



**INVITATION TO BID  
(ITB)**

**FOR**

**CONSTRUCTION SERVICES  
BEHAVIORAL HEALTH CLINIC REMODEL**

**24ITB005**

OCTOBER 17, 2023

**280 S. DECATUR BLVD.  
LAS VEGAS, NV 89107**

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## **SECTION I - INTRODUCTION**

### **A. Purpose**

The Southern Nevada Health District (Health District) invites bids from experienced and qualified, pursuant to Nevada Revised Statutes (NRS) 338.1379, Nevada-licensed General Contractors (GC) to provide pre-construction services, demolition (including hazardous materials abatement if necessary), and construction to convert a cafeteria totaling approximately 1,955 square feet into a behavioral health clinic at 280 S. Decatur Blvd., Las Vegas, Nevada (Project).

### **B. Entity Information**

The Health District was created in 1962 when the State Legislature combined the health departments of the county and several adjoining cities. The Health District is one of the largest local public health organizations in the United States, serving approximately 2.3 million residents and safeguarding the public health of approximately 40 million visitors to Las Vegas annually.

The mission of the Health District is, “To assess, protect, and promote the health, the environment, and the well-being of Southern Nevada communities, residents, and visitors.”

The Southern Nevada District Board of Health (Board) is the Health District’s governing body vested with jurisdiction over all public health matters within Clark County Nevada.

### **C. Funding**

1. Any contract awarded under this ITB will be funded through a federal grant award from the Department of Health and Human Services, Health Resources and Services Administration; FAIN 6 C8ECS44893-01-08; CFDA 93.526; Project Title, Health Center Infrastructure Support; Grant award date March 22, 2023.
2. Any awarded contract will be subject to the availability of funding and shall be immediately terminated if any funding budgeted for the contract is withdrawn, limited, or impaired.

### **D. Anticipated Contract Type**

The contract type will be a firm-fixed priced contract.

### **E. Anticipated Contract Term**

The contract term will be approximately four (4) months starting in January 2024 and finishing with final acceptance by the Health District by April 30, 2024.

### **F. Ethics in Public Procurement**

It is unlawful for any vendor to offer, or any Health District employee or their immediate family to solicit or accept a gratuity in connection with the solicitation, award, or administration of an ITB.

## **SECTION II - SCOPE OF SERVICES**

### **A. Project Description**

1. The Health District is converting approximately 1,955 square foot of existing cafeteria space into a behavioral health clinic including clinic offices and group rooms in accordance with approved permit drawings from the City of Las Vegas.
2. The Nevada Office of the Labor Commissioner (OLC) Public Works Identifying Number (PWP) for the Project is PWP-CL-2024-080. The PWP Number must be included in bid.
3. The selected GC will work with the Architect and the Health District to provide pre-construction, demolition, and construction services per the scope of services, including initial facility assessment, programming, and conceptual design provided by the Health District's contracted Architectural/Engineering team, IZ design studio (Architect).
4. Work will be performed in phases as follows:
  - a. Demolition Phase
    - i. Demolition and removal of the existing cafeteria area.
    - ii. Proper disposal of debris including hazardous debris if any in compliance with local and environmental regulations.
  - b. Construction Phase
    - i. Build-out of behavioral health clinic per the approved permit drawings.
    - ii. Installation of necessary structural elements, including walls, flooring, ceiling, and fixtures.
    - iii. Installation of electrical, plumbing, and HVAC system per the specifications.
    - iv. Integration of specialized clinic equipment and furnishings.
  - c. Dust and Debris Controls
    - i. Implementation of stringent dust and debris control measures applicable to an operating clinical setting, including but not limited to, dust barriers to minimize the spread of dust and contaminants.
    - ii. Regular cleaning and maintenance of work areas to ensure a safe and sterile environment for staff and clients.
  - d. The GC's Project Manager or Superintendent will meet with the Health District at least weekly or as needed.
5. Compliance and Regulations
  - a. All work must adhere to the approved permit drawings provided with this ITB.
  - b. All work must comply with local building codes, regulations, and safety standards.
  - c. The Project, GC and subcontractors must comply with Occupational Safety and Health Administration (OSHA) requirements, NRS 338 and all applicable federal, state and county statutes, regulations, and codes.

