Assembly Amendment (AA-AB654)

Received: 02/15/2010					Received By: mshovers				
Wanted:	: As time perm	its			Identical to LRB:				
For: Ric	ch Zipperer (6	08) 266-5120			By/Representing	: Chris			
This file	e may be shown	to any legislate	or: NO		Drafter: mshovers				
May Co	ntact:				Addl. Drafters:	Addl. Drafters:			
Subject: Local Gov't - munis generally Local Gov't - counties					Extra Copies:	EVM			
Submit	via email: YES								
Request	er's email:	Rep.Zippe	rer@legis.wi	isconsin.gov	,				
Carbon	copy (CC:) to:								
Pre Top	pic:								
No spec	ific pre topic gi	ven							
Topic:									
	cation-based seleations and cost	ection process;	local governi	ment project	s that require a cor	nsultant; base s	elction on		
Instruc	tions:								
	projects that we that way, and 2		-		"qualification-bas	ed selection" b	asis must		
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Vers.	Drafted	Reviewed	Typed	<u>Proofed</u>	Submitted	Jacketed	Required		
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/1	mshovers 02/16/2010	jdyer 02/16/2010	rschluet 02/16/2010		lparisi 02/16/2010	lparisi 02/16/2010			

LRBa1564 02/17/2010 11:16:33 AM

Page 2

Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
/2	mshovers 02/16/2010	nnatzke 02/16/2010	mduchek 02/16/2010	0	lparisi 02/16/2010	lparisi 02/16/2010	
/3	mshovers 02/17/2010	jdyer 02/17/2010	rschluet 02/17/2010)	cduerst 02/17/2010	cduerst 02/17/2010	

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Assembly Amendment (AA-AB654)

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02/15/2010

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Received	l: 02/15/2010				Received By: mshovers				
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For: Ricl	h Zipperer (6	508) 266-5120	By/Representing	Chris					
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LRBa1564 02/16/2010 04:12:37 PM Page 2

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
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Received By: mshovers

2009 DRAFTING REQUEST

Assembly Amendment (AA-AB654)

Received: 02/15/2010

Wanted: A	As time permi	its	Identical to LRB:						
For: Rich	Zipperer (60	08) 266-5120		By/Representing: Chris					
This file n	nay be shown	to any legislator	:: NO		Drafter: mshovers				
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-	•	uld otherwise be 5% may be done	-		'qualification-based	l selection" ba	sis must		
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Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required		
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/1	mshovers 02/16/2010	jdyer 02/16/2010	rschluet 02/16/2010		lparisi 02/16/2010	lparisi 02/16/2010			
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LRBa1564 02/16/2010 02:44:59 PM Page 2

<u>Vers.</u> <u>Drafted</u> <u>Reviewed</u> <u>Typed</u> <u>Proofed</u> <u>Submitted</u> <u>Jacketed</u> <u>Required</u>

FE Sent For:

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Assembly Amendment (AA-AB654)

Received: (02/15/2010			Received By: mshovers				
Wanted: As	s time permi	its			Identical to LRB	:		
For: Rich 2	Zipperer (60	08) 266-5120			By/Representing	: Chris		
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Submit via	email: YES							
Requester's	email:	Rep.Zippe	erer@legis.	wisconsin.gov	7			
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Topic:								
Qualificatio	on-based sele	ection process;	local gover	nment project	s that require a cor	nsultant; basis		
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		uld otherwise 5% may be do			"qualification-base	ed selection" b	pasis must	
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/? mshovers jdyer _____

02/15/2010 02/16/2010 _____

cduerst 02/16/2010

<END>

FE Sent For:

Assembly Amendment (AA-AB654)

Received: 02/15/2010	Received By: mshovers

Wanted: As time permits Identical to LRB:

For: Rich Zipperer (608) 266-5120 By/Representing: Chris

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

May Contact: Addl. Drafters:

Subject: Local Gov't - munis generally Extra Copies: EVM

Local Gov't - counties

Submit via email: YES

Requester's email: Rep.Zipperer@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Qualification-based selection process; local government projects that require a consultant; basis

Instructions:

75% of projects that would otherwise be required to be done on "qualification-based selection" basis must be done that way, and 25% may be done based on cost.

