



# State Building Program

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# State Building Program

The Legislature has, by statute, created the state Building Commission and delegated to it responsibility for developing and implementing the state building program. The Commission also issues bonds for the state. The building program, or capital budget, consists of those projects recommended by the Building Commission and authorized by the Legislature. After approval by the Legislature, the projects are implemented by the Building Commission.

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## The Building Commission

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The Building Commission was created by Chapter 563, Laws of 1949, to establish a long-range building program. In 1969, voters approved an amendment to the Wisconsin Constitution that provided for direct state borrowing and the Legislature passed Chapter 259, Laws of 1969, which enlarged the powers of the Commission to finance capital facilities for all state agencies. Chapter 259 also created a separate state Bond Board, including four members of the Building Commission, to supervise the contracting of public debt. Chapter 90, Laws of 1973, abolished the Bond Board and transferred its duties and responsibilities to the Commission. The Commission is also responsible for oversight of the construction and renovations of state building projects enumerated by the Legislature each biennium and for maintaining over 6,000 existing state buildings and facilities totaling over 84 million square feet of space.

The Building Commission consists of the Governor, who serves as Chair, one citizen member, appointed by and serving at the pleasure of the Governor, and three legislators from each house of the Legislature, appointed in the same

manner as members of legislative standing committees. The majority and minority parties from each house must be represented. In addition to the voting members, the administrator of the Division of Facilities Development and Management (DFDM) within the Department of Administration (DOA), with concurrence of the Secretary of DOA, serves as a nonvoting Secretary to the Building Commission. The head engineer and the ranking architect for DOA serve as nonvoting, advisory members to the Commission.

The Commission is divided into two subcommittees: a Higher Education Subcommittee and an Administrative Affairs Subcommittee. The Higher Education Subcommittee is responsible for reviewing the capital budget requests of the University of Wisconsin System. The Administrative Affairs Subcommittee is responsible for reviewing the capital budget requests of all other state agencies. The Governor appoints the Chair and members of the two subcommittees; each subcommittee consists of three legislative members and the citizen member.

The Commission holds regular meetings during the year, sometimes on a monthly basis. Each subcommittee meets prior to the regular meeting of the Commission to review agency requests on the agenda and to formulate a recommendation on each item for consideration by the Commission. In addition to subcommittee recommendations, certain matters are first taken up by the full Building Commission, including bond resolutions and special projects. The Building Commission will hold special meetings as needed, which are most often associated with the award of a pending bond issue.

The Secretary of the Commission is responsible for the DFDM staff services, including scheduling of meetings and establishing

meeting agendas, recording and publishing meeting minutes, providing other documentation as necessary certifying Commission actions, interpreting and carrying out Commission intent, and making recommendations on matters before the Commission.

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## Capital Budget Process

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**Long-Range Planning.** In accordance with statutory requirements for a long-range plan for the building program, agencies submitted six-year (2019-25) facilities investment plans to DFDM. These plans define the facility related needs of the agency into specific projects and establish a timeline for those projects over the next six years. The first two years of the plan would form the basis for the agency's request for projects to be included as part of the 2019-21 building program. For each program within a state agency, the six-year plan must include a mission statement; a program direction statement; a description of current uses of state-owned and leased space; potential alternatives to current uses; a description of proposed projects over the next three biennia; and a listing of all proposed projects over the next three biennia. The DFDM manual for 2019-21 capital budget requests established July 27, 2018, as the submission date to DFDM for these long-range planning documents.

**Agency Capital Budget Requests.** Each state agency requesting projects in the 2019-21 state building program had to submit a capital budget request to the Secretary of the Building Commission. The date specified in the manual for capital budget requests for the 2019-21 biennium was September 14, 2018. Agency capital budget requests include: (a) a list of projects over \$1,000,000 in priority order including a summary of each project; its location; a project description; a project statement; a project justification; a proposed project schedule; total estimated project

cost by funding source; an estimated project budget; and an operating budget impact; and (b) a list of All Agency projects sorted by the following categories: (1) facility maintenance and repair; (2) utility repair and renovation; (3) land and property acquisition; (4) capital equipment acquisition; and (5) energy conservation. Also, the request identifies the anticipated project schedule milestones or dates for each project, including architect and engineer selection, project bidding dates, and the completion date for the project.

