

**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	<i>2m. 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).

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(END)