

**House File 2180 - Introduced**

HOUSE FILE 2180

BY BRINK

**A BILL FOR**

1 An Act relating to preferences for public construction bidding.

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

1 Section 1. Section 26.9, subsection 1, Code 2020, is amended  
2 to read as follows:

3 1. The contract for the public improvement must be awarded  
4 to the lowest responsive, responsible bidder. In determining  
5 the lowest responsive, responsible bidder, the price for a  
6 bid from an out-of-state business shall be increased by ten  
7 percent. However, contracts relating to public utilities or  
8 extensions or improvements thereof, as described in sections  
9 384.80 through 384.94, may be awarded by the city as it deems  
10 to be in the best interests of the city. This section shall  
11 not be construed to prohibit a governmental entity in the award  
12 of a contract for a public improvement or a governing body of  
13 a city utility from providing, in the award of a contract for  
14 a public improvement, an enhancement of payments upon early  
15 completion of the public improvement if the availability of the  
16 enhancement payments is included in the notice to bidders, the  
17 enhancement payments are competitively neutral to potential  
18 bidders, the enhancement payments are considered as a separate  
19 item in the public hearing on the award of contract, and the  
20 total value of the enhancement payments does not exceed ten  
21 percent of the value of the contract.

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with  
24 the explanation's substance by the members of the general assembly.

25 This bill concerns public construction bidding. Code  
26 section 26.9, concerning an award of a contract for a public  
27 improvement, is amended to provide that in determining the  
28 lowest responsive, responsible bidder, the price for a bid from  
29 an out-of-state business shall be increased by 10 percent.