**DFDM Staff Review.** The DFDM capital budget manual indicates that DFDM staff will analyze the agency capital budget requests from September, 2018, through January/February, 2019. DFDM staff recommendations for each project are reviewed by the Secretary of DOA and the Governor.

**Building Commission Review.** Based on the schedule indicated in the capital budget manual, the full Commission will meet in March, 2019, to consider the DFDM staff and sub-committee recommendations for each project. The Commission may delete or add items to requests, reduce or increase the size of items or alter the proposed funding sources of items. At this meeting, the Commission will adopt its recommendations for the 2019-21 building program, including any nonstatutory or statutory language that the Commission wants to have enacted. Once the Commission has completed its actions, DFDM staff will prepare a summary of the projects recommended by the Commission and have an amendment to the 2019-21 budget bill drafted, which would incorporate the Commission's decisions relating to the building program projects as well as any proposed statutory modifications. By statute, the Commission is required to submit the amendment containing the biennial building program recommendations to the Joint Committee on Finance (JFC) no later than the first Tuesday of April in each odd-numbered year, unless the Committee approves a later date.

**Joint Finance Committee Review.** The

DFDM summary and the amendment draft will be submitted to the JFC, and a public hearing on the building program may be held by that Committee as part of its deliberations on the 2019-21 budget. At a subsequent executive session, JFC will incorporate the recommended building program, including any changes adopted by the Committee, into its version of the budget bill.

**Legislative Review.** The Legislature will consider the capital budget as part of the biennial budget bill. The Assembly and Senate can modify the project budgets and individual building program projects. Those major projects approved by the Legislature are enumerated into law as part of the biennial budget bill. Subsequent legislative actions could add new projects, or modify or delete projects enumerated previously in the biennial state building program under a prior version of the budget bill.

The enumerations contained in the biennial building program, as with all legislative enactments, are subject to veto by the Governor. In the 2017-19 biennium, the 2017-19 building program, as passed by the Legislature, was modified by the Governor through partial veto to delete the \$1 million enumeration for the State Capitol basement renovation project.

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### **Legislative Approval of the State Building Program**

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**Project Enumerations.** Building program projects with a cost exceeding \$1,000,000 are required to be enumerated. To enumerate a project, the Legislature lists the project title, budget, and funding source in a nonstatutory provision enacted as part of the biennial budget bill. In addition, the Legislature must authorize any new bonding or other monies needed to fund the project. As a result, the building program legislation generally consists of two major items in the budget bill: (a)

the list of project titles and budgets which constitute the project enumerations for the building program; and (b) any increased agency bonding appropriations needed to fund the various building program projects being enumerated as part of the building program. In addition, the Building Commission may include in the building program legislation any statutory changes necessary for the Commission and DFDM to implement the building program or state facility related activities.

During the course of the biennium, the Legislature can enact other legislation to modify a biennial state building program. The 2017-19 building program was enacted as part of the 2017-19 budget (2017 Act 59). That building program was subsequently amended by 2017 Act 185, which enumerated \$25,000,000 for type 1 juvenile correctional facilities and \$15,000,000 for expansion for the Mendota juvenile treatment center in Madison.

The 2017-19 state building program, as passed by the Legislature, specified that the Building Commission could issue an additional \$673 million of general obligation bonding and \$11.9 million of revenue bonds for projects included in the 2017-19 state building program.

**Enumeration Requirement Exceptions.** One exception to the requirement that individual projects be enumerated by the Legislature is the category of projects known as "All Agency" projects. These broad types of projects are enumerated under titles that indicate a general category of work and that establish an overall budget for the biennium for that purpose.

The All Agency enumerations are used for types of projects, such as maintenance, that recur, but where the Commission may need to address unanticipated needs during the biennium. In the 2017-19 building program, funding for All Agency projects represented 35.8% of the total building program funding. Table 1 shows the "All Agency" projects categories and budgets that were

in the 2017-19 building program.

