

1983 Senate Bill 264

Date of enactment: **March 8, 1984**
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1983 Wisconsin Act 143

AN ACT *to amend* 119.52 (1), (2) and (3) (a) and (d) of the statutes, *relating to* contracts and bidding requirements of the Milwaukee board of school directors.

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

SECTION 1. 119.52 (1), (2) and (3) (a) and (d) of the statutes are amended to read:

119.52 (1) (a) The board shall advertise for bids for construction work involving the expenditure of ~~\$2,000~~ \$5,000 or more and for the purchase of materials, supplies and equipment not to be used for new construction work where the estimated cost is ~~\$5,000~~ \$10,000 or more.

(b) The board may call for competitive bids on advertised notice or for informal bids on plans and specifications without such notice when the amount of expenditures involved is less than ~~\$2,000~~ \$5,000 for construction work and less than ~~\$5,000~~ \$10,000 for the purchase of materials, supplies and equipment not to be used for new construction work.

(2) The board shall advertise prior to the date set for opening of the bids, by publication of a class 2 notice, under ch. 985, for proposals on contracts under sub. (1) (a) involving the expenditure of ~~\$5,000~~ \$10,000 or more, and by publication of a class 1 notice, under ch. 985, for proposals involving the expenditure of less than ~~\$5,000~~ \$10,000. Prior to so advertising, the board shall file in the board office for the information of bidders and others, a plan or profile of the work to be done and specifications therefor, or other appropriate sufficient description of the work required to be done and the kinds or qualities of the materials, equipment and supplies to be furnished. The contracts may be awarded on the day the bids are opened or thereafter.

(3) (a) All proposals shall be sealed and shall be directed to the board. Proposals involving the expenditure of ~~\$5,000~~ \$10,000 or more shall be accompanied by a bid bond executed by a surety corporation licensed to transact business in this state in a penal sum fixed by the board of not less than 5% nor more than 10% of the estimated cost of the construction work or the materials, equipment or supplies. In lieu of a bid bond, the bidder may accompany his bid with a certified check, a bank cashier's check or cash in the amount required by the board. If the bidder awarded the contract requiring a bid bond fails or refuses to execute the contract and performance bond, the amount of the bid bond, certified check, cashier's check or cash shall be forfeited to the city as liquidated damages.

(d) The board may reject any or all bids and waive minor irregularities. As to bids on contracts under sub. (1) (a) involving the expenditure of less than ~~\$5,000~~ \$10,000, the board may delegate its power to accept and reject bids and to waive minor irregularities to persons designated by the board.
