

SENATE BILL 474 (LRB -4097)

An Act to amend 20.866 (2) (t) and 101.14 (4) (b) 3. of the statutes; relating to: the 2003-05 Authorized State Building Program and granting bonding authority. (FE)

2004

02-20.	S.	Introduced by Senators Roessler and Risser , by request of the Building Commission.	
02-20.	S.	Read first time and referred to joint committee on Finance	619
03-01.	S.	Fiscal estimate received.	
03-09.	S.	Executive action taken.	
03-09.	S.	Report introduction and adoption of Senate Substitute Amendment 1 recommended by joint committee on Finance, Ayes 13, Noes 3 (LRB s0383).	
03-09.	S.	Report passage as amended recommended by joint committee on Finance, Ayes 16, Noes 0.	
03-09.	S.	Available for scheduling.	
03-11.	S.	Placed on calendar 3-11-2004 by committee on Senate Organization.	
03-11.	S.	Read a second time	719
03-11.	S.	Senate substitute amendment 1 adopted	719
03-11.	S.	Ordered to a third reading	719
03-11.	S.	Rules suspended	719
03-11.	S.	Read a third time and passed , Ayes 27, Noes 5	719
03-11.	S.	Ordered immediately messaged	719
03-16.	A.	Received from Senate	898
03-16.	A.	Read first time	898
03-16.	A.	Rules suspended and taken up	898
03-16.	A.	Assembly amendment 1 offered by Representative Gard (LRB a2943)	898
03-16.	A.	Assembly amendment 1 adopted , Ayes 91, Noes 3	898
03-16.	A.	Assembly amendment 2 offered by Representative Albers (LRB a2946)	899
03-16.	A.	Assembly amendment 1 to Assembly amendment 2 offered by Representative Albers (LRB f139)	899
03-16.	A.	Assembly amendment 1 to Assembly amendment 2 adopted	899
03-16.	A.	Point of order that Assembly amendment 2 not germane not well taken	899
03-16.	A.	Assembly amendment 2 laid on table, Ayes 93, Noes 1	899
03-16.	A.	Ordered to a third reading	899
03-16.	A.	Rules suspended	899
03-16.	A.	Read a third time and concurred in as amended, Ayes 85, Noes 9	899
03-16.	A.	Ordered immediately messaged	899
03-18.	S.	Received from Assembly amended and concurred in as amended, Assembly amendment 1 adopted	736
03-25.	S.	Placed on calendar 3-25-2004 by committee on Senate Organization.	
03-25.	S.	Assembly amendment 1 concurred in .	
03-25.	S.	Action ordered immediately messaged.	

2003
ENROLLED BILL

03en S B-474

ADOPTED DOCUMENTS:

Orig Engr

5 SubAmdt 1

035 03831 3

Amendments to above (if none, write "NONE"):

AA1 AA2
affected by AA1 heretofore

Corrections - show date (if none, write "NONE"):

none

Topic

relax

3/25/04
Date

[Signature]
Enrolling Drafter

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**SENATE SUBSTITUTE AMENDMENT 1,
TO 2003 SENATE BILL 474**

March 9, 2004 – Offered by JOINT COMMITTEE ON FINANCE.

1 **AN ACT to amend** 101.14 (4) (b) 3. of the statutes; **relating to:** the 2003–05
2 Authorized State Building Program.

Analysis by the Legislative Reference Bureau

This substitute amendment enumerates four projects for the University of Wisconsin (UW) System as additions to the 2003–05 Authorized State Building Program. The projects are:

Madison — School of Business Graduate School facility, \$40,000,000 (financed with \$10,000,000 existing general fund supported borrowing authority and \$30,000,000 gifts, grants and other receipts)

Madison — Ogg Residence Hall demolition and replacement, \$35,900,000 (financed with \$34,900,000 existing program revenue supported borrowing authority and \$1,000,000 moneys appropriated to the Board of Regents of the UW System derived from any revenue source)

Oshkosh — Taylor Hall renovation, \$13,000,000 (financed with existing program revenue supported borrowing authority)

River Falls — Hunt Arena and Knowles Physical Education and Recreation Center addition and renovation, \$2,206,000 (financed with \$1,876,000 existing general fund supported borrowing authority and \$330,000 existing program revenue supported borrowing authority)

Under current law, the Department of Commerce is required to promulgate rules requiring every residence hall and dormitory over 60 feet in height, the initial

construction of which was begun before April 26, 2000, that is owned or operated by the Board of Regents of the UW System to contain an automatic fire sprinkler system on each floor by January 1, 2006. This substitute amendment exempts Ogg Residence Hall from those rules until January 1, 2008.

