



2013 SENATE BILL 83

March 14, 2013 – Introduced by Senators LASSA and L. TAYLOR, cosponsored by Representatives SHANKLAND, BERCEAU, OHNSTAD, SINICKI, JORGENSEN, KAHL, MILROY and BERNARD SCHABER. Referred to Committee on Government Operations, Public Works, and Telecommunications.

1 **AN ACT** *to create* 16.705 (3) of the statutes; **relating to:** an appeal or protest of
2 a service contract award.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Administration (DOA) is required to promulgate rules for the procurement of contractual services by DOA and its designated agents. This bill requires that, if those rules allow bidders to protest or appeal decisions regarding the award of a service contract and if DOA or its agent receives a timely notice of intent to protest or appeal a decision or a timely protest or appeal, DOA or its agent may not proceed with contractual services until a decision is made on the protest or appeal. Under the bill, this prohibition does not apply if the secretary of administration provides a written determination that proceeding with the contractual services without delay is necessary to protect public health or safety.

For further information see the **state** 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:

3 **SECTION 1.** 16.705 (3) of the statutes is created to read:
4 16.705 (3) If the department promulgates rules under sub. (2) that allow a
5 bidder to protest or appeal the department's or its agent's decision regarding the

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1 award of a service contract, and if the department or its agent receives a timely notice
2 of intent to protest or appeal a decision, or a timely protest or appeal of a decision,
3 the department or its agent may not proceed with the contractual services until a
4 decision is made on the protest or appeal, unless the secretary makes a written
5 determination that proceeding with the contractual services without delay is
6 necessary to protect public health or safety.

7 (END)