



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRBs0071/1  
EVM:ahe&kjf

**SENATE SUBSTITUTE AMENDMENT 1,  
TO SENATE BILL 272**

June 24, 2019 - Offered by Senator PETROWSKI.

1     **AN ACT** *to create* 84.06 (2) (c) of the statutes; **relating to:** bids proposing the use  
2             of alternate subbase materials.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3             **SECTION 1.** 84.06 (2) (c) of the statutes is created to read:

4             84.06 (2) (c) 1. In its facilities development manual, the department shall  
5             maintain a list of subbase materials and associated thicknesses of the materials that  
6             the department determines will provide equivalent structural properties for the  
7             purpose of highway improvement.

8             2. Not less than 10 days prior to the opening of bids for a highway improvement,  
9             a bidder may request, in a manner specified by the department, authorization to base  
10            its bid on the use of a different material as a subbase than is provided in the bid  
11            specification. A request under this subdivision shall propose the use of a material

1 included on the list under subd. 1. at a thickness that is equivalent, as calculated  
2 using the list under subd. 1., to the material and thickness of the material provided  
3 in the bid specification.

4 3. If the department authorizes a substitution under subd. 2., the department  
5 shall notify all bidders of the authorized substitution and allow all bidders for the  
6 highway improvement for which the substitution was authorized to base their bids  
7 on the authorized substitution.

8 4. The department may deny a substitution under subd. 2. only if the  
9 department determines that the substitution would be detrimental to the highway  
10 improvement for site-specific reasons. If the department denies a substitution  
11 under subd. 2., the department shall notify all bidders of the denial in writing. The  
12 notice under this subdivision shall include an explanation of the department's  
13 determination.

14 (END)