

**TEMPORARY REGULATION OF THE STATE  
CONTRACTORS BOARD**

**DECEMBER 13, 2006**

**LCB File No.**

**Effective:**

*EXPLANATION – Matter in **italics** is new; matter in brackets [ ] is material to be omitted.*

**CERTIFICATES OF ELIGIBILITY**

**NAC 624.685 Definitions.** ([NRS 338.1389](#), [338.147](#), [624.100](#)) As used in [NAC 624.685](#) to [624.6899](#), inclusive, unless the context otherwise requires, the words and terms defined in [NAC 624.6853](#) to [624.6863](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NAC by Contractors' Bd. by R208-99, eff. 5-24-2000)

**NAC 624.6853 “Affidavit for a certificate of eligibility” defined.** ([NRS 338.1389](#), [338.147](#), [624.100](#)) “Affidavit for a certificate of eligibility” means an affidavit from a certified public accountant required pursuant to subsection 3 or 4 of [NRS 338.1389](#) or subsection 3 or 4 of [NRS 338.147](#).

(Added to NAC by Contractors' Bd. by R208-99, eff. 5-24-2000; A by R013-02, 7-2-2002)

**NAC 624.6855 “Affidavit for renewal of a certificate of eligibility” defined.** ([NRS 338.1389](#), [338.147](#), [624.100](#)) “Affidavit for renewal of a certificate of eligibility” means an affidavit from a certified public accountant required pursuant to subsection 6 of [NRS 338.1389](#) or subsection 6 of [NRS 338.147](#).

(Added to NAC by Contractors' Bd. by R208-99, eff. 5-24-2000)

**NAC 624.6857 “Certificate of eligibility” defined.** ([NRS 338.1389](#), [338.147](#), [624.100](#)) “Certificate of eligibility” means a certificate of eligibility to receive a preference in bidding on public works issued by the Board pursuant to [NRS 338.1389](#) or [338.147](#).

(Added to NAC by Contractors' Bd. by R208-99, eff. 5-24-2000)

**NAC 624.6859 “Contractor” defined.** ([NRS 338.1389](#), [338.147](#), [624.100](#)) “Contractor” means:

1. A general engineering contractor;
  2. A general building contractor;
  3. A general engineering and general building contractor; or
  4. A specialty contractor who is able to act as a prime contractor,
- ↳ who is properly licensed pursuant to the provisions of [chapter 624](#) of NRS.

(Added to NAC by Contractors' Bd. by R208-99, eff. 5-24-2000; A by R081-00, 5-24-2000; R013-02, 7-2-2002)

**NAC 624.6863 "Statement of compliance" defined.** ([NRS 338.1389](#), [338.147](#), [624.100](#)) "Statement of compliance" means a statement from a contractor who applies for a certificate of eligibility which states that the contractor is properly licensed pursuant to the provisions of [chapter 624](#) of NRS for the certificate of eligibility for which he is applying.

(Added to NAC by Contractors' Bd. by R208-99, eff. 5-24-2000; A by R013-02, 7-2-2002)

**NAC 624.687 Required documents; qualifications; separate application for each classification.** ([NRS 338.1389](#), [338.147](#), [624.100](#))

1. A contractor who wishes to obtain a certificate of eligibility must submit to the Board:

- (a) An application on a form provided by the Board;
- (b) A notarized affidavit for a certificate of eligibility on a form provided by the Board;
- (c) A notarized statement of compliance on a form provided by the Board;
- (d) The fee set forth in [NAC 624.130](#); and
- (e) Any other documentation required by the Board.

[2. For each classification of a license for which a certificate of eligibility is requested, the applicant must be a contractor who is licensed in the classification for which the certificate is requested pursuant to the provisions of [chapter 624](#) of NRS on the date that he submits the application and who has been licensed as a contractor in the classification for which the certificate is requested for the 5 years immediately preceding the date on which he submits the application.]

*2. (a) For each certificate of eligibility as a general contractor, the applicant must be a contractor who has been licensed as a general contractor for five (5) years immediately preceding the date on which he submits the application.*

*(b) For each certificate of eligibility as a specialty contractor, the applicant must be a contractor who has been licensed as a specialty contractor for five (5) years immediately preceding the date on which he submits the application.*

3. If an applicant has more than one classification of a license as a contractor, he must submit a separate application for each classification of a license for which a certificate of eligibility is requested and must satisfy all applicable requirements pursuant to [NRS 338.1389](#) or [338.147](#).

(Added to NAC by Contractors' Bd. by R208-99, eff. 5-24-2000; A by R081-00, 5-24-2000; R013-02, 7-2-2002)

**NAC 624.6873 Application; review of banking records.** ([NRS 338.1389](#), [338.147](#), [624.100](#))

1. An application for a certificate of eligibility must include, without limitation:

- (a) The name of the applicant;
- (b) The license number of the applicant;
- (c) The date of issuance of the license of the applicant;
- (d) The mailing and physical address of the applicant;
- (e) The telephone number of the applicant;
- (f) The name and address of the designated agent for service of process;
- (g) The name of any officer of the applicant and any identifying information;
- (h) The signature of the applicant; and
- (i) Any other information that the Board may require.