- d. The GC shall ensure that all employees on the Project are paid, at a minimum, the Prevailing Wages for Clark County Nevada established by the Nevada OLC. [Obtain Clark County Prevailing Wages here.](#)
- e. The GC and all subcontractors working on the Project shall comply with the Nevada Apprenticeship Utilization Act.

## **B. Project Schedule**

The Project schedule includes plans for pre-construction, demolition, construction, and clean-up to occur in two phases starting in January 2024 and completing with final acceptance by the Health District as Project Owner by April 30, 2024. The Health District must be able to use the new space by May 1, 2024. These schedule assumptions are subject to change at the Health District's discretion.

## **C. Project Team**

1. The Health District's representative for the Project is Sean Beckham, Chief Facilities Officer.
2. The Architect's designated representative for the Project is I-Fang Broyles.

## **D. General Contractor Selection Method**

Nevada law requires the Health District to follow specific procedures in selecting a GC. The Health District will select the GC pursuant to this ITB in accordance with applicable statutes, regulations, and/or codes.

## SECTION III - TIMETABLE AND PROVISIONS

### A. Timetable

ITB Issuance .....	October 17, 2023
Mandatory Site Visit .....	October 24, 2023
Deadline to Submit Questions .....	October 31, 2023
Deadline to Disseminate Questions and Answers .....	November 7, 2023
Deadline to Submit Bids .....	November 27, 2023
Recommended Award Notification .....	November 30, 2023
Contract Development .....	December 2023
Project Start Date .....	January 2023
Project Completion/Final Acceptance .....	April 30, 2023

### B. Authorized Contact

1. All questions about this ITB from ITB Issuance to Recommended Award Notification shall be directed only to the Authorized Contact, Kevin Bratcher at [procurement@snhd.org](mailto:procurement@snhd.org). No other person, unless expressly authorized by the Authorized Contact, has the authority to respond to questions about this ITB.
2. Communication about this ITB with anyone associated with the Health District other than the Authorized Contact is prohibited. Bids will be rejected for noncompliance with this prohibition.

### C. Mandatory Site Visit

1. A mandatory site visit will occur at **9:00 a.m. PDT on October 24, 2023**, at 280 S. Decatur Blvd., Las Vegas, Nevada 89107.
2. Complete Attachment A - Mandatory Site Visit Form and email it to the Authorized Contact at [procurement@snhd.org](mailto:procurement@snhd.org). Please return form by **2:00 p.m. PDT on October 23, 2023**.
3. While Project representatives may answer questions during the site visit, questions must be submitted in writing as specified in Section III.D to be binding.

### D. Questions

1. Written questions about this ITB must be submitted via email to [procurement@snhd.org](mailto:procurement@snhd.org) by **2:00 p.m. PDT on October 31, 2023**. Indicate “24ITB005” in the subject line.
2. Submitted questions and answers will be posted to [the Health District’s Public Notices website](#) by 5:00 p.m. PST on November 7, 2023.

### E. Deadline to Submit Bids and Late Bids

Bids must be received by **2:00 p.m. PST on November 27, 2023**.

### F. Late Bids

Bids received after 2:00 p.m. PST on November 27, 2023 will be rejected as late.

## **G. Bid Submission**

1. Email one (1) PDF file to [procurement@snhd.org](mailto:procurement@snhd.org). Indicate “24ITB005 Behavioral Health Clinic Remodel” in the subject line.
2. Mailed, hand-carried or faxed bids, or hyperlinks to bids will not be accepted.

## **H. Public Opening of Bids and Posting of Receipt of Bids**

1. Bids will be publicly opened at 2:00 p.m. PST on November 27, 2023 at 280 S. Decatur Blvd., Las Vegas, NV 89107.
2. Bid amounts and information shall be subject to verification and determination of the lowest responsible bidder and/or best bid/bidder as outlined in Section V.
3. The Receipt of Bids indicating Bidders’ names and bid amounts will be posted to [the Health District’s Public Notices website](#) by 5:00 p.m. PST on November 27, 2023.

