



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-0695/P1
EVM:kjf

DOA:.....Ziegler, BB0223 - Raise local government competitive bid threshold

FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

LOCAL GOVERNMENT

Bidding thresholds

In general, under current law, a second, third, or fourth class city or a village, town, county, technical college district board, or federated public library system (local governmental unit) must let a public contract having an estimated cost of more than \$25,000 to the lowest responsible bidder. Under this bill, the amount above which a local governmental unit must let a contract to the lowest responsible bidder is raised to \$50,000.

For further information see the local fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 59.52 (29) (a) of the statutes is amended to read:

59.52 (29) (a) All public work, including any contract for the construction, repair, remodeling or improvement of any public work, building, or furnishing of

supplies or material of any kind where the estimated cost of such work will exceed ~~\$25,000~~ \$50,000 shall be let by contract to the lowest responsible bidder. Any public work, the estimated cost of which does not exceed ~~\$25,000~~ \$50,000, shall be let as the board may direct. If the estimated cost of any public work is between \$5,000 and ~~\$25,000~~ \$50,000, the board shall give a class 1 notice under ch. 985 before it contracts for the work or shall contract with a person qualified as a bidder under s. 66.0901 (2). A contract, the estimated cost of which exceeds ~~\$25,000~~ \$50,000, shall be let and entered into under s. 66.0901, except that the board may by a three-fourths vote of all the members entitled to a seat provide that any class of public work or any part thereof may be done directly by the county without submitting the same for bids. This subsection does not apply to public construction if the materials for such a project are donated or if the labor for such a project is provided by volunteers. This subsection does not apply to highway contracts which the county highway committee or the county highway commissioner is authorized by law to let or make.

SECTION 2. 60.47 (2) (a) of the statutes is amended to read:

60.47 (2) (a) No town may enter into a public contract with an estimated cost of more than \$5,000 but not more than ~~\$25,000~~ \$50,000 unless the town board, or a town official or employee designated by the town board, gives a class 1 notice under ch. 985 before execution of that public contract.

SECTION 3. 60.47 (2) (b) of the statutes is amended to read:

60.47 (2) (b) No town may enter into a public contract with a value of more than ~~\$25,000~~ \$50,000 unless the town board, or a town official or employee designated by the town board, advertises for proposals to perform the terms of the public contract by publishing a class 2 notice under ch. 985. The town board may provide for additional means of advertising for bids.

SECTION 4. 62.15 (1) of the statutes is amended to read:

62.15 (1) CONTRACTS; HOW LET; EXCEPTION FOR DONATED MATERIALS AND LABOR. All public construction, the estimated cost of which exceeds ~~\$25,000~~ \$50,000, shall be let by contract to the lowest responsible bidder; all other public construction shall be let as the council may direct. If the estimated cost of any public construction exceeds \$5,000 but is not greater than ~~\$25,000~~ \$50,000, the board of public works shall give a class 1 notice, under ch. 985, of the proposed construction before the contract for the construction is executed. This provision does not apply to public construction if the materials for such a project are donated or if the labor for such a project is provided by volunteers. The council may also by a vote of three-fourths of all the members-elect provide by ordinance that any class of public construction or any part thereof may be done directly by the city without submitting the same for bids.

SECTION 9330. Initial applicability; Local Government.

(1) BIDDING THRESHOLDS. The treatment of ss. 59.52 (29) (a), 60.47 (2) (a) and (b), and 62.15 (1) first applies to public contracts that are let on the effective date of this subsection.

(END)