2. For each classification of a license for which a certificate of eligibility is requested, a certified public accountant shall review and examine any necessary banking records in accordance with generally accepted auditing standards, including, without limitation, bank statements, cancelled checks, electronic transfers, cash disbursement records and any other records that the Board deems appropriate, to substantiate an affidavit for a certificate of eligibility.

(Added to NAC by Contractors' Bd. by R208-99, eff. 5-24-2000; A by R081-00, 5-24-2000)

**NAC 624.6876 Issuance or denial.** ([NRS 338.1389](#), [338.147](#), [624.100](#))

The Board or its designee will issue or deny a certificate of eligibility within a reasonable time after the date on which the Board receives the application, all required documentation that supports the application and the fee set forth in [NAC 624.130](#).

(Added to NAC by Contractors' Bd. by R208-99, eff. 5-24-2000)

**NAC 624.6879 Contents of certificate.** ([NRS 338.1389](#), [338.147](#), [624.100](#)) The certificate of eligibility must include, without limitation:

1. The date of issuance;
2. The date of expiration;
3. The classification of the license; and
4. Such other information that the Board deems appropriate.

(Added to NAC by Contractors' Bd. by R208-99, eff. 5-24-2000; A by R081-00, 5-24-2000)

**NAC 624.6883 Issuance of duplicate certificate.** ([NRS 338.1389](#), [338.147](#), [624.100](#)) The Board will issue a duplicate certificate of eligibility to any contractor who has received a certificate of eligibility and who certifies that his certificate of eligibility has been lost or destroyed.

(Added to NAC by Contractors' Bd. by R208-99, eff. 5-24-2000; A by R013-02, 7-2-2002)

**NAC 624.6886 Affidavit for renewal.** ([NRS 338.1389](#), [338.147](#), [624.100](#)) An affidavit for renewal of a certificate of eligibility must be on a form provided by the Board and must be notarized.

(Added to NAC by Contractors' Bd. by R208-99, eff. 5-24-2000)

**NAC 624.6889 Issuance of certificate prohibited if license not active; revocation; reapplication.** ([NRS 338.1389](#), [338.147](#), [624.100](#)) The Board will not issue a certificate of eligibility to a contractor whose license is not on active status. If the contractor whose license is not on active status has received a certificate of eligibility, the Board will revoke the certificate of eligibility. Such a contractor must reapply for a certificate of eligibility pursuant to subsection 3 or 4 of [NRS 338.1389](#) or subsection 3 or 4 of [NRS 338.147](#) and [NAC 624.685](#) to [624.6899](#), inclusive.

(Added to NAC by Contractors' Bd. by R208-99, eff. 5-24-2000; A by R013-02, 7-2-2002)

**NAC 624.6893 Disciplinary action.** ([NRS 338.1389](#), [338.147](#), [624.100](#))

1. If a contractor who applies to the Board for a certificate of eligibility submits false or misleading information, submits an application which is incomplete or does not comply with this chapter or [chapter 338](#) or [624](#) of NRS, the Board may:

- (a) Deny the application;
- (b) If the contractor has received a certificate of eligibility, revoke the certificate of eligibility; or
- (c) Take such actions that the Board deems appropriate under the circumstances.

2. In carrying out the provisions of this section, the Board may rely on information contained in the records maintained by the Board and need not conduct any investigation, inquiry or hearing regarding the information contained in those records.

(Added to NAC by Contractors' Bd. by R208-99, eff. 5-24-2000; A by R013-02, 7-2-2002)

**NAC 624.6896 Written objection filed with public body.** ([NRS 338.1389](#), [338.147](#), [624.100](#)) If a written objection is filed with a public body pursuant to subsection 13 of [NRS 338.1389](#) or subsection 13 of [NRS 338.147](#), the Board will, upon request by the public body, provide to the public body a copy of the application of the contractor against whom the complaint was made and any documentation submitted with the application.

(Added to NAC by Contractors' Bd. by R208-99, eff. 5-24-2000; A by R013-02, 7-2-2002)

**NAC 624.6899 Notification to Board of determination by public body; revocation of certificate.** ([NRS 338.1389](#), [338.147](#), [624.100](#))

1. If a public body determines that a written objection is accompanied by the required proof or substantiating evidence pursuant to subsection 14 of [NRS 338.1389](#) or subsection 14 of [NRS 338.147](#), the public body shall

notify the Board in writing of the determination of the public body within 30 days after the date of its determination.

2. Upon receipt of the written documentation from the public body, the Board or its designee will immediately revoke the certificate of eligibility for the contractor. No formal disciplinary hearing is required before revocation of the certificate of eligibility based upon the receipt of the documentation from the public body which received the bid or proposal on a contract for the completion of a public work.

(Added to NAC by Contractors' Bd. by R208-99, eff. 5-24-2000; A by R013-02, 7-2-2002)