

Cited 1/15

Re Passed 2/12 (p 487)

Reprinted 3/14

FILED JAN 14 1980

SENATE FILE 2006

By NYSTROM

~~Failed~~ Senate, Date 2-26-80 (p 575) Passed House, Date \_\_\_\_\_  
 Vote: Ayes 24 Nays 24 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
 Approved April 21, 1980

*Motion to reconsider*  
 Passed Senate 5-12-80 (p 826)  
40-10

### A BILL FOR

1 An Act to increase the estimated cost of a proposed public  
 2 improvement above which a city must advertise and  
 3 receive sealed bids.

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

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

1 Section 1. Section three hundred eighty-four point ninety-  
2 six (384.96), Code 1979, as amended by Acts of the Sixty-  
3 eighth General Assembly, 1979 Session, chapter eighty-five  
4 (85), section five (5), is amended to read as follows:

5 384.96 SEALED BIDS. When the estimated total cost of  
6 a public improvement exceeds the sum of ~~ten~~ twenty-five  
7 thousand dollars, the governing body shall advertise for  
8 sealed bids for the proposed improvement by publishing a  
9 notice to bidders as provided in section 362.3, except that  
10 the notice to bidders may be published more than twenty days  
11 but not more than forty-five days before the date for filing  
12 bids.

13 Sec. 2. This Act is effective January first following  
14 its enactment.

15 EXPLANATION

16 This bill increases from \$10,000 to \$25,000 the minimum  
17 estimated cost of a proposed public improvement above which  
18 a city must advertise and receive sealed bids.

19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

SENATE FILE 2006

S-5209

1 Amend Senate File 2006 as follows:

2 1. Page 1, by striking lines 13 and 14 and  
3 inserting in lieu thereof the following:  
4 "Sec. 2. Section three hundred eighty-four point  
5 one hundred two (384.102), Code 1979, is amended to  
6 read as follows:  
7 384.102 WHEN HEARING NECESSARY. When the estimated  
8 total cost of a public improvement exceeds the sum  
9 of ~~ten~~ twenty-five thousand dollars, the governing  
10 body shall not enter into a contract for the  
11 improvement until it has held a public hearing on  
12 the proposed plans, specifications, and form of  
13 contract, and estimated cost for the improvement.  
14 Notice of the hearing must be published as provided  
15 in section 362.3. At the hearing any interested  
16 person may appear and file objections to the proposed  
17 plans, specifications, contract, or estimated cost  
18 of the improvement. After hearing objections, the  
19 governing body shall by resolution enter its decision  
20 on the plans, specifications, contract, and estimated  
21 cost."

22 2. Amend the title, line 2, by inserting after  
23 the word "must" the words "hold a public hearing,".

S-5209 FILED & ADOPTED (p 575) BY JOHN N. NYSTROM  
FEBRUARY 26, 1980

SENATE FILE 2006

S-5249

1 Amend Senate File 2006 as follows:

2 1. Page 1, by inserting before line 1 the  
3 following:  
4 "Section 1. Section three hundred eighty-four  
5 point ninety-five (384.95), subsection one (1), Code  
6 1979, is amended to read as follows:  
7 1. "Public improvement" means any building or  
8 construction work, either within or outside the  
9 corporate limits of a city, to be paid for in whole  
10 or in part by the use of funds of the city, regardless  
11 of sources, including a building or improvement  
12 constructed or operated jointly with any other public  
13 or private agency, but excluding urban renewal and  
14 low-rent housing projects, industrial aid projects  
15 authorized under chapter 419, or emergency work ~~or~~  
16 ~~work-performed-by-employees-of-a-city-or-a-city~~  
17 ~~utility."~~

18 2. By renumbering sections to conform to this  
19 amendment.

