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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.

The Building Commission

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 6,300 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 (DFD) 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 meets as needed during the year. In calendar year 2021, the Commission met six times. 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 Secretary of the Commission is responsible for the DFD 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.

Capital Budget Process

Long-Range Planning. In accordance with statutory requirements for a long-range plan for the building program, agencies submitted six-year (2023-29) facilities investment plans to DFD in September, 2022. 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. For each program within a state agency, the six-year plan includes 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.

Agency Capital Budget Requests. Each state agency requesting projects in the 2023-25 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 2023-25 biennium was September 15, 2022. Agency capital budget requests include: (a) a list of projects over \$1.0 million 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) health, safety, and environmental protection; (4) energy conservation; (5) preventative maintenance; (6) programmatic remodeling and renovation; (7) land and property acquisition; and (8) capital equipment acquisition. 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.

DFD Staff Review. The DFD capital budget manual indicates that DFD staff will analyze the agency capital budget requests from September, 2022, through January/February, 2023. DFD staff recommendations for each project are reviewed by the Secretary of DOA and the Governor, and the Governor's recommendations are prepared for Commission review.

Building Commission Review. Based on the schedule indicated in the capital budget manual, the full Commission will meet in March, 2023, to consider the Governor's 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 vote on its recommendations for the 2023-25 building program, including any nonstatutory or statutory language that the Commission wants to have enacted. Once the Commission has completed its actions, DFD staff will prepare a summary of the projects recommended by the Commission, if any, and have an amendment to the 2023-25 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. However, during both the 2019-21 and 2021-23 biennial budgets, the Commission did not provide any project recommendations, leaving JFC to develop its own building program.

Joint Finance Committee Review. The DFD summary and the amendment draft will be submitted to the JFC. At a subsequent executive session, JFC will incorporate building program projects and related bonding into its version of the budget bill.

Legislative Review. The Legislature considers

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 budget bill. Subsequent legislative actions could add new projects, or modify or delete projects enumerated in the biennial state building program, or in building programs from previous biennia.

The enumerations contained in the biennial building program, as with all legislative enactments, are subject to veto by the Governor. The 2021-23 building program, as passed by the Legislature, was modified by the Governor through partial veto to delete language related to the creation of a \$10.0 million non-state local project grant program and the related bonding authorization.

Table 1: New Building Program Funding (In Millions)

Biennium	Building Commission's Recommendation	Total Building Program for Biennium
2001-03	\$1,640.8	\$1,595.8
2003-05	533.9	709.5
2005-07	1,443.5	1,171.6
2007-09	1,318.1	1,183.0
2009-11	1,414.2	1,700.9
2011-13	1,017.7	971.9
2013-15	1,449.8	1,538.0
2015-17	655.9	848.7
2017-19	759.1	1,009.2

Biennium	Governor's Recommendation	Total Building Program for Biennium
2019-21	\$2,317.5	\$1,735.4
2021-23	2,229.4	1,409.6

Table 1 shows historical building programs recommended by the Governor/Building Commission during the biennial budget process, as well as the final building program budget enumerated for that legislative session, since the 2001-03 biennium. Prior to 2019-21, a building program recommended by the Commission had

been submitted to the Joint Committee on Finance for its consideration. However, the programs recommended by the Governor in 2019-21 and 2021-23 received 4 to 4 tie votes by the Commission and were forwarded without its recommendation.

Legislative Approval of the State Building Program

Project Enumerations. Building program projects with a cost exceeding \$1.0 million 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 DFD 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 2021-23 building program was enacted as part of the 2021-23 budget (2021 Act 58). One project at the Southern Wisconsin Veterans Memorial Cemetery was added to the 2021-23 building program in 2021 Act 229. In addition, 2021 Act 252 authorized \$41.8 million of general obligation bonding for Type 1 juvenile correctional facilities as a modification to the 2017-19 building program.

The 2021-23 state building program under

2021 Act 58 specified that the Building Commission could issue an additional \$1.12 billion of general obligation bonding for projects included in the 2021-23 state building program. Table 2 shows new general obligation bonding authorized for state building program projects, by funding source of debt service, in each biennium since 2001-03.

