</u>
Contracting Agency:	<u>MHM Services, Inc.</u>

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.

- | | |
|---|---|
| <ul style="list-style-type: none"> • Summarize scope of contract work. | <ul style="list-style-type: none"> • Participate in overall management of the Pregnancy Risk Assessment Monitoring Survey (PRAMS). • Help train and supervise PRAMS staff, including telephone interviewer training, PIDS training, and human subjects training. • Act as the liaison between Nevada (including the Project Director and the Steering Committee) and CDC in matters that relate to PRAMS on an ongoing basis. • Help organize the Steering Committee and convene and attend meetings; document meetings. • Help oversee the development of the protocol's state-specific sections. • Help with sampling procedures and ensure that monthly samples are prepared in a timely manner. • Ensure that annual birth file is sent to CDC (in requested format – currently the 1999 or 2003 NCHS format with some additional PRAMS and state-specific variables appended) no later than December 1 following the end of each birth year. • Support data collection procedures. • Manage contracts related to PRAMS • Participate in the analysis and dissemination of PRAMS data. • Present PRAMS data at PRAMS national meeting, which is biennial or other MCH related conferences. • Prepare annual cooperative agreement renewal applications (e.g., interim progress reports). • Utilize computer programs such as word processing (Microsoft Word), SAS and SUDAAN (SURvey DATA ANalysis). • Provide support to MCAH programs in developing, reviewing and monitoring subgrants, Memorandums |
|---|---|

in accordance with the grant award. This is unable to be accomplished with current staff due to workload related to other grants and deliverables for existing state staff funded in other Maternal and Child Health Programs.

Ms. Sotelo-Zecena is uniquely qualified to fill this position given her expertise in working populations and epidemiological tools that map with the PRAMS grant-required deliverables. Additionally, her experience in program evaluation as a Health Resource Analyst II, Research Coordinator, and Accounting Manager are directly relevant to this position. Her educational background and work experience make her specifically valuable to fill this key position. Please recognize this as a formal request for authorization to contract with former state employee, Christabell Sotelo-Zecena, MPH.

Request for: Christabell Sotelo-Zecena, MPH – BA 3222, 40 hours per week from 1/10/2017 to 6/30/2018.

This former employee was previously approved by BOE on October 13, 2015 as a intern.

Thank you for your consideration in this matter, and please see my contact information below for additional assistance.

Vickie Ives
Section Manager, Maternal Child and Adolescent Health
vives@health.nv.gov
775.684.2201

Brian Sandoval
Governor



James R. Wells, CPA
Director

Janet Murphy
Deputy Director

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Room 200 | Carson City, NV 89701-4298
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Date: December 6, 2016
To: James R. Wells, Clerk of the Board
Governor's Finance Office
From: Paul Nicks, Budget Analyst
Budget Division
Subject: BOARD OF EXAMINERS **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Board of Examiners' meeting. An analysis of the action item and recommendation is also provided.

NEVADA DEPARTMENT OF TRANSPORTATION

Agenda Item Write-up:

Pursuant to NRS 333.705, subsection 1, the department requests to contract with former employee, Tiffany Patrick, to provide engineering analyst services for Traffic Operations projects. Kimley-Horn is currently under a master agreement for Traffic Operations Design Services to provide technical support for Traffic Operations projects and is proposing to hire Tiffany Patrick as an Engineering Analyst.

Additional Information:

Ms. Patrick is a Civil Engineering graduate from the University of Nevada, Reno. Her intern experience in the Roadway Design Division during the summers of 2013-2016 will make her a valuable asset to the project.

Statutory Authority:

NRS 333.705

REVIEWED: 
ACTION ITEM: _____




NOV 30 2016

MEMORANDUM

1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7201
(Use Local Information)

GOVERNOR'S FINANCE OFFICE
BUDGET DIVISION

November 18, 2016

To: State of Nevada Board of Examiners
From: Rudy Malfabon, Director 
Subject: Authorization to Contract with a Former Employee

SUMMARY

Pursuant to the State Administrative Manual section 0323, the Nevada Department of Transportation requests the authority to contract with a former NDOT intern. Tiffany Patrick's intern experience in the Roadway Design Division during the summers of 2013-2016 provided her with the technical knowledge that will make her valuable for Kimley-Horn's support to Traffic Safety Engineering design services agreement P545-15-816.

