

FILED APR 21 1975

SENATE FILE 475

By COMMITTEE ON NATURAL RESOURCES  
(Committee on Natural Resources)

Passed Senate, Date 4-2-75 (1118) Passed House, Date 5-12-75 (1704)

Vote: Ayes 38 Nays 1 Vote: Ayes 87 Nays 0

Approved 5-30-75

*Passed Senate for House amendment  
4-15-75 (1400)  
35-0*

*Substituted for H.F. 818*

## A BILL FOR

1 An Act relating to the maximum deposit required for bids  
2 to construct levee or drainage district improvements.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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1 Section 1. Section four hundred fifty-five point forty-  
2 two (455.42), Code 1975, is amended to read as follows:

3 455.42 MANNER OF MAKING BIDS--DEPOSIT. Each bid shall  
4 be in writing, specifying the portion of the work upon which  
5 the bid is made, and filed with the auditor, accompanied with  
6 a deposit of cash or a certified check on and certified by  
7 a bank in Iowa, payable to the auditor or his order at his  
8 office in a sum equal to ten percent of the amount of the  
9 bid, but in any event not to exceed ten thousand dollars.  
10 However, if the maximum limit on bid deposits would cause  
11 a denial of funds or services from the federal government  
12 which would otherwise be available, or if the maximum limit  
13 would otherwise be inconsistent with the requirements of  
14 federal law, the maximum limit shall be suspended to the  
15 extent necessary to prevent denial of federal funds or services  
16 or to eliminate the inconsistency with federal requirements.  
17 The checks of unsuccessful bidders shall be returned to them,  
18 but the checks of successful bidders shall be held as a  
19 guarantee that they will enter into contract in accordance  
20 with their bids.

21 EXPLANATION

22 The bill suspends the maximum limit on bid deposits for  
23 construction of levee and drainage district improvements to  
24 the extent necessary to prevent denial of federal funds.  
25 Federal regulations require a minimum deposit of at least  
26 five percent of the total amount of the bid. Under feder-  
27 al regulations, bid deposits in excess of \$10,000 would be  
28 required for several projects currently under consideration  
29 for federal funding.

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S-3586

- 1 Amend Senate File 475 as follows:
- 2 1. Page 1, line 8, by striking the words "equal to  
 3 ten" and inserting in lieu thereof the words "equal to  
 4 ten not in excess of twenty-five". a
- 5 2. Page 1, line 9, by striking the line and inserting  
 6 in lieu thereof the words "bid but-in-any-event-not-to  
 7 exceed-ten-thousand-dollars."
- 8 3. Page 1, line 14, by striking the word "shall" and b  
 9 inserting in lieu thereof the word "may".

S-3586 FILED *a. withdrawn 4/28* BY COMMITTEE ON NATURAL RESOURCES  
 APRIL 22, 1975 *B. adopted 4/28* H.L. HEYING, CHAIRMAN  
*(1118)*

HOUSE AMENDMENT TO SENATE FILE 475

S-3812

- 1 Amend Senate File 475, as passed by the Senate,  
 2 as follows:  
 3 Page 1, by inserting after line 20 the following  
 4 new section:  
 5 "Sec. \_\_\_\_\_. This Act, being deemed of immediate  
 6 importance, shall take effect and be in force from  
 7 and after its publication in The Dysart Reporter,  
 8 a newspaper published in Dysart, Iowa, and in The  
 9 Chariton Leader, a newspaper published in  
 10 Chariton, Iowa."

S-3812 FILED  
 MAY 14, 1975

RECEIVED FROM THE HOUSE  
*Senate concurred 5-15 (1400)*

H-3717

- 1 Amend Senate File 475, as passed by the Senate,  
 2 as follows:  
 3 Page 1, by inserting after line 20 the follow-  
 4 ing new section:  
 5 "Sec. \_\_\_\_\_. This Act, being deemed of immediate  
 6 importance, shall take effect and be in force from  
 7 and after its publication in The Dysart Reporter,  
 8 a newspaper published in Dysart, Iowa, and in The  
 9 Chariton Leader, a newspaper published in Chariton,  
 10 Iowa."

H-3717 FILED - *Adopted 5/12 (1704)*  
 APRIL 30, 1975

BY MIDDLESWART of Warren  
 WYCKOFF of Benton

AN ACT

RELATING TO THE MAXIMUM DEPOSIT REQUIRED FOR BIDS TO  
CONSTRUCT LEVEE OR DRAINAGE DISTRICT IMPROVEMENTS.

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

Section 1. Section four hundred fifty-five point forty-two (455.42), Code 1975, is amended to read as follows:

455.42 MANNER OF MAKING BIDS--DEPOSIT. Each bid shall be in writing, specifying the portion of the work upon which the bid is made, and filed with the auditor, accompanied with a deposit of cash or a certified check on and certified by a bank in Iowa, payable to the auditor or his order at his office in a sum equal to ten percent of the amount of the bid, but in any event not to exceed ten thousand dollars. However, if the maximum limit on bid deposits would cause a denial of funds or services from the federal government which would otherwise be available, or if the maximum limit would otherwise be inconsistent with the requirements of federal law, the maximum limit may be suspended to the extent necessary to prevent denial of federal funds or services or to eliminate the inconsistency with federal requirements. The checks of unsuccessful bidders shall be returned to them, but the checks of successful bidders shall be held as a guarantee that they will enter into contract in accordance with their bids.

Sec. 2. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publi-

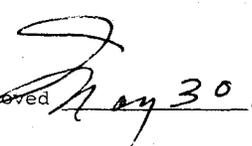
cation in The Dysart Reporter, a newspaper published in Dysart, Iowa, and in The Chariton Leader, a newspaper published in Chariton, Iowa.

\_\_\_\_\_  
ARTHUR A. NEU  
President of the Senate

\_\_\_\_\_  
DALE M. COCHRAN  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 475, Sixty-sixth General Assembly.

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CLARK R. RASMUSSEN  
Secretary of the Senate

Approved  May 30, 1975

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ROBERT D. RAY  
Governor