



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2775/1
JTK:eev:jf

2013 SENATE BILL 280

September 5, 2013 - Introduced by Senator HARSDORF, cosponsored by Representative KNUDSON. Referred to Joint Committee on Finance.

1 **AN ACT relating to:** expenditure of \$217,499 from the general fund in payment
2 of a claim against the state made by J & L Steel and Electrical Services.

Analysis by the Legislative Reference Bureau

This bill directs expenditure of \$217,499 from the general fund in payment of a claim against the Department of Administration (DOA) by J & L Steel and Electrical Services. The claimant installed a visual nurse call system at a skilled nursing facility located at the Wisconsin Veterans Home at Chippewa Falls in 2011. The bid specifications called for a Rauland Responder 4000 or approved equal system. The bid's general conditions required that substitutions be submitted to DOA for approval at least ten days prior to the bidding deadline but did not require pre-bidding submission of approved equals to the Rauland system. DOA declined to approve the system upon which the claimant based its bid. DOA asserts that the bid specifications require that substitutions to specifications be submitted to the project engineer at least ten days prior to bidding and the claimant did not comply with the specifications. The claimant asserts that DOA used a sole-source procurement process without obtaining the proper approval for its use as required by law. The claimant claimed \$217,499, representing increased bidding costs, witness fees, and attorney fees incurred resulting from DOA's incorrect interpretation of the bid specifications. The claims board denied this claim on June 19, 2013 (see *Senate Journal*, p. 302).

