

# Resolution No. 2005-13 PAHRUMP TOWN BOARD

## RESOLUTION TO REQUIRE BIDDERS' BONDS AND TO EXERCISE DISCRETION IN REQUIRING CONTRACTOR'S BONDS

WHEREAS, the unincorporated Town of Pahrump finds that NRS 332.105 allows the Town to require a bid bond, performance bond, payment bond or any combination thereof with sufficient surety from each bidder or contractor to ensure proper performance of a contract and to save the Town against any claims for loss or expenses as a consequence of awarding the contract.

WHEREAS, the Town Board of Pahrump finds that requiring bid bonds, performance bonds, or any combination thereof is in the best interest of the Town.

NOW THEREFORE, the Town Board of the unincorporated Town of Pahrump does hereby resolve as follows:

1. Unless it is impractical or unfeasible, all bidders in all contracts are required to post a bond to insure proper performance of the contract and to save, indemnify and keep the Town harmless against all loss, damages, claims, liabilities, judgments, costs, and expenses which may accrue against the local government in consequence of awarding the contract.
2. Pursuant to NRS 332.105(1), the Town Manager is the authorized representative for the Town Board who shall determine the amounts of the bond and sufficient surety.
3. Pursuant to NRS 332.105(3), all bidders are required to submit a detailed financial statement on each contract.
4. In all cases where the contract is not required to be bid competitively (i.e. in those cases where the value of the contract is less than \$35,000.00 and those contracts listed in NRS 332.115), the Town Board may determine, on a case by case basis, whether to require the contractor to post a bond and the amount of said bond plus sufficient surety.

Motion proposed by Town Board Member: Paul Willis

Motion seconded by Town Board Member: Ed Bishop

Approved on the 12<sup>th</sup> day of April, 2005.

VOTE: Passed 4-0 AYES: Richard Bellman NAYS:

ATTEST: [Signature]  
Richard Bellman  
Ed Bishop  
Laurayne Murray  
Paul Willis

Town Board Chairperson