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Testimony on 2017 Senate Bill 708

Senator Robert Cowles

Committee on Economic Development, Commerce and Local Government - February 7, 2018

Good morning, Chairman Feyen and committee members, and thank you for taking time to hear Senate Bill 708. This bill addresses the public contracting requirements for donated improvements on public lands.

Because of public contracting requirements, the Green Bay Optimist Club, who wishes to donate a structure to the City of Green Bay's Optimist Park, is unable without a long and tedious contracting process. Current law prevents the optimist club from hiring a contractor of their choosing to build the structure on city property with donated money without going through the RFP process. SB 708 provides an exemption to the bidding requirement when an improvement is constructed by a private person and donated to a local government unit after the completion of construction.

This legislative fix allows local units of government who choose to allow clubs and organizations to donate the materials to the city and finance the completed construction of a building in a city park. Simply put, with passage of this bill, we give clubs and organizations the opportunity to get more involved in increasing the functionality of our local public lands.

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To: Senate Committee on Economic Development, Commerce, and Local Government
From: Curt Witynski, J.D., Deputy Executive Director, League of Wisconsin Municipalities
Date: February 7, 2018
Re: SB 708, Exempting donated improvements from the public construction competitive bidding requirements

The League of Wisconsin Municipalities supports SB 708, exempting donated improvements from the public construction competitive bidding requirements.

The bill expressly exempts from the competitive bidding process any improvements constructed by a person other than the local government and donated to the local government after the completion of construction. This provision makes it clear that roads, park shelters, playgrounds and other improvements constructed by a private party and then donated to a local government are not subject to the competitive bidding requirements.

Most communities across the state will benefit from this change in the law. This will enable municipalities to more efficiently engage in public-private projects and accept donated improvements. It will encourage potential donors to proceed with their gift to a community without being concerned about the increased cost and time necessary to comply with the competitive bidding process.

We urge the committee to recommend passage of SB 708. Thanks for considering our comments.