**Table 1: All Agency Projects in 2017-19 Building Program**

Project Category	Budget Amount
Facility Maintenance and Repair	\$178,167,000
Utilities Repair and Renovation	113,903,300
Health, Safety, and Environmental Protection	33,016,300
Energy Conservation	20,000,000
Preventive Maintenance	900,000
Programmatic Remodeling and Renovation	12,129,000
Capital Equipment Acquisition	<u>3,175,000</u>
Total All Agency	\$361,290,600

The Building Commission has developed the following enumeration guidelines to assist the agencies in determining when a renovation or remodeling project requires enumeration versus being eligible for funding through the All Agency program. Under these guidelines, renovation or remodeling projects require enumeration when the project constructs new facility space and the total project cost exceeds \$1,000,000. Also, the guidelines indicate that any project that involves a facility renovation or the replacement or upgrade of a building system would have to be enumerated if any of the following apply: (a) the project adds more than 500 square feet; (b) the project cost exceeds \$3,000,000; (c) the projected operational costs for the renovated space are significantly higher than under the existing use and configuration; or (d) a utility repair or renovation project adds significant capacity to, or is a major expansion of, an institution's utility system.

There are three other specific exceptions to the enumeration requirement. First, land acquisition in certain areas of the City of Madison is not subject to enumeration, which includes specific blocks adjacent to the Capitol Square. Second, energy conservation audits and related construction projects are not subject to enumeration (these project types are included under the Energy Conservation category of "All Agency" projects listed in Table 1). Finally, enumeration does not apply to

land acquisition, construction, repair, remodeling or improvements for the State Fair Park.

**Lease Purchase of State Facilities.** Another variation to the state building program process and project enumeration requirements is the Building Commission's general authority to acquire leasehold interests for the state in land and buildings. As part of this authority the Commission may authorize the lease, lease purchase, or acquisition of facilities that are constructed in the manner authorized by the Building Commission. The Commission may also authorize the lease, lease purchase, or acquisition of existing facilities in lieu of state construction of any project enumerated in the authorized state building program. The selection of contractors for the construction of buildings designed for housing a state agency under a lease purchase contract is done through a request for proposal (RFP) process. Unlike the competitive bidding process used for state construction projects, this RFP process does not require that the contract be awarded to the lowest qualified bidder.

The lease purchase option has been used in recent years for the construction of state office space in Madison. The current DOA, Department of Agriculture, Trade, and Consumer Protection, Department of Revenue, Risser Justice Center, and Tommy G. Thompson Commerce Center buildings were built under a lease-purchase agreement. This authority was also used in June, 2004, to construct a dormitory, an office building, and a parking ramp and garage on the UW-Madison campus.

Prior to the execution of the purchase component of these contracts, the purchase of a facility constructed under a lease purchase contract has to be enumerated as part of a biennial state building program. The Building Commission and staff have indicated that using the lease purchase option, as opposed to enumerating the facility through legislation prior to its construction, can allow the state to take more timely advantage of real estate market opportunities that occur. However,



compared to statutory enumeration process, the lease purchase option does not provide the same level of scrutiny by the full Legislature of projects that are likely to be a state facility.

#### **Previous Building Program Modifications.**

The Legislature may modify or delete project enumerations from previous biennial state building programs. For example, 2017 Act 59, which included the 2017-19 state building program, also made modifications to prior biennial state building programs. These modifications often delete previous projects, rename a specific project, or make changes to the size and project funding for specific projects enumerated as part of these earlier biennial state building programs.

**Local or Non-State Projects.** Local projects typically involve a non-state entity, such as a non-profit organization or local government, requesting state aid in the construction or renovation of a facility. Prior to 1997, local projects were generally not included in the state building program. However, since then, the Building Commission and the Legislature have included a number of local projects in biennial state building programs. Table 2 shows the local projects that were enumerated since 1997, including several under 2017 Act 59.

Concerns have been raised related to including local projects in biennial state building programs, since there are many local projects within communities throughout the state that could use state assistance. As a result, the Building Commission has developed policies and criteria for including state funding for local projects in the state's capital budget. Under these Building Commission policies and guidelines, the following requirements are to be used in determining whether a local project should be included in the state building program.

- the project must be in the public interest;
- there should be a statewide basis justifying

the need for the project;

- local or other financing alternatives should be considered first;
- the requestor should be required to provide evidence that the purpose and use of the project is such that it can be financed with tax-exempt bonds;
- the requestor and DFDM should consider appropriate language to protect the state's interest in the project if the property is used for purposes other than those approved by the Building Commission;
- the Commission can modify its original approval if the proposed change is in the public interest and approved by state bond counsel;
- the requestor agrees to provide a 50% or greater match for the project before initial review by the Commission and the Commission may require appropriate guarantees for this match; and
- the local project must be submitted and reviewed following the same procedures used for state agency requests for funding through the state capital budget.

