

MAR 2 2006
LOCAL GOVERNMENT

HOUSE FILE 2604
BY MURPHY

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

A BILL FOR

1 An Act relating to state public improvements, by requiring an
2 inspection by a building commissioning agent.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2604

1 Section 1. NEW SECTION. 573.28 STATE BUILDING
2 INSPECTIONS.

3 1. For purposes of this section, "building commissioning
4 agent" means an independent contractor hired by the state to
5 assist the state in reducing construction costs or enhancing
6 the long-term value of the state building project.

7 2. Prior to final completion of a state building project
8 and the release of retained funds to the contractor under a
9 public improvement contract subject to this chapter, a
10 building commissioning agent shall inspect the state building
11 to ensure that the heating, ventilation, and air conditioning
12 systems are properly installed.

13 3. The building commissioning agent shall conduct vigorous
14 performance tests to verify and document that the heating,
15 ventilation, and air conditioning systems perform to design
16 specifications and meet the state's operational needs for
17 indoor air quality, comfortable temperatures, moisture
18 control, and the reduction of energy costs. Upon the building
19 commissioning agent's request, the contractor shall assist in
20 testing and documenting the performance of the systems.

21 4. A building commissioning agent, or any subsidiary owned
22 in whole or in part by a building commissioning agent, shall
23 not be eligible to bid on or participate in the construction,
24 contracting, or subcontracting on any state building project
25 or part thereof for which the building commissioning agent has
26 contracted with the state. Any contract for construction that
27 violates this provision shall be void against public policy of
28 the state.

29 EXPLANATION

30 This bill requires that prior to final completion of a
31 state building project and the release of retained funds to
32 the contractor, a building commissioning agent, as defined,
33 shall inspect the state building to ensure that the heating,
34 ventilation, and air conditioning systems are properly
35 installed.

1 The bill requires that the building commissioning agent
2 conduct vigorous performance tests to verify and document that
3 the heating, ventilation, and air conditioning systems perform
4 to design specifications and meet the state's operational
5 needs for indoor air quality, comfortable temperatures,
6 moisture control, and the reduction of energy costs. Upon
7 request, the contractor is required to assist in testing and
8 documenting the performance of the systems.

9 The bill provides that if a building commissioning agent
10 has contracted with the state on a building project, the
11 building commissioning agent, or any subsidiary owned in whole
12 or in part by a building commissioning agent, is ineligible to
13 bid on or participate in the construction, contracting, or
14 subcontracting on the project.

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