

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **06/11/99**

Received By: **traderc**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Dyck**

This file may be shown to any legislator: **NO**

Drafter: **hubliks**

May Contact:

Alt. Drafters:

Subject: **Transportation - miscellaneous**

Extra Copies:

Pre Topic:

LFB:.....Dyck -

Topic:

Sixth street bridge, design-build contract

Instructions:

See Attached

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>
/?	traderc 06/11/99			_____			
/P1	hubliks 06/11/99	wjackson 06/12/99	martykr 06/12/99	_____	lrb_docadmin 06/12/99		
/1	hubliks 06/14/99	wjackson 06/14/99	martykr 06/14/99	_____	lrb_docadmin 06/14/99		
		lrb_docadmin 06/14/99		_____			
		gilfokm 06/14/99		_____			

Vers. Drafted Reviewed Typist Proofed Submitted Jacketed Required

/2

jfrantze
06/14/99

lrb_docadmin
06/14/99

FE Sent For:

<END>

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FE Sent For:

*12-6-14-99
Kmp*

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1 6/15 WLj


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1/?	traderc		<i>km 6/12</i>	<i>ksh 6/12</i> <i>2m 12</i>			

FE Sent For:

Ker cmh 6/13
<END>

11. *Freight Rail Assistance -- Interest Rate [Paper #935, Alternative #4].* Maintain current law by eliminating the provision of the bill that would require DOT to promulgate a rule establishing a minimum interest rate for loans made under the freight rail infrastructure improvement program and the freight rail preservation program.

delete
RPN
change
something
in bill

12. *Richard I. Bong Air Museum [Paper #936, Alternative #2].* Specify that the \$1,000,000 FED grant in 1999-00 from the transportation enhancements program to the City of Superior for the construction of the Richard I. Bong Air Museum may not exceed 80% (instead of 90% under the bill) of the cost of constructing the museum.

RPN
change
something
in bill

13. *Sixth Street Bridge in Milwaukee -- Funding [Paper #937, Alternative #1].* Provide \$51,000,000 FED (ICE funds), \$6,500,000 SEG and \$2,500,000 SEG-L in 1999-00 for the accelerated local bridge improvement assistance program. Specify that, notwithstanding current provisions related to the payment of the costs of a bridge under the accelerated local bridge improvement assistance program, the share of the costs paid by the state and local governments for the Sixth Street Bridge shall be as determined by the agreement on the use of the ICE funds.

1,0637
ME

not
done

14. *Sixth Street Bridge in Milwaukee -- Design-Build Contracting.* Permit DOT, subject to the approval of the federal government, to use a design-build contract for the Sixth Street Bridge in Milwaukee, defined as a method of construction under which the engineering, design and construction are provided by a single entity through a competitive selection process that utilizes, at a minimum, qualifications, quality, time of completion and cost as award criteria. Specify that such a contract must be entered into by DOT and approved by the Governor and be subject to the following conditions that currently apply to other DOT construction projects: (a) prevailing wage requirements; and (b) public works lien and performance bond requirements. Specify that to be eligible to participate in the competitive selection process, entities seeking the contract must be prequalified as a contractor and design consultant by the Department. Require DOT to submit a report to the Legislature on the effectiveness of design-build contracting procedures not later than five years after the effective date of the bill.

4RB 0241/3

Enter
14

email language from Jim Thiel

15. *Town Road Improvement Program -- Discretionary Funds.* Provide \$1,000,000 SEG and \$1,000,000 SEG-L in 1999-00 for the local roads improvement program to fund an increase in the TRIP-D component. Increase the amount that DOT must set aside for the discretionary town road improvement program in 1999-00 from \$500,000 to \$1,500,000.

