

CR 83-179

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STATE OF WISCONSIN)
) ss.
DEPARTMENT OF ADMINISTRATION)

I, Doris J. Hanson, Secretary of the Department of Administration and custodian of the official records do hereby certify that the annexed rules relating to solicitation of bids and proposals and bidding process and exceptions to bidding, were duly approved and adopted by this Department on August 12, 1986. I further certify that this copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand at 101 South Webster Street in the City of Madison, this 12 day of August, 1986.


Doris J. Hanson, Secretary

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ORDER OF THE
DEPARTMENT OF ADMINISTRATION
ADOPTING RULES

Relating to Solicitation of Bids and Proposals and Bidding
Process and Exceptions to Bidding.

To create s. Adm 6.01, ss. Adm 7.01 through Adm 7.10
and ss. Adm 8.01 through Adm 8.08 of the Wisconsin
Administrative Code.

Analysis prepared by the Department of Administration:

Chapter Adm 6 is created to provide the designated
meanings, unless a different meaning is expressly
provided or the context clearly indicates a different
meaning, of the words and phrases used in Chapters Adm
7 and 8.

Chapter Adm 7 is created to establish the Department of
Administration policy on the request for bids and
proposals. Solicitation is the process of notifying
prospective bidders that the state wishes to receive
bids on a set of requirements to provide goods. A bid
is a price quotation specifically given to a
prospective purchaser upon his or her request, usually
in competition with other offerers. A proposal is an
offer made by one party to another as a basis for the
negotiations for entering into a contract.

Section Adm 7.01 specifies that requests for bids and
proposals shall contain standard terms and conditions
as published by the department.

Section Adm 7.02 specifies that all requests for bids
shall contain all of the special conditions of bid that
are unique to the particular bid involved. It also
lists the special conditions of bid.

Section Adm 7.03 provides that all requests for bids
shall contain specifications which define the product
sought. It also states guidelines for the drafting of
specifications.

Section Adm 7.04 defines the process to be used when it
is necessary to amend the request for bids or
proposals.

Section Adm 7.05 provides that the Department of
Administration and the purchasing offices in each
agency shall maintain a list of the names and addresses
of suppliers of various goods from whom bids, proposals

and quotations can be solicited. It also states the reasons for removal of a bidder's name from the bidders list.

Section Adm 7.06 describes the use of newspaper publication to insure that potential bidders and proposers are informed that a procuring agency is soliciting bids and proposals.

Section Adm 7.07 provides that requests for bids and proposals shall note that the state will give preference to materials manufactured to the greatest extent in the United States when all other factors are equal.

Section Adm 7.08 provides that in order to secure performance of the bid or contract, the department may require bonds or sureties. The rule specifies in what instances certain types of sureties will be required.

Section Adm 7.09 provides a technique for purchasing goods, usually of a technical nature, whereby qualified bidders are solicited, negotiations are carried on with each proposer and the best offer in terms of performance, quality of items, price, etc., is judged against proposal evaluation criteria, is accepted. The award is a negotiated award and the process is called competitive negotiation.

Section Adm 7.10 describes the process used to make an award for a commodity that is available from only one supplier because of its technological, specialized or unique character. This procurement process is called noncompetitive negotiation.

Chapter Adm 8 is created to cover the bidding process and exceptions to bidding. Bidding is the process of providing a statement of price, terms of sale, and description of goods offered by a bidder to prospective purchasers. Generally, the state awards its contracts to the firm or person which provides the lowest responsible bid. However, there are certain situations in which bidding is not used. Purchases from regulated industries and other governmental bodies are examples of situations that require exceptions to bidding.

Section Adm 8.01 provides for a less complex bidding procedure for procurements under \$10,000.

Section Adm 8.02 states that a bid may be withdrawn or modified at anytime prior to the bid opening.

Section Adm 8.03 describes the process on which the acceptance of a bid or proposal is based.

Section Adm 8.04 describes the process through which the contents of the bids or proposals are revealed for the first time to the state, to other bidders and to the public.

Section Adm 8.05 describes the process for waiver of bidding.

Section Adm 8.06 provides that repetitive and similar transactions may be consolidated into a general request for prior approval of the procurement process.

Section Adm 8.07 provides that documentation of the procurement process for sealed bids, sealed proposals, and non-competitive negotiation is required.

Section Adm 8.08 defines exceptions to the bidding process including intergovernmental procurements, grants, interagency transactions, and regulated services.

