

Senate File 100  
County Government  
Jordan, Chairman  
Bortell  
Baker

*House County Govt, Passed 3652 4/24*

FILED FEB 3 1975

SENATE FILE 100

By COMMITTEE ON COUNTY GOVERNMENT  
(Committee on County Government)

Passed Senate, Date 2-11-75 (p. 280) Passed House, Date 6-18-75 (2670)

Vote: Ayes 48 Nays 1 Vote: Ayes 84 Nays 7

Approved 7-16-75

*Repassed Senate per House amendment  
6-19-75 (2206)*

*43-0*

## A BILL FOR

1 An Act relating to the advertisement, letting, and approval  
2 of secondary road contracts.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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1 Section 1. Section three hundred nine point forty (309.40),  
2 Code 1975, is amended to read as follows:

3 309.40 ADVERTISEMENT AND LETTING. All contracts for road  
4 or bridge construction ~~work~~ or repairs thereon and materials  
5 ~~therefor~~ of for which the engineer's estimate exceeds ~~ten~~  
6 twenty thousand dollars, except surfacing materials obtained  
7 from local pits or quarries, shall be advertised and let at  
8 a public letting.

9 Sec. 2. Section three hundred nine point forty-two  
10 (309.42), Code 1975, is amended to read as follows:

11 309.42 APPROVAL OF ROAD CONTRACTS. Contracts for road  
12 construction ~~work~~ or repairs thereon which, according to the  
13 engineer's estimate, involve a cost of ~~two~~ five thousand  
14 dollars or more per mile, or more than ~~ten~~ twenty thousand  
15 dollars in the aggregate shall be first approved by the  
16 department before the same shall be effective as a contract.

17 Sec. 3. Section three hundred nine point eighty (309.80),  
18 Code 1975, is amended to read as follows:

19 309.80 APPROVAL OF CONTRACT. Any proposed contract which  
20 shall exceed the sum of ~~two~~ ten thousand dollars for any one  
21 bridge or culvert, or repairs thereon, shall be first approved  
22 by the department before the same shall be effective as a  
23 contract.

24 EXPLANATION

25 This bill increases from \$10,000 to \$20,000 the amount  
26 for a proposed road or bridge construction before advertisement  
27 and public letting is required on secondary road projects.

28 Also, the amount of proposed road construction is increased  
29 from \$2,000 to \$5,000 per mile and from \$10,000 to \$20,000  
30 in the aggregate before the contract must be approved by the  
31 State Department of Transportation. The bill also increases  
32 from \$2,000 to \$10,000 the amount for a proposed bridge or  
33 culvert construction or repair before the approval by the  
34 State Department of Transportation is required.

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S-3073

1 Amend Senate File 100 as follows:  
2 1. Page 1, by inserting after line 8 the follow-  
3 ing section:  
4 "Sec. 2. Section three hundred nine point forty-  
5 one (309.41), Code 1975, is amended to read as follows:  
6 309.41 OPTIONAL ADVERTISEMENT AND LETTING.  
7 Contracts not embraced within the provisions of section  
8 309.40 ~~may~~ shall be either advertised and let at a  
9 public letting, or ~~may-be~~ let privately by submitting  
10 the work for bids from at least three contracts and  
11 let at a cost not to exceed the engineer's estimate,  
12 or may be built by day labor."  
13 2. Renumber sections in conformance with this  
14 amendment.

S-3073 FILED - *Withdrawn 2/10 (p. 263)* BY CLIFTON C. LAMBORN  
FEBRUARY 6, 1975

S-3076

1 Amend Senate File 100 as follows:  
2 1. Page 1, by inserting after line 8 the follow-  
3 ing section:  
4 "Sec. 2. Section three hundred nine point forty-  
5 one (309.41), Code 1975, is amended to read as follows:  
6 309.41 OPTIONAL ADVERTISEMENT AND LETTING.  
7 Contracts not embraced within the provisions of section  
8 309.40 ~~may~~ shall be either advertised and let at a  
9 public letting, or ~~may-be~~ let privately By submitting  
10 the work for bids from at least three contractors and  
11 let at a cost not to exceed the engineer's estimate."  
12 2. Renumber sections in conformance with this  
13 amendment.

S-3076 FILED - *Withdrawn 2/11* BY CLIFTON C. LAMBORN  
FEBRUARY 10, 1975

S-3078

1 Amend Senate File 100 as follows:  
2 1. Page 1, by inserting after line 8 the  
3 following section:  
4 "Sec. 2. Section three hundred nine point  
5 forty-one (309.41), Code 1975, is amended to read  
6 as follows:  
7 309.41 OPTIONAL ADVERTISEMENT AND LETTING.  
8 Contracts not embraced within the provisions of  
9 section 309.40 ~~may~~ shall be either advertised and  
10 let at a public letting, or ~~may-be~~ let privately  
11 by submitting the work for bids from at least  
12 three contractors and let at a cost not to exceed  
13 the engineer's estimate, ~~or may be built by day~~  
14 ~~labor.~~"  
15 2. Renumber sections in conformance with this  
16 amendment.

