

House Study Bill 56 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON KAUFMANN)

A BILL FOR

1 An Act concerning the contract bidding process for public
2 improvement projects conducted by the state board of
3 regents.

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

1 Section 1. Section 262.34, subsection 1, Code 2019, is
2 amended to read as follows:

3 1. a. When the estimated cost of construction, repairs,
4 or improvement of buildings or grounds under charge of the
5 state board of regents, including construction, renovation, or
6 repairs by a private party of a property to be lease-purchased
7 by the board, exceeds one hundred thousand dollars, the board
8 shall ~~advertise~~ do all of the following:

9 (1) Advertise for bids for the contemplated improvement
10 or construction and shall let by publishing a notice to
11 bidders. The notice to bidders shall be published at
12 least once, not less than thirteen days and not more than
13 forty-five days before the date for filing bids, in a relevant
14 contractor plan room service with statewide circulation, in a
15 relevant construction lead generating service with statewide
16 circulation, and on an internet site sponsored by the board.
17 If circumstances beyond the control of the board cause a
18 scheduled bid letting to be postponed and there are no changes
19 to the project's contract documents, a notice to bidders of
20 the revised date shall be posted not less than four and not
21 more than forty-five days before the revised date for filing
22 bids in a relevant contractor plan room service with statewide
23 circulation, in a relevant construction lead generating service
24 with statewide circulation, and on an internet site sponsored
25 by the board.

26 (2) Have an engineer licensed under chapter 542B, a
27 landscape architect licensed under chapter 544B, or an
28 architect licensed under chapter 544A prepare plans and
29 specifications and calculate the estimated total cost of the
30 contemplated improvement or construction. The plans and
31 specifications shall be sufficiently complete to describe
32 the entire improvement or construction, permit competitive
33 bidding for all labor, materials, and systems, and serve as
34 the project's contract documents. The board shall ensure
35 that a sufficient number of printed copies and, if available,

1 electronic and digital copies of the project's contract
2 documents, including but not limited to all drawings, plans,
3 specifications, and estimated total costs of the proposed
4 improvement, are made available for distribution at no charge
5 to prospective bidders, subcontractor bidders, suppliers, and
6 contractor plan room services.

7 (3) Let the work to the lowest responsive, responsible
8 bidder. However, if

9 b. If, in the judgment of the board, bids received are
10 not acceptable, the board may reject all bids, after making a
11 specific finding identifying the basis for the rejection of
12 each bid received, and proceed with the construction, repair,
13 or improvement by a method as the board may determine. All
14 plans and specifications for repairs or construction, together
15 with bids on the plans or specifications, shall be filed by the
16 board and be open for public inspection. All bids submitted
17 under this section shall be accompanied by a deposit of money,
18 a certified check, or a credit union certified share draft in
19 an amount as the board may prescribe.

20 EXPLANATION

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

23 This bill modifies the contract bidding process conducted
24 by the state board of regents.

25 Currently, when the estimated cost of construction, repairs,
26 or improvement of buildings or grounds under charge of the
27 state board of regents exceeds \$100,000, the board of regents
28 must advertise for bids for the contemplated work and shall
29 let the work to the lowest responsible bidder. However, if
30 in the judgment of the state board of regents bids received
31 are not acceptable, the state board of regents may reject all
32 bids and proceed with the work by a method as the state board
33 of regents may determine. All plans and specifications for
34 repairs or construction, together with bids on the plans or
35 specifications, must be filed by the state board of regents and

1 be open for public inspection. All bids must be accompanied
2 by a deposit of money, a certified check, or a credit union
3 certified share draft in an amount as the state board of
4 regents may prescribe.

5 Under the bill, when the estimated cost of the work exceeds
6 \$100,000, the state board of regents must advertise for bids by
7 publishing notice at least once, not less than 13 and not more
8 than 45 days before the date for filing bids, in a relevant
9 contractor plan room service with statewide circulation, a
10 relevant construction lead generating service with statewide
11 circulation, and on an internet site sponsored by the state
12 board of regents.

13 The state board of regents must also have a licensed
14 engineer, landscape architect, or architect prepare plans
15 and specifications, and calculate the estimated total cost
16 of the contemplated improvement or construction. The plans
17 and specification must describe the entire improvement
18 or construction, allow competitive bidding for all labor,
19 materials, and systems, and serve as the project's contract
20 documents. The state board of regents must ensure that a
21 sufficient number of printed copies of the project's contract
22 documents are made available for distribution at no charge to
23 prospective bidders, subcontractor bidders, suppliers, and
24 contractor plan room services.

25 If the state board of regents determines that none of the
26 bids are acceptable, the board, under the bill, must identify a
27 specific reason for rejecting each bid received and may proceed
28 with the work by a method as the board may determine, as the law
29 currently prescribes.