



Memorandum

Date: July 25, 2013
To: SOUTHERN NEVADA DISTRICT BOARD OF HEALTH
From: Elaine Glaser, *Director of Administration*
John Middaugh, *Interim Chief Health Officer*

RE: Delegation of Signing Responsibility

The attached petition is presented to update the continuing delegation of signing responsibility, by the Board of Health, for contracts which are not, by statute, required to be signed by the governing body. This delegation update is necessary due to the employment of Elaine Glaser as the Director of Administration for the Southern Nevada Health District, effective February 11, 2013.

EG/jrw

TO: SOUTHERN NEVADA DISTRICT BOARD OF HEALTH **DATE: July 25, 2013**

RE: *Approval of Confirming Director of Administration and Chief Health Officer Responsible for Development, Award and Proper Administration of All Purchases and Contracts*

PETITION #22-13

That the Southern Nevada District Board of Health *approve Confirming Director of Administration and Chief Health Officer Responsible for Development, Award and Proper Administration of All Purchases and Contracts.*

PETITIONERS:

Elaine Glaser, Director of Administration
John Middaugh, MD, MPH, Chief Health Officer

DISCUSSION:

Contracts which bind the Southern Nevada Health District need not be signed or approved by its governing body, the Southern Nevada District Board of Health, unless the law so specifies. One such example is the Interlocal Contract which must be by statute approved by the District's "governing body."

However, as specified in Nevada Revised Statutes (NRS) Chapter 332 entitled Purchasing – Local Governments, it is the governing body "or its authorized representative" who may enter into contracts and otherwise act on behalf of the local government unit for all purchases and contracts. NRS Chapter 332 defines "authorized representative" as meaning "a person designated by the government body to be responsible for the development, award and proper administration of all purchases and contracts for a local government." (emphasis added)

Implied within the Chief Health Officer's and Director of Administration's job requirements may be such contract related responsibilities, however, with the Health District having a new Director of Administration, a specific affirmative vote of the board should be on record designating the Director of

Administration and the Chief Health Officer as the persons specifically “designated by the governing body” to be the persons responsible for the “development, award and proper administration” of all purchases and contracts for the Health District. This will allow either the Director of Administration or the Chief Health Officer to execute all contracts for the Health District except those otherwise required or sought to be approved by the Board of Health, without any potential future issue of authority to enter into contracts without Board approval.

The Board’s affirmative vote also includes ratification of any purchases and contracts made by the Director of Administration and Chief Health Officer since the resignations of former Director of Administration Scott Weiss on March 14, 2012.

FUNDING:

No additional funds are required to accomplish the above request.

NRS 332.039 Advertisements or requests for bid on contract.

1. Except as otherwise provided by specific statute:

(a) A governing body or its authorized representative shall advertise all contracts for which the estimated annual amount required to perform the contract exceeds \$50,000.

(b) A governing body or its authorized representative may enter into a contract of any nature without advertising if the estimated annual amount required to perform the contract is \$50,000 or less.

(c) If the estimated annual amount required to perform the contract is more than \$25,000 but not more than \$50,000, requests for bids must be submitted or caused to be submitted by the governing body or its authorized representative to two or more persons capable of performing the contract, if available. The governing body or its authorized representative shall maintain a record of all requests for bids and all bids received for the contract for at least 7 years after the date of execution of the contract.

2. This section does not prohibit a governing body or its authorized representative from advertising for or requesting bids regardless of the estimated annual amount required to perform the contract.

(Added to NRS by 1993, 2553; A [1999, 1682](#); [2003, 667](#); [2005, 2551](#); [2007, 496](#))