

MAR 21 2005  
Place On Calendar

HOUSE FILE 814  
BY COMMITTEE ON GOVERNMENT  
OVERSIGHT

(SUCCESSOR TO HSB 242)

Passed House, Date 3-31-05 Passed Senate, Date \_\_\_\_\_  
Vote: Ayes 99 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved 5/3/05

**A BILL FOR**

1 An Act relating to electronic notices of bidding opportunities  
2 for state purchases.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 814

**HOUSE FILE 814**

**H-1174**

1 Amend House File 814 as follows:  
2 1. Page 1, line 26, by inserting after the words  
3 "this subsection" the following: "if the notice  
4 includes an electronic link for the notice to the  
5 required electronic format established by the  
6 department".

By ALONS of Sioux

H-1174 FILED MARCH 23, 2005

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1 Section 1. Section 8A.311, subsection 1, Code 2005, is  
2 amended to read as follows:

3 1. a. All equipment, supplies, or services procured by  
4 the department shall be purchased by a competitive bidding  
5 procedure as established by rule. However, the director may  
6 exempt by rule purchases of noncompetitive items and purchases  
7 in lots or quantities too small to be effectively purchased by  
8 competitive bidding. Preference shall be given to purchasing  
9 Iowa products and purchases from Iowa-based businesses if the  
10 Iowa-based business bids submitted are comparable in price to  
11 bids submitted by out-of-state businesses and otherwise meet  
12 the required specifications. If the laws of another state  
13 mandate a percentage preference for businesses or products  
14 from that state and the effect of the preference is that bids  
15 of Iowa businesses or products that are otherwise low and  
16 responsive are not selected in the other state, the same  
17 percentage preference shall be applied to Iowa businesses and  
18 products when businesses or products from that other state are  
19 bid to supply Iowa requirements.

20 b. The department and each state agency shall provide  
21 notice in an electronic format available to the public of  
22 every competitive bidding opportunity offered by the  
23 department or the state agency. The department may establish  
24 by rule requirements relating to the electronic notices. A  
25 notice that complies with the requirements of section 73.2,  
26 subsection 2, satisfies the requirements of this subsection.  
27 Any competitive bidding opportunity that is not preceded by a  
28 notice published in compliance with the requirements of this  
29 paragraph is void. A request for proposals for architectural  
30 or engineering services may be posted electronically by a  
31 department or state agency.

32 EXPLANATION

33 This bill requires the department of administrative  
34 services to make all competitive bidding opportunities from  
35 all state executive branch agencies available to the public in

1 an electronic format. Architectural and engineering services  
2 are not subject to the same bidding requirements under section  
3 8A.311 as are other services under that section. The bill  
4 would allow requests for proposals for these architectural and  
5 engineering services to be posted electronically.

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HOUSE FILE 814

H-1234

- 1 Amend House File 814 as follows:  
2 1. Page 1, by striking lines 23 through 29 and  
3 inserting the following: "department or the state  
4 agency as provided in section 73.2, subsection 2. The  
5 department may establish by rule requirements relating  
6 to such notice. A competitive bidding opportunity  
7 that is not preceded by a notice that satisfies the  
8 requirements of this paragraph is void and shall be  
9 rebid. A request for proposals for architectural".

By ALONS of Sioux

H-1234 FILED MARCH 30, 2005

HOUSE FILE 814

H-1224

- 1 Amend House File 814 as follows:  
2 1. Page 1, line 26, by inserting after the words  
3 "this subsection" the following: "if the notice  
4 includes an electronic link to the electronic format  
5 established by the department".  
6 2. Page 1, line 29, by inserting after the word  
7 "void" the following: "and shall be rebid".

By ALONS of Sioux

H-1224 FILED MARCH 30, 2005

HOUSE FILE 814  
BY COMMITTEE ON GOVERNMENT  
OVERSIGHT

(SUCCESSOR TO HSB 242)

(As Amended and Passed by the House March 31, 2005)

Passed House, Date \_\_\_\_\_ Passed Senate, Date 4-20-05  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes 49 Nays 0  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to electronic notices of bidding opportunities  
2 for state purchases.

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

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House Amendments \_\_\_\_\_

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1 Section 1. Section 8A.311, subsection 1, Code 2005, is  
2 amended to read as follows:

3 1. a. All equipment, supplies, or services procured by  
4 the department shall be purchased by a competitive bidding  
5 procedure as established by rule. However, the director may  
6 exempt by rule purchases of noncompetitive items and purchases  
7 in lots or quantities too small to be effectively purchased by  
8 competitive bidding. Preference shall be given to purchasing  
9 Iowa products and purchases from Iowa-based businesses if the  
10 Iowa-based business bids submitted are comparable in price to  
11 bids submitted by out-of-state businesses and otherwise meet  
12 the required specifications. If the laws of another state  
13 mandate a percentage preference for businesses or products  
14 from that state and the effect of the preference is that bids  
15 of Iowa businesses or products that are otherwise low and  
16 responsive are not selected in the other state, the same  
17 percentage preference shall be applied to Iowa businesses and  
18 products when businesses or products from that other state are  
19 bid to supply Iowa requirements.

