

FILED FEB 05 1988

SENATE FILE 2128  
BY STURGEON

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

A BILL FOR

1 An Act relating to state purchasing by providing for the  
2 inclusion of a bidder's safety record in defining bidder  
3 competence.

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

SF 2128

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
25

1 Section 1. Section 18.6, subsection 3, Code 1987, is  
2 amended by adding the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. In determining the competence of  
4 a bidder, the director shall consider the safety record of the  
5 bidder, or the person which is represented by the bidder. The  
6 rules shall require review of the federal Occupational Safety  
7 and Health Administration injury and illness incidence rating,  
8 or the workers' compensation experience rating modifications,  
9 or other information regarding the safety record of a bidder.  
10 A bidder, or a person represented by the bidder, that does not  
11 have a safety record which meets the criteria of the rules is  
12 not competent to bid on a state contract. The department and  
13 other state agencies shall notify prospective bidders in the  
14 bid specifications that a bidder's safety record will be  
15 considered to determine the bidder's competence. Bidder  
16 competence, as defined by rules adopted under this paragraph,  
17 shall be used by the institutions under the state board of  
18 regents, the state department of transportation, the  
19 commission for the blind and other state agencies as well as  
20 the department of general services, in developing standards  
21 and specifications for purchasing.

22 EXPLANATION

23 This bill requires rules to include consideration of a  
24 bidder's safety record in defining bidder competence. The  
25 director of the department of general services is required to  
26 adopt rules requiring a review of a bidder's safety record.  
27 The specifications for a state contract must give notice of  
28 the criteria used to determine bidder competence. The  
29 definition of bidder competence must be used by the  
30 institutions under the state board of regents, the state  
31 department of transportation, the commission for the blind,  
32 and other state agencies as well as the department of general  
33 services in developing standards and specifications for  
34 purchasing.

35