

SENATE FILE 217
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SSB 190)

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

A BILL FOR

1 An Act relating to the award of a contract by a city.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF217

1 Section 1. Section 384.99, Code 1993, is amended to read
2 as follows:

3 384.99 AWARD OF CONTRACT.

4 The contract for the public improvement must be awarded to
5 the lowest responsible bidder, ~~provided, however, that~~
6 ~~contracts relating to public utilities or extensions or~~
7 ~~improvements thereof, as described in division V of this~~
8 ~~chapter, may be awarded by the governing body as it deems to~~
9 ~~be in the best interests of the city.~~

10 EXPLANATION

11 This bill provides that contracts for public improvements
12 are to be awarded to the lowest responsible bidder. The bill
13 strikes an exception which allows contracts relating to public
14 utilities to be awarded by the governing body as it deems in
15 the best interests of the city.

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SENATE FILE 217

S-3410

1 Amend Senate File 217 as follows:
2 1. Page 1, by inserting before line 1 the follow-
3 ing:
4 "Section 1. Section 384.97, Code 1993, is amended
5 by adding the following new subsection:
6 NEW SUBSECTION. 4A. The terms of a local
7 preference ordinance which the city intends to rely on
8 in awarding the contract."
9 2. Page 1, by inserting after line 9 the
10 following:
11 "If the city intends to include a preference for
12 local bidders in its determination of the best
13 interests of the city, the governing body shall do all
14 of the following:
15 1. Enact an ordinance or resolution setting forth
16 the local preference and establishing its terms.
17 2. Include within the notice to bidders an
18 explanation of the local preference ordinance and its
19 terms.
20 3. Make specific findings of fact in support of an
21 award based upon local preference including, but not
22 limited to, demonstrated long-term economic benefit or
23 comparable cost benefit calculations."

By JOHN P. KIBBIE

S-3410 FILED APRIL 6, 1993

SENATE FILE 217

S-3413

1 Amend Senate File 217 as follows:
2 1. Page 1, by inserting before line 1 the follow-
3 ing:
4 "Section 1. Section 384.97, Code 1993, is amended
5 by adding the following new subsection:
6 NEW SUBSECTION. 4A. The terms of a local
7 preference ordinance which the city intends to rely on
8 in awarding the contract."
9 2. Page 1, by striking lines 5 through 9 and in-
10 serting the following: "the lowest responsible
11 bidder, provided, however, that contracts relating to
12 public utilities or extensions or improvements
13 thereof, as described in division V of this chapter,
14 may be awarded by the governing body as it deems to be
15 in the best interests of the city. If the city
16 intends to include a preference for local bidders in
17 its determination of the best interests of the city,
18 the governing body shall do all of the following:
19 1. Enact an ordinance or resolution setting forth
20 the local preference and establishing its terms.
21 2. Include within the notice to bidders an
22 explanation of the local preference ordinance and its
23 terms.
24 3. Make specific findings of fact in support of an
25 award based upon local preference including, but not
26 limited to, demonstrated long-term economic benefit or
27 comparable cost benefit calculations."

By JOHN P. KIBBIE
RICHARD F. DRAKE
WILMER RENSINK

S-3413 FILED APRIL 6, 1993

MADDOX, CH.
SORENSEN
VILSACK

SSB 190

LOCAL GOVERNMENT
NOW

SENATE FILE 217

BY (PROPOSED COMMITTEE ON LOCAL
GOVERNMENT BILL BY CHAIRPERSON
SORENSEN)

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

A BILL FOR

1 An Act relating to the award of a contract by a city.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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7 ~~improvements thereof, as described in division V of this~~
8 ~~chapter, may be awarded by the governing body as it deems to~~
9 ~~be in the best interests of the city.~~

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EXPLANATION

11 This bill provides that contracts for public improvements
12 are to be awarded to the lowest responsible bidder. The bill
13 strikes an exception which allows contracts relating to public
14 utilities to be awarded by the governing body as it deems in
15 the best interests of the city. The bill may impose a state
16 mandate as provided in chapter 25B.

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