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## **Project Implementation**

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**Concept and Budget Reports.** When a state agency is ready to proceed with a project that has been approved by the Legislature as part of the state's building program, it requests release of planning funds by the Building Commission. With the release of planning funds by the Commission, DFDM, in consultation with the requesting agency, selects architects and engineers to work with the agency and DFDM in preparing a project concept and budget report.

**Table 2: Local Projects Enumerated under Recent State Building Programs**

Project	State Funding
Nash Auto Museum (1997 Act 27)	\$1,000,000
Swiss Cultural Center (1999 Act 9)	2,000,000*
Milwaukee Policy Athletic League Youth Activities Center (1999 Act 9)	1,000,000
HR Academy, Inc. Youth and Family Center (2001 Act 16)	1,500,000
Hmong Cultural Center (2007 Act 20)	2,250,000*
Kenosha Civil War Exhibit (2007 Act 20)	500,000
Bond Health Center (2007 Act 20)	1,000,000
Aids Network (2009 Act 28)	300,000
Aids Resource Center (2009 Act 28)	800,000
Bradley Center Sports and Entertainment Corp. (2009 Act 28)	5,000,000
Dane County Yahara River Watershed Initiative (2009 Act 28)	6,600,000
Madison Children's Museum (2009 Act 28)	250,000
Myrick Hixon EcoPark (2009 Act 28)	500,000
Aldo Leopold Climate Change Classroom and Interactive Library (2009 Act 28)	500,000
Oshkosh Opera House (2009 Act 28)	500,000
L.E. Phillips Library -- Eau Claire (2009 Act 28)	125,000
Stone Barn Restoration -- Town of Chase (2009 Act 28)	100,000
Lac du Flambeau Indian Tribal Cultural Center (2011 Act 32)	250,000
Dane County Livestock Facilities (2013 Act 20)	9,000,000
Domestic Abuse Intervention Center - Madison (2013 Act 20)	560,000
Family Justice Center -- Milwaukee (2013 Act 20)	10,625,000
K I Convention Center - Green Bay (2013 Act 20)	2,000,000
Norskedalen Nature and Heritage Center - Vernon County (2013 Act 20)	1,048,300
Wisconsin Maritime Center for Excellence - Marinette County (2013 Act 20)	5,000,000
Wisconsin Agriculture Education Center, Inc. (2015 Act 55)	5,000,000
Carroll University Science Laboratory Facility (2015 Act 55)	3,000,000
Eau Claire Confluence Arts Center (2015 Act 55)	15,000,000
La Crosse Center (2017 Act 59)	5,000,000
St. Ann Center for Intergenerational Care; Bucyrus Campus -- Milwaukee (2017 Act 59)	5,000,000
Brown County Innovation Center (2017 Act 59)	<u>5,000,000</u>
Total	\$90,408,300

\*Funding for these projects was reduced by \$2,000,000 each in 2015 Act 55.

The concept and budget report is the first phase of planning and design. For very large projects, it is submitted to the Building Commission with a request for release of additional planning funds or construction funds. At that time, the Commission may grant approval to proceed with final design, bidding and construction, provided that any environmental impact evaluations or other requirements are completed. Authorization by the Commission to bid and construct capital improvement projects generally constitutes its

final project approval. As project funds are needed, the Commission authorizes the issuance of bonds or notes sufficient to support construction activities over the near term (approximately six months). The Commission may also substitute cash funding for bonding whenever funds are available.

**Contracts.** In general, the DOA Secretary, or the Secretary's designee, is required to sign any contract related to a project. If a contract involves

the expenditure of \$300,000 or more, the Governor must approve the contract. This contract expenditure threshold was increased from \$60,000 under 2017 Act 237.

Generally, no agency may enter into a contract for construction, reconstruction, remodeling or additions to any building, structure or facility which involves a cost exceeding \$300,000 without completion of final plans, arrangement for supervision of construction and prior approval of the Building Commission. This cost threshold was increased from \$185,000 under 2017 Act 237. Exceptions to this general rule include:

- Contracts by the Department of Natural Resources regarding hazardous substance spill response.
- Emergency response projects approved by the Governor, costing up to \$500,000. The Governor may grant authority for such approval to the DOA Secretary. The Governor must report the authorization of such projects to the Commission at its next regular meeting.
- UW System gifts and grants projects that are let by the UW System using single prime contracting do not require Commission approval and are not subject to DOA supervision and oversight.
- Rehabilitation projects of the Fox River Navigational System Authority.
- Construction or improvement projects of the University of Wisconsin Hospitals and Clinics Authority.
- Contracts for the Department of Transportation (DOT) for construction work not involving buildings, structures and facilities that are used for administrative or operating functions.
- Build, operate, lease or transfer agreements between DOT and private entities for the

construction of transportation projects.

