

WISCONSIN LEGISLATIVE REFERENCE BUREAU

Information Services 608-266-0341—Legal Services 608-266-3561



March 17, 2017

LRB - 0186/P4

Per Dan:

① Eliminate provisions from Governor's Budget

② Lower threshold from \$25,000 back to \$5,000 for projects for which class I is required

No change at this time ~~③~~ Permit "board" of municipalities (including school districts) to, by 3/4 vote of members, vote to do public work project without submitting bids.

✓ ④ confirm that all municipalities have emergency exceptions

• 59.52(29) county

• 60.47(5) town

• 61.54 (villages are provisions applicable to cities)

• 62.15(1b) cities

⑤ Eliminate Section 7

✓ ⑥ Add exception for donated equipment in municipalities + counties bidding contracts.



State of Wisconsin  
2017 - 2018 LEGISLATURE

PS  
LRE-0186/P4  
TKK/CMH/EVM:ahc

inserts

RMR

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

INSERT

3/24/17

Monday ok, but Friday preferred

see ✓

begin ✓

1 **AN ACT to repeal** 16.75 (1) (b) 2. and 16.75 (2m) (b) 2.; **to renumber and amend**  
 2 59.52 (29) (a); **to consolidate, renumber and amend** 16.75 (1) (b) 1. and 3.  
 3 and 16.75 (2m) (b) 1. and 3.; **to amend** 16.75 (6) (c), 60.47 (1) (a), 60.47 (2) (a),  
 4 60.47 (2) (b), 62.15 (1), 66.0901 (1) (a), 66.0901 (1m) (a) (intro.), 66.0901 (1m)  
 5 (b) and 119.04 (1); and **to create** 59.52 (29) (a) 2., 120.12 (5m) and 120.127 of  
 6 the statutes; **relating to:** competitive bidding thresholds, private source  
 7 purchasing thresholds, and requiring school districts to utilize competitive  
 8 bidding.

**Analysis by the Legislative Reference Bureau** This

This bill increases to \$100,000 the threshold above which the state must request sealed, competitive bids from contractors seeking to undertake certain public works projects. With an exception, the bill increases to \$75,000 the threshold governing sealed, competitive bids that is applicable to a local unit of government. Under current law, if the estimated cost of a public works project exceeds \$25,000, the state or local unit of government must solicit bids and award the public works contract to the lowest responsible bidder.

In addition, this bill allows agencies to which the Department of Administration has delegated purchasing authority to invite the bids or solicit the

proposals. Current law requires governor approval if the secretary of administration determines it is in the best interest of the state to waive general bidding requirements in state procurement and purchase supplies, material, equipment, or contractual services from a private source. Under this bill, the secretary may waive the requirements and make the purchase without governor approval if the cost of the purchase is between \$25,000 and \$150,000.

The ~~This~~ bill also requires a school board and the board of school directors of the Milwaukee Public Schools to comply with these bidding requirements.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

WIS Analysis

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

1           **SECTION 1.** 16.75 (1) (b) 1. and 3. of the statutes are consolidated, renumbered  
2           16.75 (1) (b) and amended to read:  
3           16.75 (1) (b) ~~Except as provided in subd. 2., when~~ When the estimated cost  
4           exceeds \$25,000 \$100,000, the department, or an agency to which the department  
5           delegates purchasing authority under s. 16.71 (1), shall invite bids to be submitted.  
6           ~~3.~~ If subd. 1. or 2. requires bids to be are solicited, the department or designated  
7           agency either shall solicit sealed bids to be opened publicly at a specified date and  
8           time, or shall solicit bidding by auction to be conducted electronically at a specified  
9           date and time. Whenever bids are invited, due notice inviting bids shall be published  
10          as a class 2 notice, under ch. 985 or posted on the Internet at a site determined or  
11          approved by the department. The bid opening or auction shall occur at least 7 days  
12          after the date of the last insertion of the notice or at least 7 days after the date of  
13          posting on the Internet. The notice shall specify whether sealed bids are invited or  
14          bids will be accepted by auction, and shall give a clear description of the materials,  
15          supplies, equipment, or contractual services to be purchased, the amount of any  
16          bond, share draft, check, or other draft to be submitted as surety with the bid or prior

1 to the auction, and the date and time that the public opening or the auction will be  
2 held.

3 **SECTION 2.** 16.75 (1) (b) 2. of the statutes is repealed.

4 **SECTION 3.** 16.75 (2m) (b) 1. and 3. of the statutes are consolidated, renumbered  
5 16.75 (2m) (b) and amended to read:

6 16.75 (2m) (b) ~~Except as provided in subd. 2., when~~ When the estimated cost  
7 exceeds ~~\$25,000~~ \$100,000, the department, ~~or an agency to which the department~~  
8 delegates purchasing authority under s. 16.71 (1), may invite competitive sealed  
9 proposals. -3. If competitive sealed proposals are invited, the department shall  
10 publish due notice seeking proposals shall be published as a class 2 notice under ch.  
11 985 or post notice posted on the Internet at a site determined or approved by the  
12 department. The notice shall describe the materials, supplies, equipment, or  
13 contractual services to be purchased, the intent to make the procurement by  
14 solicitation of proposals rather than by solicitation of bids, any requirement for  
15 surety and the date the proposals will be opened, which shall be at least 7 days after  
16 the date of the last insertion of the notice or at least 7 days after the date of posting  
17 on the Internet.

18 **SECTION 4.** 16.75 (2m) (b) 2. of the statutes is repealed.

