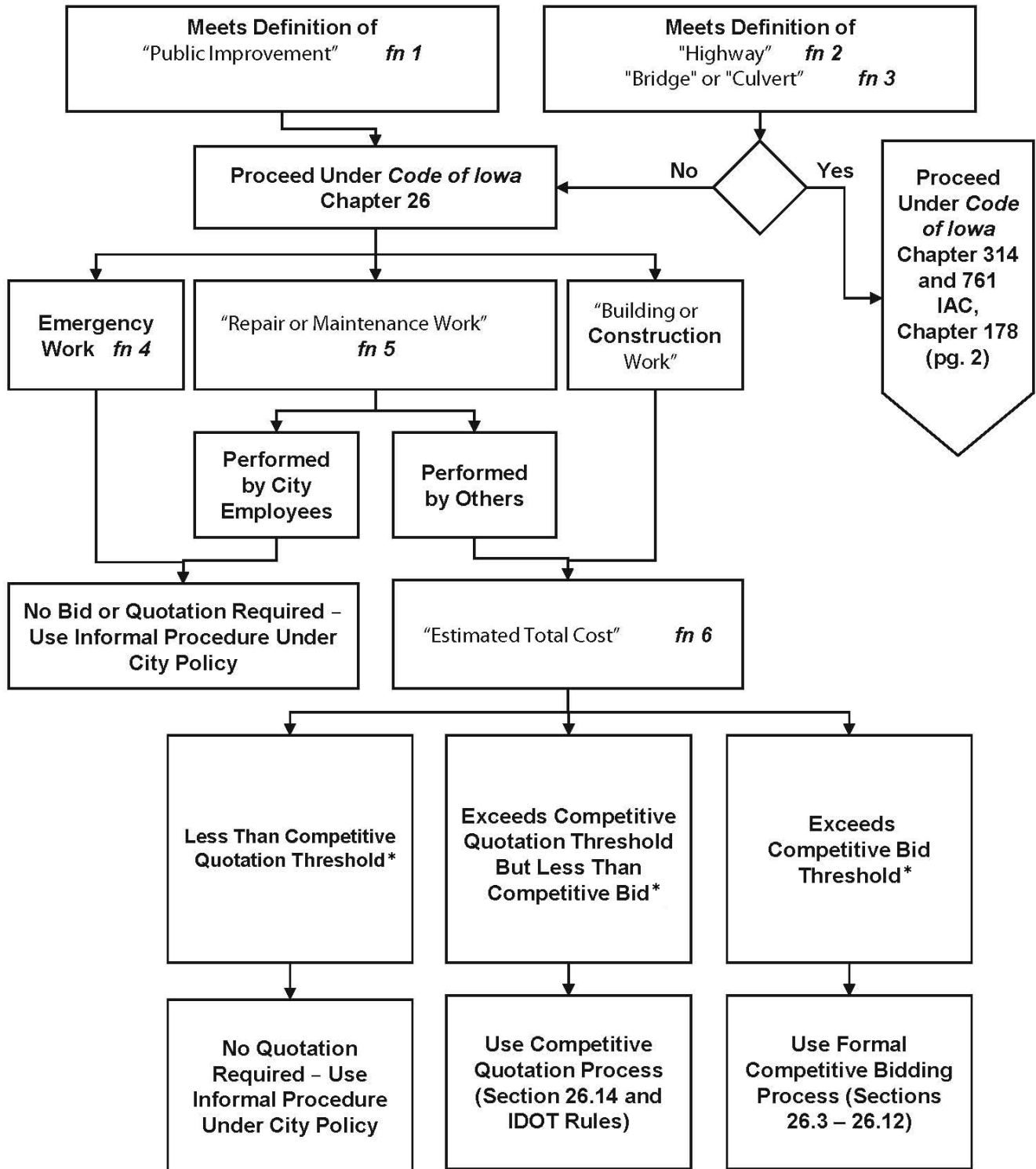


**GOVERNMENTAL ENTITY BIDDING PROCEDURES
FOR
Highway, Bridge, or Culvert Projects (Horizontal Infrastructure)
and Public Improvement Projects (Vertical Infrastructure)
Footnotes (fn#) on page 3.**



*See Iowa League of Cities website for current thresholds

From
Pg 1

Proceed under *Code of Iowa*
Chapter 314 and 761 IAC,
Chapter 178

"Construction", "Reconstruction",
"Improvement" *fn 7*

"Repair or
Maintenance Work" *fn 8*

Less Than Horizontal
Threshold *

In Excess Of
Horizontal Threshold *

Performed by City
Employees

Performed by
Others

No Bid Required –
Use Informal
Procedure Under
City Policy

Use Formal
Competitive Bid
Procedure
(Sections 26.3 –
26.12)