Table 2: New General Obligation Bonding to Fund Building Program (In Millions)

	<u>Borrowing Supported by</u>			Total
	GPR	PR	SEG	
2001-03	\$709.8	\$468.5	\$10.9	\$1,189.3
2003-05	247.2	275.1	14.7	537.1
2005-07	499.1	275.3	10.5	784.8
2007-09	412.3	443.7	21.0	877.0
2009-11	523.6	633.8	8.0	1,165.4
2011-13	420.6	301.5	10.0	732.1
2013-15	510.8	601.1	20.7	1,132.6
2015-17	101.2	0.0	0.0	101.2
2017-19	510.7	156.5	5.8	673.0
2019-21	943.7	493.7	15.8	1,453.2
2021-23	950.4	140.6	33.6	1,124.6

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 2021-23 building program, funding for All Agency projects represented 31.1% of the total building program funding. Table 3 shows the "All Agency" projects categories and budgets that were in the 2021-23 building program.

Table 3: All Agency Projects in 2021-23 Building Program

Project Category	Budget Amount
Facility Maintenance and Repair	\$201,632,300
Utility Repair and Renovation	111,926,700
Health, Safety, and Environmental Protection	45,736,600
Preventative Maintenance Program	375,000
Programmatic Remodeling and Renovation	31,525,400
Capital Equipment Acquisition	10,170,100
Land and Property Acquisition	11,700,000
Energy Conservation	<u>25,358,400</u>
Total All Agency	\$438,424,500

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, a renovation or remodeling project requires enumeration if the project constructs new facility space and the total project cost exceeds \$1.0 million. Also, the guidelines indicate that a project 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 \$3.0 million; (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 3). 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 for 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 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 2004 to construct a dormitory, an office building, and a parking 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, 2021 Act 58, which included the 2021-23 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. Since 1997, the Building Commission and the Legislature have included a number of local projects in biennial state building programs. Table 4 shows local projects enumerated since 2009, including three projects funded under 2021 Act 58.

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 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 of the project is such that it can be financed with tax-exempt bonds;

Table 4: Local Projects Enumerated under Recent State Building Programs

Project	State Funding
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)	5,000,000
Incourage Community Foundation, Inc. (2019 Act 9)	3,000,000
Wiscraft, Inc. Beyond Vision-Milwaukee (2021 Act 58)	5,000,000
Museum of Nature and Culture-Milwaukee (2021 Act 58)	40,000,000
Psychiatric and Behavioral Health Beds -- Marathon County (2021 Act 58)	<u>5,000,000</u>
Total	\$134,158,300

- the requestor and DFD should consider appropriate language to protect the state's interest 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.

Project Implementation

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, DFD, in consultation with the requesting agency, selects architects and engineers to work with the

agency and DFD in preparing a project concept and budget report.

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 if funds are available.

Contracts. In general, 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. 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 using single prime contracting.
- 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.

Minor Projects. Any construction project having a total project budget of \$1.0 million 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 \$1.0 million or less in accordance with the priorities established by the Commission. 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.

Major Projects. Any construction project having a total project budget exceeding \$1.0 million 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.

As part of their biennial building program recommendations, the Building Commission may approve 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.

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 sales of state surplus properties, federal funds, 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.

DFD staff, when requested by the Building Commission, may initiate any studies, preliminary plans and specifications, and cost estimates necessary to permit the Building Commission to consider the approval or disapproval of a proposed 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 the building trust fund to become available for projects. In issuing such directions, the Commission must consider the fund's cash balance, the necessity and urgency of the proposed improvement, employment conditions, and availability of materials in the project's locality.

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. 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 project size, 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. As an example of the size of these fees, the DOA Capital Budget Instructions indicate that the design fee could be as high as 14.2% 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%. DFD supervision is 4% of the construction and contingency funding. The contingency funding amount can range from 5% to 10% of the estimated project cost, depending on the size and complexity of the project.

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, DFD 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. Under current law, any project with an estimated cost in excess of \$300,000 must be let using the single prime contractor process,

under which a single prime contractor has a contractual relationship with the state.

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. DOA may let any single prime construction project to a single trade contractor (a contractor whose primary business is mechanical, electrical, plumbing, or fire protection work) if at least 85% of the estimated construction cost is for work involving the contractor's primary business trade.