19 **SECTION 5.** 16.75 (6) (c) of the statutes is amended to read:

20 16.75 (6) (c) ~~If the secretary determines that it is in the best interest of this state~~  
21 ~~to do so, he or she may, with the approval of the governor, waive the requirements~~  
22 ~~of subs. (1) to (5) may be waived and may purchase~~ supplies, material, equipment,  
23 ~~or contractual services, other than printing and stationery, may be purchased from~~  
24 ~~a private source other than a source specified in par. (b). If the cost of the purchase~~  
25 ~~is expected to exceed \$25,000 but not exceed \$150,000, the secretary must approve~~

9

1 the waiver, and if the cost of the purchase is expected to exceed \$150,000, the  
 2 governor must approve the waiver. Except as provided in sub. (2g) (c), if the cost of  
 3 the purchase is expected to exceed \$25,000, the department shall first publish a class  
 4 2 notice under ch. 985 or post a notice on the Internet at the site determined or  
 5 approved by the department under sub. (1) (b) describing the materials, supplies,  
 6 equipment, or contractual services to be purchased, stating the intent to make the  
 7 purchase from a private source without soliciting bids or competitive sealed  
 8 proposals and stating the date on which the contract or purchase order will be  
 9 awarded. The date of the award shall be at least 7 days after the date of the last  
 10 insertion or the date of posting on the Internet.

11 **SECTION 6.** 59.52 (29) (a) of the statutes is renumbered 59.52 (29) (a) 1 (a) and  
 12 amended to read:

13 59.52 (29) (a) 1. (a) All <sup>Plain</sup> Except as provided in subd. 2., all public work, including  
 14 any contract for the construction, repair, remodeling, or improvement of any public  
 15 work, building, or furnishing of supplies or material of any kind where the estimated  
 16 cost of such work will exceed \$25,000 ~~\$75,000~~ shall be let by contract to the lowest  
 17 responsible bidder. ~~Any~~ <sup>Plain</sup>

18 c. Except as provided in subd. 2., all public work, the estimated cost of which  
 19 does not exceed \$25,000 ~~\$75,000~~, shall be let as the board may direct. ~~If~~ <sup>Plain</sup>

20 d. Except as provided in subd. 2., if the estimated cost of any public work is  
 21 between ~~\$5,000 and \$25,000 and \$75,000~~ <sup>Plain</sup>, the board shall give a class 1 notice under  
 22 ch. 985 before it contracts for the work or shall contract with a person qualified as  
 23 a bidder under s. 66.0901 (2). ~~A~~ <sup>Plain</sup> 2.

24 b. Except as provided in subd. 2., a contract, the estimated cost of which exceeds  
 25 \$25,000 ~~\$75,000~~, shall be let and entered into under s. 66.0901, except that the board

13. #

4. #

2. #

1 may by a three-fourths vote of all the members entitled to a seat provide that any  
2 class of public work or any part thereof may be done directly by the county without  
3 submitting the same for bids.

4 (c) This subsection does not apply to public construction if the materials for  
5 such a project are donated or if the labor for such a project is provided by volunteers.

6 (d) This subsection does not apply to highway contracts which the county  
7 highway committee or the county highway commissioner is authorized by law to let  
8 or make.

9 **SECTION 7. 59.52 (29) (a) 2.** of the statutes is created to read:

10 59.52 (29) (a) 2. a. In this subdivision, "public road project" means a public work  
11 project involving the construction, repair, or maintenance of a public road of which  
12 the county is in control or for which the county is responsible.

\*\*\*\*NOTE: Does this provision accurately capture your intent? Do you want to be  
any more specific regarding a county's control or responsibility for a public road?

13 b. If the estimated cost of a public road project exceeds \$25,000, the board shall  
14 let the project by contract to the lowest responsible bidder.

15 c. If the estimated cost of a public road project exceeds \$25,000, the board shall  
16 let the project by contract and enter into the contract under s. 66.0901, except that  
17 the board may, by a three-fourths vote of all the members entitled to a seat, provide  
18 that any portion of the project may be completed directly by the county without  
19 submitting that portion of the project for bids.

20 d. If the estimated cost of a public road project does not exceed \$25,000, the  
21 board may let the project in any manner.

1 e. If the estimated cost of a public road project is between \$5,000 and \$25,000,  
2 the board shall give a class 1 notice under ch. 985 before it contracts for the project  
3 or shall contract with a person qualified as a bidder under s. 66.0901 (2).

ING  
6-4

4 SECTION 8. 60.47 (1) (a) of the statutes is amended to read:

5 60.47 (1) (a) "Public contract" means a contract for the construction, execution,  
6 repair, remodeling or improvement of any public work or building or for the  
7 furnishing of materials or supplies, with an estimated cost greater than \$5,000  
8 \$25,000.

9 SECTION 9. 60.47 (2) (a) of the statutes is amended to read:

10 60.47 (2) (a) No town may enter into a public contract with an estimated cost  
11 of more than ~~\$5,000~~ <sup>plain</sup> \$25,000 but not more than ~~\$25,000~~ \$75,000 unless the town  
12 board, or a town official or employee designated by the town board, gives a class 1  
13 notice under ch. 985 before execution of that public contract.

14 SECTION 10. 60.47 (2) (b) of the statutes is amended to read:

15 60.47 (2) (b) No town may enter into a public contract with a value of more than  
16 ~~\$25,000~~ \$75,000 unless the town board, or a town official or employee designated by  
17 the town board, advertises for proposals to perform the terms of the public contract  
18 by publishing a class 2 notice under ch. 985. The town board may provide for  
19 additional means of advertising for bids.

NS  
2-19

20 SECTION 11. 62.15 (1) of the statutes is amended to read:

21 62.15 (1) CONTRACTS; HOW LET; EXCEPTION FOR DONATED MATERIALS AND LABOR. All  
22 public construction, the estimated cost of which exceeds ~~\$25,000~~ \$75,000, shall be let  
23 by contract to the lowest responsible bidder; all other public construction shall be let  
24 as the council may direct. If the estimated cost of any public construction exceeds  
25 ~~\$5,000~~ \$25,000 but is not greater than ~~\$25,000~~ \$75,000, the board of public works

plain

1 shall give a class 1 notice, under ch. 985, of the proposed construction before the  
2 contract for the construction is executed. This provision does not apply to public  
3 construction if the materials for such a project are donated or if the labor for such a  
4 project is provided by volunteers. The council may also by a vote of three-fourths of  
5 all the members-elect provide by ordinance that any class of public construction or  
6 any part thereof may be done directly by the city without submitting the same for  
7 bids.