BACKGROUND

Kimley-Horn is currently under a master agreement for Traffic Safety Design Services to provide technical support for Traffic Safety projects. This agreement provides design services to enable Traffic Safety Engineering to produce design work beyond what current staffing level allows. Due to the aggressive schedule for Traffic Safety Engineering projects, which includes pedestrian, intersection, and corridor safety projects, the department realized the need for additional design services and technical support. Kimley-Horn was awarded this work and is proposing to hire Tiffany Patrick to work on Traffic Safety Engineering projects as an Engineering Analyst.

RECOMMENDATION

We respectfully request your consideration for approval for Tiffany Patrick to be approved as an Engineering Analyst for Kimley-Horn on their Traffic Safety Design Engineering Services agreement.

RM:lc

Authorization to Contract with a Former Employee

Former Employee Name:	<u>Tiffany Patrick</u>
Former Employee ID number:	<u>51877</u>
Former Job Title:	<u>Public Service Intern 1</u>
Former Employing Agency:	<u>800-Department of Transportation</u>
Former Class and Grade:	<u>P80H-Positive 80 hours, 27 Temporary</u>
Employment Dates:	<u>05-23-2016 to 11-16-2016</u>
Contracting Agency:	<u>Kimley-Horn</u>

Please check which of the following applies:

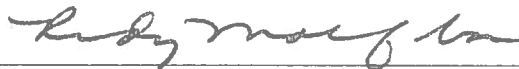
Contract is with a former State employee (contractor) or a temporary employment agency providing a former employee. Please complete steps a-i below.

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.	Tiffany would primarily be providing engineering analyst services to support the development of reports and construction documents for Safety Engineering and Traffic Operations under the on-call contracts.
b. Document former job description.	Tiffany was an intern in the Roadway Design Division and provided technical support.
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?	Tiffany is being hired because she is a qualified college Civil Engineering graduate from University of Nevada Reno and will be a very effective engineering analyst to support our engineering design projects for NDOT. There is no clause for transfer of specialized knowledge.
d. Explain why existing State employees within your agency cannot perform this function.	Kimley-Horn has these design contracts because there is more design work to be completed than current NDOT staff's capacity to support NDOT's aggressive design and construction program.
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 <u>NAC 284.750</u> .	No.

f. List contractor's hourly rate.	N/A
g. List the range of comparable State employee rates.	N/A
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?	N/A
i. Document justification for hiring contractor.	The contractor is justified in hiring Tiffany Patrick, an NDOT intern while studying Civil Engineering at the University of Nevada Reno, because it will benefit the department to have her produce engineering design documents in support of NDOT.

Comments:



11-18-16

Contracting Agency Head's Signature and Date

Budget Analyst

Clerk of the Board of Examiners

Brian Sandoval
Governor



James R. Wells, CPA
Director

Janet Murphy
Deputy Director

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

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Date: December 6, 2016
To: James R. Wells, Clerk of the Board
Governor's Finance Office
From: Paul Nicks, Budget Analyst
Budget Division
Subject: BOARD OF EXAMINERS **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Board of Examiners' meeting. An analysis of the action item and recommendation is also provided.

NEVADA DEPARTMENT OF TRANSPORTATION

Agenda Item Write-up:

Pursuant to NRS 333.705, subsection 1, the department requests to contract with former employee, Tiffany Patrick, to provide engineering analyst services for Traffic Operations projects and Traffic Safety projects. Kimley-Horn is currently under two master agreements for Traffic Operations Design Services (P454-16-016) and Traffic Safety Design Services (Agreement P545-15-816) to provide technical support for both projects and is proposing to hire Tiffany Patrick as an Engineering Analyst.

Additional Information:

Ms. Patrick is a Civil Engineering graduate from the University of Nevada, Reno. Her intern experience in the Roadway Design Division during the summers of 2013-2016 will make her a valuable asset to the project.

Statutory Authority:

NRS 333.705

REVIEWED: _____
ACTION ITEM: _____



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7201
(Use Local Information)

NOV 30 2016

MEMORANDUM

GOVERNOR'S FINANCE OFFICE
BUDGET DIVISION

November 18, 2016

To: State of Nevada Board of Examiners
From: Rudy Malfabon, Director 
Subject: Authorization to Contract with a Former Employee

SUMMARY

Pursuant to the State Administrative Manual section 0323, the Nevada Department of Transportation requests the authority to contract with a former NDOT intern. Tiffany Patrick's intern experience in the Roadway Design Division during the summers of 2013-2016 provided her with the technical knowledge that will make her valuable for Kimley-Horn's support to Traffic Operations Design Services agreement P454-16-016.