20 b. The department and each state agency shall provide  
21 notice in an electronic format available to the public of  
22 every competitive bidding opportunity offered by the  
23 department or the state agency as provided in section 73.2,  
24 subsection 2. The department may establish by rule  
25 requirements relating to such notice. A competitive bidding  
26 opportunity that is not preceded by a notice that satisfies  
27 the requirements of this paragraph is void and shall be rebid.  
28 A request for proposals for architectural or engineering  
29 services may be posted electronically by a department or state  
30 agency.

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HSB 242

OVERSIGHT

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
GOVERNMENT OVERSIGHT BILL  
BY CHAIRPERSON ALONS)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to electronic notices of bidding opportunities  
2 for state purchases and of any extension or renewal of  
3 existing contracts.

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

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1 Section 1. Section 8A.311, subsection 1, Code 2005, is  
2 amended to read as follows:

3 1. a. All equipment, supplies, or services procured by  
4 the department shall be purchased by a competitive bidding  
5 procedure as established by rule. However, the director may  
6 exempt by rule purchases of noncompetitive items and purchases  
7 in lots or quantities too small to be effectively purchased by  
8 competitive bidding. Preference shall be given to purchasing  
9 Iowa products and purchases from Iowa-based businesses if the  
10 Iowa-based business bids submitted are comparable in price to  
11 bids submitted by out-of-state businesses and otherwise meet  
12 the required specifications. If the laws of another state  
13 mandate a percentage preference for businesses or products  
14 from that state and the effect of the preference is that bids  
15 of Iowa businesses or products that are otherwise low and  
16 responsive are not selected in the other state, the same  
17 percentage preference shall be applied to Iowa businesses and  
18 products when businesses or products from that other state are  
19 bid to supply Iowa requirements.

20 b. The department and each state agency shall provide  
21 notice in an electronic format available to the public of  
22 every competitive bidding opportunity and notice of every  
23 extension or renewal of an existing contract offered by the  
24 department or the state agency. The department may establish  
25 by rule requirements relating to the electronic notices. The  
26 electronic notice requirement does not apply to architectural  
27 and engineering services procured under subsection 3,  
28 paragraph "b".

29 EXPLANATION

30 This bill requires the department of administrative  
31 services to make all competitive bidding opportunities and  
32 notices of extensions or renewals of existing contracts, from  
33 all state executive branch agencies, available to the public  
34 in an electronic format. The notice requirement does not  
35 apply to architectural and engineering services procured using

1 the procedures set out in Code section 8A.311, subsection 3,  
2 paragraph "b".

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HOUSE FILE 814

AN ACT

RELATING TO ELECTRONIC NOTICES OF BIDDING OPPORTUNITIES FOR  
STATE PURCHASES.

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

Section 1. Section 8A.311, subsection 1, Code 2005, is amended to read as follows:

1. a. All equipment, supplies, or services procured by the department shall be purchased by a competitive bidding procedure as established by rule. However, the director may exempt by rule purchases of noncompetitive items and purchases in lots or quantities too small to be effectively purchased by competitive bidding. Preference shall be given to purchasing Iowa products and purchases from Iowa-based businesses if the Iowa-based business bids submitted are comparable in price to bids submitted by out-of-state businesses and otherwise meet the required specifications. If the laws of another state mandate a percentage preference for businesses or products from that state and the effect of the preference is that bids of Iowa businesses or products that are otherwise low and responsive are not selected in the other state, the same percentage preference shall be applied to Iowa businesses and products when businesses or products from that other state are bid to supply Iowa requirements.

b. The department and each state agency shall provide notice in an electronic format available to the public of every competitive bidding opportunity offered by the department or the state agency as provided in section 73.2, subsection 2. The department may establish by rule requirements relating to such notice. A competitive bidding

opportunity that is not preceded by a notice that satisfies the requirements of this paragraph is void and shall be rebid. A request for proposals for architectural or engineering services may be posted electronically by a department or state agency.

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CHRISTOPHER C. RANTS  
Speaker of the House

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JOHN P. KIBBIE  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 814, Eighty-first General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

Approved 5/3, 2005

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THOMAS J. VILSACK  
Governor