INS →  
7-7  
8 **SECTION 12.** 66.0901 (1) (a) of the statutes is amended to read:

9 66.0901 (1) (a) "Municipality" means the state or a town, city, village, school  
10 district, board of school directors of the school district operating under ch. 119, sewer  
11 district, drainage district, technical college district or other public or quasi-public  
12 corporation, officer, board or other public body charged with the duty of receiving bids  
13 for and awarding any public contracts.

14 **SECTION 13.** 66.0901 (1m) (a) (intro.) of the statutes is amended to read:

15 66.0901 (1m) (a) (intro.) Except when necessary to secure federal aid,  
16 whenever a political subdivision, school district, or the board of school directors of the  
17 school district operating under ch. 119 lets a public contract by bidding, the political  
18 subdivision, school district, or board of school directors shall comply with all of the  
19 following:

20 **SECTION 14.** 66.0901 (1m) (b) of the statutes is amended to read:

21 66.0901 (1m) (b) Except when necessary to secure federal aid, a political  
22 subdivision, school district, or the board of school directors of the school district  
23 operating under ch. 119 may not use a bidding method that gives preference based  
24 on the geographic location of the bidder or that uses criteria other than the lowest  
25 responsible bidder in awarding a contract.



**SECTION 15**

1           **SECTION 15.** 119.04 (1) of the statutes is amended to read:

2           119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
3           66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,  
4           115.345, 115.363, 115.365 (3), 115.38 (2), 115.415, 115.445, 118.001 to 118.04,  
5           118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145  
6           (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20,  
7           118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258,  
8           118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53,  
9           118.55, 118.56, 120.12 (2m), (4m), (5), (5m), and (15) to (27), 120.125, 120.127, 120.13  
10          (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.137,  
11          120.14, 120.20, 120.21 (3), and 120.25 are applicable to a 1st class city school district  
12          and board but not, unless explicitly provided in this chapter or in the terms of a  
13          contract, to the commissioner or to any school transferred to an opportunity schools  
14          and partnership program.

15           **SECTION 16.** 120.12 (5m) of the statutes is created to read:

16           120.12 (5m)   CONTRACTS; ADVERTISING FOR BIDS; CONTRACTS TO LOWEST  
17          RESPONSIBLE BIDDER; EXCEPTION FOR EMERGENCIES. (a) Subject to s. 120.127, before  
18          entering into a contract for the construction, repair, remodeling, or improvement of

19          <sup>ea</sup> any public school building or <sup>public school</sup> facilities or for the furnishing of supplies or materials  
20          with an estimated cost greater than ~~\$25,000~~ <sup>\$50,000</sup> but not more than \$75,000, give or direct  
21          the school district clerk to give a class 1 notice under ch. 985 of that contract or  
22          contract with a person qualified as a bidder under s. 66.0901 (2).

23           <sup>to Except as provided in subds 20 and 30 and</sup> (b) Subject to s. 120.127, before entering into a contract for the construction,  
24          repair, remodeling, or improvement of <sup>ea</sup> any public school building or <sup>public school</sup> facilities or for  
25          the furnishing of supplies or materials with an estimated cost greater than \$75,000,

*except the provisions of this section by a school board, the provisions of this section shall apply to the school board.*

Insert 9-7

1 advertise or direct the school district clerk to advertise for proposals to perform the  
2 terms of the contract by publishing a class 2 notice under ch. 985. The school board  
3 may provide for additional means of advertising for bids. The school board shall let  
4 a public contract for which advertising for proposals is required under this  
5 paragraph to the lowest responsible bidder. Section 66.0901 applies to public  
6 contracts let under this paragraph.

7 **SECTION 17.** 120.127 of the statutes is created to read:

8 **120.127 Exception to requirement for notice and bidding of contracts**

9 **in case of emergency.** The provisions of s. 120.12 (5m) are not mandatory for the  
10 repair or reconstruction of a public school building or <sup>public school</sup> facilities when damage or  
11 threatened damage thereto creates an emergency, as determined by resolution of the  
12 school board, in which the public health or welfare of the school district is  
13 endangered. Whenever the school board by majority vote at a regular or special  
14 meeting determines that an emergency no longer exists, this section no longer  
15 applies.

16 **SECTION 18. Initial applicability.**

17 (1) BIDS THRESHOLD. The treatment of sections 16.75 (1) (b) 1., 2., and 3., 60.47  
18 (2) (b), 62.15 (1), 66.0901 (1m) (a) (intro.), and 120.12 (5m) (b) of the statutes, <sup>and</sup> the  
19 renumbering and amendment of section 59.52 (29) (a) of the statutes, <sup>and</sup> the  
20 creation of section 59.52 (29) (a) 2. of the statutes first apply to bids solicited on the  
21 effective date of this subsection.

22 (2) PROPOSAL THRESHOLD. The treatment of section 16.75 (2m) (b) 1., 2., and 3.  
23 of the statutes first applies to proposals invited on the effective date of this  
24 subsection.

**SECTION 18**

1           (3) SOLE SOURCE THRESHOLD. The treatment of section 16.75 (6) (c) of the statutes  
2 first applies to purchases made on the effective date of this subsection.

3           (END)

59 ✓

1 INS-Analysis

2 *The*  
✓ This bill also provides an exception to bidding requirements for improvements that are constructed by a private person and donated to a local unit of government after the completion of construction. *other than the local unit of government*

4 INS 6-4

*other than the county*

6 SECTION 1. 59.52 (29) (c) 2. of the statutes is created to read:

7 59.52 (29) (c) 2. This subsection does not apply to the construction by a private  
8 person of an improvement that is donated to the county after the completion of  
9 construction.

11 INS 6-19

*Section* ~~# Amend 60.47 (5) (title)~~  
~~60.47 (5) (title)~~

13 SECTION 2. 60.47 (5) of the statutes is renumbered 60.47 (5) (a) and amended  
14 to read:

15 60.47 (5) EXCEPTION FOR EMERGENCIES AND DONATED MATERIALS AND LABOR

16 CERTAIN DONATIONS. (a) This section is optional with respect to public contracts for the  
17 repair and construction of public facilities when damage or threatened damage to the  
18 facility creates an emergency, as declared by resolution of the town board, that  
19 endangers the public health or welfare of the town. This subsection no longer applies  
20 when the town board declares that the emergency no longer exists.