Pursuant to the authority vested in the Department of Administration by ss. 16.004(1) and 227.10(1), Stats., the Department of Administration hereby adopts rules interpreting subchapter IV of Chapter 16, Stats., as follows:

SECTION 1. Chs. Adm 6 to 8 are created to read:

(as stated in the material attached hereto)

The rules contained herein shall take effect as provided in s. 227.22(2), Stats.

Dated: 8/12/86


Doris J. Hanson, Secretary

Adm 6

DEFINITIONS

Adm 6.01 DEFINITIONS. In Chapters Adm 7 and 8, the following words and phrases have the designated meanings unless a different meaning is expressly provided or the context clearly indicates a different meaning.

(1) "Bid" means a price quotation specifically given to a prospective purchaser by a prospective seller; a bid is an offer to sell.

(2) "Bid file" means a file maintained by a procuring agency that contains: the original bid response with an indication of the date and time received, original copy of request for bid, original bidders list, an abstract of bids received, a listing of any late bids, the names of successful bidders, justification for any lower bids rejected, a statement of the application of life-cycle cost formula, Wisconsin bidder preference, minority bidder preference, sheltered workshop preference and "buy American" preference, where pertinent.

(3) "Bidder" means a person or firm which submits a competitive bid in response to requests for bids.

(4) "Bidders list" means a list maintained by a procuring agency, setting out the names and addresses of suppliers of various goods from whom bids, proposals and price quotations can be solicited.

(5) "Competitive bidding" means the offer of prices by individuals or firms competing to supply specified goods.

(6) "Competitive negotiation" means soliciting proposals when an award cannot be made strictly on specifications or price and several individuals or firms are qualified to furnish the product.

(7) "Department" means the department of administration.

(8) "Discounts for early payment" means a discount for a payment made within a specific time period.

(9) "Lowest responsible bidder" means the person or firm submitting the competitive bid with the lowest price that meets the specifications contained in the requests for bids. In establishing the lowest responsible bidder, all of the following factors may be considered:

(a) The financial ability to provide the services required or to complete the contract;

(b) The skill, judgment, experience and resources to complete the contract;

(c) The necessary facilities, staff, personnel and equipment to complete the contract;

(d) The demonstrated ability to satisfactorily perform the work or provide the materials in a prompt, conscientious manner;

(e) The demonstrated ability to comply in situations where the award is contingent on special considerations subject to the nature of the services or contract required; and

(f) Any other factor determined to be relevant in assessing the bidder's ability to supply as required.

(10) "Municipality" means a county, city, village, town, school district, board of school directors, sewer district, drainage district, vocational, technical and adult education district or any other public or quasi-public corporation, officer, board or other body having the authority to award public contracts.

(11) "Procurement" means the process of obtaining goods, including all activities from the planning process, preparation and processing of a requisition, through receipt and approval of the final invoice for payment.

(12) "Procuring agency" means the state agency which conducts the purchasing transaction.

(13) "Proprietary" means owned by a private individual or corporation under a copyright, trademark or patent.

(14) "Requests for bids" means all documents used for soliciting bids.

(15) "Solicitation" means the process of notifying prospective bidders that the state wishes to receive bids or proposals on goods. The process may consist of public advertising, the mailing of requests for bids, posting of notices or telephone calls to prospective bidders, verbal notice or any other means that makes the state's intentions known to potential suppliers.

(16) "Specification" means a description of what the procuring agency requires and, consequently, what a bidder must offer to be considered for an award. A specification

may be a description of the physical or functional characteristics, or of the nature of a supply. It may include a description of any requirement for inspecting, testing or preparing a supply item for delivery, the necessary performance criteria, and a description of the procedures to be followed when submitting and evaluating bids.

Adm 7

SOLICITATION OF BIDS AND PROPOSALS

Adm 7.01	Standard Terms and Conditions
Adm 7.02	Special Conditions of Bid
Adm 7.03	Specifications
Adm 7.04	Amendments to Requests for Bids or Proposals
Adm 7.05	Bidders Lists
Adm 7.06	Publication of Notice
Adm 7.07	American-Made Materials
Adm 7.08	Bonds and Sureties
Adm 7.09	Competitive Negotiation
Adm 7.10	Noncompetitive Negotiation

Adm 7.01 STANDARD TERMS AND CONDITIONS. Unless waived by the department, requests for bids and proposals shall contain all standard contractual terms and conditions as published by the department.

NOTE: The standard contractual terms and conditions of bids may be obtained from the Department of Administration, Bureau of Procurement, P.O. Box 7867, Madison, Wisconsin 53707.