- Projects of the Wisconsin Economic Development Corporation.
- Contracts for the construction of any building structure or facility for the State Fair Park costing \$300,000 or less.
- Certain "All Agency" projects, such as special maintenance, or asbestos and hazardous material removal, in which funding and a plan for release of the funds has been approved by the Commission. Total project budget is defined to include all costs incidental to construction, such as design, construction, supervision, land, contingencies and equipment.

**Major Projects.** Any construction project having a total project budget exceeding \$1,000,000 is considered to be a major project and must be enumerated by the Legislature in the state building program or be exempted from enumeration by session law prior to Building Commission approval for construction. The enumeration threshold was increased from \$760,000 under 2017 Act 237.

As part of their biennial building program recommendations, the Building Commission may approve for advance planning and design prior to enumeration by the Legislature. The design of any major project may not be initiated without prior approval of the project by the Building Commission if planning is to be funded from the building trust fund. The Secretary of the Commission may approve projects for advance planning when projects are financed entirely by non-general purpose revenue funds.

It is common for a major project to come before the Building Commission on two or three separate occasions. Projects may come before the Commission once for preliminary planning, a second time for final planning, and a third time for bidding and construction. In addition, if significant changes are proposed to a project,

Commission approval is required.

**Minor Projects.** Any construction project having a total project budget of \$1,000,000 or less, regardless of the funding source, is considered a minor project. Minor projects having a total project budget exceeding \$300,000 must be approved by the Building Commission prior to final design. Projects with an estimated budget of less than \$300,000 and that are proposed for funding from the building trust fund, general fund supported borrowing, or program revenue supported borrowing, must also be approved by the Commission.

The Building Commission may authorize or delete any project costing \$1,000,000 or less in accordance with the priorities established by the Commission. This threshold was increased from \$760,000 under 2017 Act 237. Also, the Secretary of the Building Commission may approve up to a 10% increase in minor project budgets as long as the total funds under the authorized building program are not exceeded. The Secretary may also combine minor projects to achieve economies in administrative process, design and bidding, or to increase construction efficiency.

**Building Trust Fund.** The building trust fund is a segregated, nonlapsible fund that has received funds from periodic deposit of state monies by the Legislature to the fund as well as through past sales of state surplus properties, federal funds, donations, bequests, gifts, all restored advances, and investment income. However, the primary source of revenue to the fund is the receipt of bond proceeds for a project in an amount necessary to reimburse the fund for the upfront planning costs of that project, which were initially funded from the building trust fund.

The building trust fund is used for the purposes of carrying out the state's building program. In practice, funding from the building trust fund is primarily used for advanced planning purposes.

DFDM staff, when requested by the Building

Commission, may make or cause to be made such studies, preliminary plans and specifications and cost estimates with respect to any proposed project as are necessary to permit the Building Commission to consider the approval or disapproval of the project and the appropriation of funds. The costs of such studies are initially charged against the building trust fund and are usually reimbursed from the funding sources of the project resulting from the related initial study or planning.

Also, the Building Commission can direct, or in emergency situations, the Governor can authorize, releases from this fund to become available for projects. In issuing such directions, the Commission must consider the cash balance in the state building trust fund, the necessity and urgency of the proposed improvement, employment conditions, and availability of materials in the locality in which the improvement is to be made.

On occasion, the Legislature has also directed the use of building trust fund monies to cash fund a portion of the construction costs of a project identified in legislation or enumerated in a state building program. For example, under the 2009-11 state building program, \$100,000 in building trust funds were used to fund a portion of the costs of the restoration of the Stone Barn in the Town of Chase in Oconto County. Also, the 2009-11 state building program included an allocation of \$35,000 in building trust fund monies for the restoration of Turtle Island Park in the City of Beloit. When building trust funds are used to fund the actual construction or other work on a project rather than the planning, the building trust fund is not subsequently reimbursed for these costs. As a result, the balance of the fund is reduced.

