



## 2015 ASSEMBLY BILL 1003

March 18, 2016 - Introduced by Representative TITTL. Referred to Committee on State Affairs and Government Operations.

1     **AN ACT to repeal** 779.14 (1s); and **to amend** 779.14 (1e) (b), 779.14 (1m) (c) 1.  
2           (intro.), 779.14 (1m) (c) 2. (intro.), 779.14 (1m) (c) 3., 779.14 (1m) (d) 1. (intro.),  
3           779.14 (1m) (d) 2. (intro.) and 779.14 (1m) (d) 3. of the statutes; **relating to:**  
4           indexing dollar amounts for certain public works contracts.

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### *Analysis by the Legislative Reference Bureau*

This bill eliminates the requirement for the Department of Workforce Development (DWD) to index dollar amounts for certain public projects. Current law sets forth provisions that are required to be included in certain contracts with the state or with local units of government for public improvements or other public works. The required provisions vary depending on the amount of money involved in the contract. Current law lists certain requirements for every contract involving \$10,000 or more for performing, furnishing, or procuring labor, services, materials, plans, or specifications, and other requirements for every contract involving \$30,000 or more for those items.

Current law requires varying provisions in state contracts for public improvements or other public works involving more than \$10,000 but less than \$100,000, in contracts involving more than \$100,000 but less than \$250,000, and in contracts involving more than \$250,000. Current law also requires varying provisions in local government contracts for public improvements and other public works involving more than \$10,000 but less than \$50,000, in contracts involving more than \$50,000 but less than \$100,000, and in contracts involving more than \$100,000.

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Current law requires DWD to index the dollar amounts biennially and to keep adjustments proportional to the last adjustment. Under current law, DWD need not make an adjustment for a biennium if the adjustment would be less than five percent.

This bill sets the dollar amounts involved in the contracts for public improvements or other public works at their current indexed levels and eliminates future indexing.

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

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

1           **SECTION 1.** 779.14 (1e) (b) of the statutes is amended to read:

2           779.14 **(1e)** (b) All contracts that are in excess of \$30,000, ~~as indexed under sub.~~  
3 ~~(1s)~~, and that are for performing, furnishing, or procuring labor, services, materials,  
4 plans, or specifications for a public improvement or public work shall contain a  
5 provision under which the prime contractor agrees, to the extent practicable, to  
6 maintain a list of all subcontractors, suppliers, and service providers performing,  
7 furnishing, or procuring labor, services, materials, plans, or specifications under the  
8 contract.

9           **SECTION 2.** 779.14 (1m) (c) 1. (intro.) of the statutes is amended to read:

10           779.14 **(1m)** (c) 1. (intro.) In the case of a contract with a contract price  
11 exceeding \$10,000, ~~as indexed under sub. (1s)~~, \$16,000 but not exceeding \$100,000,  
12 ~~as indexed under sub. (1s)~~ \$148,000:

13           **SECTION 3.** 779.14 (1m) (c) 2. (intro.) of the statutes is amended to read:

14           779.14 **(1m)** (c) 2. (intro.) In the case of a contract with a contract price  
15 exceeding \$100,000, ~~as indexed under sub. (1s)~~, \$148,000 but not exceeding  
16 ~~\$250,000, as indexed under sub. (1s)~~ \$369,000:

17           **SECTION 4.** 779.14 (1m) (c) 3. of the statutes is amended to read:

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1           779.14 (1m) (c) 3. In the case of a contract with a contract price exceeding  
2           \$250,000, ~~as indexed under sub. (1s), \$369,000~~ the contract shall require the prime  
3           contractor to obtain a payment and performance bond meeting the requirements  
4           under par. (e).

5           **SECTION 5.** 779.14 (1m) (d) 1. (intro.) of the statutes is amended to read:

6           779.14 (1m) (d) 1. (intro.) In the case of a contract with a contract price  
7           exceeding \$10,000, ~~as indexed under sub. (1s), \$16,000~~ but not exceeding \$50,000,  
8           ~~as indexed under sub. (1s) \$74,000~~:

9           **SECTION 6.** 779.14 (1m) (d) 2. (intro.) of the statutes is amended to read:

10          779.14 (1m) (d) 2. (intro.) In the case of a contract with a contract price  
11          exceeding \$50,000, ~~as indexed under sub. (1s), \$74,000~~ but not exceeding \$100,000,  
12          ~~as indexed under sub. (1s) \$148,000~~:

13          **SECTION 7.** 779.14 (1m) (d) 3. of the statutes is amended to read:

14          779.14 (1m) (d) 3. Except as provided in sub. (4), in the case of a contract with  
15          a contract price exceeding \$100,000, ~~as indexed under sub. (1s), \$148,000~~ the  
16          contract shall require the prime contractor to obtain a payment and performance  
17          bond meeting the requirements under par. (e).

18          **SECTION 8.** 779.14 (1s) of the statutes is repealed.

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(END)