Adm 7.02 SPECIAL CONDITIONS OF BID. The requests for bids shall contain all special conditions of bid that are unique to the particular bid involved. Special conditions may include but are not limited to the following:

- (1) Pricing information.
- (2) Delivery dates, methods and schedules.
- (3) Product sample requirements.
- (4) Allowance for alternative bidding and applicable provisions.
- (5) Method of award.
- (6) Method of ordering.
- (7) Method of bid.
- (8) Bidder qualifications.
- (9) Rental and lease agreements.
- (10) Bond and surety requirements.
- (11) Form requirements.

Adm 7.03 SPECIFICATIONS. (1) SPECIFICATIONS REQUIREMENT. All requests for bids, to the extent possible, shall contain specifications which define the product and the time for performance. Specifications shall include all of the following:

(a) Concise language clearly identifying the desired product;

(b) Basis for award to the lowest responsible bidder;

(c) Performance criteria that do not unnecessarily limit competition, but that do clearly define the need to be filled.

(2) SPECIFICATIONS. Standard specifications shall be prepared as provided in s. 16.72(2)(a), Stats. Nonstandard specifications shall be prepared as provided in s. 16.72(2)(b), Stats.

(3) CONTRACT SPECIFICATIONS. Specifications contained in the requests for bids shall be specifications that will be contained in any contract that results from the request for bids. Additional contract provisions may be added or specifications may be deleted or modified if the changes would not have provided a significant competitive advantage at the time the bids were taken.

Adm 7.04 AMENDMENTS TO REQUESTS FOR BIDS OR PROPOSALS.

Amendments to requests for bids or proposals must be provided to all known recipients of the request for bids or proposals. To assure that the bidder or proposer has received the notice of the change, the procuring agency may require the bidder or proposer to acknowledge receipt of the amendment in the bid or proposal response. If appropriate, an extension of time on requests for bids or proposals will be given to all identified recipients after the amendment is made to the request for bids or proposals.

Adm 7.05 BIDDERS LIST. (1) REQUIREMENTS. The department and all procuring agencies delegated purchasing authority under s. 16.71, Stats., shall maintain bidders lists for commodities on which bids are solicited. Responsible bidders requesting placement on a bidders list shall be added to the list. Bidders lists shall identify small and minority businesses and sheltered workshops.

(2) REMOVAL. Bidders may be removed from bidders lists for cause including, but not limited to:

(a) Repeated failure to bid;

(b) Repeated failure to bid according to specifications;

(c) Failure to meet the awarded contract specifications;

(d) Failure to render satisfactory contract performance, or;

(e) Furnishing false or erroneous information to obtain listing on a bidders list.

(3) REINSTATEMENT. A bidder who has been removed may request reinstatement. If the bidder provides sufficient evidence to show that the reason for removal has been eliminated, the bidder may be reinstated. Reinstatement may be probationary, for a specific period of time.

Adm 7.06 PUBLICATION OF NOTICE. (1) NEWSPAPER PUBLICATION. Publication of notice of requests for bids and proposals shall meet the requirements provided in s. 16.75(1)(b), Stats.

(2) PROCUREMENTS \$10,000 OR OVER. Publication of requests for sealed bids, requests for proposals, non-competitive negotiation procurements and general waivers over \$10,000 shall be in the legal notice column of the official state newspaper. A minimum of 7 days shall be allowed between the publication of the last notice and the date bid and proposal submissions are due.

(3) ADDITIONAL SOLICITATION. If practicable, publication of requests for sealed bids and proposals shall also be in other newspapers, trade publications, civic or social publications and such other publications as will attract small, minority or sheltered workshop business bidders or proposers and will attract the maximum number of bidders or proposers.

Adm 7.07 AMERICAN-MADE MATERIALS. (1) REQUIREMENTS. Pursuant to s. 16.754(2), Stats., when all other factors are substantially equal, the state shall purchase materials which are manufactured to the greatest extent in the United States. The state policy on the purchase of American-made materials shall be included in the requests for bids or requests for proposals. Manufactured in the United States means that materials are manufactured in whole or in substantial part within the United States, or that the majority of the component parts thereof were manufactured in whole or in substantial part in the United States.

(2) APPLICATION. To insure that preference in purchasing is given to American-made products:

(a) Specifications shall be as broadly written as possible so as not to exclude American-made materials from consideration; and

(b) Requests for bids or requests for proposals shall indicate that the state will give preference to American-made materials only when the bids are tied or the proposal scores are equal.