**Project Budget and Accounting.** The budgets for each project are comprised of the following elements, called budget lines: (a) construction; (b) agency charges and work by owners; (c) design and supervision; (d) moveable and special equipment; (e) land acquisition and related costs; and (f) other project allowances.

Architectural design fees vary depending on the project cost, the project complexity, the size of the project, and whether the project involves new construction or remodeling. The design fees may be a larger percentage on smaller projects and a lesser percentage on larger projects, and whether the project involves new construction or remodeling. As an example of the size of these fees, the DOA Capital Budget Cost Estimating Guidelines indicate that the design fee could be as high as 13.7% for a highly complex, new construction project costing less than \$100,000. Conversely, a highly complex, large, new construction project costing more than \$50 million would have a design fee of 6.1%. DFDM supervision is 4% of the construction and contingency funding. The normal contingency funding amount is generally 7% of the estimated project cost at the start of a project, being reduced to 5% at the design report stage and to 3% following bidding of major projects.

The Secretary of the Building Commission may authorize transfers between budget lines, as long as the total project cost is not exceeded. The Secretary may also authorize the combination of projects.

The Building Commission may authorize limited changes in the project program and budget if it determines that unanticipated program conditions or bidding conditions require the change to effectively and economically construct the project. However, the total state funds for the major projects under the authorized state building program for each agency may not be exceeded. Although the guideline has been exceeded in the past, DFDM staff have interpreted this provision to allow up to a 25% increase in project budget. Further, the Commission may transfer funds from one project to another.

**Project Bids.** Prior to the 2013-15 biennial budget (2013 Act 20), with limited exceptions, DOA was required to take both single bids and separate bids on all divisions of work designated by the Department for all construction projects

with an estimated cost in excess of \$185,000. Act 20 significantly altered the bidding and contracting processes for construction projects. Act 20 created a single prime bidding and contracting process, under which a single prime contractor has a contractual relationship with the state. Under current law, any project with an estimated cost in excess of \$300,000 must be let using the single prime contractor process. This threshold was increased from \$185,000 under 2017 Act 237.

For any state construction project let under single prime contracting, DOA is required to identify the mechanical, electrical, plumbing, or fire protection subcontractors who have submitted the lowest bids and who are qualified responsible bidders. Any general prime contractor submitting a single prime bid must include the low bid subcontractors identified by the Department. Under 2017 Act 237, the Department may let any single prime construction project to a single trade contractor (a contractor whose primary business is performance of mechanical, electrical, plumbing, or fire protection work) if at least 85% 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 projects with estimated costs between \$50,000 and \$300,000, in most instances, DOA is required to contract with the lowest qualified responsible bidder. Also, if any factors other than dollar amounts are required to be evaluated for a project, the Department must specify a formula that converts the other factors into a dollar value for comparison of the bid submissions.

DOA is required to certify bidders as qualified bidders and responsible bidders and administer a registration process for all bidders submitting bids on any state construction project. The Department is required to issue, in a timely manner, a certification decision on a complete application for certification. A certification is valid for two years except the Department may decertify a bidder if the Department determines that the

bidder no longer meets the statutory qualifications and if the Department follows a decertification process developed by Department administrative rule that provides notice to the bidder and a hearing and means to appeal.

Whenever the estimated construction cost of a project exceeds \$50,000, or if less and in the best interest of the state, DOA is required to advertise for proposals by publication of a Class 1 notice. Similar notices may be placed in publications likely to inform potential bidders of the project. The Department may solicit bids from qualified contractors to insure adequate competition. All advertisements must contain the following information:

- a. the location of work and the name of the owner;
  - b. the scope of the work;
  - c. the amount of bid guarantee required;
  - d. the date, time and place of bid opening;
- and
- e. the date when, and place where, plans will be available.

2017 Act 237 required the DOA Secretary to establish a committee for construction projects for the purpose of selecting an architect or engineer for the project. If the estimated cost of a construction project is \$7,400,000 or more, the selection committee must use a request-for-proposal process to select an architect or engineer.

**Minority Contractors.** In awarding construction contracts, an effort must be made to ensure that 5% of the total amount expended in each fiscal year is awarded to contractors and subcontractors who are minority businesses. A contract may be awarded to a minority business that submits a qualified responsible bid that is no more than 5%

higher than the apparent low bid.