S-5249 FILED ~~4/2~~ 2/2 (p 226) BY CLARENCE CARNEY  
MARCH 4, 1980

S-5275

1 Amend Senate File 2006 as follows:

2 1. Page 1, by inserting before line 1 the fol-  
3 lowing:

4 "Section 1. Section three hundred eighty-four  
5 point ninety-five (384.95), subsection one (1), Code  
6 1979, is amended to read as follows:

7 1. "Public improvement " means any building or  
8 construction work, either within or outside the  
9 corporate limits of a city, to be paid for in whole  
10 or in part by the use of funds of the city, regardless  
11 of sources, including a building or improvement con-  
12 structed or operated jointly with any other public  
13 or private agency, but excluding urban renewal and  
14 low-rent housing projects, industrial aid projects  
15 authorized under chapter 419, emergency work, or  
16 work performed by employees of a city or a city  
17 utility in a city with a population of less than  
18 twenty thousand (20,000)."

S-5275 FILED

BY CLARENCE CARNEY

MARCH 5, 1980

*Filed out of order 2/12 (p. 826)*



1 Section 1. Section three hundred eighty-four point ninety-  
2 six (384.96), Code 1979, as amended by Acts of the Sixty-  
3 eighth General Assembly, 1979 Session, chapter eighty-five  
4 (85), section five (5), is amended to read as follows:

5 384.96 SEALED BIDS. When the estimated total cost of  
6 a public improvement exceeds the sum of ten twenty-five  
7 thousand dollars, the governing body shall advertise for  
8 sealed bids for the proposed improvement by publishing a  
9 notice to bidders as provided in section 362.3, except that  
10 the notice to bidders may be published more than twenty days  
11 but not more than forty-five days before the date for filing  
12 bids.

13 Sec. 2. Section three hundred eighty-four point one hundred  
14 two (384.102), Code 1979, is amended to read as follows:

15 384.102 WHEN HEARING NECESSARY. When the estimated total  
16 cost of a public improvement exceeds the sum of ten twenty-  
17 five thousand dollars, the governing body shall not enter  
18 into a contract for the improvement until it has held a public  
19 hearing on the proposed plans, specifications, and form of  
20 contract, and estimated cost for the improvement. Notice  
21 of the hearing must be published as provided in section 362.3.  
22 At the hearing any interested person may appear and file  
23 objections to the proposed plans, specifications, contract,  
24 or estimated cost of the improvement. After hearing  
25 objections, the governing body shall by resolution enter its  
26 decision on the plans, specifications, contract, and estimated  
27 cost.

28  
29  
30  
31  
32  
33  
34  
35

SENATE FILE 2006

AN ACT

TO INCREASE THE ESTIMATED COST OF A PROPOSED PUBLIC IMPROVEMENT ABOVE WHICH A CITY MUST HOLD A PUBLIC HEARING, ADVERTISE AND RECEIVE SEALED BIDS.

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

Section 1. Section three hundred eighty-four point ninety-six (384.96), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eighty-five (85), section five (5), is amended to read as follows:

384.96 SEALED BIDS. When the estimated total cost of a public improvement exceeds the sum of ~~ten~~ twenty-five thousand dollars, the governing body shall advertise for sealed bids for the proposed improvement by publishing a notice to bidders as provided in section 362.3, except that the notice to bidders may be published more than twenty days but not more than forty-five days before the date for filing bids.

Sec. 2. Section three hundred eighty-four point one hundred two (384.102), Code 1979, is amended to read as follows:

384.102 WHEN HEARING NECESSARY. When the estimated total cost of a public improvement exceeds the sum of ~~ten~~ twenty-five thousand dollars, the governing body shall not enter into a contract for the improvement until it has held a public hearing on the proposed plans, specifications, and form of contract, and estimated cost for the improvement. Notice of the hearing must be published as provided in section 362.3. At the hearing any interested person may appear and file objections to the proposed plans, specifications, contract, or estimated cost of the improvement. After hearing

objections, the governing body shall by resolution enter its decision on the plans, specifications, contract, and estimated cost.

\_\_\_\_\_  
TERRY E. BRANSTAD  
President of the Senate

\_\_\_\_\_  
WILLIAM H. HARBOR  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2006, Sixty-eighth General Assembly.

\_\_\_\_\_  
FRANK J. STORK  
Secretary of the Senate

Approved April 21, 1980

\_\_\_\_\_  
ROBERT D. RAY  
Governor