

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB133)**

Received: 06/7/99

Received By: kuesejt

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau 6-8744

By/Representing: Mason

This file may be shown to any legislator: NO

Drafter: kuesejt

May Contact:

Alt. Drafters:

Subject: State Government - miscellaneous

Extra Copies: RAC - 1

**Pre Topic:**

LFB:.....Mason -

**Topic:**

Investment board procurements

**Instructions:**

Per LFB paper #602, alternative # 2.

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kuesejt 06/10/99	chanaman 06/11/99		_____			
/1			mclark 06/11/99	_____	lrb_docadmin 06/11/99		

FE Sent For:

<END>

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17/11	kuesejt 6/10	cmr 6/11	mre 6/11	mrc/jf 6/11			
FE Sent For:		/1					

<END>

1999

Date (time) needed

SOON

LRB b 0576, 1

LFB BUDGET AMENDMENT [ONLY FOR LFB]

JFK:cmA

See form AMENDMENTS — COMPONENTS & ITEMS.

LFB AMENDMENT TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

At the locations indicated, amend the bill as follows:

#. Page 143, line 7: delete lines 7 to 17.

#. Page 145, line 19: delete the material beginning with that line and ending with page 146, line 6, and substitute: (INS A)

#. Page 146, line 18: delete the material beginning with that line and ending with page 148, line 24, and substitute: (INSERT B)

#. Page 149, line 9: delete lines 9 to 16.

#. Page 152, line 15: delete lines 15 to the material beginning with that line and ending with page 153, line 8.

#. Page ..., line ...: (END)

B  
82m  
Section 16.72 (2) (b) of the statutes is amended to read:  
cs

ANS A: 1

ss. 16.751 and

16.72 (2) (b) Except as provided in ~~s. 565.25~~ (2) (a) 4., the department shall prepare or review specifications for all materials, supplies, equipment, other permanent personal property and contractual services not purchased under standard specifications. Such "nonstandard specifications" may be generic or performance specifications, or both, prepared to describe in detail the article which the state desires to purchase either by its physical properties or programmatic utility. When appropriate for such nonstandard items or services, trade names may be used to identify what the state requires, but wherever possible 2 or more trade names shall be designated and the trade name of any Wisconsin producer, distributor or supplier shall appear first.

History: 1975 c. 41; 1977 c. 418; 1981 c. 20, 350; 1983 a. 92; 1983 a. 333 ss. 3c, 3g, 3n, 3w; 1985 a. 29 ss. 122g, 3200 (1); 1985 a. 332; 1987 a. 119, 292; 1989 a. 31, 335; 1991 a. 39, 269; 1995 a. 27, 227; 1997 a. 27, 212; s. 13.93 (1) (b).



B  
828  
Section #16.72 (2) (d) of the statutes is amended to read:  
CS

JWSA:2

Except as permitted in s. 16.751, to

16.72 (2) (d) ~~To~~ the extent possible, the department and any other designated purchasing agent under s. 16.71 (1) shall write specifications for the purchase of materials, supplies, commodities, equipment and contractual services so as to permit their purchase from prison industries, as created under s. 303.01 (1).<sup>17</sup>

~~History: 1975 c. 41; 1977 c. 418; 1981 c. 20, 350; 1983 a. 92; 1983 a. 333 ss. 3c, 3g, 3ii, 3w; 1985 a. 29 ss. 122g, 3200 (1); 1985 a. 332; 1987 a. 119, 292; 1989 a. 31, 335; 1991 a. 39, 269; 1995 a. 27, 227; 1997 a. 27, 212; s. 13.93 (1) (b).~~

(END OF INSERT A)

11  
B  
85M  
Section # 16.75 (1) (a) 1.  
CS

INSB:1

Section # 16.75 (1) (a) 1. of the statutes is amended to read:

16.75 (1) (a) 1. All orders awarded or contracts made by the department for all materials, supplies, equipment and contractual services to be provided to any agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t), (6), (7), (8) and (9) and ss. 16.73 (4) (a), <sup>16.75(2)</sup> 16.754, 50.05 (7) (f), 287.15 (7) and 301.265, shall be awarded to the lowest responsible bidder, taking into consideration life cycle cost estimates under sub. (1m), when appropriate, the location of the agency, the quantities of the articles to be supplied, their conformity with the specifications, and the purposes for which they are required and the date of delivery.