Adm 7.08 BONDS AND SURETIES. (1) REQUIREMENTS. The department may require under any of the conditions listed below, bonds or sureties in order to secure performance of the bid contract. Sureties may be in the form of certified or cashier's checks, cash, irrevocable letters of credit, bonds or other equivalent sureties. Bonding or insurance companies issuing bonds shall be authorized by the Commissioner of Insurance to do business in this state.

(a) A bid surety may be required when failure to sign a contract may result in serious harm to the agency.

(b) A payment surety may be required to ensure payment to subcontractors.

(c) A performance surety may be required when failure to perform the contract on the part of the contractor will result in damages to the program, agency, state or award.

(2) APPLICATION. If sureties are required on a bid or award, the requirement shall be applied to all bidders and contractors on that bid.

Adm 7.09 COMPETITIVE NEGOTIATION. (1) REQUEST FOR PROPOSAL. The procuring agency develops a request for proposal (RFP) written clearly and concisely; defining the problem to be solved; stating the desired outcomes or goals; and stating the evaluation factors and the relative importance of each.

(2) EVALUATION COMMITTEE. Before a request for proposal is distributed to prospective proposers, the procuring agency shall establish an evaluation committee. Each committee shall consist of 3 or a larger number of members, depending on the complexity and scope of materials, supplies and equipment being procured.

(3) CLARIFICATION. For purposes of clarification, discussions may be held with any proposer and any proposal shall be permitted to be revised to ensure its responsiveness to the stated requirements.

(4) NOTICE OF INTENT. When the competitive negotiation process is used to procure materials, supplies and equipment \$10,000 and over, a letter of intent to contract shall be sent by the procuring agency to the selected proposer. Copies of the letter of intent shall be sent to all other proposers in the evaluation process. All letters of intent shall be sent at least 5 days before the intended date of award.

(5) AWARD. Upon completion of the evaluation process, an award shall be made to the successful proposer based on the

results of the evaluation and any subsequent negotiations except that any or all proposals may be rejected if such rejection is in the best interests of the state.

(6) EXCEPTION. Competitive negotiation does not apply to the procurement of stationery and printing materials under ss. 16.75(7) or 16.82(4).

Adm 7.10 NONCOMPETITIVE NEGOTIATION. (1) NONCOMPETITIVE PROCUREMENT. A procuring agency may use noncompetitive negotiation when it is determined in the state's best interest, that a product is only available from a specific source. The procuring agency shall demonstrate that a non-competitive situation exists, the price is equitable, that the situation requires procurement in this manner and that it is in the best interests of the state to proceed on a non-competitive basis.

(2) EXCEPTION. Non-competitive negotiation does not apply to the procurement of stationery and printing materials under ss. 16.75(7) or 16.82(4).

Adm 8

BIDDING PROCESS AND EXCEPTIONS TO BIDDING

- Adm 8.01 Simplified Bidding
- Adm 8.02 Withdrawal and Modification of Bids
- Adm 8.03 Basis for Awards as a Result of Bidding
- Adm 8.04 Public Opening and Reading of Bids and Proposals
- Adm 8.05 Waiver of Bidding for Sealed Bids
- Adm 8.06 General Waiver
- Adm 8.07 Record Keeping Documentation
- Adm 8.08 Exceptions to Bidding

Adm 8.01 SIMPLIFIED BIDDING. (1) USE. The procedure for the solicitation of procurements under \$10,000 is as follows:

(a) Sealed bids shall be solicited from three or more vendors using forms and formal procedures determined by the department. Bids may be solicited from less than three vendors if the procuring agency documents that three vendors do not exist in proximity to the procuring agency; or

(b) The procuring agency shall send a written request for price quotations to three or more suppliers. Price quotations may be solicited from less than three suppliers if the procuring agency documents that three suppliers do not exist in proximity to the procuring agency; or

(c) The procuring agency shall compare three or more price lists or quotes on file, or shall solicit quotes from three or more suppliers. The solicitation may be made by phone, verbally or in writing. Price quotations may be solicited from less than three suppliers if the procuring agency documents that three suppliers do not exist in proximity to the procuring agency; or

(d) Except for printing, the procuring agency shall consider competitive pricing and make the award to the supplier judged best able to supply.

(e) The procuring agency shall obtain approval from the department before using any of the methods indicated in this section.

(2) DOCUMENTATION. Documentation of all simplified bidding transactions is required, including justification when award is not given to the apparent low bidder and when bidding is waived. Simplified bids shall be documented in the bid file according to Department established procedures.

