

**CHAPTER 1256****DEPARTMENT OF HUMAN SERVICES INSTITUTIONS PROJECTS***S.F. 465*

**AN ACT** relating to construction, repair, and improvement projects at institutions under the control of the department of human services.

*Be It Enacted by the General Assembly of the State of Iowa:*

**Section 1. NEW SECTION. 218.58 CONSTRUCTION, REPAIR, AND IMPROVEMENT PROJECTS—EMERGENCIES—RULES.**

1. The department shall prepare and submit to the state comptroller, as provided in section 8.23, a multiyear construction program including estimates of the expenditure requirements for the construction, repair, or improvement of buildings, grounds, or equipment at the institutions listed in section 218.1.

2. The commissioner shall have plans and specifications prepared for authorized construction, repair, or improvement projects costing over twenty-five thousand dollars. An appropriation for a project shall not be expended until the department has adopted plans and specifications and has completed a detailed estimate of the cost of the project, prepared under the supervision of a registered architect or registered professional engineer. Plans and specifications shall not be adopted and a project shall not proceed if the project would require an expenditure of money in excess of the appropriation.

The commissioner may employ a registered architect or registered professional engineer, and other technical staff necessary to complete authorized projects. The commissioner may secure consultant architectural or engineering services required to complete authorized projects.

3. The commissioner shall let all contracts under chapter 23 for authorized construction, repair, or improvement of departmental buildings, grounds, or equipment. The department may advertise in a newspaper published at the seat of government in lieu of advertising in a newspaper in the county in which a project is located.

4. If the commissioner determines that emergency repairs or improvements estimated to cost more than twenty-five thousand dollars are necessary to assure the continued operation of a departmental institution, the requirements of subsections 2 and 3 for preparation of plans and specifications and competitive procurement procedures are waived. The commissioner's determination of necessity for waiver shall be in writing and shall be entered in the project record for emergency repairs or improvements. Emergency repairs or improvements shall be accomplished using plans and specifications and competitive procurement procedures to the greatest extent possible, considering the necessity for rapid completion of the project. A waiver of the requirements of subsections 2 and 3 does not authorize an expenditure in excess of an amount otherwise authorized for the repair or improvement.

5. A claim for payment relating to a project shall be itemized on a voucher form pursuant to section 8.15, certified by the claimant and the architect or engineer in charge, and audited and approved by the department. Upon approval by the department, the voucher shall be forwarded to the state comptroller, who shall draw a warrant to be paid by the treasurer of state from funds appropriated for the project. A partial payment made before completion of the project does not constitute final acceptance of the work or a waiver of any defect in the work.

6. Subject to the prior approval of the director in control of a departmental institution, minor projects costing five thousand dollars or less may be authorized and completed by the executive head of the institution through the use of day labor. A contract is not required if a minor project is to be completed with the use of inmate labor.

7. The department shall adopt rules pursuant to chapter 17A for construction, repair, and improvement projects, relating to programming and design, the bidding and letting of contracts, procurement and construction management operations, consultant services, and emergency repairs and improvements.

Sec. 2. Sections 218.59, 218.60, 218.62, and 218.63, Code 1983, are repealed. Sections 218.58, 218.61, and 218.64, Code Supplement 1983, are repealed.

Approved May 11, 1984

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## CHAPTER 1257

### MISSOURI RIVER BARGE COMPACT

*S.F. 2273*

**AN ACT** to ratify and enter into an interstate compact between Iowa, Kansas, Missouri, and Nebraska for the development of the Missouri river for barge traffic.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. **NEW SECTION. 307C.1 MISSOURI RIVER BARGE COMPACT.** The Missouri river interstate barge compact is enacted into law and entered into with all other states which legally join in the compact in substantially the following form:

**COMPACT BETWEEN IOWA, KANSAS, MISSOURI AND NEBRASKA  
FOR THE DEVELOPMENT OF THE MISSOURI RIVER FOR BARGE TRAFFIC**

**ARTICLE I**

The purposes of this compact are to provide for planning for the most efficient use of the waters of the Missouri river, to increase the amount of barge traffic on that segment of the Missouri river below Sioux City, Iowa, to take necessary steps to develop the Missouri river and its banks to handle more barge traffic than is presently handled, to encourage barge use on that segment of the Missouri river for transporting bulk goods, especially farm commodities, to insure that the intended increase in barge traffic does not impose unacceptable damage on the Missouri river in all its various uses, including agriculture, wildlife management, and recreational opportunities, to consider the effects of diversion of the waters of the