1 (b) This section is optional with respect to a public contract if the materials  
2 related to the contract are donated or if the labor that is necessary to execute the  
3 public contract is provided by volunteers.

4 History: 1983 a. 532; 1989 a. 272; 1999 a. 9; 1999 a. 150 s. 672; 2005 a. 202.

SECTION 3. 60.47 (5) (c) of the statutes is created to read:

*Other than  
the town*

5 60.47 (5) (c) This section does not apply to the construction by a private person  
6 of an improvement that is donated to the town after the completion of construction.

7  
8 INS 7-7

9 *(3) Exception for certain donations.*

10 ✓ SECTION 4. 62.15 (1e) of the statutes is created to read:

11 62.15 (1e) Subsection (1) does not apply to the construction by a private person  
12 of an improvement that is donated to the city after the completion of construction.

*Other than  
the city*

**2017-2018 DRAFTING INSERT**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0186/P4ins  
TKK:ah

**INSERT 9-7**

1           2. The school board may, by a three-fourths vote of all the members, provide  
2 that any construction, repair, remodeling, or improvement described in subd. 1. or  
3 any part thereof may be done directly by the school district without submitting the  
4 same for bids.

5           3. Subdivision 1. does not apply to the construction, repair, remodeling, or  
6 improvement of a public school building or <sup>public school</sup> facilities or to the furnishing of supplies  
7 or materials if the materials for such a project are donated or if the labor for such a  
8 project is provided by volunteers.



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-0186/P5 11  
TKK&EVM:ahe

RMR

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

No changes

3/31/17

1 **AN ACT to renumber and amend 59.52 (29) (a) and 60.47 (5); to amend 60.47**  
2 (1) (a), 60.47 (2) (a), 60.47 (2) (b), 60.47 (5) (title), 62.15 (1), 66.0901 (1) (a),  
3 66.0901 (1m) (a) (intro.), 66.0901 (1m) (b) and 119.04 (1); and **to create** 59.52  
4 (29) (c) 2., 60.47 (5) (c), 62.15 (1e), 120.12 (5m) and 120.127 of the statutes;  
5 **relating to:** competitive bidding thresholds and requiring school districts to  
6 utilize competitive bidding.

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***Analysis by the Legislative Reference Bureau***

This bill increases to \$75,000 the threshold governing sealed, competitive bids that is applicable to a local unit of government. Under current law, if the estimated cost of a public works project exceeds \$25,000, the state or local unit of government must solicit bids and award the public works contract to the lowest responsible bidder.

The bill also requires a school board and the board of school directors of the Milwaukee Public Schools to comply with these bidding requirements.

The bill also provides an exception to bidding requirements for improvements that are constructed by a person other than the local unit of government and donated to a local unit of government after the completion of construction.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 59.52 (29) (a) of the statutes is renumbered 59.52 (29) (a) 1. and  
2 amended to read:

3           59.52 (29) (a) 1. All public work, including any contract for the construction,  
4 repair, remodeling, or improvement of any public work, building, or furnishing of  
5 supplies or material of any kind where the estimated cost of such work will exceed  
6 ~~\$25,000~~ \$75,000 shall be let by contract to the lowest responsible bidder.

7           3. Any public work, the estimated cost of which does not exceed ~~\$25,000~~  
8 \$75,000, shall be let as the board may direct.

9           4. If the estimated cost of any public work is between \$5,000 and ~~\$25,000~~  
10 \$75,000, the board shall give a class 1 notice under ch. 985 before it contracts for the  
11 work or shall contract with a person qualified as a bidder under s. 66.0901 (2).

12           2. A contract, the estimated cost of which exceeds ~~\$25,000~~ \$75,000, shall be let  
13 and entered into under s. 66.0901, except that the board may by a three-fourths vote  
14 of all the members entitled to a seat provide that any class of public work or any part  
15 thereof may be done directly by the county without submitting the same for bids.

16           (c) 1. This subsection does not apply to public construction if the materials for  
17 such a project are donated or if the labor for such a project is provided by volunteers.

18           (d) This subsection does not apply to highway contracts which the county  
19 highway committee or the county highway commissioner is authorized by law to let  
20 or make.

21           **SECTION 2.** 59.52 (29) (c) 2. of the statutes is created to read:



1           59.52 (29) (c) 2. This subsection does not apply to the construction by a person  
2 other than the county of an improvement that is donated to the county after the  
3 completion of construction.

4           **SECTION 3.** 60.47 (1) (a) of the statutes is amended to read:

5           60.47 (1) (a) "Public contract" means a contract for the construction, execution,  
6 repair, remodeling or improvement of any public work or building or for the  
7 furnishing of materials or supplies, with an estimated cost greater than \$5,000  
8 \$25,000.

9           **SECTION 4.** 60.47 (2) (a) of the statutes is amended to read:

10          60.47 (2) (a) No town may enter into a public contract with an estimated cost  
11 of more than \$5,000 but not more than ~~\$25,000~~ \$75,000 unless the town board, or a  
12 town official or employee designated by the town board, gives a class 1 notice under  
13 ch. 985 before execution of that public contract.

14          **SECTION 5.** 60.47 (2) (b) of the statutes is amended to read:

15          60.47 (2) (b) No town may enter into a public contract with a value of more than  
16 ~~\$25,000~~ \$75,000 unless the town board, or a town official or employee designated by  
17 the town board, advertises for proposals to perform the terms of the public contract  
18 by publishing a class 2 notice under ch. 985. The town board may provide for  
19 additional means of advertising for bids.

20          **SECTION 6.** 60.47 (5) (title) of the statutes is amended to read:

21          60.47 (5) (title) ~~EXCEPTION FOR EMERGENCIES AND DONATED MATERIALS AND LABOR~~  
22 CERTAIN DONATIONS.