5/9

16. *Local Transportation Facility Improvement Assistance.* Provide \$6,000,000 FED and \$1,500,000 SEG-L in 1999-00 in the local transportation facility improvement assistance appropriation for local highway projects.

no draft

17. *State Highway Rehabilitation -- Funding Level [Paper #945].* Provide an additional \$12,641,700 FED in 1999-00 and \$7,918,800 FED in 2000-01 and delete \$5,941,700 SEG in 1999-00 and \$7,918,800 SEG in 2000-01 for the state highway rehabilitation program to provide a total increase to the bill of \$6,700,000 in 1999-00. The total, above-base increase for the program would be \$13,305,100 in 1999-00 and \$16,153,300 in 2000-01.

no draft

~~4RB 0241/3~~

Fast, Timothy

From: Dyck, Jon
Sent: Thursday, June 10, 1999 10:44 AM
To: Fast, Timothy; Sager-Rosenthal, Ivy
Subject: FW: New appropriations

Here is the language from Jim Thiel on design-build:

"SECTION XXXXXX. Notwithstanding sec. 84.11, Stats. (1991- 92) or secs. 84.01(13), 84.06(2) and 84.11, Stats., (1997-98) or any other statute, the department of transportation may use the design-build concept and enter into a design-build contract for one high cost local bridge for which an agreement apportioning costs has been executed by all participating agencies prior to July 1, 1993 under Section TRANS 215.08(2), Wis. Admin. Code, in any county having a population of 500,000 or more. The design-build process and project must also receive the specific approval of the federal government pursuant to federal Special Experimental Project No. 14, Innovative Contracting Practices, and SECTION 1307(e)(2) of Public Law 105-178. For purposes of this provision, "design-build" means a method of construction under which the engineering, design and construction are provided by a single entity through a competitive selection process that utilizes, at a minimum, qualifications, quality, time of completion and cost as award criteria. The design-build contract shall be entered into by the department and approved by the Governor. The contract shall incorporate prevailing wage rates under sec. 103.50, Stats., and be subject to public works lien and performance and payment bond requirements under secs. 779.14 and 779.15, Stats. The contract may contain disadvantaged business enterprise participation provisions consistent with 49 Code of Federal Regulations Part 26. To be eligible to participate in the competitive selection process, entities seeking the contract must be prequalified as a contractor and design consultant by the department. The department shall submit a report to the Legislature on the effectiveness of design-build contracting procedures not later than 5 years after the date of enactment of this Act."

Also, below is the e-mail from DOT on the new appropriations. Perhaps the new local appropriation could be (cv).

Jon Dyck, Fiscal Analyst
Legislative Fiscal Bureau

-----Original Message-----

From: Nooyen, Cindy
Sent: Thursday, June 10, 1999 8:40 AM
To: Dyck, Jon
Cc: Beaupre, Sandy; Riopelle, Patrick; Mansfield, Mark
Subject: RE: New appropriations

I would suggest the following:

Aviation Career Education , State Funds (2)(ds) 238

Passenger Railroad Station Improvement Grants (2)(ct) 237

-----Original Message-----

From: Dyck, Jon
Sent: Thursday, June 10, 1999 8:04 AM
To: Nooyen, Cindy
Cc: Beaupre, Sandy; Riopelle, Patrick
Subject: New appropriations

Cindy,

As a result of last night's JFC action on the transportation budget, we have to create two new appropriations: one for the aviation career education program and one for a passenger railroad station grant program. What letters and numbers should I use for these appropriations? I need a response fairly quickly, if that is possible?

Ch. 16 doesn't apply - not very much needs to be ^{of perform bond} notated
why say prev. wage & lien apply - because they
do already?
↳ why say OK?

dis. business enterprise - some stat?
report in sep. subsection

main thing - get around current structure =
sep contract

Simplify Thiele's stuff

might be more than one bridge on sixth st.

Fast, Timothy

From: Dyck, Jon
Sent: Friday, June 11, 1999 2:40 PM
To: Fast, Timothy
Subject: FW: Design-Build; 6th Street Bridge; LRB0347/4 and LRBb0241/3

Importance: High

Jon Dyck, Fiscal Analyst
Legislative Fiscal Bureau

-----Original Message-----

From: Thlel, Jlm
Sent: Monday, May 24, 1999 5:09 PM
To: Shovers, Marc
Cc: Dyck, Jon; Nilsen, Paul
Subject: Design-Build; 6th Street Bridge; LRB0347/4 and LRBb0241/3
Importance: High

Marc, Milwaukee County has shared LRB 0347/4 relating to Design-Build with WISDOT. The cover note from Milwaukee County accompanying the draft bill says: "The first local project targeted for design-build is the Sixth Street viaduct."

