

Chapter DWD 293

PAYMENT AND PERFORMANCE ASSURANCE REQUIREMENTS

DWD 293.01 Payment and performance assurance requirements.

DWD 293.02 Indexing of contract thresholds for payment and performance assurance requirements.

DWD 293.01 Payment and performance assurance requirements. The department of workforce development shall biennially adjust the contract prices that determine the payment and performance assurance requirements that apply to contracts with state and local governments for the performance of labor or furnishing materials for a public improvement or public work. These contract prices shall be adjusted on the basis of the change in the construction cost index as published in the engineering news-record and will be rounded to the nearest thousand. No adjustment shall be made for a biennium if the adjustment to be made would be less than 5%.

Note: The *Engineering News-Record* is a weekly publication of the McGraw-Hill Companies, 1221 Avenue of the Americas, New York, NY 10020. A construction cost index is published in the "Construction Economics" section of each issue.

History: CR 02-011: cr. Register June 2002 No. 558, eff. 7-1-02.

DWD 293.02 Indexing of contract thresholds for payment and performance assurance requirements.

(1) STATE CONTRACTS. (a) The payment and performance assurance requirements in s. 779.14 (1m) (c) 1., Stats., shall apply to contracts with the state for the performance of labor or furnishing materials for a public improvement or public work with a contract price exceeding \$15,000 but not exceeding \$139,000.

(b) The payment and performance assurance requirements in s. 779.14 (1m) (c) 2., Stats., shall apply to contracts with the state for the performance of labor or furnishing materials for a public

improvement or public work with a contract price exceeding \$139,000 but not exceeding \$345,000.

(c) The payment and performance assurance requirements in s. 779.14 (1m) (c) 3., Stats., shall apply to contracts with the state for the performance of labor or furnishing materials for a public improvement or public work with a contract price exceeding \$345,000.

(2) LOCAL GOVERNMENT CONTRACTS. (a) The payment and performance assurance requirements in s. 779.14 (1m) (d) 1., Stats., shall apply to contracts, other than contracts with the state, for the performance of labor or furnishing materials for a public improvement or public work with a contract price exceeding \$15,000 but not exceeding \$69,000.

(b) The payment and performance assurance requirements in s. 779.14 (1m) (d) 2., Stats., shall apply to contracts, other than contracts with the state, for the performance of labor or furnishing materials for a public improvement or public work with a contract price exceeding \$69,000 but not exceeding \$139,000.

(c) The payment and performance assurance requirements in s. 779.14 (1m) (d) 3., Stats., shall apply to contracts, other than contracts with the state, for the performance of labor or furnishing materials for a public improvement or public work with a contract price exceeding \$139,000.

History: CR 02-011: cr. Register June 2002 No. 558, eff. 7-1-02; emerg. am., eff. 1-1-04; CR 04-006: am. Register May 2004 No. 581, eff. 6-1-04; emerg. am., eff. 1-1-06; CR 06-004: am. Register May 2006 No. 605, eff. 6-1-06; **emerg. am. (1) and (2), eff. 1-1-08; CR 08-003: am. Register May 2008 No. 629, eff. 6-1-08.**