1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 06/7/99 Wanted: Soon For: Legislative Fiscal Bureau 6-8744 This file may be shown to any legislator: NO May Contact: Subject: State Government - miscellaneous					Received By: kuesejt Identical to LRB: By/Representing: Mason Drafter: kuesejt											
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					Topic:											
					Investm	ent board proc	curements									
Instruc	tions:						· · · · · · · · · · · · · · · · · · ·									
Per LFE	3 paper #602, a	alternative # 2.														
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Vers.	Drafted	Reviewed	Typed	<u>Proofed</u>	Submitted	Jacketed	Required									
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RAC-1

Pre Topic:

LFB:.....Mason -

Topic:

Investment board procurements

Instructions:

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FE Sent For:

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Date (time)

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LRB b 8576 / 1

LFB BUDGET AMENDMENT [ONLY FOR LFB]

See form AMENDMENTS - COMPONENTS & ITEMS

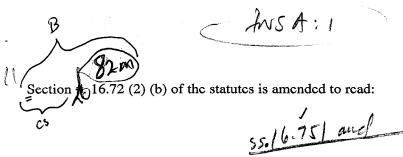
LFB AMENDMENT TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

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

At the locations indicated, amend the bill as follows:

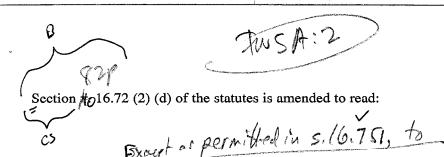
#. Page ..., line ...: delete lines 7 10/7. #. Page..., line...: Delote the material boojinsing with that
line and ending with page 146, I inc 16, and co 65++te: #. Page 1.6, line 18: delete the natorial boginning with that
ins and ending with page 148, line 24, and substite:

[INSTRT B] #. Page 149, line 9 delete (mes 9 16. # Page 152, live 15: delete Xunes 15 to the material
beginning with the time and ending with page 153, line 8. (cons) #. Page line . . . :



16.72 (2) (b) Except as provided in \$\frac{1}{2}\$,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.

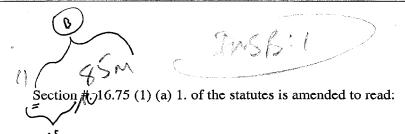
History: 1975 c. 41: 1977 c. 418; 1981 c. 20, 350; 1983 a 92; 1983 a 333 ss 3c, 3g, 3n; 3w; 1985 a. 29 ss. 122g, 3200 (1); 1985 a. 332; 1987 a. 119, 292; 1989 a. 31, 335; 1991 a. 39, 269; 1995 a. 27, 227; 1997 a. 27, 212; s. 13.93 (1) (b).



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).

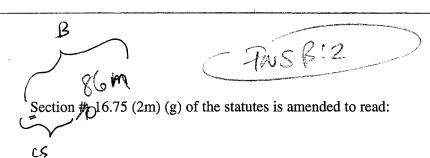
History: 1975 e. 41; 1977 c. 418; 1981 c. 20, 350: 1983 a. 92; 1983 a. 333 ss. 3c, 3g, 3n, 3w, 1985 a. 29 ss. 122g, 3200 (1), 1985 a. 332; 1987 a. 119, 292; 1989 a. 31, 335; 1991 a. 39, 269; 1995 a. 27, 227; 1997 a. 27, 212; s. 13.93 (1) (b).

(END OF INSERT A)



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), 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.



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 peragraph does not apply to grocurements under 5, 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. 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.

1999–2000 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

LRBb0576/1ins JTK...:...

Hoget 18 The TWS 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 (2).

(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.

, At insem



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State of Misconsin 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

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

article which the state desires to purchase either by its physical properties or

At the locations indicated, amend the bill as follows:

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.

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

16.72 (2) (d) To Except as permitted in s. 16.751, 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).".

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

"Section 85m. 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), 16.751, 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.

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

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

Τ	contract to the person who offered it. The department's determination shaft 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	<u>s. 16.751.</u>
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)