Currently, with certain exceptions, when the state contracts for construction work the cost of which is estimated to exceed \$30,000, the Department of Administration (DOA) must solicit bids preceded by public notice. However, when the Building Commission determines that innovative types of design and construction processes will make better use of the resources and technology available in the building industry, the commission may waive bidding and certain other statutory requirements for state building projects. Also, when the governor determines that an emergency situation exists involving the public health, safety or welfare or contracting with public utilities, the governor may waive solicitation of bids on a state building project. In addition, when DOA believes that it is in the best interest of the state to contract for the purchase of articles or materials for state construction work from only one source, it may do so without soliciting bids.

This bill prohibits the Building Commission, the governor, and DOA from exercising their authority to waive statutory bidding procedures with respect to the building projects enumerated in the bill.

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

1 **SECTION 1.** 101.14 (4) (b) 3. of the statutes is amended to read:

2 101.14 (4) (b) 3. The rules of the department shall require every residence hall
3 and dormitory over 60 feet in height, the initial construction of which was begun
4 before April 26, 2000, that is owned or operated by the board of regents of the
5 University of Wisconsin System to contain an automatic fire sprinkler system on
6 each floor by January 1, 2006, except that those rules shall not apply to Ogg
7 Residence Hall at the University of Wisconsin — Madison until January 1, 2008.
8 Notwithstanding par. (c) 1., the rules of the department shall further require every
9 residence hall and dormitory, the initial construction of which is begun on or after
10 April 26, 2000, that is owned or operated by the board of regents of the University
11 of Wisconsin System to have an automatic fire sprinkler system installed on each
12 floor at the time the residence hall or dormitory is constructed.

1 **SECTION 2. Nonstatutory provisions.**

2 (1) 2003–05 STATE BUILDING PROGRAM ADDITIONS. In 2003 Wisconsin Act 33,
3 section 9106 (1), the following projects are added to the 2003–05 Authorized State
4 Building Program and the appropriate totals are increased by the amounts shown:

5 (a) In paragraph (g) 4., under projects financed by
6 gifts, grants and other receipts:

7 Madison — School of Business Graduate School
8 facility

\$30,000,000

9 (Total project all funding sources \$40,000,000)

10 (b) In paragraph (g) 5., under projects financed by
11 moneys appropriated to the agency from any
12 revenue source:

13 Madison — Ogg Residence Hall demolition and
14 replacement

\$1,000,000

15 (Total project all funding sources \$35,900,000)

16 (2) 2003–05 STATE BUILDING PROGRAM ADDITIONS. In 2003 Wisconsin Act 33,
17 section 9106 (1) (g), the following new subdivisions are created to add the following
18 new projects to the 2003–05 Authorized State Building Program and the appropriate
19 totals are increased by the amounts shown:

20 (g) UNIVERSITY OF WISCONSIN SYSTEM

21 1m. *Projects financed by existing general fund supported*
22 *borrowing authority:*

1	Madison — School of Business Graduate School	
2	facility	\$10,000,000
3	(Total project all funding sources \$40,000,000)	
4	River Falls — Hunt Arena and Knowles Physical	
5	Education and Recreation Center addition and	
6	renovation	1,876,000
7	(Total project all funding sources \$2,206,000)	
8	2m. <i>Projects financed by existing program revenue</i>	
9	<i>supported borrowing authority:</i>	
10	Madison — Ogg Residence Hall demolition and	
11	replacement	\$34,900,000
12	(Total project all funding sources \$35,900,000)	
13	Oshkosh — Taylor Hall renovation	13,000,000
14	River Falls — Hunt Arena and Knowles Physical	
15	Education and Recreation Center addition and	
16	renovation	330,000
17	(Total project all funding sources \$2,206,000)	
18	(3) WAIVER OF BIDDING PROCEDURES PROHIBITED. Notwithstanding section 13.48	
19	(19) of the statutes, the building commission shall not waive bidding requirements	
20	under section 16.855 (1) or (2) of the statutes with respect to any building project	
21	specified in subsection (1) or (2). Notwithstanding section 16.855 (16) (a) of the	
22	statutes, the governor shall not approve waiver of bidding procedures under section	
23	16.855 (1) or (2) of the statutes with respect to any building project specified in	

1 subsection (1) or (2). Notwithstanding section 16.855 (10) of the statutes, the
2 department of administration shall not ~~waive bidding requirements under section~~
3 ~~16.855 (1) or (2)~~ of the statutes with respect to the purchase of articles or materials
4 for any building project specified in subsection (1) or (2).

5

(END)

5-2 ✓

**ASSEMBLY AMENDMENT 1,
TO 2003 SENATE BILL 474**

March 16, 2004 - Offered by Representative GARD.

1 At the locations indicated, amend the bill, as shown by senate substitute
2 amendment 1, as follows:

3 ✓ **1.** Page 5, line 2: delete the material beginning with "waive" and ending with
4 "(2)" on line 3 and substitute "utilize the authority granted to the department under
5 that subsection to adopt the procedures permitted under section 13.48 (19) of the
6 statutes in lieu of the procedures required under section 16.855 (1), (2), and (14) (a)".

(END)

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✓ S-2