

APR 19 1973

Place On Calendar

*to Judiciary 5/2, Room 5/30*

HOUSE FILE 678 (564)

By COMMITTEE ON JUDICIARY AND  
LAW ENFORCEMENT

Passed House, Date 4-30-73 (1073) Passed Senate, Date 6-11-73 (1641)  
Vote: Ayes 86 Nays 1 Vote: Ayes 34 Nays 0  
Approved 6-19-73

## A BILL FOR

1 An Act to legalize and validate the proceedings of the City  
2 Council of the City of Sac City, Sac County, State of  
3 Iowa, in connection with the award of a contract and the  
4 levying of special assessments for the construction of  
5 Sanitary Sewer Program No. 1, 1972.

6 WHEREAS, it appears from the records of the City Council  
7 of the City of Sac City, Sac County, State of Iowa, that at  
8 a meeting held on the 7th day of August, 1972, said City  
9 Council received bids for the construction of Sanitary Sewer  
10 Program No. 1, 1972, and upon engineering evaluation of the  
11 bids received, said City Council awarded the contract to the  
12 Lundell Construction Co., Inc., of Cherokee, Iowa, in the  
13 amount of \$60,922.66 by resolution adopted on the 10th day  
14 of August, 1972; and

15 WHEREAS, it appears from the record, publication of the  
16 notice of public hearing and letting was made as required  
17 by Section Three Ninety-one A point Sixteen (391A.16) of the  
18 Code, in THE SAC SUN, except that said newspaper omitted the  
19 second publication; and

20 WHEREAS, it further appears that notice of the plans and  
21 specifications were directed to all firms reasonably expected  
22 to bid; and

23 WHEREAS, it appears that a competitive letting was held  
24 as contemplated by law and a responsible bid was received  
25 so that it is deemed advisable that all doubts with respect

1 to the validity thereof should be put to rest; NOW, THEREFORE  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

3 Section 1. That the proceedings heretofore taken by the  
4 City Council of the City of Sac City, Iowa, preliminarily  
5 to and in connection with the aforesaid contract awarded to  
6 Lundell Construction Co., Inc., by resolution adopted on the  
7 10th day of August, 1972, are hereby legalized, validated  
8 and confirmed and the aforesaid contract shall constitute  
9 a valid and binding obligation of the City according to its  
10 terms, and all proceedings heretofore taken by the City Council  
11 of the City of Sac City preliminarily to and in connection  
12 with the levying of assessments by resolution adopted on the  
13 24th day of January, 1973, for Sanitary Sewer Program No.  
14 1, 1972, and such assessments, are hereby legalized, validated  
15 and confirmed.

16 Sec. 2. This Act, being deemed of immediate importance,  
17 shall take effect and be in force from and after its publica-  
18 tion in The Sac Sun, a newspaper published in Sac City, Iowa,  
19 and in The Odebolt Chronicle, a newspaper published in Odebolt,  
20 Iowa, without expense to the State.

21 EXPLANATION

22 This Act is necessary to put to rest doubts which have  
23 been raised concerning the validity of the contract between  
24 the City of Sac City and Lundell Construction Co., Inc., and  
25 the special assessments levied for Sanitary Sewer Program  
26 No. 1, 1972, raised because the newspaper failed to publish  
27 the notice of hearing and letting for a second week as required  
28 by Section 391A.16, Code of Iowa, 1973. A public competitive  
29 bidding was held and contract awarded. No appeals have been  
30 taken from the letting procedure or from the assessments.

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