~~History: 1975 c. 224; 1977 c. 418, 419; 1979 c. 34, 221, 314, 340, 355; 1979 c. 361 s. 112; 1981 c. 121 s. 20; 1983 a. 27 ss. 91, 93 to 99; 1983 a. 333 ss. 3g, 3r to 4b, 6; 1983 a. 368, 390; 1985 a. 29 ss. 122m to 124, 3200 (1); 1985 a. 180; 1987 a. 27, 119, 142, 147, 186, 399, 403; 1989 a. 31, 335, 345, 359; 1991 a. 39, 170; 1993 a. 16, 414; 1995 a. 27 ss. 368 to 382, 9116 (5); 1995 a. 225, 227, 244, 289, 432; 1997 a. 3.~~

B  
86m  
Section # 16.75 (2m) (g) of the statutes is amended to read:  
CS

TWS B:2

16.75 (2m) (g) After receiving each offerer's best and final offer, the department shall determine which proposal is most advantageous and shall award the order or contract to the person who offered it. The department's determination shall be based only on price and the other evaluation factors specified in the request for proposals. The department shall state in writing the reason for the award and shall place the statement in the contract file. *This paragraph does not apply to procurements under s. 16.751.*

History: 1975 c. 224; 1977 c. 418, 419; 1979 c. 34, 221, 314, 340, 355; 1979 c. 361 s. 112; 1981 c. 121 s. 20; 1983 a. 27 ss. 91, 93 to 99; 1983 a. 333 ss. 3g, 3r to 4b, 6; 1983 a. 368, 390; 1985 a. 29 ss. 122m to 124, 3200 (1); 1985 a. 180; 1987 a. 27, 119, 142, 147, 186, 399, 403; 1989 a. 31, 335, 345, 359; 1991 a. 39, 170; 1993 a. 16, 414; 1995 a. 27 ss. 368 to 382, 9146 (5); 1995 a. 225, 227, 244, 289, 432; 1997 a. 3.

score text



1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb0576/lins  
JTK.....

~~Project 48, line~~ Ins B:3

SECTION 89m. 16.751 of the statutes is created to read:

**16.751 Information technology purchases by investment board.** (1) In this section, "information technology" has the meaning given under s. 16.97 (a).

(2) The requirements of ss. 16.72 (2) (b) and (d) and 16.75 (1) (a) 1. and (2m) (g) do not apply to procurements by the investment board for information technology purposes. //

(end) of insert B

6





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0576/1  
JTK:cmh:mrc

LFB:.....Mason - Investment board procurements

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 143, line 7: delete lines 7 to 17.

3 **2.** Page 145, line 19: delete the material beginning with that line and ending  
4 with page 146, line 16, and substitute:

5 "SECTION 82m. 16.72 (2) (b) of the statutes is amended to read:

6 16.72 (2) (b) Except as provided in ~~s.~~ ss. 16.751 and 565.25 (2) (a) 4., the  
7 department shall prepare or review specifications for all materials, supplies,  
8 equipment, other permanent personal property and contractual services not  
9 purchased under standard specifications. Such "nonstandard specifications" may be  
10 generic or performance specifications, or both, prepared to describe in detail the  
11 article which the state desires to purchase either by its physical properties or

1 programmatic utility. When appropriate for such nonstandard items or services,  
2 trade names may be used to identify what the state requires, but wherever possible  
3 2 or more trade names shall be designated and the trade name of any Wisconsin  
4 producer, distributor or supplier shall appear first.

5 **SECTION 82p.** 16.72 (2) (d) of the statutes is amended to read:

6 16.72 (2) (d) ~~To~~ Except as permitted in s. 16.751, to the extent possible, the  
7 department and any other designated purchasing agent under s. 16.71 (1) shall write  
8 specifications for the purchase of materials, supplies, commodities, equipment and  
9 contractual services so as to permit their purchase from prison industries, as created  
10 under s. 303.01 (1).”.

11 **3.** Page 146, line 18: delete the material beginning with that line and ending  
12 with page 148, line 24, and substitute:

13 **“SECTION 85m.** 16.75 (1) (a) 1. of the statutes is amended to read:

14 16.75 (1) (a) 1. All orders awarded or contracts made by the department for all  
15 materials, supplies, equipment and contractual services to be provided to any  
16 agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t),  
17 (6), (7), (8) and (9) and ss. 16.73 (4) (a), 16.751, 16.754, 50.05 (7) (f), 287.15 (7) and  
18 301.265, shall be awarded to the lowest responsible bidder, taking into consideration  
19 life cycle cost estimates under sub. (1m), when appropriate, the location of the  
20 agency, the quantities of the articles to be supplied, their conformity with the  
21 specifications, and the purposes for which they are required and the date of delivery.

22 **SECTION 86m.** 16.75 (2m) (g) of the statutes is amended to read:

23 16.75 (2m) (g) After receiving each offerer’s best and final offer, the department  
24 shall determine which proposal is most advantageous and shall award the order or

1 contract to the person who offered it. The department's determination shall be based  
2 only on price and the other evaluation factors specified in the request for proposals.  
3 The department shall state in writing the reason for the award and shall place the  
4 statement in the contract file. This paragraph does not apply to procurements under  
5 s. 16.751.

6 **SECTION 89m.** 16.751 of the statutes is created to read:

7 **16.751 Information technology purchases by investment board.** (1) In  
8 this section, "information technology" has the meaning given under s. 16.97 (6).

9 (2) The requirements of ss. 16.72 (2) (b) and (d) and 16.75 (1) (a) 1. and (2m)  
10 (g) do not apply to procurements by the investment board for information technology  
11 purposes."

12 **4.** Page 149, line 9: delete lines 9 to 16.

13 **5.** Page 152, line 15: delete the material beginning with that line and ending  
14 with page 153, line 8.

15 (END)