LRB 0347/4 won't work as to the Sixth Street Viaduct for reasons stated in more detail below. Jon Dyck has also asked what is needed. Therefore, in the short term, to address the Sixth Street Viaduct project until more consideration can be given to the broader issues, I would propose and ask, on behalf of WISDOT, that the following session law language be developed as an amendment for the budget bill with such changes as you may deem appropriate:

"SECTION XXXXXX. Notwithstanding sec. 84.11, Stats. (1991- 92) or secs. 84.01(13), 84.06(2) and 84.11, Stats., (1997-98) or any other statute, the department of transportation may use the design-build concept and enter into a design-build contract for one high cost local bridge for which an agreement apportioning costs has been executed by all participating agencies prior to July 1, 1993 under Section TRANS 215.08(2), Wis. Admin. Code, in any county having a population of 500,000 or more. The design-build process and project must also receive the specific approval of the federal government pursuant to federal Special Experimental Project No. 14, Innovative Contracting Practices, and SECTION 1307(e)(2) of Public Law 105-178. For purposes of this provision, "design-build" means a method of construction under which the engineering, design and construction are provided by a single entity through a competitive selection process that utilizes, at a minimum, qualifications, quality, time of completion and cost as award criteria. The design-build contract shall be entered into by the department and approved by the Governor. The contract shall incorporate prevailing wage rates under sec. 103.50, Stats., and be subject to public works lien and performance and payment bond requirements under secs. 779.14 and 779.15, Stats. The contract may contain disadvantaged business enterprise participation provisions consistent with 49 Code of Federal Regulations Part 26. To be eligible to participate in the competitive selection process, entities seeking the contract must be prequalified as a contractor and design consultant by the department. The department shall submit a report to the Legislature on the effectiveness of design-build contracting procedures not later than 5 years after the date of enactment of this Act."

DETAILS:

The Sixth Street Viaduct is a local high-cost bridge under sec. 84.11(5), Stats. (1991-92) and Chapter TRANS 215, Wis. Admin. Code. It is not on the state trunk highway system nor on a marked route of the state trunk highway system designated as a connecting highway. This project was initiated by a resolution adopted October 10, 1989, by the Common Council of the City of Milwaukee, and was filed with WISDOT November 22, 1989. The resolution, as required by sec. 84.11, Stats., stated the City of Milwaukee desired reconstruction of the Sixth Street Viaduct. On January 26, 1990 WISDOT held a public hearing in response to the City's resolution pursuant to sec. 84.11, Stats. On July 20, 1990, WISDOT issued its Finding and Partial Determination after consideration of the proceedings at the hearing. WISDOT approved the City of Milwaukee's resolution, determined reconstruction was necessary, and that it was eligible under sec.

84.11, Stats. However, in order to issue its Final order, WISDOT determined that a financing agreement with the City and further studies were required. The financing or cost split agreement between the City, County and WISDOT was fully executed December 31, 1991. It established the apportionment of all costs for the life of this local high-cost bridge project at 75% State, and 12.5% City and 12.5% County. Language was included to make proportional reductions to all shares to the extent discretionary federal aid is used (as required by state law) and to allow either local government to pay more than its share if it desires (as allowed by state law). The cost sharing includes all phases (preliminary engineering, engineering, real estate and construction).

The second mentioned requirement had not yet been accomplished, i.e. the completion of certain studies, as provided in sec. 84.11(4), Stats. These included evaluation and disclosure of alternatives, an environmental analysis and preparation of an Environmental Report, and preliminary design studies for the purpose of determining the location, character and kind of bridge most suitable for the location, an estimated cost of the new bridge and the entire project. The environmental documentation is now complete and WISDOT is now prepared to issue its Final Determination and Order generally as follows:

"The new bridge will consist of 12 spans containing 8 steel plate girder spans, two bascule span units and two cable stayed units. The 2788' long bridge provides an 80' clear width consisting of two 12' lanes, a 5' bike lane and a 10' sidewalk on each side. It will descend to the floor of the Menominee Valley to intersect at grade with Canal Street. The centerline alignment south of the South Menominee Canal will coincide with the centerline of the existing bridge and north of the canal will be shifted approximately 130' to the west."

