

561—8.2 (17A,26,455B,456A,461A,473) Contracts for public improvements.

8.2(1) *Definition.* As used in these rules, “public improvement” means public improvement as defined by Iowa Code section 26.2. Iowa Code section 73.3, relating to reciprocal resident bidder preference, shall apply to department contracts for public improvements.

8.2(2) *Invitation for bids.* When the total cost of a public improvement project exceeds the sum of \$100,000 as estimated by the department, the department shall utilize the competitive bid process identified in Iowa Code chapter 26.

8.2(3) *Solicitation of quotations.* If the estimated total cost of a public improvement is \$100,000 or less, the department must utilize the competitive quotation process identified by Iowa Code section 26.14, as may be amended, unless otherwise provided by this rule. The department must utilize this competitive quotation process for public improvement contracts below the amount designated by Iowa Code section 26.14(2). The department may opt to use the competitive bid process referenced in subrule 8.2(2) instead of the competitive quotation process.

8.2(4) *Exceptions to the requirement for bids or quotations.* The director may authorize the negotiation of a contract for a public improvement project without first soliciting quotations or advertising for bids only as the law allows.

[ARC 7681B, IAB 4/8/09, effective 3/20/09]