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>

/? mshovers P1 76 jd $\frac{1}{\sqrt{3}}$ $\frac{2}{\sqrt{3}}$

FE Sent For:

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State of Misconsin 2009 - 2010 LEGISLATURE

LRBa1564/P./ MESaux

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION ASSEMBLY AMENDMENT,

TO 2009 ASSEMBLY BILL 654





At the locations indicated, amend the bill as follows:

- 1. Page 4, line 7: delete lines 7 and 8 and substitute "shall be selected, approximately 75 percent of the time, only on the basis of the consultant's qualifications, as determined under this subsection, and shall be selected, approximately 25 percent of the time, only on the basis of the consultant's proposed fees.".
 - **2.** Page 4, line 11: after "consultants" insert "or according to the consultants' proposed fees".
 - **3.** Page 4, line 12: delete "and" and substitute "but".
- 10 **4.** Page 4, line 12: delete "not".
- 11 **5.** Page 4, line 13: delete "except as provided in sub. (3)".
- 12 **6.** Page 5, line 1: after "proposals," insert "if".

7. Page 5, line 2: after "	ʻunit" insert	"is basing its	decision on the	consultant's
qualifications, it".				

- **8.** Page 5, line 3: after "fees." insert "If a local governmental unit is basing its decision on the consultant's proposed fees, it shall negotiate with the consultant whose proposed fees are the lowest.".
- 9. Page 5, line 5: after "unit," insert "if the local governmental unit is negotiating with a qualifications-based consultant.
- 10. Page 5, line 7: after "notification." insert "If the local governmental unit is negotiating on the basis of the consultant's proposed fees and the local governmental unit and the selected consultant are unable to negotiate a contract that is acceptable to the local governmental unit, the local governmental unit shall terminate negotiations with the consultant by written notification.".

(END)

J-note

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBa1564/4dn MES_M:

jld

Representative Zipperer:

I'm not sure I understood exactly what you wanted, so I've done this as a preliminary amendment. If the amendment meets your intent, I'll make it a /1 and have the stripes delivered to your office. If I've misunderstood your intent, please let me know what you'd like changed and I'll redraft the amendment.

Marc E. Shovers Managing Attorney Phone: (608) 266-0129

E-mail: marc.shovers@legis.wisconsin.gov

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBa1564/P1dn MES:jld:ph

February 16, 2010

Representative Zipperer:

I'm not sure I understood exactly what you wanted, so I've done this as a preliminary amendment. If the amendment meets your intent, I'll make it a /1 and have the stripes delivered to your office. If I've misunderstood your intent, please let me know what you'd like changed and I'll redraft the amendment.

Marc E. Shovers Managing Attorney Phone: (608) 266-0129

 $\hbox{$E$-mail: marc.shovers@legis.wisconsin.gov}$

Shovers, Marc

From:

Reader, Chris

Sent:

Tuesday, February 16, 2010 12:04 PM

To:

Shovers, Marc

Subject:

FW: Draft review: LRB 09a1564/P1 Topic: Qualification-based selection process; local

government projects that require a consultant; basis

Attachments: LRBa1564_P1; LRBa1564_P1 Drafters_Note

hey Marc- thanks for the amendment. Sorry I was out yesterday afternoon and wasn't able to get into this better for you.

I don't think this is quite what we're looking for. Basically, we heard at the committee hearing that Waukesha County, and probably other municipalities, already use QBS, as the bill would require, but their system is a hybrid of pure QBS and low-bid. Basically, they use QBS for 75% of their scoring process, and the submitted bids for 25% of the process. What Rich is looking for is an amendment that would allow municipalities who do this 75/25 split of QBS and cost to continue that practice of using cost for 25% of the original bid scoring system.

Chris Reader

Office of Rep. Rich Zipperer Wisconsin State Assembly (608) 266-5120 office

From: Duerst, Christina

Sent: Tuesday, February 16, 2010 11:47 AM

To: Rep.Zipperer

Subject: Draft review: LRB 09a1564/P1 Topic: Qualification-based selection process; local government projects

that require a consultant; basis

Following is the PDF version of draft LRB 09a1564/P1 and drafter's note.