23          **SECTION 7.** 60.47 (5) of the statutes is renumbered 60.47 (5) (a) and amended  
24 to read:

1           60.47 (5) (a) This section is optional with respect to public contracts for the  
2 repair and construction of public facilities when damage or threatened damage to the  
3 facility creates an emergency, as declared by resolution of the town board, that  
4 endangers the public health or welfare of the town. This subsection no longer applies  
5 when the town board declares that the emergency no longer exists.

6           (b) This section is optional with respect to a public contract if the materials  
7 related to the contract are donated or if the labor that is necessary to execute the  
8 public contract is provided by volunteers.

9           **SECTION 8.** 60.47 (5) (c) of the statutes is created to read:

10           60.47 (5) (c) This section does not apply to the construction by a person other  
11 than the town of an improvement that is donated to the town after the completion  
12 of construction.

13           **SECTION 9.** 62.15 (1) of the statutes is amended to read:

14           62.15 (1) CONTRACTS; HOW LET; EXCEPTION FOR DONATED MATERIALS AND LABOR. All  
15 public construction, the estimated cost of which exceeds ~~\$25,000~~ \$75,000, shall be let  
16 by contract to the lowest responsible bidder; all other public construction shall be let  
17 as the council may direct. If the estimated cost of any public construction exceeds  
18 \$5,000 but is not greater than ~~\$25,000~~ \$75,000, the board of public works shall give  
19 a class 1 notice, under ch. 985, of the proposed construction before the contract for  
20 the construction is executed. This provision does not apply to public construction if  
21 the materials for such a project are donated or if the labor for such a project is  
22 provided by volunteers. The council may also by a vote of three-fourths of all the  
23 members-elect provide by ordinance that any class of public construction or any part  
24 thereof may be done directly by the city without submitting the same for bids.

25           **SECTION 10.** 62.15 (1e) of the statutes is created to read:

1           **62.15 (1e) EXCEPTION FOR CERTAIN DONATIONS.** Subsection (1) does not apply to  
2 the construction by a person other than the city of an improvement that is donated  
3 to the city after the completion of construction.

4           **SECTION 11.** 66.0901 (1) (a) of the statutes is amended to read:

5           66.0901 (1) (a) "Municipality" means the state or a town, city, village, school  
6 district, board of school directors of the school district operating under ch. 119, sewer  
7 district, drainage district, technical college district or other public or quasi-public  
8 corporation, officer, board or other public body charged with the duty of receiving bids  
9 for and awarding any public contracts.

10          **SECTION 12.** 66.0901 (1m) (a) (intro.) of the statutes is amended to read:

11          66.0901 (1m) (a) (intro.) Except when necessary to secure federal aid,  
12 whenever a political subdivision, school district, or the board of school directors of the  
13 school district operating under ch. 119 lets a public contract by bidding, the political  
14 subdivision, school district, or board of school directors shall comply with all of the  
15 following:

16          **SECTION 13.** 66.0901 (1m) (b) of the statutes is amended to read:

17          66.0901 (1m) (b) Except when necessary to secure federal aid, a political  
18 subdivision, school district, or the board of school directors of the school district  
19 operating under ch. 119 may not use a bidding method that gives preference based  
20 on the geographic location of the bidder or that uses criteria other than the lowest  
21 responsible bidder in awarding a contract.

22          **SECTION 14.** 119.04 (1) of the statutes is amended to read:

23          119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
24 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,  
25 115.345, 115.363, 115.365 (3), 115.38 (2), 115.415, 115.445, 118.001 to 118.04,

1 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145  
2 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20,  
3 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258,  
4 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53,  
5 118.55, 118.56, 120.12 (2m), (4m), (5), (5m), and (15) to (27), 120.125, 120.127, 120.13  
6 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.137,  
7 120.14, 120.20, 120.21 (3), and 120.25 are applicable to a 1st class city school district  
8 and board but not, unless explicitly provided in this chapter or in the terms of a  
9 contract, to the commissioner or to any school transferred to an opportunity schools  
10 and partnership program.

11 **SECTION 15.** 120.12 (5m) of the statutes is created to read:

12 **120.12 (5m) CONTRACTS; ADVERTISING FOR BIDS; CONTRACTS TO LOWEST**  
13 **RESPONSIBLE BIDDER; EXCEPTION FOR EMERGENCIES.** (a) Subject to s. 120.127, before  
14 entering into a contract for the construction, repair, remodeling, or improvement of  
15 a public school building or public school facilities or for the furnishing of supplies or  
16 materials with an estimated cost greater than \$5,000 but not more than \$75,000, give  
17 or direct the school district clerk to give a class 1 notice under ch. 985 of that contract  
18 or contract with a person qualified as a bidder under s. 66.0901 (2).

19 (b) 1. Except as provided in subds. 2. and 3. and subject to s. 120.127, before  
20 entering into a contract for the construction, repair, remodeling, or improvement of  
21 a public school building or public school facilities or for the furnishing of supplies or  
22 materials with an estimated cost greater than \$75,000, advertise or direct the school  
23 district clerk to advertise for proposals to perform the terms of the contract by  
24 publishing a class 2 notice under ch. 985. The school board may provide for  
25 additional means of advertising for bids. The school board shall let a public contract

1 for which advertising for proposals is required under this paragraph to the lowest  
2 responsible bidder. Section 66.0901 applies to public contracts let under this  
3 paragraph.

4 2. The school board may, by a three-fourths vote of all the members, provide  
5 that any construction, repair, remodeling, or improvement described in subd. 1. or  
6 any part thereof may be done directly by the school district without submitting the  
7 same for bids.

8 3. Subdivision 1. does not apply to the construction, repair, remodeling, or  
9 improvement of a public school building or public school facilities or to the furnishing  
10 of supplies or materials if the materials for such a project are donated or if the labor  
11 for such a project is provided by volunteers.

