



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-4249/1
CMH:amn

2017 SENATE BILL 438

October 9, 2017 - Introduced by Senators DARLING, PETROWSKI and CRAIG, cosponsored by Representatives KNODL, HORLACHER, KREMER, SPIROS, TITTL, VRUWINK, FELZKOWSKI, R. BROOKS, KOOYENGA, TUSLER, GANNON, SWEARINGEN, KUGLITSCH, SANFELIPPO and DUCHOW. Referred to Committee on Government Operations, Technology and Consumer Protection.

1 **AN ACT to amend** 16.75 (1) (b) 1. and 2. and (c) and 16.75 (3t) (c) (intro.); and **to**
2 **create** 16.75 (6) (ag) of the statutes; **relating to:** state procurement of signs.

Analysis by the Legislative Reference Bureau

Under current law, if a state agency makes a purchase for which the estimated cost exceeds \$50,000, the purchase must be made through competitive bidding. Under this bill, if the items being purchased are signs, the purchase must be made through competitive bidding if the estimated cost exceeds \$3,500.

Also under current law, state agencies making purchases generally must allow the Department of Corrections the opportunity to provide the materials, supplies, equipment, or services if DOC is able to do so for a price that is comparable to one obtained through competitive bidding. This bill provides an exemption for the purchase of signs.

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

3 **SECTION 1.** 16.75 (1) (b) 1. and 2. and (c) of the statutes are amended to read:
4 16.75 (1) (b) 1. Except as provided in subd. 2., when the estimated cost exceeds
5 ~~\$25,000~~ \$50,000, the department shall ~~invite~~ solicit bids ~~to be submitted~~.

SENATE BILL 438**SECTION 1**

1 2. ~~Bids are not required if~~ If the item being purchased is a sign, bids shall be
2 solicited unless the estimated cost does not exceed ~~\$50,000~~ \$3,500.

3 (c) Except as provided in par. (b) 2. and sub. (7), when the estimated cost is
4 \$25,000 or less, the award may be made in accordance with simplified procedures
5 established by the department for such transactions.

6 **SECTION 2.** 16.75 (3t) (c) (intro.) of the statutes is amended to read:

7 16.75 **(3t)** (c) (intro.) The department of corrections shall periodically provide
8 to the department of administration a current list of all materials, supplies,
9 equipment or contractual services, excluding commodities, that are supplied by
10 prison industries, as created under s. 303.01. The department of administration
11 shall distribute the list to all designated purchasing agents under s. 16.71 (1). Except
12 as otherwise provided in sub. (6) (ag) or (am), prior to seeking bids or competitive
13 sealed proposals with respect to the purchase of any materials, supplies, equipment
14 or contractual services enumerated in the list, the department of administration or
15 any other designated purchasing agent under s. 16.71 (1) shall offer prison industries
16 the opportunity to supply the materials, supplies, equipment or contractual services
17 if the department of corrections is able to provide them at a price that is comparable
18 to one which may be obtained through competitive bidding or competitive sealed
19 proposals and is able to conform to the specifications. If the department of
20 administration or other purchasing agent is unable to determine whether the price
21 of prison industries is comparable to one obtained through competitive bidding or
22 competitive sealed proposals, it may solicit bids or competitive proposals before
23 awarding the order or contract. This paragraph does not apply to the printing of the
24 following forms:

25 **SECTION 3.** 16.75 (6) (ag) of the statutes is created to read:

