

## 2005 ASSEMBLY BILL 146

1     **AN ACT** *to amend* 60.47 (2) (a), 60.47 (2) (b), 60.77 (6) (a), 61.55 and 62.15 (1) of  
2           the statutes; **relating to:** changing the amount at which a public construction  
3           contract let by a city, village, town, technical college district board, town  
4           sanitary district commission, or federated public library system must be let to  
5           the lowest responsible bidder.

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*Analysis by the Legislative Reference Bureau*

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

6           **SECTION 1.** 60.47 (2) (a) of the statutes is amended to read:  
7           60.47 **(2)** (a) No town may enter into a public contract with an estimated cost  
8           of more than \$5,000 but not more than ~~\$15,000~~ \$25,000 unless the town board, or a  
9           town official or employee designated by the town board, gives a class 1 notice under  
10          ch. 985 before execution of that public contract.

**ASSEMBLY BILL 146****SECTION 2**

1           **SECTION 2.** 60.47 (2) (b) of the statutes is amended to read:

2           60.47 **(2)** (b) No town may enter into a public contract with a value of more than  
3           \$15,000 \$25,000 unless the town board, or a town official or employee designated by  
4           the town board, advertises for proposals to perform the terms of the public contract  
5           by publishing a class 2 notice under ch. 985. The town board may provide for  
6           additional means of advertising for bids.

7           **SECTION 3.** 60.77 (6) (a) of the statutes is amended to read:

8           60.77 **(6)** (a) Let contracts for any work or purchase that involves an  
9           expenditure of \$15,000 \$25,000 or more to the lowest responsible bidder in the  
10          manner prescribed by the commission. Section 66.0901 applies to contracts let under  
11          this paragraph.

12          **SECTION 4.** 61.55 of the statutes is amended to read:

13          **61.55 Contracts involving over \$15,000 \$25,000; how let; exception.** All  
14          contracts for public construction, in any such village, exceeding \$15,000 \$25,000,  
15          shall be let by the village board to the lowest responsible bidder in accordance with  
16          s. 66.0901 insofar as said section may be applicable. If the estimated cost of any  
17          public construction exceeds \$5,000, but is not greater than \$15,000 \$25,000, the  
18          village board shall give a class 1 notice, under ch. 985, of the proposed construction  
19          before the contract for the construction is executed. This provision does not apply to  
20          public construction if the materials for such a project are donated or if the labor for  
21          such a project is provided by volunteers, and this provision and s. 281.41 are not  
22          mandatory for the repair and reconstruction of public facilities when damage or  
23          threatened damage thereto creates an emergency, as determined by resolution of the  
24          village board, in which the public health or welfare of the village is endangered.

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1 Whenever the village board by majority vote at a regular or special meeting declares  
2 that an emergency no longer exists, this exemption no longer applies.

3 **SECTION 5.** 62.15 (1) of the statutes is amended to read:

4 **62.15 (1)** CONTRACTS; HOW LET; EXCEPTION FOR DONATED MATERIALS AND LABOR. All  
5 public construction, the estimated cost of which exceeds ~~\$15,000~~ \$25,000, shall be let  
6 by contract to the lowest responsible bidder; all other public construction shall be let  
7 as the council may direct. If the estimated cost of any public construction exceeds  
8 \$5,000 but is not greater than ~~\$15,000~~ \$25,000, the board of public works shall give  
9 a class 1 notice, under ch. 985, of the proposed construction before the contract for  
10 the construction is executed. This provision does not apply to public construction if  
11 the materials for such a project are donated or if the labor for such a project is  
12 provided by volunteers. The council may also by a vote of three-fourths of all the  
13 members-elect provide by ordinance that any class of public construction or any part  
14 thereof may be done directly by the city without submitting the same for bids.

15 **SECTION 6. Initial applicability.**

16 (1) This act first applies to public construction contracts that are let on the  
17 effective date of this subsection.

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(END)