12 **SECTION 16.** 120.127 of the statutes is created to read:

13 **120.127 Exception to requirement for notice and bidding of contracts**  
14 **in case of emergency.** The provisions of s. 120.12 (5m) are not mandatory for the  
15 repair or reconstruction of a public school building or public school facilities when  
16 damage or threatened damage thereto creates an emergency, as determined by  
17 resolution of the school board, in which the public health or welfare of the school  
18 district is endangered. Whenever the school board by majority vote at a regular or  
19 special meeting determines that an emergency no longer exists, this section no longer  
20 applies.

21 **SECTION 17. Initial applicability.**

22 (1) BIDS THRESHOLD. The treatment of sections 60.47 (2) (b), 62.15 (1), 66.0901  
23 (1m) (a) (intro.), and 120.12 (5m) (b) of the statutes and the renumbering and

**SECTION 17**

1 amendment of section 59.52 (29) (a) of the statutes first apply to bids solicited on the  
2 effective date of this subsection.

3 (END)



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-0186/1  
TKK&EVM:ahc

RMR

2017 BILL

INSERT

4/18/17

regu ✓  
sa ✓

1 AN ACT *to renumber and amend* 59.52 (29) (a) and 60.47 (5); *to amend* 60.47  
2 (1) (a), 60.47 (2) (a), 60.47 (2) (b), 60.47 (5) (title), 62.15 (1), 66.0901 (1) (a),  
3 66.0901 (1m) (a) (intro.), 66.0901 (1m) (b) and 119.04 (1); and *to create* 59.52  
4 (29) (c) 2., 60.47 (5) (c), 62.15 (1e), 120.12 (5m) and 120.127 of the statutes;  
5 **relating to:** competitive bidding thresholds and requiring school districts to  
6 utilize competitive bidding.

with an exception for certain highway projects,

***Analysis by the Legislative Reference Bureau***

This bill increases to \$75,000 the threshold governing sealed, competitive bids that is applicable to a local unit of government. Under current law, if the estimated cost of a public works project exceeds \$25,000, the state or local unit of government must solicit bids and award the public works contract to the lowest responsible bidder.

The bill also requires a school board and the board of school directors of the Milwaukee Public Schools to comply with these bidding requirements.

The bill also provides an exception to bidding requirements for improvements that are constructed by a person other than the local unit of government and donated to a local unit of government after the completion of construction.

**BILL**

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 59.52 (29) (a) of the statutes is renumbered 59.52 (29) (a) 1. and  
2 amended to read:

3           59.52 (29) (a) 1. All public work, including any contract for the construction,  
4 repair, remodeling, or improvement of any public work, building, or furnishing of  
5 supplies or material of any kind where the estimated cost of such work will exceed  
6 ~~\$25,000~~ \$75,000 shall be let by contract to the lowest responsible bidder.

7           3. Any public work, the estimated cost of which does not exceed ~~\$25,000~~  
8 \$75,000, shall be let as the board may direct.

9           4. If the estimated cost of any public work is between \$5,000 and ~~\$25,000~~  
10 \$75,000, the board shall give a class 1 notice under ch. 985 before it contracts for the  
11 work or shall contract with a person qualified as a bidder under s. 66.0901 (2).

12           2. A contract, the estimated cost of which exceeds ~~\$25,000~~ \$75,000, shall be let  
13 and entered into under s. 66.0901, except that the board may by a three-fourths vote  
14 of all the members entitled to a seat provide that any class of public work or any part  
15 thereof may be done directly by the county without submitting the same for bids.

16           (c) 1. This subsection does not apply to public construction if the materials for  
17 such a project are donated or if the labor for such a project is provided by volunteers.

18           (d) This subsection does not apply to highway contracts which the county  
19 highway committee or the county highway commissioner is authorized by law to let  
20 or make.

21           **SECTION 2.** 59.52 (29) (c) 2. of the statutes is created to read:

INS  
2-20



**BILL**

1           59.52 (29) (c) 2. This subsection does not apply to the construction by a person  
2 other than the county of an improvement that is donated to the county after the  
3 completion of construction.

4           **SECTION 3.** 60.47 (1) (a) of the statutes is amended to read:

5           60.47 (1) (a) "Public contract" means a contract for the construction, execution,  
6 repair, remodeling or improvement of any public work or building or for the  
7 furnishing of materials or supplies, with an estimated cost greater than \$5,000  
8 \$25,000.

INS  
3-8

9           **SECTION 4.** 60.47 (2) (a) of the statutes is amended to read:

10          60.47 (2) (a) No town may enter into a public contract with an estimated cost  
11 of more than \$5,000 but not more than ~~\$25,000~~ \$75,000 unless the town board, or a  
12 town official or employee designated by the town board, gives a class 1 notice under  
13 ch. 985 before execution of that public contract.

14          **SECTION 5.** 60.47 (2) (b) of the statutes is amended to read:

15          60.47 (2) (b) No town may enter into a public contract with a value of more than  
16 ~~\$25,000~~ \$75,000 unless the town board, or a town official or employee designated by  
17 the town board, advertises for proposals to perform the terms of the public contract  
18 by publishing a class 2 notice under ch. 985. The town board may provide for  
19 additional means of advertising for bids.

INS  
3-19

20          **SECTION 6.** 60.47 (5) (title) of the statutes is amended to read:

21          60.47 (5) (title) ~~EXCEPTION FOR EMERGENCIES AND DONATED MATERIALS AND LABOR~~  
22 CERTAIN DONATIONS.

23          **SECTION 7.** 60.47 (5) of the statutes is renumbered 60.47 (5) (a) and amended  
24 to read:

**BILL**

*and public road contracts*

**SECTION 7**

1 60.47 (5) (a) This section is optional with respect to public contracts for the  
2 repair and construction of public facilities when damage or threatened damage to the  
3 facility creates an emergency, as declared by resolution of the town board, that  
4 endangers the public health or welfare of the town. This subsection no longer applies  
5 when the town board declares that the emergency no longer exists.

*or public road contract*

6 (b) This section is optional with respect to a public contract if the materials  
7 related to the contract are donated or if the labor that is necessary to execute the  
8 public contract is provided by volunteers.