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, although DOA may decertify a bidder if DOA determines that the bidder no longer meets the statutory qualifications and if DOA follows a decertification process developed by 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. Advertisements must contain the following:

- a. the work location and owner's name;
 - b. the scope of 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 \$7.4 million 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 funds 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 non-compliance.

Minority businesses, financial advisers and investment firms must be certified by DOA. 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.

2021-23 State Building Program

Table 5 provides a list of the projects, by agency, in the 2021-23 state building program and their enumerated budgets. Table 6 provides a listing of the bonding and other financing sources, by agency, for the 2021-23 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 5: State Agency 2021-23 Projects

PROJECTS	Project Enumeration
Building Commission	
Psychiatric and Behavioral Health Beds -- Marathon County	\$5,000,000
WisCraft, Inc.–Beyond Vision Center–Milwaukee	19,000,000
Museum of Nature and Culture–Milwaukee	<u>125,000,000</u>
Total	\$149,000,000
Corrections	
Central Generating Plant – Water System Infrastructure–Waupun	\$7,114,900
Oshkosh Correctional Institution – Secure Residential Treatment and Diversion Units	2,580,000
Wisconsin Secure Program Facility – New Health Services Unit–Boscobel	7,792,000
Taycheedah Correctional Institution – Security Improvements – Fond du Lac	<u>6,209,000</u>
Total	\$23,695,900
Health Services	
Winnebago Mental Health Institute – Patient Admissions Area–Oshkosh	\$16,795,000
Sand Ridge Secure Treatment Center – Skilled Care Unit Remodel – Mauston	12,612,000
Mendota Mental Health Institute – Water System Improvements – Madison	11,200,000
Mendota Mental Health Institute – Utility Improvements–Madison	<u>14,920,000</u>
Total	\$55,527,000
Historical Society	
Old World Wisconsin – Immersive Welcome Experience, Phase II–Waukesha County	\$14,321,000
Military Affairs	
Viroqua – New Readiness Center	\$23,994,000
Statewide– Tower Upgrades	10,556,400
Milwaukee – Readiness Center Remodel Phase IV	6,494,000
Marinette and Waupaca– New Motor Vehicle Storage Buildings	2,561,000
Fort McCoy – Physical Fitness Facility	2,068,000
Chippewa Falls– New Facility Maintenance Building	<u>1,330,000</u>
Total	\$47,003,400
Natural Resources	
Rock Island State Park – Historic Boat House Exterior Repair – Door County	\$1,441,900
Lake Wissota State Park –Campground Toilet/Shower Building – Chippewa County	3,497,700
Mirror Lake State Park –Campground Toilet/Shower Building – Sauk County	1,462,200
Vernon Wildlife Area – Consolidated CWD Field Operations Facility–Waukesha County	1,970,900
Pattison State Park –Campground Toilet/Shower Building – Douglas County	1,458,900
Potawatomi State Park –Public Entrance Visitor Station – Door County	2,532,500
Peninsula State Park –Campground Toilet/Shower Building – Door County	2,091,400
Hartman Creek State Park –Campground Toilet/Shower Building – Waupaca County	2,239,300
Collins Marsh Wildlife Area – New Field Station–Manitowoc County	1,688,400
Richard Bong State Recreational Area – Consolidated Field Operations Facility – Kenosha County	1,576,300
Fisheries Operations Headquarters – Field Operations Facility Replacement–Fitchburg	2,503,800
Horicon Marsh Wildlife Area – Centralized Field Equipment Facility–Dodge County	1,214,700
Grantsburg Ranger Station – Fire Equipment Maintenance Facility –Burnett County	3,319,200
Washburn – Fire Response Range Station Replacement – Bayfield County	3,591,900
Wisconsin Rapids Service Center – Consolidated Equipment Storage Facility	2,040,300
Dodgeville Service Center – Multifunctional Field Support Building	<u>3,432,900</u>
Total	\$36,062,300
University of Wisconsin System	
Wisconsin Veterinary Diagnostic Laboratory -- Barron	\$9,555,000
Systemwide – Minor Facilities Renewal Projects Program, Group 1	56,629,000
Stevens Point – Albertson Hall Replacement	96,000,000
Oshkosh – Clow Hall/Nursing Education Renovation, Phase II	26,974,000