S-3078 FILED - *Withdrawn 2/11* BY CLIFTON C. LAMBORN  
FEBRUARY 10, 1975

S-3081

1 Amend Senate File 100 as follows:

2 1. Page 1, by inserting after line 8 the  
3 following section:

4 "Sec. 2. Section three hundred nine point  
5 forty-one (309.41), Code 1975, is amended by  
6 striking the section and inserting in lieu thereof  
7 the following:

8 309.41 OPTIONAL ADVERTISEMENT AND LETTING.  
9 Contracts not embraced within the provisions of  
10 section 309.40 shall be either advertised and let at  
11 a public letting; or, where the cost does not exceed  
12 the engineer's estimate, let through informal bid  
13 procedure by contacting at least three qualified  
14 bidders prior to letting the contract. The informal  
15 bids received together with a statement setting forth  
16 the reasons for use of the informal procedure and bid  
17 acceptance shall be entered in the minutes of the  
18 board of supervisors meeting at which such action was  
19 taken.

20 Nothing contained in this section shall be deemed  
21 to prohibit the board of supervisors from purchasing  
22 material and using county equipment and regularly  
23 employed county road personnel on a project within  
24 their capability as determined by the county engineer."

25 2. Renumber sections in conformance with this  
26 amendment.

S-3081 FILED AND ADOPTED  
FEBRUARY 11, 1975

BY EUGENE M. HILL  
CLIFTON C. LAMBORN

H-3221

1 Amend Senate File 100, as passed by the Senate,  
2 as follows:

3 1. Page 1, line 4, by inserting after the  
4 second word "or" the word "construction".

5 2. Page 1, line 33, by inserting after the  
6 word "or" the word "construction".

H-3221 FILED - *Withdrawn 6/18 (2667)*  
MARCH 5, 1975

BY BAKER of Buena Vista

H-3652

- 1 Amend Senate File 100 as passed by the  
2 Senate as follows:  
3 1. Page 1, line 4, by striking the words  
4 "~~work or repairs thereon~~" and inserting in lieu  
5 thereof the word "work".  
6 2. Page 1, line 5, by striking the words  
7 "~~therefor ef for~~" and inserting in lieu thereof  
8 the words "therefor of".  
9 3. Page 1, line 33, by striking the words  
10 "~~work or repairs thereon~~" and inserting in lieu  
11 thereof the word "work".  
12 4. Page 1, line 42, by striking the following  
13 ", or repairs thereon," and inserting in lieu  
14 thereof the words "~~7 or repairs thereof7~~".

H-3652 FILED - *Adopted 6/18 (2670)*  
APRIL 24, 1975

BY COMMITTEE ON COUNTY GOVERNMENT  
HUTCHINS of Guthrie, Chairman

HOUSE AMENDMENT TO SENATE FILE 100

S-4274

- 1 Amend Senate File 100 as passed by the Senate  
2 as follows:  
3 1. Page 1, line 4, by striking the words  
4 "~~work or repairs thereon~~" and inserting in lieu  
5 thereof the word "work".  
6 2. Page 1, line 5, by striking the words  
7 "~~therefor-ef for~~" and inserting in lieu thereof  
8 the words "therefor of".  
9 3. Page 1, line 33, by striking the word "~~work~~  
10 ~~or repairs thereon~~" and inserting in lieu thereof  
11 the word "work".  
12 4. Page 1, line 42, by striking the following  
13 ", or repairs thereon," and inserting in lieu  
thereof the words "~~7 or-repairs-thereof7~~".

S-4274 FILED  
JUNE 19, 1975

RECEIVED FROM THE HOUSE

*Senate concurred 6/19 (2206)*

AN ACT  
RELATING TO THE ADVERTISEMENT, LETTING, AND APPROVAL OF  
SECONDARY ROAD CONTRACTS.

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

Section 1. Section three hundred nine point forty (309.40), Code 1975, is amended to read as follows:

309.40 ADVERTISEMENT AND LETTING. All contracts for road or bridge construction work and materials therefor of which the engineer's estimate exceeds ten twenty thousand dollars, except surfacing materials obtained from local pits or quarries, shall be advertised and let at a public letting.

Sec. 2. Section three hundred nine point forty-one (309.41), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

309.41 OPTIONAL ADVERTISEMENT AND LETTING. Contracts not embraced within the provisions of section 309.40 shall be either advertised and let at a public letting; or, where the cost does not exceed the engineer's estimate, let through informal bid procedure by contacting at least three qualified bidders prior to letting the contract. The informal bids received together with a statement setting forth the reasons for use of the informal procedure and bid acceptance shall be entered in the minutes of the board of supervisors meeting at which such action was taken.

Nothing contained in this section shall be deemed to prohibit the board of supervisors from purchasing material and using county equipment and regularly employed county road personnel on a project within their capability as determined by the county engineer.

Sec. 3. Section three hundred nine point forty-two (309.42), Code 1975, is amended to read as follows:

309.42 APPROVAL OF ROAD CONTRACTS. Contracts for road construction work which, according to the engineer's estimate,

involve a cost of two five thousand dollars or more per mile, or more than ten twenty thousand dollars in the aggregate shall be first approved by the department before the same shall be effective as a contract.

Sec. 4. Section three hundred nine point eighty (309.80), Code 1975, is amended to read as follows:

309.80 APPROVAL OF CONTRACT. Any proposed contract which shall exceed the sum of two ten thousand dollars for any one bridge or culvert, ~~or repairs thereof~~, shall be first approved by the department before the same shall be effective as a contract.

\_\_\_\_\_  
ARTHUR A. NEU  
President of the Senate

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DALE M. COCHRAN  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 100, Sixty-sixth General Assembly.

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CLARK R. RASMUSSEN  
Secretary of the Senate

Approved July 16, 1975

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ROBERT D. RAY  
Governor