



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2007 Assembly Bill 553

**Assembly Substitute
Amendment 1**

Memo published: February 25, 2008

Contact: Don Dyke, Chief of Legal Services (266-0292)

The substitute amendment makes the following changes to the original bill:

1. Revises the definition of “project,” which generally triggers the qualifications-based selection process, as follows:
 - a. Clarifies that the public work or building is a project “of the local governmental unit.”
 - b. Rather than referring to the estimated “value” of the project, substitutes: “The total cost of the complete project is estimated by the governing body of the local governmental unit to be at least \$250,000.”
2. Revises the “established relationship” exception by triggering the exception when a local governmental unit has an established relationship with a consultant who previously has provided similar services to the local governmental unit, rather than triggering the exception only when a local governmental unit has entered into a contract with a consultant under the proposal’s qualifications-based process.
3. Revises the definition of “consultant” by expressly including a person who provides “photogrammetric surveying services.” The term “photogrammetric surveying services” is defined as: “activities associated with measuring, locating, and preparing maps, charts, or other graphical or digital presentations depicting natural or man made features, phenomena, and legal boundaries of the earth including surveys, maps, charts, remote sensing data, and images, and aerial photographic services.”
4. Clarifies the relationship of the proposed qualifications-based selection process to current competitive bidding requirements by: (a) deleting SECS. 1 – 6 and 8 – 10 of the original bill, which include exception clauses in current competitive bidding provisions to the

qualifications-based selection process; (b) deleting, in the definition of “local governmental unit” reference to a local governmental unit “charged with the duty of receiving bids for and awarding any project” and substituting “charged with procuring the services of a consultant”; and (c) revising the element of the definition of “project” which provides that services of a consultant “are required for the planning, study, design, construction, repair, remodeling, or improvement of the public work or building,” by: (i) deleting “construction, repair, remodeling, or improvement” and substituting “or construction inspection or administration”; and (ii) adding the clarifying qualification that the consultant’s services “are separate from the contract for the actual construction, repair, remodeling, or improvement of the public work or building.”

5. Replaces all references to “qualification-based selection” with “qualifications-based selection.”

Legislative History

Assembly Substitute Amendment 1 was offered by Representative Gottlieb. The Assembly Committee on Urban and Local Affairs recommended adoption of the substitute amendment by a vote of Ayes, 8; Noes, 0. The committee recommended passage of Assembly Bill 553, as amended, by a vote of Ayes, 6; Noes, 2.

DD:jb:ksm