## SECTION IV - INSTRUCTIONS TO BIDDERS

### A. Preparation and Submission

Answer all questions and provide all documentation organized as follows:

#### 1. Cover Letter

Submit a cover letter on Bidder's (Company's) letterhead signed by Bidder's legally authorized representative (principal in charge), including Bidder's name, address, phone number, email address, website URL; the ITB number, name, and issue date; and a brief statement of interest.

#### 2. General Requirements (Tab 1)

- a. Complete and submit Attachment B - Bid Form.
- b. Submit a copy of Bidder's Nevada business license.
- c. Submit a copy of Bidder's Nevada contractor license.
- d. Answer, and explain the circumstances as applicable, the following:
  - 1) Has Bidder ever been terminated from a project before it was completed?
  - 2) Has Bidder (including officers or principal of Bidder, of Bidder's company, or of another business entity) ever failed to complete a project/contract?
  - 3) Has Bidder ever been disciplined or fined by the Nevada State Contractors' Board or another government agency due to inability to perform work like this ITB?
  - 4) Has Bidder or intended subcontractors ever been excluded, debarred, or disqualified from doing business with a government agency? (Note: GC is required to check the status of intended subcontractors.)
  - 5) Has Bidder ever been disqualified from being awarded a contract pursuant to NRS 338.017, 338.13895, 338.1475 or 408.333?

#### 3. Company Description and Qualifications (Tab 2)

##### a. Description of Company (Bidder)

- 1) Provide company name and the number of years Bidder has operated under that name and provide any other names and the number of years Bidder operated under those names.
- 2) Provide location of Bidder's principal and branch offices.
- 3) Provide ownership type including date of formation/organization and names of all principals, members, partners, officers and/or owners.
- 4) Provide length of time in business as a GC.
- 5) List all jurisdictions and trade categories in which Bidder is legally qualified to do business and indicate registration or license numbers.
- 6) List all work Bidder is licensed to self-perform.

##### b. Insurance

- 1) Provide name of Bidder's insurance carrier(s).
- 2) Provide name and address of Bidder's insurance agent(s) and a Certificate of Insurance for each policy or evidence of contractual insurance agreements.
- 3) Provide total amount of Bidder's excess liability insurance coverage.
- 4) Provide Bidder's general liability insurance rate.



c. Safety

- 1) Describe in detail Bidder's safety program.
- 2) Provide Bidder's safety officer's name, address, phone number, email address and resume.
- 3) Provide any violations of OSHA regulations Bidder has been found guilty of by OSHA within the last five (5) years.
- 4) Provide a summary of Bidder's safety violations within the last five (5) years.

d. Bonding Information

- 1) Provide name and address of Bidder's bonding company.
- 2) Provide name and address of Bidder's bonding agent.
- 3) Provide Bidder's maximum bond amount currently available.
- 4) Provide evidence from Bidder's bonding company of Bidder's current project-specific bonding capacity.
- 5) Provide Bidder's bond rate.

e. Bonding Requirements

- 1) The Bidder shall submit with bid a bid guarantee equivalent to five percent (5%) of the bid amount. The bid guarantee must consist of a firm commitment such as a bid bond or certified check accompanying the bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
- 2) The successful Bidder/GC shall obtain and deliver, within ten (10) business days of issuance of the Notice of Intent to Award, **performance**, and **payment** bonds equivalent to the bid amount, executed by a surety company authorized to do business in Nevada. The bonds shall stay in full force and effect until the Health District has accepted all projects initiated under the resulting contract. Should any surety become insolvent or cease to do business in Nevada, the successful Bidder/GC shall immediately provide a new surety satisfactory to the Health District. No payment will be made under the contract until the new surety is qualified and the bond(s) is(are) accepted by the Health District.
- 3) In accordance with 31 U.S.C. §§ 9304-9308, the following statement must be included on all bond forms:

*"IMPORTANT - Surety companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in Nevada."*

**4. Project Experience and References (Tab 3)**

- a. Describe Bidder's experience with projects of similar size and Bidder's experience with such projects in Nevada and/or for other government agencies.
- b. List the categories of work Bidder normally performs with its own forces.
- c. Provide a minimum of three (3) verifiable references for similar projects performed in the last five (5) years. Bidder authorizes the Health District to contact all references.
- d. Describe key personnel's experience with similar projects. State each employee's role with listed projects.

**5. Price (Tab 4)**

Complete and submit Attachment C - Price Form.