BACKGROUND

Kimley-Horn is currently under a master agreement for Traffic Operations Design Services to provide technical support for Traffic Operations projects. This agreement provides design services to enable Traffic Operations to produce design work beyond what current staffing level allows. Due to the aggressive schedule for Traffic Operations projects, which includes traffic signals, roadway lighting and Intelligent Transportation projects, the Department realized the need for additional design services and technical support. Kimley-Horn was awarded this work and is proposing to hire Tiffany Patrick to work on Traffic Operations projects as an Engineering Analyst.

RECOMMENDATION

We respectfully request your consideration for approval for Tiffany Patrick to be approved as an Engineering Analyst for Kimley-Horn on their Traffic Operations Design Engineering Services agreement.

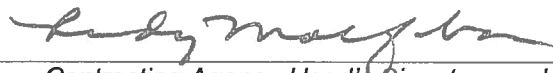
Authorization to Contract with a Former Employee

Former Employee Name:	<u>Tiffany Patrick</u>
Former Employee ID number:	<u>51877</u>
Former Job Title:	<u>Public Service Intern 1</u>
Former Employing Agency:	<u>800-Department of Transportation</u>
Former Class and Grade:	<u>P80H-Positive 80 hours, 27 Temporary</u>
Employment Dates:	<u>05-23-2016 to 11-16-2016</u>
Contracting Agency:	<u>Kimley-Horn</u>

<p>Please check which of the following applies:</p> <p><input type="checkbox"/> Contract is with a former State employee (contractor) or a temporary employment agency providing a former employee. Please complete steps a-i below.</p> <p><input type="checkbox"/> 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.</p>	
<p>a. Summarize scope of contract work.</p>	<p>Tiffany would primarily be providing engineering analyst services to support the development of reports and construction documents for Safety Engineering and Traffic Operations under the on-call contracts.</p>
<p>b. Document former job description.</p>	<p>Tiffany was an intern in the Roadway Design Division and provided technical support.</p>
<p>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?</p>	<p>Tiffany is being hired because she is a qualified college Civil Engineering graduate from University of Nevada Reno and will be a very effective engineering analyst to support our engineering design projects for NDOT. There is no clause for transfer of specialized knowledge.</p>
<p>d. Explain why existing State employees within your agency cannot perform this function.</p>	<p>Kimley-Horn has these design contracts because there is more design work to be completed than current NDOT staff's capacity to support NDOT's aggressive design and construction program.</p>
<p>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 <u>NAC 284.750</u>.</p>	<p>No.</p>

f. List contractor's hourly rate.	N/A
g. List the range of comparable State employee rates.	N/A
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?	N/A
i. Document justification for hiring contractor.	The contractor is justified in hiring Tiffany Patrick, an NDOT intern while studying Civil Engineering at the University of Nevada Reno, because it will benefit the department to have her produce engineering design documents in support of NDOT.

Comments:



11-18-16

Contracting Agency Head's Signature and Date

Budget Analyst

Clerk of the Board of Examiners

Brian Sandoval
Governor



James R. Wells, CPA
Director

Janet Murphy
Deputy Director

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Room 200 | Carson City, NV 89701-4298
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Date: December 5, 2016

To: James R. Wells, Clerk of the Board
Governor's Finance Office

From: Paul Nicks, Budget Analyst
Budget Division

Subject: BOARD OF EXAMINERS **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Board of Examiners' meeting.

DEPARTMENT OF TRANSPORTATION

Agenda Item Write-up:

Pursuant to the State Administrative Manual section 0323 that implements NRS 333.705 the Department of Transportation requests authority to extend an approved contract with, Ms. Halana Salazar, a former employee, who is currently providing critical right-of-way engineering services in support of the USA Parkway Program Management project. Ms. Salazar is employed by Jacobs Engineering Group, Inc.

Additional Information:

Ms. Salazar retired from state service in July 2015. Prior to retirement, Ms. Salazar was the manager of right-of-way engineering. Her experience would be an asset to the project. Ms Salazar did not have any influence over the contract between Jacobs and NDOT at any time during her state service or retirement.

Ms. Salazar was approved to contract with the state at the October 11, 2016 Board of Examiners meeting to contract with the state until February 10, 2017. She is employed by Jacobs Engineering Group, Inc. who was the successful respondent to the USA Parkway Program Management project.

