

CHAPTER 1009

PUBLIC IMPROVEMENT PROJECTS — NOTICE REQUIREMENTS

S.F. 2170

AN ACT modifying the notice requirements for public improvement projects.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 26.3, subsection 1, Code 2016, is amended to read as follows:

1. If the estimated total cost of a public improvement exceeds the competitive bid threshold of one hundred thousand dollars, or the adjusted competitive bid threshold established in [section 314.1B](#), the governmental entity shall advertise for sealed bids for the proposed public improvement by publishing posting a notice to bidders. The notice to bidders shall be published at least once, not less than four thirteen and not more than forty-five days before the date for filing bids, in a newspaper published at least once weekly and having general circulation in the geographic area served by the governmental entity. Additionally, the governmental entity may publish a notice in a relevant contractor organization publication and a relevant contractor plan room service with statewide circulation, provided that a notice is posted and a relevant construction lead generating service with statewide circulation and on an internet site sponsored by either a governmental entity or a statewide association that represents the governmental entity. If circumstances beyond the control of the governmental entity cause a scheduled bid letting to be postponed and there are no changes to the project's contract documents, a notice to bidders of the revised date shall be posted not less than four and not more than forty-five days before the revised date for filing bids in a relevant contractor plan room service with statewide circulation and a relevant construction lead generating service with statewide circulation and on an internet site sponsored by either a governmental entity or a statewide association that represents the governmental entity.

Sec. 2. Section 26.12, Code 2016, is amended to read as follows:

26.12 When hearing necessary.

If the estimated total cost of a public improvement exceeds the competitive bid threshold in [section 26.3](#), or as adjusted in [section 314.1B](#), the governmental entity shall not enter into a contract for the public improvement until the governmental entity has held a public hearing and has approved the proposed plans, specifications, and form of contract, and estimated total cost of the public improvement. Notice of the hearing must be published as provided in [section 362.3](#) and shall include a description of the public improvement and its location. At the hearing, any interested person may appear and file objections to the proposed plans, specifications, contract, or estimated cost of the public improvement. After hearing objections, the governmental entity shall by resolution enter its decision on the plans, specifications, contract, and estimated cost. [This section](#) does not apply to the state.

Approved March 23, 2016