



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2019 Senate Bill 272

**Senate
Substitute Amendment 1**

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SENATE BILL 272

Senate Bill 272 requires the Department of Transportation (DOT), in its facilities development manual (the FDM), to maintain a list of at least seven subbase materials and associated thicknesses of the materials that the department determines will provide equivalent structural properties for the purpose of highway improvement. The bill requires the department to allow bidders to base their bids on the use of any equivalent subbase material included in this list.

SENATE SUBSTITUTE AMENDMENT 1

Senate Substitute Amendment 1 requires DOT, in the FDM, to maintain a list of subbase materials and associated thicknesses of the materials that the department determines will provide equivalent structural properties for the purpose of highway improvement. Under the substitute amendment a bidder may, not less than 10 days prior to the opening of bids for a highway improvement, request authorization to base its bid on the use of a different material as a subbase than is provided in the bid specification. A request to base a bid on an alternate subbase must propose the use of a material included on the list in the FDM at a thickness that is equivalent to the material and thickness of the material provided in the bid specification.

If DOT grants the authorization, it must notify all bidders of the authorized substitution and allow any of the bidders to base their bid on the authorized substitution. The substitute amendment provides that DOT may deny a substitution only if it determines that the substitution would be detrimental to the highway improvement for site-specific reasons. If DOT denies a request for substitution, it must notify all bidders of the denial in writing and shall include an explanation of DOT's determination.

BILL HISTORY

Senator Petrowski offered Senate Substitute Amendment 1 on June 24, 2019. On June 25, 2019, the Senate Committee on Transportation and Veterans Affairs voted to recommend adoption of Senate Substitute Amendment 1 and passage of Senate Bill 272, as amended, both on votes of Ayes, 3; Noes, 2.

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