*or public road contract*

**SECTION 8.** 60.47 (5) (c) of the statutes is created to read:

9  
10 60.47 (5) (c) This section does not apply to the construction by a person other  
11 than the town of an improvement that is donated to the town after the completion  
12 of construction.

**SECTION 9.** 62.15 (1) of the statutes is amended to read:

*INS  
4-13*

13  
14 62.15 (1) **CONTRACTS; HOW LET; EXCEPTION FOR DONATED MATERIALS AND LABOR.** All  
15 public construction, the estimated cost of which exceeds ~~\$25,000~~ \$75,000, shall be let  
16 by contract to the lowest responsible bidder; all other public construction shall be let  
17 as the council may direct. If the estimated cost of any public construction exceeds  
18 \$5,000 but is not greater than ~~\$25,000~~ \$75,000, the board of public works shall give  
19 a class 1 notice, under ch. 985, of the proposed construction before the contract for  
20 the construction is executed. This provision does not apply to public construction if  
21 the materials for such a project are donated or if the labor for such a project is  
22 provided by volunteers. The council may also by a vote of three-fourths of all the  
23 members-elect provide by ordinance that any class of public construction or any part  
24 thereof may be done directly by the city without submitting the same for bids.

*(a)*

**SECTION 10.** 62.15 (1e) of the statutes is created to read:

*INS  
4-24*

25

**BILL**

1           62.15 (1e) EXCEPTION FOR CERTAIN DONATIONS. Subsection (1) does not apply to  
2 the construction by a person other than the city of an improvement that is donated  
3 to the city after the completion of construction.

4           **SECTION 11.** 66.0901 (1)(a) of the statutes <sup>as affected by 2017 Wisconsin</sup> is amended to read: Act 31

5           66.0901 (1)(a) <sup>(as)</sup> "Municipality" means the state or a town, city, village, school  
6 district, board of school directors of the school district operating under ch. 119, sewer  
7 district, drainage district, technical college district or other public or quasi-public  
8 corporation, officer, board or other public body charged with the duty of receiving bids  
9 for and awarding any public contracts.

10           **SECTION 12.** 66.0901 (1m) (a) (intro.) of the statutes is amended to read:

11           66.0901 (1m) (a) (intro.) Except when necessary to secure federal aid,  
12 whenever a political subdivision, school district, or the board of school directors of the  
13 school district operating under ch. 119 lets a public contract by bidding, the political  
14 subdivision, school district, or board of school directors shall comply with all of the  
15 following:

16           **SECTION 13.** 66.0901 (1m) (b) of the statutes is amended to read:

17           66.0901 (1m) (b) Except when necessary to secure federal aid, a political  
18 subdivision, school district, or the board of school directors of the school district  
19 operating under ch. 119 may not use a bidding method that gives preference based  
20 on the geographic location of the bidder or that uses criteria other than the lowest  
21 responsible bidder in awarding a contract.

22           **SECTION 14.** 119.04 (1) of the statutes is amended to read:

23           119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
24 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,  
25 115.345, 115.363, 115.365 (3), 115.38 (2), 115.415, 115.445, 118.001 to 118.04,

**BILL****SECTION 14**

1 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145  
2 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20,  
3 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258,  
4 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53,  
5 118.55, 118.56, 120.12 (2m), (4m), (5), (5m), and (15) to (27), 120.125, 120.127, 120.13  
6 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.137,  
7 120.14, 120.20, 120.21 (3), and 120.25 are applicable to a 1st class city school district  
8 and board but not, unless explicitly provided in this chapter or in the terms of a  
9 contract, to the commissioner or to any school transferred to an opportunity schools  
10 and partnership program.

11 **SECTION 15.** 120.12 (5m) of the statutes is created to read:

12 120.12 **(5m)** CONTRACTS; ADVERTISING FOR BIDS; CONTRACTS TO LOWEST  
13 RESPONSIBLE BIDDER; EXCEPTION FOR EMERGENCIES. (a) Subject to s. 120.127, before  
14 entering into a contract for the construction, repair, remodeling, or improvement of  
15 a public school building or public school facilities or for the furnishing of supplies or  
16 materials with an estimated cost greater than \$5,000 but not more than \$75,000, give  
17 or direct the school district clerk to give a class 1 notice under ch. 985 of that contract  
18 or contract with a person qualified as a bidder under s. 66.0901 (2).

19 (b) 1. Except as provided in subds. 2. and 3. and subject to s. 120.127, before  
20 entering into a contract for the construction, repair, remodeling, or improvement of  
21 a public school building or public school facilities or for the furnishing of supplies or  
22 materials with an estimated cost greater than \$75,000, advertise or direct the school  
23 district clerk to advertise for proposals to perform the terms of the contract by  
24 publishing a class 2 notice under ch. 985. The school board may provide for  
25 additional means of advertising for bids. The school board shall let a public contract

**BILL**

1 for which advertising for proposals is required under this paragraph to the lowest  
2 responsible bidder. Section 66.0901 applies to public contracts let under this  
3 paragraph.

4 2. The school board may, by a three-fourths vote of all the members, provide  
5 that any construction, repair, remodeling, or improvement described in subd. 1. or  
6 any part thereof may be done directly by the school district without submitting the  
7 same for bids.

8 3. Subdivision 1. does not apply to the construction, repair, remodeling, or  
9 improvement of a public school building or public school facilities or to the furnishing  
10 of supplies or materials if the materials for such a project are donated or if the labor  
11 for such a project is provided by volunteers.

12 **SECTION 16.** 120.127 of the statutes is created to read:

13 **120.127 Exception to requirement for notice and bidding of contracts**  
14 **in case of emergency.** The provisions of s. 120.12 (5m) are not mandatory for the  
15 repair or reconstruction of a public school building or public school facilities when  
16 damage or threatened damage thereto creates an emergency, as determined by  
17 resolution of the school board, in which the public health or welfare of the school  
18 district is endangered. Whenever the school board by majority vote at a regular or  
19 special meeting determines that an emergency no longer exists, this section no longer  
20 applies.

