

MAR 15 1989

Judiciary & Law Enforcement

HOUSE FILE 631

DO PASS 3-17-89 (p. 839)
Sen. Judiciary
DO PASS 4-6-89 (p. 1260)

BY TABOR

Passed House, Date 3-27-89 (p. 1007) Passed Senate, Date 4-12-89 (p. 1397)
Vote: Ayes 97 Nays 0 Vote: Ayes 45 Nays 0
Approved 4-25-89 (p. File)

A BILL FOR

1 An Act to legalize proceedings of the City Council of the City of
2 Bellevue relating to the letting of a construction contract.
3 WHEREAS, the City Council of the City of Bellevue undertook
4 the construction of certain improvements to Second Street in the
5 City in 1988; and
6 WHEREAS, the City Council published a notice to bidders,
7 pursuant to section 384.96, on May 5 and May 19, 1988, received
8 sealed bids from prospective contractors, and subsequently
9 awarded a contract, dated May 24, 1988, to the lowest responsible
10 bidder, Horsfield Construction, Inc.; and
11 WHEREAS, after construction work had begun, it was determined
12 that a notice of public hearing on the proposed plans,
13 specifications, form of contract, and estimate of cost had not
14 been published in accordance with section 384.102; and
15 WHEREAS, doubts have arisen as to the validity of the contract
16 dated May 24, 1988, between the City of Bellevue and Horsfield
17 Construction, Inc., and it is deemed advisable to remove forever
18 such doubts as to the validity of this contract; NOW, THEREFORE,
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. All proceedings taken by the City Council of
2 the City of Bellevue pertaining to the letting of a contract
3 dated May 24, 1988, between the City of Bellevue and Horsfield
4 Construction, Inc., for the construction of improvements to
5 Second Street in the City of Bellevue are hereby legalized and
6 the contract let constitutes a legal and binding agreement
7 between the City of Bellevue and Horsfield Construction, Inc.

8 Sec. 2. This Act, being deemed of immediate importance,
9 takes effect upon enactment.

10 EXPLANATION

11 This bill legalizes the proceedings undertaken by the City
12 of Bellevue in letting a street construction contract to
13 Horsfield Construction, Inc.

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Sec. 2. This Act, being deemed of immediate importance, takes effect upon enactment.

AN ACT

TO LEGALIZE PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF BELLEVUE RELATING TO THE LETTING OF A CONSTRUCTION CONTRACT.

WHEREAS, THE CITY COUNCIL OF THE CITY OF BELLEVUE UNDERTOOK THE CONSTRUCTION OF CERTAIN IMPROVEMENTS TO SECOND STREET IN THE CITY IN 1988; AND

WHEREAS, THE CITY COUNCIL PUBLISHED A NOTICE TO BIDDERS, PURSUANT TO SECTION 384.96, ON MAY 5 AND MAY 19, 1988, RECEIVED SEALED BIDS FROM PROSPECTIVE CONTRACTORS, AND SUBSEQUENTLY AWARDED A CONTRACT, DATED MAY 24, 1988, TO THE LOWEST RESPONSIBLE BIDDER, HORSFIELD CONSTRUCTION, INC.; AND

WHEREAS, AFTER CONSTRUCTION WORK HAD BEGUN, IT WAS DETERMINED THAT A NOTICE OF PUBLIC HEARING ON THE PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST HAD NOT BEEN PUBLISHED IN ACCORDANCE WITH SECTION 384.102; AND

WHEREAS, DOUBTS HAVE ARISEN AS TO THE VALIDITY OF THE CONTRACT DATED MAY 24, 1988, BETWEEN THE CITY OF BELLEVUE AND HORSFIELD CONSTRUCTION, INC., AND IT IS DEEMED ADVISABLE TO REMOVE FOREVER SUCH DOUBTS AS TO THE VALIDITY OF THIS CONTRACT; NOW, THEREFORE,

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

Section 1. All proceedings taken by the City Council of the City of Bellevue pertaining to the letting of a contract dated May 24, 1988, between the City of Bellevue and Horsfield Construction, Inc., for the construction of improvements to Second Street in the City of Bellevue are hereby legalized and the contract let constitutes a legal and binding agreement between the City of Bellevue and Horsfield Construction, Inc.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 631, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 25, 1989

TERRY E. BRANSTAD
Governor

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