



2023 ASSEMBLY BILL 22

February 7, 2023 - Introduced by Representatives RODRIGUEZ, VANDERMEER, BROOKS, KITCHENS, KNODL, MOSES, MURSAU, O'CONNOR, PENTERMAN, RETTINGER, ROZAR, SCHRAA, TITTL and WITTKE, cosponsored by Senators STROEBEL, COWLES, FELZKOWSKI and MARKLEIN. Referred to Committee on State Affairs.

1 **AN ACT to amend** 16.855 (9m) (b) 1. a. of the statutes; **relating to:** qualified
2 bidders on state projects.

Analysis by the Legislative Reference Bureau

Under current law, among other requirements, to be certified as a qualified bidder on state projects, a bidder must demonstrate that the bidder has completed at least one project similar to, and at least 50 percent the size or value of, the division of the project being bid.

This bill replaces this requirement with a requirement that, to be certified as a qualified bidder, the bidder must demonstrate that the bidder is bondable for the term of the proposed contract and is able to obtain both a 100 percent performance bond and a 100 percent payment bond. Also under the bill, the Department of Administration may not require a bidder to have experience that is not specific to the project being bid in order to be certified as a qualified bidder.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 16.855 (9m) (b) 1. a. of the statutes is amended to read:
4 16.855 (**9m**) (b) 1. a. The bidder ~~has completed at least one project that involved~~
5 ~~similar work to the work being bid and the project was at least 50 percent of the size~~

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1 ~~or value of the division of the project being bid~~ satisfies the bonding requirements
2 under subd. 2. c. If the department determines that ~~more~~ specific experience ~~that~~
3 is directly related to the project being bid is necessary for a particular project, the
4 department may include additional requirements in the specifications and certify
5 bidders accordingly. ~~The department may not require the bidder to have completed~~
6 a project with a minimum size or value in relation to the division of the project being
7 bid.

8

(END)