

HW 5671 H07

ORIGINAL



HOUSE/SENATE AMENDMENT NO. _____
Offered by
Stream of 94

1 AMEND ^{HCS}~~SS~~ S, Bill No. 769, Page 1, Section A,
2 Line 3, by inserting after all of said line the following:
3 "49.295. Notwithstanding any provision of law to the
4 contrary, county commissioners may comply with section 67.285
5 regarding any contract for the engineering, repair,
6 sustainability, water quality management, and maintenance of an
7 existing water storage tank and appurtenant facilities that does
8 not change the size or capacity." ~~and~~
9 ~~Further amend said bill, Page _____, Section _____, Line~~
10 ~~_____, by inserting after all of said line the following:~~
11 ~~67.285. 1. The following political subdivisions may enter~~
12 ~~into, by direct negotiation or through the solicitation of~~
13 ~~requests for proposals or requests for qualifications, a~~
14 ~~multiyear, asset management professional service contract for the~~
15 ~~engineering, repair, sustainability, water quality management,~~
16 ~~and maintenance of an existing water storage tank and appurtenant~~
17 ~~facilities that does not change the size or capacity, which are~~
18 ~~owned, controlled, or operated by that political subdivision.~~
19 ~~Notwithstanding any other provision of law to the contrary, any~~
20 ~~of the following political subdivisions entering into or~~
21 ~~maintaining such an asset management professional services~~
22 ~~contract as described in this section shall not be required to~~
23 ~~pay prevailing wages for the maintenance work performed under~~
24 ~~such asset management contract. The provisions of this section~~
25 ~~shall apply only if the contract complies with subsection 2 of~~
26 ~~this section:~~
27 (1) County commissioners, a board of directors of a public
28 water supply district, a board of trustees of a sanitary
29 district, or a board of trustees of a sewer district;

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1 (2) A municipal corporation through its director, mayor,
2 city manager, village administrator, or other contracting
3 officer, commission, board, or authority as authorized by
4 ordinance of the municipal corporation's legislative authority.

5 2. A contract entered into under subsection 1 of this
6 section shall include provisions that do all of the following:

7 (1) Provide that the contracting political subdivision is
8 not required to make total payments in a single year that exceed
9 the excess of:

10 (a) The political subdivision's water utility charges less;

11 (b) The operating expenses of the water system payable from
12 such charges and the principal, interest, and other debt charges,
13 including reserves and coverage requirements, for outstanding
14 debt due in that year;

15 (2) Require that the work performed be done under the
16 supervision of a professional engineer licensed under chapter
17 327, who certifies that the work will be performed in compliance
18 with all applicable codes and engineering standards; and

19 (3) Provide that if, on the date of commencement of the
20 contract, the water tank or appurtenant facilities require
21 engineering, repair, sustainability, water quality management, or
22 service in order to bring the tank or facilities into compliance
23 with federal, state, or local requirements, the party contracting
24 with the political subdivision shall provide the engineering,
25 repair, sustainability, water quality management, or service.
26 The cost of the work necessary to ensure such compliance shall be
27 itemized separately and may be charged to the political
28 subdivision in payments spread over a period of not less than
29 three years from the date of commencement of the contract. The
30 charges shall be paid after provision is made to pay operating
31 expenses and the principal, interest, and other debt service
32 charges, including reserves and coverage requirements for
33 outstanding debt due in that year. ~~and~~

34 ~~Further amend said bill, Page _____, Section _____, Line~~
35 ~~_____, by inserting after all of said line the following:~~

36 ~~71.289. Notwithstanding any provision of law to the~~
37 contrary, any municipal corporation that may be required by law

1 to award contracts may comply with section 67.285 regarding any
2 contract for the engineering, repair, sustainability, water
3 quality management, and maintenance of an existing water storage
4 tank and appurtenant facilities."; and

5 Further amend said bill, Page 2, Section 178-53D Line
6 26, by inserting after all of said line the following:

7 "247.700. Notwithstanding any provision of the law to the
8 contrary, a board of directors of a public water supply district
9 may comply with section 67.285 regarding any contract for the
10 engineering, repair, sustainability, water quality management,
11 and maintenance of an existing water storage tank and appurtenant
12 facilities." and

13 ~~Further amend said bill, Page _____, Section _____, Line~~
14 ~~_____, by inserting after all of said line the following:~~

15 ~~"248.210. Notwithstanding any provision of law to the~~
16 ~~contrary, a board of trustees of a sanitary district may comply~~
17 ~~with section 67.285 regarding any contract for the engineering,~~
18 ~~repair, sustainability, water quality management, and maintenance~~
19 ~~of an existing water storage tank and appurtenant facilities."~~

20 ~~and~~

21 ~~Further amend said bill, Page _____, Section _____, Line~~
22 ~~_____, by inserting after all of said line the following:~~

23 ~~"249.1200. Notwithstanding any provision of law to the~~
24 ~~contrary, a board of trustees of a sewer district may comply with~~
25 ~~section 67.285 regarding any contract for the engineering,~~
26 ~~repair, sustainability, water quality management, and maintenance~~
27 ~~of an existing water storage tank and appurtenant facilities.";~~

28 ~~and~~

29 Further amend said title, enacting clause and intersectional
30 references accordingly.

