



2011 ASSEMBLY BILL 522

February 3, 2012 – Introduced by Representatives HONADEL, KRUG, BALLWEG, BIES, ENDSLEY, LEMAHIEU, MARKLEIN, A. OTT, SPANBAUER, STONE, STRACHOTA, STROEBEL and VAN ROY, cosponsored by Senator OLSEN. Referred to Committee on Transportation.

1 **AN ACT to amend** 84.01 (13); and **to create** 84.01 (13m) of the statutes; **relating**
2 **to:** the engagement of engineering and similar services by the Department of
3 Transportation.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT) may engage engineering, consulting, surveying, or other specialized services and this engagement of services is exempt from certain provisions of law relating to state procurement. Any engagement of services involving an expenditure of \$3,000 or more must be by formal contract approved by the governor. For an engagement of services of more than \$25,000, DOT must conduct a uniform cost-benefit analysis before the engagement and must review periodically, and before any renewal, the continued appropriateness of the engagement.

This bill eliminates the requirements that DOT: 1) conduct a uniform cost-benefit analysis before an engagement of engineering, consulting, surveying, or other specialized services involving an expenditure of more than \$25,000; and 2) review periodically and before any renewal the continued appropriateness of such an engagement. The bill also requires DOT to annually submit a report to the legislature limited to identifying, for the preceding fiscal year: 1) the total cost of engineering services provided on projects performed predominantly by DOT employees; 2) the total cost of engineering services provided on projects performed predominantly through an engagement of engineering services; and 3) the total cost of engineering services provided on projects performed jointly by DOT employees and

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through an engagement of engineering services. The bill also includes requirements for DOT to follow in computing the total cost of engineering services.

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:

1 **SECTION 1.** 84.01 (13) of the statutes is amended to read:

2 84.01 **(13)** ENGINEERING SERVICES. The department may engage such
3 engineering, consulting, surveying, or other specialized services as it deems
4 advisable. Any engagement of services under this subsection is exempt from ss.
5 16.70 to 16.75, 16.755 to 16.82, and 16.85 to 16.89, but ss. 16.528, 16.752, 16.753, and
6 16.754 apply to such engagement. Any engagement involving an expenditure of
7 \$3,000 or more shall be by formal contract approved by the governor. ~~The department~~
8 ~~shall conduct a uniform cost-benefit analysis, as defined in s. 16.70 (3g), of each~~
9 ~~proposed engagement under this subsection that involves an estimated expenditure~~
10 ~~of more than \$25,000 in accordance with standards prescribed by rule of the~~
11 ~~department. The department shall review periodically, and before any renewal, the~~
12 ~~continued appropriateness of contracting pursuant to each engagement under this~~
13 ~~subsection that involves an estimated expenditure of more than \$25,000.~~

14 **SECTION 2.** 84.01 (13m) of the statutes is created to read:

15 84.01 **(13m)** ENGAGEMENT OF ENGINEERING SERVICES REPORTS. (a) Not later than
16 December 1, 2013, and annually by December 1 of each year thereafter, the
17 department shall submit to the chief clerk of each house of the legislature for
18 distribution to the speaker of the assembly and president of the senate under s.
19 13.172 (3) a report limited to identifying all of the following:

