

MAR 9 1978

HOUSE FILE 2316

Judiciary & Law Enforcement

Sen. Judiciary 5/2 Do Pass 5/10 (p. 1480)

By NORLAND

HOUSE FILE 2316

Judiciary
Scott, Chairperson
Doderer
Holden

Passed House, Date 4-28-78 (p. 2236) Passed Senate, Date 5-11-77 (p. 1161)

Vote: Ayes 82 Nays 0 Vote: Ayes 39 Nays 3

Approved 6-5-78

A BILL FOR

1 An Act to legalize proceedings taken by the city of Kensett
2 relating to the letting of certain contracts.

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Published copy of House File 2316 and verified proof of publication of said bill in the Northwood Anchor, on February 16, 1978, was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House. 3/4 (p. 497)

1 WHEREAS, the city council of the city of Kensett let a
2 contract for the construction of tennis courts situated within
3 the city of Kensett; and

4 WHEREAS, the city council of the city of Kensett complied
5 with all of the provisions of the law, except that the city
6 council failed to give proper notice of the date, place and
7 time of the bid openings by proper publication prior to the
8 date of the acceptance of the same; and

9 WHEREAS, some doubt has arisen as to the validity of the
10 contract executed between the city of Kensett and Benderoff
11 and Associates Inc., as proposed by the city of Kensett by
12 written proposal on May 17, 1977, and said act and contract
13 should be legalized and the matter once and for all be put
14 to rest; NOW THEREFORE,

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
16 Section 1. That all proceedings taken by the city council
17 of the city of Kensett, pertaining to the letting of a contract
18 for the construction of tennis courts where the city council
19 failed to properly publish notice of the time, place and date
20 of the bid opening, are validated, legalized and confirmed
21 and shall constitute a valid, legal and binding contract for
22 the construction of said tennis courts.

23 EXPLANATION

24 The bill legalizes a contract executed between the city of
25 Kensett and a contractor which contract for the construction
26 of tennis courts in the city of Kensett was executed pursuant
27 to a bid but where the city council failed to give proper
28 notice of the date, place, and time of the opening of bids.

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and shall constitute a valid, legal and binding contract for the construction of said tennis courts.

HOUSE FILE 2316

AN ACT

TO LEGALIZE PROCEEDINGS TAKEN BY THE CITY OF KENSSETT RELATING TO THE LETTING OF CERTAIN CONTRACTS.

WHEREAS, the city council of the city of Kenssett let a contract for the construction of tennis courts situated within the city of Kenssett; and

WHEREAS, the city council of the city of Kenssett complied with all of the provisions of the law, except that the city council failed to give proper notice of the date, place and time of the bid openings by proper publication prior to the date of the acceptance of the same; and

WHEREAS, some doubt has arisen as to the validity of the contract executed between the city of Kenssett and Benderoff and Associates Inc., as proposed by the city of Kenssett by written proposal on May 17, 1977, and said act and contract should be legalized and the matter once and for all be put to rest; NOW THEREFORE,

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

Section 1. That all proceedings taken by the city council of the city of Kenssett, pertaining to the letting of a contract for the construction of tennis courts where the city council failed to properly publish notice of the time, place and date of the bid opening, are validated, legalized and confirmed

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2316, Sixty-seventh General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved  , 1978

ROBERT D. RAY
Governor