"The parties (State, Milwaukee County and City of Milwaukee) agreed to a \$60 million cost estimate which includes final design, real estate, hazardous material remediation and construction. This estimate will be reduced by the amount already expended or encumbered for those purposes when the final project agreement is reached. The \$60 million estimated cost consists of \$52 million representing the estimated cost of the least expensive functional alternative and \$8 million to provide an enhanced alternative. The \$52 million will be divided 75% State, 12.5% City and 12.5% County according to the provisions of sec. 84.11(5), Stats. (1991-92). The additional \$8, by agreement signed April 20, 1999, between the City, County, and the State, will be split evenly -- i.e. \$4 City and County and \$4 million State, under SECTION 1045 of ISTEPA, Public Law 102-240, December 8, 1991, as affected by Section 373 of the Omnibus Appropriations Act, Public Law 105-277 (enacted 10/21/98). The maximum State commitment will be \$43 million. (The percentages on these projects under Wisconsin law, sec. 84.11(5), Stats. (1997-98) is now 1/3, 1/3, 1/3; however, the Sixth Street Viaduct project was grandfathered at the higher State percentage. To the extent, if any, that the 50/50 split on \$8 enhancement conflicts with prior or current law, WISDOT proposed LRBb0241/3 to remove any doubt.)

However, under existing Wisconsin law, sec. 84.11(7m), Stats., (1997-98), previously sec. 84.11(7) (1991-92), the construction of any such high cost local bridge as the Sixth Street Viaduct must be "wholly under the supervision and control of [WISDOT]. The Secretary [of WISDOT] shall make and execute all contracts and have complete supervision over all matters pertaining to such construction...." The Sixth Street Viaduct project cannot be undertaken directly by the City or County. WISDOT does not have existing statutory authority to use a design-build contracting process.

And, under existing federal law, SECTION 1305 of TEA-21, Public Law 105-178, June 9, 1998, WISDOT must carry out the responsibilities of the federal USDOT for design, plans, specifications, estimates, contract award, and inspection of the project in order to use the federal funds. As currently being implemented by the federal government, until new federal regulations are promulgated as required by the SECTION 1307 of TEA-21, WISDOT must still obtain federal approval to use a design-build concept for the Sixth Street Viaduct project, under a process currently known as SEP-14, Special Experimental Project No. 14, Innovative Contracting Practices. The federal government is fairly flexible in approving these requests, but the State must use cost as one of the award criteria and WISDOT must still be the responsible agency for the contract under existing federal procedures. Federal law requires WISDOT to be the responsible party in order to use federal funds and design build with federal moneys.

In any event, LRB 0347/4, the Milwaukee County Design-Build Draft, DOES NOT WORK FOR THE SIXTH STREET VIADUCT project because this bill draft only enables local units of government to engage in design-build public works contracts and does not address the above conflicts where WISDOT must let all contracts for local high cost bridges under sec. 84.11, Stats., the lack of enabling legislation for WISDOT to use design build [see sec. 84.01(13) and 84.06(2), Stats.], and federal requirements that WISDOT be the responsible party for these projects in order to obtain federal funds and use design build.

Long term, enabling legislation of general application would address secs. 84.11(7m), 84.06(2), and should address secs. 103.50, 779.14 and 779.15, Stats. relating to prevailing wage rates, bonding and lien requirements respectively as well as Disadvantaged Business requirements imposed by the federal government as a condition

of receipt of federal funds. Policy and procedural issues like those in LRB 0347/4 should also be addressed that would include the extent to which competitive bidding (lump sum, low bid) or competitive procurement processes and warranties are required and other major issues such as the impact on the consultant and transportation building industry and the appropriate use of this procedure.

