

661—301.28(470) Life cycle cost analysis.

301.28(1) *Submission.* Any public agency as defined by Iowa Code section 470.1 will prepare a life cycle cost analysis in compliance with Iowa Code chapter 470 and submit the analysis to the commissioner before construction commences.

301.28(2) *Notification by state agency.* Any public agency that is a state agency as defined in Iowa Code section 7D.34 will, within 60 days of final selection of a design architect or engineer, notify the commissioner and the Iowa energy office in the economic development authority of the methodology to be used to perform the life cycle cost analysis. Notice will be given on the forms provided by the Iowa office of energy for this purpose. A life cycle cost analysis prepared by a state agency will be submitted in sufficient time ahead of the release of plans for bids to allow for revisions or additions that may be made to the plans. Public funds will not be used for the construction or renovation of a facility unless the design for the work is prepared in accordance with Iowa Code chapter 470 and the actual construction or renovation is consistent with the design.

301.28(3) *Exemptions from implementation.*

a. A public agency responsible for construction or renovation of a public facility may apply to the commissioner for exemption from any recommendation of the life cycle cost analysis.

b. The public agency will implement all recommendations of the life cycle cost analysis except those that have been approved for exemption by the commissioner and the director of the office of energy independence.

EXCEPTION: The public agency is not required to implement any recommendation that would result in a violation of any other provision of law. If the public agency determines that compliance with any recommendation of the life cycle cost analysis would result in a violation of law, the public agency will so notify the commissioner.

c. The commissioner and the director of the economic development authority will evaluate each request for an exemption on a case-by-case basis, considering the following factors:

- (1) The purpose of the facility or renovation;
- (2) Preservation of historic architectural features;
- (3) Site considerations;
- (4) Health and safety concerns;
- (5) Compliance with any other provisions of law; and
- (6) The technical feasibility of implementing the recommendation. “Technical feasibility” means that a recommendation may be implemented without altering major structural features of an existing facility.

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