Generally, in contracting public debt by competitive or negotiated sale, the Building Commission must ensure that at least 6% of total public indebtedness contracted in each fiscal year is underwritten by minority investment firms. Similarly, 6% of total moneys expended in each fiscal year for the services of financial advisers must be expended for services of minority financial advisers. To deviate from this standard, the DOA Secretary must submit a written report to the Joint Committee on Finance specifying the Commission's reasons for not complying with these requirements.

Minority businesses, financial advisers and investment firms must be certified by the Department of Administration. To qualify for certification, a minority business, advisor or investment firm must be at least 51% owned, controlled and actively managed by a minority group member or members. Minority group member means any of the following: Black, Hispanic, American Indian, Eskimo, Aleut, native Hawaiian, Asian-Indian, or Asian-Pacific.

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### 2017-19 State Building Program

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Table 3 provides a list of the projects, by agency, in the 2017-19 state building program and their enumerated budgets. Table 4 provides a listing of the bonding and other financing sources, by agency, for the 2017-19 state building program. For more information on the overall level of bonding currently authorized and outstanding, see the Legislative Fiscal Bureau's informational paper entitled, "State Level Debt Issuance."

**Table 3: State Agency 2017-19 Enumerated Projects**

<b>PROJECTS</b>	Project Enumeration
<b>Administration</b>	
Southeast Wisconsin Law Enforcement Facility -- Milwaukee	\$75,000,000
State Office Building Replacement -- Land Only -- Milwaukee	<u>4,000,000</u>
Total	\$79,000,000
<b>Building Commission</b>	
La Crosse Center	\$47,000,000
St. Ann Center for Intergenerational Care, Inc.; Bucyrus Campus	25,268,200
Brown County STEM Innovation Center	<u>15,000,000</u>
Total	\$87,268,200
<b>Corrections</b>	
Fox Lake Correctional Institution -- Drinking Water System Improvements	\$3,000,000
Geriatric Correctional Institution -- Purchase and Renovation	7,000,000
Waupun Correctional Institution -- Behavior Housing Unit Life Safety Improvements	6,981,000
Wisconsin Secure Program Facility -- New Inmate Programs Building -- Boscobel	8,870,000
Type 1 Juvenile Correctional Facilities -- Statewide	<u>25,000,000</u>
Total	\$50,851,000
<b>Health Services</b>	
Mendota Mental Health Institute -- Lorenz Hall West Secure Treatment Units -- Madison	\$17,972,000
Mendota Mental Health Institute -- Boiler #1 Replacement	5,723,000
Expansion of the Mendota Juvenile Treatment Center -- Madison	<u>15,000,000</u>
Total	\$38,695,000
<b>Military Affairs</b>	
National Guard Readiness Center Addition and Renovation -- Appleton	\$24,170,900
National Guard Readiness Center Renovation Phase II -- Milwaukee	<u>6,491,800</u>
Total	\$30,662,700
<b>Natural Resources</b>	
High Cliff State Park -- Family Campground Expansion -- Harrison	\$841,700
Peninsula State Park -- South Nicolet Bay Campground Toilet/Shower Building Replacement	839,300
Science Operations Center -- Purchase and Chronic Wasting Disease Processing Center Addition	4,805,800
Peninsula State Park -- Eagle Tower Reconstruction	2,522,100
Pattison Communications Tower	<u>1,241,700</u>
Total	\$10,250,600
<b>State Fair Park</b>	
Cream Puff Pavilion -- West Allis	\$6,000,000
Dairy Education Center -- West Allis	<u>1,920,000</u>
Total	\$7,920,000
<b>Wisconsin Historical Society</b>	
Old World Wisconsin -- Old Brewery and Biergarten -- Eagle	\$1,650,000