However, in the short term, to address the Sixth Street Viaduct project that is the major impetus for this initiative, until more consideration can be given to these broader issues, AASHTO recommendations to the federal government called for in TEA-21, and new federal regulations yet to be written, I would propose the following narrower, session law language for the budget bill:

"SECTION XXXXXX. Notwithstanding sec. 84.11, Stats. (1991- 92) or secs. 84.01(13), 84.06(2) and 84.11, Stats., (1997-98) or any other statute, the department of transportation may use the design-build concept and enter into a design-build contract for one high cost local bridge for which an agreement apportioning costs has been executed by all participating agencies prior to July 1, 1993 under Section TRANS 215.08(2), Wis. Admin. Code, in any county having a population of 500,000 or more. The design-build process and project must also receive the specific approval of the federal government pursuant to federal Special Experimental Project No. 14, Innovative Contracting Practices, and SECTION 1307(e)(2) of Public Law 105-178. For purposes of this provision, "design-build" means a method of construction under which the engineering, design and construction are provided by a single entity through a competitive selection process that utilizes, at a minimum, qualifications, quality, time of completion and cost as award criteria. The design-build contract shall be entered into by the department and approved by the Governor. The contract shall incorporate prevailing wage rates under sec. 103.50, Stats., and be subject to public works lien and performance and payment bond requirements under secs. 779.14 and 779.15, Stats. The contract may contain disadvantaged business enterprise participation provisions consistent with 49 Code of Federal Regulations Part 26. To be eligible to participate in the competitive selection process, entities seeking the contract must be prequalified as a contractor and design consultant by the department. The department shall submit a report to the Legislature on the effectiveness of design-build contracting procedures not later than 5 years after the date of enactment of this Act."

It is our intent to share this language and explain the problem with LRB0347/4 as to the Sixth Street Viaduct with representatives of Milwaukee County and the City of Milwaukee this Wednesday, May 26.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0653/P1
KSH:f:....
wlj

LFB:.....Dyck - Sixth street bridge, design-build contract

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

DNOTE
Sat a.m.

Proof KLL.

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

2 1. Page 910, line 19: after that line insert:

3 "SECTION 1820^{KC}. 84.11 (5n) of the statutes is created to read:

4 84.11 (5n) ^{DESIGN-BUILD CONTRACTS.} ~~DESIGN-BUILD CONTRACTS FOR CERTAIN BRIDGES.~~

5 subsection, "design-build contract" means a contract for a project under which the
6 engineering, design and construction ^{services} ~~for the project~~ are provided by a single entity.

7 (b) Notwithstanding ^{and} 84.01 (13) ^{and} 84.06 (2) ^{and} ~~84.12 (1) to (5n) and (6) to (8)~~

8 the department may enter into a design-build contract for the design and
9 construction of a bridge for which funding is provided under s. 84.11 (5), 1993 stats.,
10 and for which no contract for construction is awarded before May 1, 1999. The
11 department may enter into a contract under this paragraph only ^{if} all of the following
12 conditions are met:

any other provision of
this section and ss.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBSample1/dn

KSH

WLJ

60153/dn

It is possible that a Wisconsin court would find that portions of this legislation constitute a "private or local bill" which, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as a single-subject legislation. If so, those portions cannot validly be enacted as part of this bill, which clearly encompasses more than one subject.

The Wisconsin Supreme Court has created ^{two} tests to determine whether a bill is "private or local". One test applies to bills that are specific as to persons, places or things. See *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79 (1986). The other test applies to legislation that is general on its face but applicable only to a particular class. See *City of Brookfield v. Milwaukee Metropolitan Sewerage District*, 144 Wis. 2d 896 (1988), and *Davis v. Grover*, 166 Wis. 2d 501 (1992).

Portions of this bill are general on their face but applicable only to a particular class (~~1st class city school districts~~). Under the Brookfield test, those portions are unconstitutional unless all of the following are true:

1. The classification is based upon substantial distinctions that make one class really different from another.
2. The classification is germane to the purpose of the law.
3. The class is open to additional members.
4. The law applies equally to all members of the class.
5. The characteristics of each class are so different from those of the other classes that substantially different treatment is justified.

In regard to the first part of the test, note that the *Brookfield* court and the *Davis* court disagreed on whether there are substantial distinctions between 1st class cities and other cities. Therefore, it is difficult to predict the potential for and outcome of any court action on this legislation. You may wish to consider introducing the portions of the bill pertaining to the Milwaukee public schools as a separate bill.

