

No. 86, S.]

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CHAPTER 50

AN ACT to repeal 35.94 (3) and (4); and to amend 15.60 (6), 35.145 (intro. par.), 35.33 (title) and (2) (intro. par.) and (b), 35.43 (intro. par.), 35.45, 35.46 (1), 35.47, and 35.94 (2) of the statutes, relating to public printing.

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

SECTION 1. 15.60 (6) of the statutes is amended to read:

15.60 (6) * * * *Subsections* (1) to (5), except as to their requirements in connection with printing and stationery, shall not be deemed to apply, prior to July 1, * * * 1957, to the purchase of supplies, materials or equipment from the federal government or any agency thereof and, with the approval of the governor, may be waived with respect to * * * purchases from private sources when such action is deemed to be in the best interests of the state.

SECTION 2. 35.145 (intro. par.) of the statutes is amended to read:

35.145 (intro. par.) As a basis for bids for public printing by state printers * * * *base* prices for work and materials, exclusive of paper, are fixed as follows for first class printing:

SECTION 3. 35.33 (title) and (2) (intro. par.) and (b) of the statutes are amended to read:

35.33 (title) UNIVERSITY AND STATE COLLEGE PRINTING.

(2) (intro. par.) As a basis for printing by the state printers * * * *base* prices for work and materials, exclusive of paper, are fixed for third class printing for the state historical society as follows:

(b) Prices for all other work in this class shall be the same as for second, third and fourth class printing as set out in schedule in s. 35.43, except machine sewed cloth, buckram or other hard binding, when the * * * *base* price shall be double * * * *base* price when the book page measures more than 80 square inches, and 3 times * * * *base* when the book page measures more than 160 square inches.

SECTION 4. 35.43 (intro. par.) of the statutes is amended to read:

35.43 (intro. par.) **BASE PRICES.** As a basis for bids for public printing by state printers * * * *base* prices for work and materials, exclusive of paper, are fixed as follows:

SECTION 5. 35.45 of the statutes is amended to read:

35.45 The director of purchases shall during June and July of each even-numbered year advertise for the term of * * * 4 successive weeks in 6 newspapers, each of which is published in a different city of the state, that sealed proposals for furnishing during the next ensuing contract period, the printing included in the several classes of printing required by law to be furnished by state printers, with all other material which the director of purchases shall require, will be received by said director of purchases at his office any time prior to a specified day, when all of said proposals will be there publicly opened and read; that each bidder may, at his option, file a proposal to furnish one, or more than one, or all of said several classes of printing; that upon application said director of purchases will in the meantime furnish to bidders a list of the * * * base prices established by law and all necessary blanks and information, and that no bids will be considered that are not presented in the form so prescribed. All such forms and a proper form for the advertisement shall be prepared by the attorney general.

SECTION 6. 35.46 (1) of the statutes is amended to read:

35.46 (1) Every such bid shall be in writing, inclosed in a sealed envelope, having indorsed thereon "Proposals for State Printing"; shall be filed in the office of the director of purchases on or before the time specified in the advertisement therefor as the day when the bids will be opened; shall specify the class or classes of printing for which it is made and the per cent of discount off from or the per cent above * * * base prices (which shall be uniform for every item), at which the bidder proposes to do the work; shall be accompanied by a certificate of the state treasurer showing that the bidder has deposited with such treasurer \$1,000 in money, United States bonds or certified check, subject to the provisions of this chapter; shall be accompanied by a provisional agreement under seal, executed by the bidder to the effect that if such bid be accepted, and if he shall fail to enter into a printing contract and execute a bond within the time and conditioned as required by law then such deposit shall become absolutely the property of the state; and shall be further accompanied by a bond, executed by a surety company duly authorized to do business in this state, in the sum of \$5,000, to the effect that it guarantees the bidder will, if his bid be accepted, execute the contract and bond required by law within such time as may be prescribed by said director of purchases.

SECTION 7. 35.47 of the statutes is amended to read:

35.47 All bids shall be opened and read publicly at the time and place appointed therefor, or on such adjourned day as may be named by the director of purchases. Within 10 days thereafter such bid or bids of those opened and read shall be accepted as he shall determine is or are a proposal or proposals to do any one or all of the first 4 classes of printing for the greatest per cent of discount off from or the least per cent above the * * * base prices established by s. 35.43; provided, that whenever he shall be satisfied that any of said bids has been presented pursuant to an agreement, understanding or combination to prevent free competition, he shall reject all of them and readvertise for bids as in the first instance. Each accepted bid shall have indorsed thereon over his signature the word: "Accepted" with the date of such acceptance, which indorsement shall constitute immediate notice to the bidder of the fact of acceptance.

SECTION 8. 35.94 (2) of the statutes is amended to read:

35.94 (2) As a condition * * * to the presentation of bids for state printing under s. 35.46, prospective bidders shall * * * file with their

bids a sworn statement to the effect that in the event any contract for state printing be awarded to such printer, it will be produced entirely within this state.

SECTION 9. 35.94 (3) and (4) of the statutes are repealed.

Approved April 27, 1955.