PROJECTS	Project Enumeration
University of Wisconsin System (continued)	
Milwaukee – Sandburg Hall West Tower Renovation	\$11,445,000
La Crosse – Residence Halls Elevator Tower Additions	9,642,000
Systemwide – Minor Facilities Renewal Projects Program, Group 2	43,798,000
Madison – Engineering Drive Utilities Replacement	73,141,000
River Falls – Science and Technology Innovation Center	116,730,000
Green Bay – Cofrin Technology and Education Center	96,297,000
Madison – College of Letters and Science Academic Building	<u>88,441,000</u>
Total	\$628,652,000
Veterans Affairs	
Union Grove – Kitchen Remodel	\$3,508,900
King – Chiller Modifications	4,599,300
King – HVAC and Controls Upgrades	3,760,000
Union Grove - Southern Wisconsin Veterans Cemetery -- Phase VI	<u>5,000,000</u>
Total	\$16,868,200
All Agency	
Facility Maintenance and Repair	\$201,632,300
Utilities Repair and Renovation	111,926,700
Health, Safety and Environmental Protection	45,736,600
Preventative Maintenance Program	375,000
Programmatic Remodeling and Renovation	31,525,400
Capital Equipment Acquisition	10,170,100
Land and Property Acquisition	11,700,000
Energy Conservation	<u>25,358,400</u>
Total	\$438,424,500
Grand Total	\$1,409,554,300

Table 6: Financing Sources for 2021-23 Projects

	New General Obligation Bonds			Existing General Obligation Bonds	Existing Revenue Bonds	Agency Operating Funds	Gifts, Grants, and Other	Federal	Total
	GPR	PR	SEG						
Building Commission	\$50,000,000	\$0	\$0	\$0	\$0	\$0	\$99,000,000	\$0	\$149,000,000
Corrections	23,695,900	0	0	0	0	0	0	0	23,695,900
Health Services	55,527,000	0	0	0	0	0	0	0	55,527,000
Historical Society	8,321,000	0	0	0	0	0	6,000,000	0	14,321,000
Military Affairs	21,825,300	0	0	0	0	0	0	25,178,100	47,003,400
Natural Resources	13,261,700	0	20,526,500	2,274,100	0	0	0	0	36,062,300
University of Wisconsin System	540,612,000	33,875,000	0	21,087,000	0	0	33,078,000	0	628,652,000
Veterans Affairs	4,154,000	7,714,200	0	0	0	440,000	0	4,560,000	16,868,200
Subtotal	\$717,396,900	\$41,589,200	\$20,526,500	\$23,361,100	\$0	\$440,000	\$138,078,000	\$29,738,100	\$971,129,800
All Agency									
Facility Maintenance and Repair	\$120,871,700	\$41,261,100	\$9,315,200	\$4,432,800	\$8,444,000	\$6,308,000	\$5,619,000	\$5,380,500	\$201,632,300
Utilities Repair and Renovation	62,594,300	29,469,500	1,121,000	1,902,000	4,556,000	4,632,300	0	7,651,600	111,926,700
Health, Safety and Environmental Protection	37,042,200	1,589,900	2,306,400	161,400	0	177,800	0	4,458,900	45,736,600
Preventative Maintenance	50,000	0	0	0	0	325,000	0	0	375,000
Programmatic Remodeling and Renovation	5,387,500	1,765,500	314,400	259,400	0	19,579,000	1,773,000	2,446,600	31,525,400
Capital Equipment Acquisition	7,042,000	0	0	508,100	0	80,200	467,000	2,072,800	10,170,100
Land and Property Acquisition	0	0	0	0	0	11,700,000	0	0	11,700,000
Energy Conservation	0	25,000,000	0	0	0	358,400	0	0	25,358,400
Subtotal	\$232,987,700	\$99,086,000	\$13,057,000	\$7,263,700	\$13,000,000	\$43,160,700	\$7,859,000	\$22,010,400	\$438,424,500
TOTAL	\$950,384,600	\$140,675,200	\$33,583,500	\$30,624,800	\$13,000,000	\$43,600,700	\$145,937,000	\$51,748,500	\$1,409,554,300