No Bid Required
fn 9

No Bid Required –
Use Informal
Procedure Under
City Policy *fn9*

Governmental entity may reject any or all
bids; may readvertise and relet the project
without conducting an additional public
hearing if no substantial changes are
made to the project's plans or
specifications. Governmental entity may
let by private contract or build with
governmental entity employees, at a cost
not in excess of the lowest bid received.
fn 10

FOOTNOTES TO BIDDING PROCEDURES FLOWCHART

- Fn 1 Definition of "Public Improvement", *Code of Iowa* Section 26.1 3. "Public improvement" means a building or construction work which is constructed under the control of a governmental entity and is paid for in whole or in part with funds of the governmental entity, including a building or improvement constructed or operated jointly with any other public or private agency, but excluding urban renewal demolition and low-rent housing projects, industrial aid projects authorized under chapter 419, emergency work or repair or maintenance work performed by employees of a governmental entity, and excluding a highway, bridge, or culvert project, and excluding construction or repair or maintenance work performed for a city utility under chapter 388 by its employees or performed for a rural water district under chapter 357A by its employees.
- Fn 2 Definition of "Highway", *Code of Iowa* Section 321.1
(78). "Street" or "highway" means the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic.
- Fn 3 Definitions of "Bridge" and "Culvert", *Code of Iowa* Section 309.1
2. "Bridge" includes any structure including supports, erected over a depression or an obstruction, such as water, a highway, or railway. A bridge has a track or passageway for carrying traffic or other moving loads and has an opening measured along the center of the roadway of more than twenty feet. The measurement shall be between the inside faces of abutments, the inside faces of the exterior walls of multiple box culverts, the spring lines of arches, and the horizontal measurement of circular or elliptical structures.
a. The length of a bridge is the overall measurement from back to back of backwalls and abutments measured along the center of the roadway.
b. Multiple pipes, where the distance between openings is less than half the smaller contiguous opening, may be included as a bridge, provided the pipes meet the other definitional requirements for bridges in this subsection.
3. "Culvert" includes any structure not classified as a bridge which provides an opening under any roadway, except that this term does not include tile crossing the road, or intakes thereto, where the tile are a part of a tile line or system designed to aid subsurface drainage.
- Fn 4 "Emergency Work", *Code of Iowa* Section 384.103 (as amended by HF 2713) 2. When emergency repair of a public improvement is necessary and the delay of advertising and a public letting might cause serious loss or injury to the city, the governing body shall, by resolution, make a finding of the necessity to institute emergency proceedings under this section, and shall procure a certificate from a competent registered professional engineer or architect, not in the regular employ of the city, certifying that emergency repairs are necessary.
In that event the governing body may contract for emergency repairs without holding a public hearing and advertising for bids, and the provisions of chapter 26 do not apply.
- Fn 5 Definition of "Repair or Maintenance Work", *Code of Iowa* Section 26.1 4. "Repair or maintenance work" means the preservation of a (*building,*) storm sewer, sanitary sewer, or other public facility (*or structure*) so that it remains in sound or proper condition, including minor replacements and additions as necessary to restore the public facility (*or structure*) to its original condition with the same design. (*Italicized text being recommended for adoption as an amendment during the 2007 Legislative Session*)
- Fn 6 Definition of "Estimated Total Cost", *Code of Iowa* Section 26.1 1. "Estimated total cost of a public improvement" or "estimated total cost" means the estimated total cost to the governmental entity to construct a public improvement, including cost of labor, materials, equipment, and supplies, but excluding the cost of architectural or engineering design services and inspection.
- Fn 7 Definitions of "Construction", "Improvement" and "Reconstruction", 761 IAC, Chapter 178, sec 178.3
"Construction" means the building or development of a road, street, bridge or culvert in a new location when:
1. The new location deviates substantially from the existing alignment, and
2. The result is an entirely new road or street for the greater part of the length of the project.
"Improvement" means a betterment to a road, street, bridge or culvert. The work increases the value of the facility and enhances the facility, its traffic operations or its safety beyond the original design. The work would not be so extensive as to be classified as construction or reconstruction, but it could involve rehabilitation, restoration or resurfacing (3R) work.
"Reconstruction" means a significant change to the existing type of road, street, bridge or culvert or its geometric or structural features. Some realignment and the use of current design criteria may be involved.

FOOTNOTES TO BIDDING PROCEDURES FLOWCHART

- Fn 8 Definition of “Repair or Maintenance Work”, 761 IAC, Chapter 178, sec 178.3 “Repair or maintenance” means the preservation of a road, street, bridge or culvert so that it is in sound or proper condition. The work may include minor replacements and additions necessary to restore the road, street, bridge or culvert to its originally built condition with essentially the same design.
- Fn 9 *Code of Iowa* Section 314.1, subsection 2.
- Fn 10 *Code of Iowa* Section 314.1, subsection 3.