

Chapter Tax 62

MAJOR PROCUREMENTS

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Note: Chapter LOT 6 was created as an emergency rule effective June 17, 1988. Chapter LOT 6 was renumbered chapter WGC 62 under s. 13.93 (2m) (b) 1., Stats., Register, March, 1995, No. 471. Chapter WGC 62 was renumbered chapter Tax 62 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 7., Stats., Register, October, 2000, No. 538.

Tax 62.01 Purpose. The purpose of this chapter is to provide the administrator with procedures regarding the Wisconsin lottery's major procurements.

Note: Section Tax 62.01 interprets s. 565.01 (4), Stats.

History: Cr. Register, March, 1989, No. 399, eff. 4-1-89; CR 01-088: am., Register February 2002 No. 554, eff. 3-1-02.

Tax 62.02 Definitions. In this chapter:

- (1) "Administrator" has the meaning specified in s. Tax 61.02 (1).
- (2) "Major procurement" has the meaning specified in s. 565.01 (4), Stats.
- (3) "Wisconsin lottery" has the meaning specified in s. Tax 61.02 (9).

Note: Section Tax 62.02 interprets s. 565.01 (4), Stats.

History: CR 01-088: r. and recr., Register February 2002 No. 554, eff. 3-1-02.

Tax 62.20 Appeal. (1) **RIGHT TO APPEAL.** (a) Any vendor who submitted a competitive bid in response to a request for proposal or request for bid for a major procurement, and who is aggrieved by the administrator's notice of intent to contract with another vendor, may appeal the administrator's decision.

(b) The vendor shall file a written notice of the intent to appeal with the administrator no later than 5 working days after the

issuance of the administrator's notice of intent to contract with another vendor. The notice of appeal shall be deemed to be filed on the day it is received by the administrator.

(c) The vendor shall file the written appeal, fully identifying the contested issues, with the administrator no later than 10 working days after the issuance of the administrator's intent to contract with another vendor. The appeal shall allege a violation of a state statute or the Wisconsin administrative code. The written appeal shall be deemed to be filed on the day it is received by the administrator.

(2) **AUTHORITY TO RESOLVE AN APPEAL.** The administrator may settle and resolve an appeal. A settlement or resolution under this subsection may include the issuance of a new request for proposal or request for bid.

(3) **DECISION.** Unless more time is required to conduct an investigation, the administrator shall issue a written decision on the appeal to the vendor within 10 working days of receipt of the appeal. The administrator's decision may include the issuance of a new request for proposal or request for bid.

(4) **STATE OF PROCUREMENTS DURING AN APPEAL.** During the appeal process, the administrator may not proceed further with the award of the contested contract until a decision is rendered on the appeal, unless the administrator determines that the award of the contract without delay is necessary to protect substantial interests of the state.

Note: Section Tax 62.20 interprets ss. 565.01 (4) and 565.25, Stats.

History: Cr. Register, March, 1989, No. 399, eff. 4-1-89; CR 01-088: am., Register February 2002 No. 554, eff. 3-1-02.