<b>PROJECTS</b>	Project Enumeration
<b>University of Wisconsin System</b>	
Eau Claire -- Governors Hall Addition and Renovation	\$19,307,000
Extension -- Lowell Hall Floors 2-4 Renovation	4,005,000
Madison -- Lathrop Drive/Bascom Hill Utility Repairs -- Phase I	32,656,000
Madison -- Parking Lot 62 Ramp Replacement	23,647,000
Milwaukee -- Northwest Quadrant Renovation	52,180,000
Milwaukee -- Sandburg Hall Renovation -- Phase I	33,500,000
Parkside -- Wyllie Hall Renovation -- Phase I	35,886,000
Platteville -- Boebel Hall Addition and Renovation -- Phase II	23,772,000
Platteville -- New Sesquicentennial Hall	55,189,000
River Falls -- May Hall Addition and Renovation -- Phase II	4,955,000
System -- Classroom Renovations/Instructional Technology Improvements	10,000,000
Whitewater -- Utility Corridor Improvements/Chiller Plant Upgrade	<u>28,600,000</u>
Total	\$323,697,000
<b>Veterans Affairs</b>	
Wisconsin Veterans Home at King -- Electrical Substation Replacement	\$2,996,000
Wisconsin Veterans Home at King -- Water Improvements	2,382,000
Wisconsin Veterans Home at King -- Food Service System Upgrades	7,001,000
Central Wisconsin Veterans Memorial Cemetery at King -- Crypts, Irrigation, and Flag Plaza	1,833,500
Southern Wisconsin Veterans Memorial Cemetery at Union Grove -- Headstone Alignment	<u>3,731,000</u>
Total	\$17,943,500
<b>All Agency</b>	
Facility Maintenance and Repair	\$178,167,000
Utility Repair and Renovation	113,903,300
Health, Safety and Environmental Protection	33,016,300
Energy Conservation	20,000,000
Preventive Maintenance	900,000
Programmatic Remodeling and Renovation	12,129,000
Capital Equipment Acquisition	<u>3,175,000</u>
Total	\$361,290,600
 Total Projects	 \$1,009,228,600



**Table 4: Financing Sources for 2017-19 Enumerated Projects**

	New General Obligation Bonds			Revenue Bonds	Existing General Obligation Bonds	Agency Operating Funds	Gifts, Grants, and Other	Federal	Total
	GPR	PR	SEG						
Administration	\$0	\$75,000,000	\$0	\$0	\$4,000,000	\$0	\$0	\$0	\$79,000,000
Building Commission	15,000,000	0	0	0	0	0	72,268,200	0	87,268,200
Corrections	50,851,000	0	0	0	0	0	0	0	50,851,000
Health Services	37,695,000	0	0	0	0	1,000,000	0	0	38,695,000
Military Affairs	10,218,100	0	0	0	0	0	0	20,444,600	30,662,700
Natural Resources	0	0	4,805,800	0	2,431,000	1,241,700	1,772,100	0	10,250,600
State Fair Park	0	0	0	0	0	0	7,920,000	0	7,920,000
University of Wisconsin System	210,912,000	54,998,000	0	0	49,107,000	6,500,000	2,180,000	0	323,697,000
Veterans Affairs	4,332,600	4,550,700	0	0	3,495,700	418,700	0	5,145,800	17,943,500
Wisconsin Historical Society	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,650,000</u>	<u>0</u>	<u>1,650,000</u>
Subtotal	\$329,008,700	\$134,548,700	\$4,805,800	\$0	\$59,033,700	\$9,160,400	\$85,790,300	\$25,590,400	\$647,938,000
<b>All Agency</b>									
Facilities Maintenance and Repair	\$97,868,000	\$12,500,000	\$1,000,000	\$2,445,000	\$18,708,400	\$29,874,400	\$5,304,900	\$10,466,300	\$178,167,000
Utilities Repair and Renovation	60,000,000	5,500,000	0	2,241,000	20,562,700	19,582,400	3,727,700	2,289,500	113,903,300
Health, Safety & Environmental Protection	20,000,000	4,000,000	0	3,350,000	47,900	800,000	191,400	4,627,000	33,016,300
Energy Conservation	0	0	0	0	20,000,000	0	0	0	20,000,000
Preventative Maintenance Program	800,000	0	0	100,000	0	0	0	0	900,000
Programmatic Remodeling and Renovation	0	0	0	3,569,000	4,000,000	3,361,000	500,000	699,000	12,129,000
Capital Equipment and Acquisition	<u>3,000,000</u>	<u>0</u>	<u>0</u>	<u>175,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>3,175,000</u>
Subtotal	\$181,668,000	\$22,000,000	\$1,000,000	\$11,880,000	\$63,319,000	\$53,617,800	\$9,724,000	\$18,081,800	\$361,290,600
<b>TOTAL</b>	<b>\$510,676,700</b>	<b>\$156,548,700</b>	<b>\$5,805,800</b>	<b>\$11,880,000</b>	<b>\$122,352,700</b>	<b>\$62,778,200</b>	<b>\$95,514,300</b>	<b>\$43,672,200</b>	<b>\$1,009,228,600</b>