## 6. Subcontractor Lists (Tab 5)

Submit the name of each Subcontractor which will be paid an amount exceeding one percent (1%) and five percent (5%) of the total base Bid amount. Bidder must verify prior to submitting its Bid that all subcontractors listed are properly licensed. Bidders may use the Nevada OLC's Subcontractor List for Public Works Projects form as a template.

## B. Bidder Representations

Bidders are expected to examine all ITB documents including addenda. By submitting a Bid, Bidder represents and/or certifies that Bidder:

1. Has read and understands this ITB including all addenda.
2. Has independently derived without collusion its bid in accordance with this ITB.
3. Has not communicated about this ITB with anyone associated with the Health District other than the Authorized Contact.
4. Is qualified to bid on public works projects pursuant to NRS 338.1379.
5. Is registered in the System for Award Management (SAM). If the prime GC is not currently registered in SAM, the GC is required to do so, as the GC's status will be checked in SAM using the GC's Unique Entity Identifier (UEI) provided by SAM.
6. Has visited the Project site and is aware of the conditions under which the work will be performed.
7. Shall comply with Nevada OLC requirements regarding Prevailing Wages and the Apprenticeship Utilization Act.
8. Shall comply with all applicable provisions of NRS Chapter 338 and Nevada Administrative Code 338, incorporated herein by this reference whether explicitly stated.
9. Shall comply with the Federal Civil Rights Act of 1964, the Equal Employment Opportunity Act, and regulations issued pursuant to those acts.
  - a. Nondiscrimination in Employment. Bidders on this work will be required to comply with the President's Executive Order Number 11246. Requirements for bidders and contractors under this order are explained in [Executive Order 11246, As Amended](#).
10. Has read and shall comply with [the Health District's Code of Conduct](#).
11. Shall submit certified payroll to [procurement@snhd.org](mailto:procurement@snhd.org) for the duration of the Project.

## C. General Conditions

1. Interpretation or Correction of Solicitation Documents
  - a. Bidder shall promptly notify the Authorized Contact in writing of any ambiguity, inconsistency, or error, which it may discover in the solicitation documents and/or to request clarification or interpretation of the solicitation documents by the Deadline to Submit Questions, except if related to addenda issued after this date.
  - b. Changes to this ITB will be only by written addenda issued by the Authorized Contact or designee. Addenda will be posted to [the Health District's Public Notices website](#). Bidder shall be responsible for ensuring that its bid reflects all addenda.

### 2. Responsive Bid

A responsive bid is one that conforms in all material respects to the RFP. The Health District reserves its right to waive any technicality, irregularity, or informality in determining a bid's responsiveness.

3. Responsible Bidder

A responsible bidder is one who submits a responsive bid and has the capability in all respects to perform fully the contract requirements, and the experience, integrity, perseverance, reliability, facilities, and equipment that will assure good faith performance.

4. Rejection and Cancellation

The Health District reserves its right to reject any bid that does not conform to the ITB requirements. The Health District reserves its right to reject any or all bids and to cancel this ITB for any or no reason.

5. Modification or Withdrawal of Bid

Bidder may modify or withdraw its bid by submitting a written request to the Authorized Contact prior to the Deadline to Submit Bids.

6. Bid Costs

The Health District will not reimburse Bidder for any costs incurred to prepare or submit a bid.

7. No Guaranteed Contract

This ITB neither creates an offer to contract nor commits the Health District to award a contract.

8. Limited Contract

The Health District reserves its right to contract for less than all the services specified herein, for example, to exclude less critical portions of the Project.

9. Exclusivity

Nothing in this ITB or any resulting contract precludes the Health District from obtaining services like those specified herein from other sources.

10. Public Records

**Bid must not contain confidential or proprietary information.** The Health District is subject to the Nevada Public Records Act. Pursuant to NRS 239.010, et seq., documents provided to the Health District are considered public records open to inspection and copying by any person. Bid must contain sufficient information to be evaluated without reference to any confidential or proprietary information. Any bid marked “confidential” or “proprietary,” or that contains materials so marked, may be returned to Bidder, and not considered for award. The Health District will produce documents provided by any Bidder, even if marked “confidential” or “proprietary,” pursuant to a public records request, and will not be liable for disclosure of any Bidder’s documents or information.