Adm 8.02 WITHDRAWAL AND MODIFICATION OF BIDS. Any bidder may withdraw, resubmit or modify a bid at any time prior to the bid opening.

Adm 8.03 BASIS FOR AWARDS AS A RESULT OF BIDDING. (1) LOWEST RESPONSIBLE BIDDER. The award of a contract for a procurement shall be made to the lowest responsible bidder, taking into account qualified bids from sheltered workshops, small businesses and minority businesses.

(2) REJECTION OF BIDS. Any, and all, bids may be rejected. The reason for rejection shall be documented and made a part of the bid file.

(3) DISCOUNTS FOR EARLY PAYMENT. Discounts for early payment may be taken into account in making awards only when all other conditions are equal.

(4) TIED BIDS. In the case of tie bids, an award shall be made to Wisconsin suppliers, in preference to out-of-state suppliers, as provided in 16.75(1)(a), Stats. If the tie is between two Wisconsin bidders or two non-Wisconsin bidders, the successful bidder shall be selected by chance as determined by a witnessed and documented drawing of names or its equivalent.

Adm 8.04 PUBLIC OPENING AND READING OF BIDS AND PROPOSALS.

(1) BIDS. Opening and reading of bids shall include all of the following:

(a) Sealed bid openings are open to attendance by interested bidders and the public.

(b) A procuring agency that invited the submission of bids, shall open and orally read the bids as soon as practicable after the date and hour shown on the inquiry, at the place designated. No action other than the reading of the names of the bidders, the terms, and the prices bid is required at the bid opening.

(c) On complex, multi-line or multi-option bids, the procuring agency may open and read only the names of bidders. This procedure is used to reduce the time needed for the public opening of bids. When this option is exercised, detailed results of individual bids will be made available to the bidders and the public within a reasonable time.

(2) REQUESTS FOR PROPOSALS. Proposals shall be opened at the time and date specified. The names of the proposers may be read aloud. When the names are read aloud, a written record of the names of the proposers shall be established.

Proposals need not be evaluated at this time, nor awards announced.

Adm 8.05 WAIVER OF BIDDING FOR SEALED BIDS. (1) WAIVER REQUIREMENTS. Waiver of bidding may be authorized when in the best interests of the state. The department may authorize the waiver of bidding on procurements estimated to total less than \$10,000. Authority to request the waiver of a sealed bid on procurements estimated at \$10,000 or over may not be delegated by the department. All requests for waivers shall be thoroughly documented including justification for not using a competitive process.

(2) CONDITIONS FOR WAIVER OF BIDDING PROCESS. One or more of the following conditions, with written justification, may serve as criteria for request to waive the bidding process:

(a) The product is unique and can be established as one of a kind that is not available from more than one supplier;

(b) The purchase of specific used equipment will offer a significant discount to the state;

(c) The patented or proprietary features of a product will give the state a superior and necessary utility that cannot be obtained from others;

(d) An item is unique as determined by its historic, artistic or educational value; or

(e) A risk of human suffering or substantial damage to real or personal property exists that requires immediate action.

(3) EXCEPTIONS. Bidding policies and procedures regarding procurements of printing and stationery may not be waived.

NOTE: See ss. 16.75(2)(a), 16.75(7), Stats., and Wis. Const. Art. 4, Sect. 25.

Adm 8.06 GENERAL WAIVER. Repetitive and similar transactions may be consolidated into a general request for prior approval of the proposed procurement process.

Adm 8.07 RECORD KEEPING DOCUMENTATION. Competitive bidding, competitive negotiation and noncompetitive negotiation require documentation of the procurement process and the results of the action taken.

Adm 8.08 EXCEPTIONS TO BIDDING. (1) INTER-GOVERNMENTAL PROCUREMENTS. Intergovernmental procurements include procurements from any municipality and from any unit of the federal government.

(a) Intergovernmental procurements, except for procurement of printing and stationery, may be made without bidding if approved by the Department.

(b) All other established procurement policies and procedures designated by the Department shall apply to intergovernmental procurements.

(2) GRANTS AND OTHER NON-PROCUREMENT TRANSACTIONS. Grants, agreements between state agencies, and other payments made pursuant to statute when only one provider is statutorily permissible and the rate of reimbursement is set by statute are exempt from the procurement process upon approval of the department.

