

**House File 167 - Introduced**

HOUSE FILE 167

BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HSB 70)

(COMPANION TO SF 122)

**A BILL FOR**

1 An Act concerning access to documents during the competitive  
2 bidding process for public improvement contracts.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 26.3, subsection 2, Code 2015, is amended  
2 to read as follows:

3 2. A governmental entity shall have an engineer licensed  
4 under chapter 542B, a landscape architect licensed under  
5 chapter 544B, or an architect registered under chapter 544A  
6 prepare plans and specifications, and calculate the estimated  
7 total cost of a proposed public improvement. A governmental  
8 entity shall ensure that a sufficient number of paper copies,  
9 and if available, electronic and digital copies of the  
10 project's contract documents, including all drawings, plans,  
11 specifications, and estimated total costs of the proposed  
12 public improvement are made available for distribution at  
13 no charge to prospective bidders, subcontractor bidders,  
14 suppliers, and ~~contractor~~ plan room services. If a deposit is  
15 required as part of a paper contract documents distribution  
16 policy by the public owner, the deposit shall not exceed two  
17 hundred fifty dollars per set which shall be refunded upon  
18 return of the contract documents within fourteen days after  
19 award of the project. If the contract documents are not  
20 returned in a timely manner and in a reusable condition, the  
21 deposit shall be forfeited. The governmental entity shall  
22 reimburse the landscape architect, architect, or professional  
23 engineer for the actual costs of preparation and distribution  
24 of plans and specifications.

25

EXPLANATION

26 The inclusion of this explanation does not constitute agreement with  
27 the explanation's substance by the members of the general assembly.

28 This bill prohibits governmental entities from charging  
29 a fee for electronic and digital copies of project contract  
30 documents relating to public improvements when providing those  
31 documents electronically.