Ms. Salazar was also approved in March 2016 to contract with the state through Manpower; she is no longer under contract with Manpower.

Statutory Authority:

NRS 333.705

SAM 0323

<p>REVIEWED: <u> <i>RS</i> </u></p> <p>ACTION ITEM: _____</p>



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7201

MEMORANDUM

December 5, 2016

To: State of Nevada Board of Examiners
From: Rudy Malfabon, Director
Subject: Authorization to Contract with a Former Employee

DocuSigned by:
Rudy Malfabon

RECEIVED

DEC 05 2016

GOVERNOR'S FINANCE OFFICE
BUDGET DIVISION

SUMMARY

Pursuant to the State Administrative Manual section 0323, the Nevada Department of Transportation requests the authority to contract with a retired state employee. Ms. Halana Salazar retired from State service July 21, 2015 and has been employed by the Jacobs Engineering Group, Inc. (Jacobs). On October 11, 2016, the Board of Examiners approved the emergency request for Jacobs to utilize Ms. Salazar on the USA Parkway Project from September 12, 2016 to February 10, 2017. Jacobs is proposing to continue using Ms. Salazar for the USA Parkway Program Management Project beyond February 10, 2016 to provide right-of-way (R/W) engineering services in support of the Project requirements.

BACKGROUND

Jacobs has been awarded the USA Parkway Program Management project. The scope of work for this Project includes R/W support services to NDOT during the Design-Build Delivery Phase, including finalizing the R/W. In discussions with the Tahoe-Reno Industrial Center (TRIC), the need to finalize the R/W for the Project has become critical. This work includes development and recording of final R/W documents to enable TRIC to proceed with land sales adjacent to the Project alignment with no delay.

Ms. Salazar retired from the R/W Division where she was the Manager of R/W Engineering responsible for overseeing all NDOT ownership of R/W and real property, supervising 30 staff members and working with other NDOT divisions. Ms. Salazar possesses a high level of knowledge of the subject matter and a familiarity with the previously executed USA Parkway R/W agreements. Currently, the NDOT R/W Division is short-staffed and lacks the personnel to execute the work in the short time frame required. Ms. Salazar, as an employee of Jacobs, will be providing R/W support services to NDOT as part Jacobs' existing USA Parkway Program Management contract.

When Ms. Salazar retired from State service, she had no influence or authority over the consultant procurement or agreement with the Jacobs.

RECOMMENDATION

We respectfully request your approval for Jacobs to continue to utilize Ms. Salazar on the USA Parkway Program Management project.

Authorization to Contract with a Former Employee

Former Employee Name: Halana Salazar
Former Employee ID number: 15177
Former Job Title: Manager of Right-of-Way Engineering
Former Employing Agency: Nevada Department of Transportation
Former Class and Grade: Step 10 / Grade 41
Employment Dates: 7/18/1990 – 7/21/2015
Contracting Agency: Nevada Department of Transportation

<p>Please check which of the following applies:</p> <p><input type="checkbox"/> Contract is with a former State employee (contractor) or a temporary employment agency providing a former employee. Please complete steps a-i below.</p> <p><input checked="" type="checkbox"/> 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.</p>	
a. Summarize scope of contract work.	Administration Support Services during the Design-Build Delivery Phase for the USA Parkway Project. Scope of contract work includes Right-of-Way Support.
b. Document former job description.	Manager of Right-of-Way Engineering responsible for overseeing all NDOT ownership of R/W and real property; supervising 30 staff, working with other NDOT divisions and other state and local entities.
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?	Ms. Salazar is being hired because of her expertise in Right-of-Way Engineering subject matter, not because of her specialized knowledge of the agency's operations. There is no clause in the contract for transfer of specialized knowledge.
d. Explain why existing State employees within your agency cannot perform this function.	With the recent loss of several key positions from the Right-of-Way Division, there is a lack of qualified personnel to perform the required functions.
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	There are no known relations between the contracting parties.

why this would not violate NAC 284.750.	
f. List contractor's hourly rate.	N/A
g. List the range of comparable State employee rates.	N/A
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?	N/A
i. Document justification for hiring contractor.	Ms. Salazar's expertise will be exceptionally valuable in providing Right-of-Way support services as part the Design-Build Delivery Phase of the USA Parkway Project.

Comments:

DocuSigned by:


12/3/2016

Contracting Agency Head's Signature and Date

Budget Analyst

Clerk of the Board of Examiners

