

FILED APR 4 1990

SENATE FILE 2431
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 8468SC)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to competitive bids on contracts awarded by the
2 department of natural resources.

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

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S.F. 2431

1 Section 1. Section 455A.5, subsection 6, Code Supplement
2 1989, is amended by adding the following new paragraph:

3 NEW PARAGRAPH. e. Adopt rules, pursuant to chapter 17A,
4 establishing a competitive bidding process which shall be used
5 for entering into all public improvements and professional
6 services contracts in excess of twenty-five thousand dollars
7 awarded by the department for those programs within the
8 jurisdiction of the commission. The competitive bidding
9 requirements under this paragraph do not apply under the
10 following circumstances:

11 (1) When compliance with the competitive bidding process
12 will result in the loss of federal aid.

13 (2) When an emergency situation exists which requires
14 immediate action and delay for competitive bidding may cause
15 serious loss or injury to the state.

16 (3) When competition is precluded because of patent
17 rights, secret processes, or control of basic raw materials.

18 Sec. 2. Section 455A.6, subsection 6, Code Supplement
19 1989, is amended by adding the following new paragraph:

20 NEW PARAGRAPH. e. Adopt rules, pursuant to chapter 17A,
21 establishing a competitive bidding process which shall be used
22 for entering into all public improvements and professional
23 services contracts in excess of twenty-five thousand dollars
24 awarded by the department for those programs within the
25 jurisdiction of the commission. The competitive bidding
26 requirements under this paragraph do not apply under the
27 following circumstances:

28 (1) When compliance with the competitive bidding process
29 will result in the loss of federal aid.

30 (2) When an emergency situation exists which requires
31 immediate action and delay for competitive bidding may cause
32 serious loss or injury to the state.

33 (3) When competition is precluded because of patent
34 rights, secret processes, or control of basic raw materials.

35 EXPLANATION

1 This bill provides that the natural resource commission and
2 the environmental protection commission shall adopt rules
3 establishing competitive bidding processes for the department
4 of natural resources for all public improvement and
5 professional services contracts in excess of \$25,000 which are
6 awarded by the department of natural resources. Exceptions to
7 the competitive bidding process are allowed when complying
8 with the process will result in the loss of federal aid, in
9 emergency situations when delay will cause harm or injury to
10 the state, or when patent rights, secret processes, or control
11 of basic raw materials preclude competitive bidding.

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SENATE FILE 2431

S-5918

- 1 Amend Senate File 2431 as follows:
2 1. Page 1, lines 5 and 6, by striking the words
3 "and professional services".
4 2. Page 1, lines 22 and 23, by striking the words
5 "and professional services".

By RICHARD F. DRAKE
WILLIAM W. DIELEMAN

S-5918 FILED APRIL 5, 1990

SENATE FILE 2431

S-5919

- 1 Amend Senate File 2431 as follows:
2 1. Page 1, by inserting after line 17, the
3 following:
4 "(4) When a state agency will be the contractor.
5 (5) When a situation exists where possession of
6 special knowledge and expertise will result in a more
7 economical and efficient contract for the state."
8 2. Page 1, by inserting after line 34, the
9 following:
10 "(4) When the contract is with another state
11 agency.
12 (5) When a situation exists where possession of
13 special knowledge and expertise will result in a more
14 economical and efficient contract for the state."

By JIM RIORDAN

S-5919 FILED APRIL 5, 1990

SENATE FILE 2431

S-5931

- 1 Amend Senate File 2431 as follows:
2 1. Page 1, by inserting after line 17, the
3 following:
4 "(4) When in the judgment of the department, it is
5 more advantageous and appropriate to request proposals
6 for professional services and to select from those
7 submitting proposals those most qualified and to
8 negotiate a contract with one of those selected."
9 2. Page 1, by inserting after line 34, the
10 following:
11 "(4) When in the judgment of the department, it is
12 more advantageous and appropriate to request proposals
13 for professional services and to select from those
14 submitting proposals those most qualified and to
15 negotiate a contract with one of those selected."

By RICHARD DRAKE
JIM RIORDAN
WILLIAM DIELEMAN

S-5931 FILED APRIL 5, 1990