KSH

Query for: Document: LRBSample1/dn

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0653/P1dn
KSH:wlj:km

June 12, 1999

It is possible that a Wisconsin court would find that portions of this legislation constitute a "private or local bill" which, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as a single-subject legislation. If so, those portions cannot validly be enacted as part of this bill, which clearly encompasses more than one subject.

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Portions of this bill are general but applicable only to a particular class. Under the Brookfield test, those portions are unconstitutional unless all of the following are true:

1. The classification is based upon substantial distinctions that make one class really different from another.
2. The classification is germane to the purpose of the law.
3. The class is open to additional members.
4. The law applies equally to all members of the class.
5. The characteristics of each class are so different from those of the other classes that substantially different treatment is justified.

K. Scott Hubli
Administrative Services Manager
Phone: (608) 266-0135
E-mail: Scott.Hubli@legis.state.wi.us



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0653/04
KSH:wlj:km

1

LFB:.....Dyck - Sixth street bridge, design-build contract

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

no changes

TODAY

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

2 1. Page 910, line 19: after that line insert:

3 "SECTION 1820k. 84.11 (5n) of the statutes is created to read:

4 84.11 (5n) DESIGN-BUILD CONTRACTS. (a) In this subsection, "design-build
5 contract" means a contract for a project under which the engineering, design and
6 construction services are provided by a single entity.

7 (b) Notwithstanding any other provision of this section and ss. 84.01 (13) and
8 84.06 (2), the department may enter into a design-build contract for the design and
9 construction of a bridge for which funding is provided under s. 84.11 (5), 1993 stats.,
10 and for which no contract for construction is awarded before May 1, 1999. The
11 department may enter into a contract under this paragraph only if all of the following
12 conditions are met:



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0653/A
KSH:wlj:km

[Handwritten initials and circled marks]

LFB:.....Dyck - Sixth street bridge, design-build contract

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

TODAY

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2
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12

At the locations indicated, amend the bill as follows:

1. Page 910, line 19: after that line insert:

"SECTION 1820k. 84.11 (5n) of the statutes is created to read:

84.11 (5n) DESIGN-BUILD CONTRACTS. (a) In this subsection, "design-build contract" means a contract for a project under which the engineering, design and construction services are provided by a single entity.

(b) Notwithstanding any other provision of this section and ss. 84.01 (13) and 84.06 (2), the department may enter into a design-build contract for the design and construction of a bridge for which funding is provided under s. 84.11 (5), 1993 stats., and for which no contract for construction is awarded before May 1, 1999. The department may enter into a contract under this paragraph only if all of the following conditions are met:

1 1. The design-build contract is awarded through a competitive selection
2 process that utilizes, at a minimum, contractor qualifications, quality, completion
3 time and cost as award criteria. In order to be eligible to participate in the selection
4 process, the contractor must be prequalified by the department as a design
5 consultant and as a contractor.

6 2. The design-build contract is approved by the secretary of the federal
7 department of transportation under an experimental program described under
8 section 1307(d) of P.L. 105-178 pursuant to the authority granted under section 1307
9 (e) of P.L. 105-178.

10 3. The design-build contract is approved by the governor.

11 (c) No later than 5 years after the effective date of this paragraph [revisor
12 inserts date], the department shall submit a report to the legislature under s. 13.172
13 (1) describing the effectiveness of the design-build process contracting procedures
14 under this subsection.”.

15

(END)

the governor, and to



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0653/2
KSH:kmg&wlj:ksh

LFB:.....Dyck – Sixth street bridge, design–build contract

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 910, line 19: after that line insert:

3 “SECTION 1820k. 84.11 (5n) of the statutes is created to read:

4 84.11 (5n) DESIGN–BUILD CONTRACTS. (a) In this subsection, “design–build
5 contract” means a contract for a project under which the engineering, design and
6 construction services are provided by a single entity.

7 (b) Notwithstanding any other provision of this section and ss. 84.01 (13) and
8 84.06 (2), the department may enter into a design–build contract for the design and
9 construction of a bridge for which funding is provided under s. 84.11 (5), 1993 stats.,
10 and for which no contract for construction is awarded before May 1, 1999. The
11 department may enter into a contract under this paragraph only if all of the following
12 conditions are met:

