

FILED FEB 15 2000

SENATE FILE

2167

BY MILLER

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to competitive bidding for construction or
2 relocation of state buildings and offices.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SF 2167
STATE GOVERNMENT

1 Section 1. Section 18.6, subsection 9, paragraph b, Code
2 Supplement 1999, is amended to read as follows:

3 b. In awarding a contract, the department shall let the
4 work to the lowest responsible bidder submitting a sealed
5 proposal. However, if the department considers the bids
6 received not to be acceptable, all bids may be rejected and
7 new bids requested. A bid shall be accompanied by a certified
8 or cashier's check or bid bond in an amount designated in the
9 advertisement for bids as security that the bidder will enter
10 into a contract for the work requested. The department shall
11 establish the bid security in an amount equal to at least five
12 percent, but not more than ten percent of the estimated total
13 cost of the work. The certified or cashier's checks or bid
14 bonds of unsuccessful bidders shall be returned as soon as the
15 successful bidder is determined. The certified or cashier's
16 check or bid bond of the successful bidder shall be returned
17 upon execution of the contract. The competitive bidding
18 process used under this subsection shall not give preferential
19 treatment to a location in Polk county and shall not
20 unreasonably discriminate against bids which would involve
21 location of a public building or relocation of offices outside
22 a major population center in the state, as described in
23 section 72.6, except for public buildings or offices required
24 to be at the seat of government. This section does not apply
25 to the construction, erection, demolition, alteration, or
26 repair of a public improvement when the contracting procedure
27 for the work requested is otherwise provided for in law.

28 Sec. 2. NEW SECTION. 72.6 COMPETITIVE BIDDING PROCESS
29 FOR STATE BUILDINGS -- LOCATIONS OUTSIDE MAJOR POPULATION
30 CENTERS.

31 1. A contract for the construction of a public building or
32 for relocation of offices by the state, or an agency of the
33 state, shall be subject to a competitive bidding process in
34 substantial compliance with the process established under
35 section 18.6, subsection 9. The competitive bidding process

1 used, whether under section 18.6, subsection 9, or otherwise,
2 shall not give preferential treatment to a location in Polk
3 county and shall not unreasonably discriminate against bids
4 which would involve location of the public building or
5 relocation of offices outside a major population center in the
6 state.

7 2. For purposes of this section, "major population center"
8 means a city or metropolitan area with a population of more
9 than fifty thousand.

10 3. This section does not apply to public buildings or
11 offices which, pursuant to the Code, are required to be
12 located at the seat of government.

13 EXPLANATION

14 This bill requires a contract for the construction of a
15 public building or for relocation of offices by the state, or
16 an agency of the state, to be subject to a competitive bidding
17 process in substantial compliance with the process established
18 under Code section 18.6, subsection 9, for certain public
19 improvements. The bill provides that the competitive bidding
20 process used, whether under Code section 18.6, subsection 9,
21 or otherwise, shall not give preferential treatment to a
22 location in Polk county and shall not unreasonably
23 discriminate against bids which would involve location of the
24 public building or relocation of offices outside a major
25 population center in the state, as defined by the bill. The
26 bill does not apply to buildings or offices which are required
27 by the Code to be located at the seat of government in Des
28 Moines.

29

30

31

32

33

34

35