

MAR 16 1995

Place On Calendar

S - 3/23/95 State cov.
S - 4/5/95 Do Pass
S. 4-13-95 unfinished
Bushers Calendar

HOUSE FILE 476
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 43)

Passed House, (P. 949) Date 3/23/95 Passed Senate, (P. 1489) Date 4/23/96
Vote: Ayes 95 Nays 2 Vote: Ayes 38 Nays 10
Approved 4/30/96

A BILL FOR

1 An Act eliminating the appeal period for the awarding of
2 contracts by the purchasing division of the department of
3 general services.

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

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HF 476

1 Section 1. Section 18.7, unnumbered paragraph 1, Code
2 1995, is amended by striking the paragraph.

3 EXPLANATION

4 This bill strikes the first unnumbered paragraph of section
5 18.7 which permits an aggrieved bidder whose bid was timely
6 filed to appeal an award of the purchasing division of the
7 department of general services within five days after receipt
8 of the "notice of intent to award".

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HSB 43

STATE GOVERNMENT

SENATE/HOUSE FILE

476

BY (PROPOSED DEPARTMENT OF
GENERAL SERVICES BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

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7 department of general services within five days after receipt
8 of the "notice of intent to award".

9 BACKGROUND STATEMENT

10 SUBMITTED BY THE AGENCY

11 This bill strikes the language permitting a bidder to
12 appeal an award by the purchasing division of the department
13 of general services. In the past three years, the purchasing
14 division has bid and awarded approximately 7,000 contracts
15 upon which 12 appeals were filed. Of these, three were
16 withdrawn and one resulted in the award being overturned.

17 The present procedures add an additional 10 days to the
18 award process as the department must first issue a "Notice of
19 Intent to Award" to all bidders, then wait five working days
20 to allow for any appeals before proceeding with issuing the
21 contract. This process creates a delay in providing state
22 agencies with the goods or services they have requested in a
23 timely fashion.

24 The present contract award notification process does not
25 work well for food commodities as it requires bidders to hold
26 their prices firm for a longer period of time than the market
27 and hinders the timely delivery to state institutions.

28 State agencies have expressed problems with this built-in
29 delay in the procurement process. The recommendation to
30 eliminate this procedure was received from a total quality
31 management team working on purchasing. This team is composed
32 of individuals representing the departments of revenue and
33 finance, defense, natural resources, human services,
34 corrections, public safety, and general services.

35

AN ACT

ELIMINATING THE APPEAL PERIOD FOR THE AWARDING OF CONTRACTS BY
THE PURCHASING DIVISION OF THE DEPARTMENT OF GENERAL
SERVICES.

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

Section 1. Section 18.7, unnumbered paragraph 1, Code
1995, is amended by striking the paragraph.

RON J. CORBETT
Speaker of the House

LEONARD L. BOSWELL
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 476, Seventy-sixth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved 4/30, 1996

TERRY E. BRANSTAD
Governor

HF 476