

MAR 6 2001

LOCAL GOVERNMENT

HOUSE FILE 511
BY KREIMAN

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the minimum estimated cost of a public
2 improvement for a city or county requiring sealed bids and a
3 public hearing and exempting certain public improvements from
4 contract bidding procedures.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 511

1 Section 1. Section 309.40, Code 2001, is amended to read
2 as follows:

3 309.40 ADVERTISEMENT AND LETTING.

4 All contracts for road or bridge construction work and
5 materials for which the engineer's estimate exceeds fifty one
6 hundred thousand dollars, except surfacing materials obtained
7 from local pits or quarries, shall be advertised and let at a
8 public letting.

9 This section does not apply to road or bridge construction
10 work and materials for a project designated by the board of
11 supervisors to be completed by regularly employed county road
12 personnel using county equipment if the project is within the
13 capability of the county road personnel as determined by the
14 county engineer.

15 Sec. 2. Section 384.96, Code 2001, is amended to read as
16 follows:

17 384.96 SEALED BIDS.

18 When the estimated total cost to a city of a public
19 improvement exceeds the sum of twenty-five one hundred
20 thousand dollars, the governing body shall advertise for
21 sealed bids for the proposed improvement by publishing a
22 notice to bidders as provided in section 362.3, except that
23 the notice to bidders may be published more than twenty days
24 but not more than forty-five days before the date for filing
25 bids.

26 This section does not apply to a public improvement
27 designated by the city council to be completed by regularly
28 employed city public works personnel using city equipment if
29 the public improvement is within the capability of the city
30 public works personnel as determined by the city engineer.

31 Sec. 3. Section 384.102, Code 2001, is amended to read as
32 follows:

33 384.102 WHEN HEARING NECESSARY.

34 When the estimated total cost of a public improvement
35 exceeds the sum of twenty-five one hundred thousand dollars,

1 the governing body shall not enter into a contract for the
2 improvement until it has held a public hearing on the proposed
3 plans, specifications, and form of contract, and estimated
4 cost for the improvement. Notice of the hearing must be
5 published as provided in section 362.3. At the hearing any
6 interested person may appear and file objections to the
7 proposed plans, specifications, contract, or estimated cost of
8 the improvement. After hearing objections, the governing body
9 shall by resolution enter its decision on the plans,
10 specifications, contract, and estimated cost.

11 EXPLANATION

12 This bill increases the minimum estimated cost of a public
13 improvement for cities and counties which requires competitive
14 bidding procedures and a public hearing on the plans and
15 specifications from any amount exceeding \$25,000 to any amount
16 exceeding \$100,000.

17 The bill also authorizes the board of supervisors or the
18 city council to designate public improvements which can be
19 completed by city or county public works personnel using city
20 or county equipment if the city or county engineer determines
21 that a public improvement can be completed by the city or
22 county personnel.

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