State of Misconsin 2009 - 2010 LEGISLATURE

LRBa1564/P MES:jld:p

PRELIMINARY DRAFT—NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,

TO 2009 ASSEMBLY BILL 654

At the locations indicated, amend the bill as follows:

1. Page 4, line 7: delete lines 7 and 8 and substitute "shall be selected, approximately 75 percent of the time, only on the basis of the consultant's qualifications, as determined under this subsection, and shall be selected, approximately 25 percent of the time, only on the basis of the consultant's proposed fees.".

2. Page 4, line 11: after "consultants" insert "or according to the consultants'

proposed fees".

3. Page 4, line 12: delete "and" and substitute "but".

4. Page 4, line 12: delete "not".

5. Page 4, line 13: delete "except as provided in sub. (3)".

6. Page 5, line 1: after "proposals," insert "if".

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(END)

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1	7. Page 5, line 2: after "unit" insert "is basing its decision on the consultant's
2	qualifications, it".
3	8. Page 5, line 3: after "fees." insert "If a local governmental unit is basing its
4	decision on the consultant's proposed fees, it shall negotiate with the consultant
5	whose proposed fees are the lowest.".
6	9. Page 5, line 5: after "unit," insert "if the local governmental unit is
7	negotiating with a qualifications-based consultant,".
8	10. Page 5, line 7: after "notification." insert "If the local governmental unit
9	is negotiating on the basis of the consultant's proposed fees and the local
10	governmental unit and the selected consultant are unable to negotiate a contract
11	that is acceptable to the local governmental unit, the local governmental unit shall
12	terminate negotiations with the consultant by written notification.".

2009-2010 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU



- 1. Page 4, line 7: delete lines 7 and 8 and substitute "shall be selected on the basis of the consultant's qualifications, as determined under this subsection, and on the basis of the consultant's proposed fees.".
- 2. Page 4, line 11: after "consultants" insert "and the consultants' proposed fees. Seventy-five percent of the weight in the rankings shall be based on the qualifications of the consultants and 25 percent of the weight in the rankings shall be based on consultants' proposed fees".

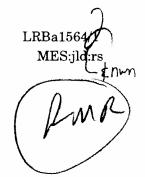








State of Wisconsin 2009 - 2010 LEGISLATURE



ASSEMBLY AMENDMENT, TO 2009 ASSEMBLY BILL 654



At the locations indicated, amend the bill as follows:

- 1. Page 4, line 7: delete lines 7 and 8 and substitute "shall be selected on the basis of the consultant's qualifications, as determined under this subsection, and on the basis of the consultant's proposed fees.".
- 2. Page 4, line 11: after "consultants" insert "and the consultants' proposed fees. Seventy-five percent of the weight in the rankings shall be based on the qualifications of the consultants and 25 percent of the weight in the rankings shall be based on the consultants' proposed fees".
 - 3. Page 4, line 12: delete "and" and substitute "but".
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 - **5.** Page 4, line 13: delete "except as provided in sub. (3)".

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(END)



2009-2010 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

1. Page 5, line 24: after that line insert:

"(d) If a local governmental unit has in effect on the effective date of this paragraph [LRB inserts date] a qualifications-based selection process that is similar to the process described in this subsection, the local governmental unit may continue to use its own qualification-based selection process if, in its rankings of proposals, at least 75 percent of the weight in the rankings is based on the consultant's qualifications, as described under sub. (2) (c). The remaining weight in the rankings may be based on the consultant's proposed fees."

(EnO)



State of Misconsin **2009 - 2010 LEGISLATURE**

MES:jld&nwn:md

ASSEMBLY AMENDMENT,

TO 2009 ASSEMBLY BILL 654

and has used that process either on its last project or on a project that was completed within the within the last and last ends on that ends on the effective date of this paragraph.... [LPB inserts dateJ

- 1 At the locations indicated, amend the bill as follows:
- 1. Page 5, line 24: after that line insert: $\mathbf{2}$
- 3 "(d) If a local governmental unit has in effect on the effective date of this paragraph [LRB inserts date], a qualifications-based selection process that is similar to the process described in this section, the local governmental unit may continue to use its own qualification based selection process if, in its rankings of 7 proposals, at least 75 percent of the weight in the rankings is based on the consultant's qualifications, as described under sub. (2) (c). The remaining weight in 8 the rankings may be based on the consultant's proposed fees.". 9

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(END)