## **SECTION V - EVALUATION AND AWARD**

Bids submitted by the Deadline to Submit Bids will be reviewed for responsiveness to ITB requirements. Responsive bids will be evaluated as follows.

### **A. Evaluation**

1. Any award shall be made to the lowest responsive and responsible Bidder and/or to the best Bidder possessing the ability to perform successfully after considering such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources, all in the best interests of the Health District and in accordance with the applicable requirements of NRS.
2. The Health District reserves its right to verify bid information. A bid containing false or misleading statements or information may be rejected.

### **B. Clarification, Interviews and Additional Information**

1. The Health District reserves its right as it deems necessary or appropriate to contact Bidders to clarify bids or to obtain additional information, and/or to conduct site visits and/or interviews, and/or to request that Bidders make presentations. Failure to provide requested information may eliminate a Bidder from further consideration.
2. The Health District reserves its right to base its decision solely on the bids received, regardless of any other interactions with Bidders as referenced in paragraph B.1.

### **C. Selection and Recommended Award**

1. If a satisfactory contract with the lowest responsive and responsible Bidder and/or the best Bidder cannot be finalized within a reasonable time, the Health District at its sole discretion will formally terminate discussions with that Bidder and begin discussions with the second lowest responsive and responsible Bidder or may cancel or reissue the ITB.
2. Recommendation of award will be presented to the Board for consent as required.

### **D. Disqualification of Bidders and Rejection of Bids**

Bidders may be disqualified, and bids may be rejected for many reasons, including but not limited to:

1. Bidder is not qualified to bid.
2. Bidder is not responsive or not responsible.
3. Failure to comply with submission instructions.
4. Failure to submit information and/or documents required per this ITB or as requested.
5. Providing incorrect information or misrepresentation in any form.
6. Failure to use or sign any ITB form or altering any ITB form.
7. Failure to acknowledge receipt of addenda (posted to the Health District's Public Notices website).
8. Evidence of collusion among Bidders.
9. Omission of any required bid security in an acceptable form.
10. Demonstrated poor performance or defaulting on a prior contract(s).
11. The quality of services, materials, equipment, or labor offered does not conform to this ITB.
12. Contact or communication about this ITB with anyone other than the Authorized Contact.
13. Public interest would be served by disqualification or rejection.

**ATTACHMENT A**  
**Mandatory Site Visit Form**

The mandatory site visit for 24ITB005 (PWP-CL-2024-080) will occur at 9:00 a.m. PDT on October 24, 2023, at 280 S. Decatur Blvd., Las Vegas, Nevada 89107.

To attend the mandatory site visit, complete and email this Form to [procurement@snhd.org](mailto:procurement@snhd.org) by 2:00 p.m. PDT on October 23, 2023. The Authorized Contact will confirm attendance via the email addresses provided.

Company Name: \_\_\_\_\_

Company Address: \_\_\_\_\_

Company Phone: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Contact Title: \_\_\_\_\_

Contact Phone: \_\_\_\_\_

Contact Email: \_\_\_\_\_

Attendee #1 Name: \_\_\_\_\_

Attendee #1 Title: \_\_\_\_\_

Attendee #1 Phone: \_\_\_\_\_

Attendee #1 Email: \_\_\_\_\_

Attendee #2 Name: \_\_\_\_\_

Attendee #2 Title: \_\_\_\_\_

Attendee #2 Phone: \_\_\_\_\_

Attendee #2 Email: \_\_\_\_\_

## ATTACHMENT B

### Bid Form

Provide the following information. Indicate “None” as applicable.

The undersigned, as an authorized representative of the company named below, acknowledges that they have examined this Invitation to Bid including any related documents, and hereby offers to furnish all labor, materials, tools, supplies, equipment, and services necessary to complete the Project as specified herein (PWP Number PWP-CL-2024-080) at the bid price per Attachment C - Price Form.