21 **SECTION 17. Initial applicability.**

22 (1) BIDS THRESHOLD. The treatment of sections 60.47 (2) (b), 62.15 (1), 66.0901  
23 (1m) (a) (intro.), and 120.12 (5m) (b) of the statutes and the renumbering and

**BILL**

**SECTION 17**

1 amendment of section 59.52 (29) (a) of the statutes first apply to bids solicited on the  
2 effective date of this subsection.

3 (END)



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRBa0337/P1  
EVM:kjf

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**  
**ASSEMBLY AMENDMENT ,**  
**TO ASSEMBLY BILL (LRB-0186/1)**

INSERT

5a ✓

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 20: after that line insert:

3 **"SECTION 1m.** 59.52 (29) (am) of the statutes is created to read:

4 59.52 (29) (am) 1. In this paragraph, "public road project" means a public work  
5 project for the construction, repair, or maintenance of a public road of which the  
6 county is in control or for which the county is responsible.

7 2. Notwithstanding par. (a) 1., if the estimated cost of a public road project  
8 exceeds \$25,000, the board shall let the project by contract to the lowest responsible  
9 bidder. Notwithstanding par. (a) 3., if the estimated cost of a public road project does  
10 not exceed \$25,000, the board may let the project in any manner. Notwithstanding  
11 par. (a) 4., if the estimated cost of a public road project is between \$5,000 and \$25,000,  
12 the board shall give a class 1 notice under ch. 985 before it contracts for the project



1 or shall contract with a person qualified as a bidder under s. 66.0901 (2).  
2 Notwithstanding par. (a) 2., if the estimated cost of a public road project exceeds  
3 \$25,000, the board shall let the project by contract and enter into the contract under  
4 s. 66.0901, except that the board may, by a three-fourths vote of all the members  
5 entitled to a seat, provide that any portion of the project may be completed directly  
6 by the county without submitting that portion of the project for bids.”

7 ~~2. Page 3, line 8: after that line insert:~~

8 “SECTION 3m. 60.47 (1) (am) of the statutes is created to read:

9 60.47 (1) (am) “Public road contract” means a contract for the construction,  
10 repair, or maintenance of a public road of which the town is in control or for which  
11 the town is responsible”.

12 ~~3. Page 3, line 19: after that line insert:~~

13 “SECTION 5e. 60.47 (2m) of the statutes is created to read:

14 60.47 (2m) PUBLIC ROAD CONTRACTS. Notwithstanding sub. (2) and except as  
15 provided in subs. (4) and (5), no town may enter into a public road contract with an  
16 estimated cost of more than \$5,000 but not more than \$25,000 unless the town board,  
17 or a town official or employee designated by the town board, gives a class 1 notice  
18 under ch. 985 before execution of that public road contract. Notwithstanding sub.  
19 (2) and except as provided in subs. (4) and (5), no town may enter into a public road  
20 contract with a value of more than \$25,000, unless the town board, or a town official  
21 or employee designated by the town board, advertises for proposals to perform the  
22 terms of the public road contract by publishing a class 2 notice under ch. 985. The  
23 town board may provide for additional means of advertising for bids.

24 SECTION 5m. 60.47 (3) of the statutes is amended to read:







1           60.47 (3) CONTRACTS TO LOWEST RESPONSIBLE BIDDER. The town board shall let  
 2 a public contract or public road contract, for which advertising for proposals is  
 3 required under sub. (2) (b) or (2m) to the lowest responsible bidder. Section 66.0901  
 4 applies to public contracts or public road contracts let under sub. ~~subs.~~ (2) (b) and  
 5 (2m).

6           **SECTION 5s.** 60.47 (4) of the statutes is amended to read:

7           60.47 (4) CONTRACTS WITH GOVERNMENTAL ENTITIES. This section does not apply  
 8 to public contracts or public road contracts, entered into by a town with a  
 9 municipality, as defined under s. 66.0301 (1) (a)"}.

INS  
3-19

10           ~~4.~~ Page 4, line 1: after "contracts" insert "and public road contracts".

11           ~~5.~~ Page 4, line 6: after "contract" insert "or public road contract".

12           ~~6.~~ Page 4, line 7: after "contract" insert "or public road contract".

13           ~~7.~~ Page 4, line 13: delete that line and substitute:

14           ~~"SECTION 9g.~~ 62.15 (1) of the statutes is renumbered 62.15 (1) (a) and amended  
 15 to read"}.

INS  
4-13

16           ~~8.~~ Page 4, line 14: delete "CONTRACTS; HOW LET; EXCEPTION FOR DONATED  
 17 MATERIALS AND LABOR." and substitute "(a)".

18           ~~9.~~ Page 4, line 24: after that line insert:

19           ~~"SECTION 9r.~~ 62.15 (1) (b) of the statutes is created to read:

20           62.15 (1) (b) 1. In this paragraph, "public road construction" means a public  
 21 construction project involving the construction, repair, or maintenance of a public  
 22 road of which the city is in control or for which the city is responsible.

23           2. Notwithstanding par. (a), all public road construction, the estimated cost of  
 24 which exceeds \$25,000, shall be let by contract to the lowest responsible bidder; all



1 other public road construction shall be let as the council may direct.  
2 Notwithstanding par. (a), if the estimated cost of any public road construction  
3 exceeds \$5,000 but is not greater than \$25,000, the board of public works shall give  
4 a class 1 notice, under ch. 985, of the proposed construction before the contract for  
5 the construction is executed. This provision does not apply to public road  
6 construction if the materials for such a project are donated or if the labor for such a  
7 project is provided by volunteers. The council may also by a vote of three-fourths of  
8 all the members-elect provide by ordinance that any class of public road construction  
9 or any part thereof may be done directly by the city without submitting the same for  
10 bids".

INS  
4-24

(END)

**Parisi, Lori**

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**From:** Perchinsky, Dan  
**Sent:** Thursday, April 20, 2017 1:29 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -0186/2

Please Jacket LRB -0186/2 for the ASSEMBLY.