

Senate Study Bill 1036 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON COMMERCE BILL BY
CHAIRPERSON PETERSEN)

A BILL FOR

1 An Act concerning access to documents during the competitive
2 bidding process for public improvement contracts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 26.3, subsection 2, Code 2015, is amended
2 to read as follows:

3 2. A governmental entity shall have an engineer licensed
4 under chapter 542B, a landscape architect licensed under
5 chapter 544B, or an architect registered under chapter 544A
6 prepare plans and specifications, and calculate the estimated
7 total cost of a proposed public improvement. A governmental
8 entity shall ensure that a sufficient number of paper copies
9 of the project's contract documents, including all drawings,
10 plans, specifications, and estimated total costs of the
11 proposed public improvement are made available for distribution
12 at no charge to prospective bidders, subcontractor bidders,
13 suppliers, and contractor plan room services. If a deposit is
14 required as part of a paper contract documents distribution
15 policy by the public owner, the deposit shall not exceed
16 two hundred fifty dollars per set which shall be refunded
17 upon return of the contract documents within fourteen days
18 after award of the project. If the contract documents are
19 not returned in a timely manner and in a reusable condition,
20 the deposit shall be forfeited. The governmental entity
21 shall reimburse the landscape architect, architect, or
22 professional engineer for the actual costs of preparation and
23 distribution of plans and specifications. If a governmental
24 entity or its representative provides the project contract
25 documents electronically, the governmental entity or its
26 authorized representative may not charge prospective bidders,
27 subcontractor bidders, suppliers, or contractor plan room
28 services a fee for access to or download of such project
29 contract documents.

30 EXPLANATION

31 The inclusion of this explanation does not constitute agreement with
32 the explanation's substance by the members of the general assembly.

33 This bill prohibits governmental entities or authorized
34 representatives from charging a fee for access to or download
35 of project contract documents relating to public improvements

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1 when providing those documents electronically.