Company name:	
Company address:	
Company website:	
Ownership type (i.e., partnership, corporation):	
Company officers' names, titles, and number of years each has worked in the construction industry:	
Number of years in business:	
Number of employees:	
Federal tax ID number:	
Nevada business license number:	
Nevada general contractor license number:	
Sam.gov unique entity identifier (UEI): <sup>1</sup>	
Dun & Bradstreet D-U-N-S number:	
Does the proposal include exceptions to any RFP specifications/requirements?	Yes      No

Signer acknowledges receipt of the following addenda. Indicate “None” if no addenda were issued.

Addendum No. \_\_\_\_\_ Issue Date \_\_\_\_\_

Addendum No. \_\_\_\_\_ Issue Date \_\_\_\_\_

Addendum No. \_\_\_\_\_ Issue Date \_\_\_\_\_

Addendum No. \_\_\_\_\_ Issue Date \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Phone(s): \_\_\_\_\_ Email: \_\_\_\_\_

## ATTACHMENT C

### Price Form

The undersigned, as an authorized representative of the company named below, offers to complete the Project as specified herein (PWP Number PWP-CL-2024-080) for the total firm-fixed-price indicated below, which constitutes a firm offer for 90 calendar days from bid opening. The total firm-fixed-price comprises all costs required to complete and deliver the finished Project, including but not limited to, labor, materials, equipment, subcontractors, insurance, bonds, overhead and associated costs (taxes, freight, travel, etc.).

**Total firm-fixed-price:**    \$\_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Date: \_\_\_\_\_

## **APPENDIX 1**

### **Protest Provisions**

- 8.1 Notice of Protest. Any proposer may protest a recommended contract award. If a notice of protest is received, the contract award will not occur until the protest has been resolved in accordance with the following requirements.
- 8.2 Protest Letter. In accordance with NRS 332.068, a firm (or individual) who submits a bid on a contract that is required to be advertised pursuant to NRS 332.039, may, after the bids have been publicly opened or a Notice of Intent to Award has been issued, file a notice of protest regarding the awarding of the contract. The protest must be submitted in writing within five (5) business days from the date the recommendation (intent) to award a contract was issued.

The following information must be included in the notice of protest for the protest to move forward:

- The protestor (firm or individual) name, address and telephone number
  - The protestor's signature
  - The solicitation number and bid/proposal opening date
  - A statement of the protest's legal and/or factual basis including copies of relevant information
  - The relief requested
- 8.3 Bond/Cashier's Check/Money Order/Certified Check. The protestor will be required, at the time the protest is filed, to post a bond with a good and solvent surety authorized to do business in Nevada, or submit other security, defined as a cashier's check, money order, or certified check to the CFO, who will hold the bond or other security until the protest is resolved. The amount of the bond or other security must be the lesser of 25% of the total value of the proposer's (protestor's) base bid or \$250,000.
- 8.4 Review of Protest. The protest letter and all related documentation will be submitted to Legal by the next business day. The Procurement Specialist and Requester will work with Legal to determine if the protest is valid or not and issue a response to the protestor accordingly.
- 8.5 Invalid Protest. If the protest is determined invalid, Finance will draft a response letter indicating the rationale for the determination and requesting the protestor's written acceptance or rejection of the determination. Legal and the Requester will review and approve the response letter prior to sending it to the protestor. The protestor may accept the determination within three (3) business days or reject the determination and state why their protest is valid within five (5) business days.
- 8.5.1 If the protestor accepts the determination, the Health District may proceed with the original award selection.
- 8.5.2 If the protestor rejects the determination (continues the protest), Finance will request the protest be included on the next Board of Health agenda.
- 8.6 Board of Health (BOH). The protestor and the Health District will each have up to ten (10) minutes to present their case. The BOH will render their decision in writing to Legal within ten (10) calendar days after the hearing.



- 8.6.1 Protest Upheld. If the protest is upheld, the award will be cancelled, and the bond or other security will be returned to the person who posted the bond/cashier's check. Finance will notify all proposers that the solicitation/award was cancelled, and that the requirement will be resolicited or permanently cancelled.
- 8.6.2 Protest Rejected. If the protest is rejected, a claim will be made against the protestor for all costs incurred. Any money remaining will be returned to the person who posted the bond/cashier's check. The original award selection will be finalized.
- 8.7 Final Decision. If an appeal is filed within five (5) business days from the date the protest decision letter is issued, Legal will determine if the appeal is valid and either the DHO or the Clark County court systems will make the final determination.