



# State of Wisconsin

## 2021 - 2022 LEGISLATURE

LRB-4603/P3  
MPG:amn

### PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1     AN ACT **to amend** 16.855 (14) (am) and 16.855 (14s) (a) of the statutes; **relating**  
2       **to:** single prime and single trade contracting for certain University of  
3       Wisconsin building projects (suggested as remedial legislation by the  
4       University of Wisconsin System).

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#### *Analysis by the Legislative Reference Bureau*

Under current law, the University of Wisconsin Board of Regents is authorized to let a UW building project funded by gifts and grants through single prime contracting. “Single prime contracting” is a process in which the Board of Regents contracts only with a general prime contractor, who then must contract with subcontractors. This bill provides that if the Board of Regents elects to let a UW gifts and grants project through single prime contracting, the Board of Regents may not request or accept any alternate bids.

The bill also clarifies that the Board of Regents may let any construction project that exceeds \$300,000 to a single trade contractor for all work on the project if at least 85 percent of the estimated construction cost of the project is for work that involves the trade that is the primary business of the single trade contractor.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the University of Wisconsin System and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes changes to statutes that the Law Revision Committee determined to be in need of revision.

1       **SECTION 1.** 16.855 (14) (am) of the statutes is amended to read:

2       16.855 (14) (am) Except as provided in sub. (14s) and s. 13.48 (19), the  
3       department shall let all construction projects that exceed \$300,000 through single  
4       prime contracting. The department, or the Board of Regents if elected under sub.  
5       (12m), may not request or accept any alternate bids when letting a construction  
6       project through single prime contracting.

NOTE: This SECTION prohibits the Board of Regents (BOR) from asking for or accepting alternate bids when it chooses to use single prime contracting for a UW gifts and grants project. The change applies the same prohibition to BOR that currently applies to the Department of Administration (DOA) when letting a single prime contractor construction project.

7       **SECTION 2.** 16.855 (14s) (a) of the statutes is amended to read:

8       16.855 (14s) (a) The department or Board of Regents may let any construction  
9       project that exceeds \$300,000 to a single trade contractor for all work on the project  
10      if at least 85 percent of the estimated construction cost of the project is for work that  
11      involves the trade that is the primary business of the single trade contractor.

NOTE: This SECTION clarifies that BOR may let a project over \$300,000 to a single trade contractor under certain circumstances. The change allows use of a single trade contractor subject to the same conditions that currently apply to DOA's use of a single trade contractor.