(3) REGULATED SERVICES. Regulated services that are determined to be available from a sole source as a result of a regulated or natural monopoly may be obtained without bidding as provided in s. 16.75(2)(b), Stats. Procuring agencies contracting for regulated services shall document the reason for not bidding. The purchasing transaction shall be conducted by official state purchase order or letter of agreement that includes standard terms and conditions.

NOTE: A purchase order form AD-P-10 may be obtained from the Department of Administration, Printing and Publications Section, 202 S. Thornton Avenue, P.O. Box 7840, Madison, WI 53707.

FISCAL ESTIMATE

AD-MBA-23 (Rev. 11/80)

1981 Session

LRB or Bill No./Adm. Rule No.

ADM 6, 7 and 8

Amendment No. if Applicable

- ORIGINAL
- UPDATED
- CORRECTED
- SUPPLEMENTAL

Subject

ADM 6 Definitions, ADM 7 Solicitation of Bids and Proposals, ADM 8 Bidding Process

Fiscal Effect

and Exceptions to Bidding

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation
- Decrease Existing Appropriation
- Create New Appropriation
- Increase Existing Revenues
- Decrease Existing Revenues

- Increase Costs - May Be Possible to Absorb Within Agency's Budget Yes No
- Decrease Costs

Local: No local government costs

- 1. Increase Costs
 - Permissive
 - Mandatory
- 2. Decrease Costs
 - Permissive
 - Mandatory

- 3. Increase Revenues
 - Permissive
 - Mandatory
- 4. Decrease Revenues
 - Permissive
 - Mandatory

5. Types of Local Governmental Units Affected:
- Towns
 - Villages
 - Cities
 - Counties
 - Others _____

Fund Sources Affected

- GPR
- FED
- PRO
- PRS
- SEG
- SEG-S

Affected Ch. 20 Appropriations

s. 20.505(1)(a), Stats.

Assumptions Used in Arriving at Fiscal Estimate

The rules interpret s. 16.75, Stats. This is an ongoing function in the Department of Administration and it is not anticipated that new staff will be required to implement the rules. It is not anticipated that there will be any local or state fiscal effect.

Long-Range Fiscal Implications

None

Agency

Administration

Authorized Signature Telephone No.

Doris J. Hanson
Doris J. Hanson, Secretary

Date

10-10-83

Final Regulatory Flexibility Analysis:

The Department of Administration has determined that the proposed rules may affect small businesses responding to the Department's requests for bids or proposals to provide goods to the state.

The economic impact of the proposed rule on small businesses depends on the bidder's ability to meet the required specifications which define the product sought and whether the bidder will be required to change its method of bidding to meet the instructions and specifications required by the Department under the proposed rules.

a. The establishment of less stringent compliance or reporting requirements for small business.

No compliance or reporting requirements will be imposed on small business by Adm 6, 7 and 8 other than the submittal of a bid or proposal. These requirements cannot be made less stringent without defeating the purpose of the statute which is to obtain the best product at the lowest price.

b. The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses.

No schedules or deadlines are imposed on small businesses by Adm 6, 7 and 8 other than bidding or proposal deadlines.

The statutory objectives require that all bidders or proposers meet the same deadline.

c. The consolidation or simplification of compliance or reporting requirements for small businesses.

No compliance or reporting requirements will be imposed on small businesses by Adm 6, 7 and 8 other than the submittal of a bid or proposal.

d. The establishment of performance standards for small businesses to replace design or operational standards required in the rule.

No design or operational standards are required other than a bid or a proposal. See a. above.

e. The exemption of small businesses from any or all requirements of the rule.

No exemption is needed because the requirements are minimal. Those requirements that remain cannot be changed if the statutory objectives are followed.

Representatives of small businesses were invited to comment on Adm 6, 7 and 8 at a public hearing of the Council on Small/Minority Business Opportunities on November 13, 1984. The Department of Administration also held a public hearing

on the rules on May 28, 1986. Adm 6, 7 and 8 have been revised to incorporate the suggestions of small businesses to the extent possible.

Reporting, bookkeeping and other procedures required for compliance with the rules:

There are no special reporting, bookkeeping, filing or other procedures required by these rules above or beyond the requirement that a bid or proposal be submitted by a deadline.

Types of professional skills necessary and the nature and estimated cost of other measures and investments that will be required of small businesses for compliance with the rules:

The rules do not require any special skills or other measures and investments.

Additional cost to the Department for administering or enforcing the proposed rules:

The rules do not require any additional cost for administration or enforcement.

Impact on public health, safety and welfare, if any,
caused by inclusions of any provisions under s. 227.016(2),
in rule change.

None.