



State Procurement Manual

Department of Administration, State Bureau of Procurement

Number
PRO-601

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ADMINISTRATIVE POLICY	9/16/19	PRO-C-6 1-12-12
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LEGAL AND PUBLIC NOTICES	1 of 3	

SCOPE: The purpose of this policy is to establish the required procedure for posting public and legal notices for certain procurement transactions.

POLICY: Any solicitation over the official sealed bid threshold, the signage threshold, or Request for Proposal (RFP) threshold will be advertised. Any request to waive bidding requirements over the noncompetitive negotiation (sole source) or general waiver threshold(s) will be advertised. See PRO-101, Procurement Definitions and Thresholds.

A public notice is an advertisement of a procurement on the official designated website, publicnotices.wi.gov.

A legal notice is an advertisement in the official state newspaper.

Agencies must use prescribed systems for posting solicitations. These systems automatically will generate a public notice on the designated website which satisfies the advertising requirement. See PRO-103, Procurement Systems and Bidders Lists.

Because agencies do not post noncompetitive negotiations (sole source) and general waivers on required procurement systems, the agency will use the public notices website directly to generate the notice.

- PROCEDURE:**
- I. Required Elements of a Notice
 - A. For bids, the notice will include a clear description of what is to be purchased, any required bonds or sureties, and date and time of any public opening.
 - B. For RFPs, the notice will include a clear description of what is to be purchased, any required bonds or sureties, and a clear



Legal Authority

Wis. Stats. 16.75(1)(b); 16.75(2m)(b); 16.75(5);
16.75(6)(c); 985.01(1)(2)(3); 985.04; 985.07(2); 985.12
Wis. Adm. Code Chapter Adm 10.08(2)

Authorized:
Sara Redford, Director
State Bureau of Procurement

Agencies Affected: All, unless otherwise noted



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indication that an RFP process (rather than a bid process) is being used.

- C. For waivers, the notice will include a clear description of what is to be purchased, the intent to make an award from a private source without soliciting bids/proposals, the amount, and a date upon which the contract or purchase order is to be awarded. Notices for sole source waivers will also include an identification of the private source being used.

II. Timing of Public Notices

- A. For bids and RFPs, there will be a minimum of seven days between the posting on required system(s) and the date submissions are due. The notice will remain on the website until the date submissions are due.
- B. For sole source or general waivers, the agency will obtain approvals as prescribed by PRO-210, Request for Purchasing Authority (RPA) Policy and Procedure. The public notice will be placed and a copy will be attached to RPA requests submitted to the Bureau, however, the contract may not be awarded or the purchase order issued until approval is received.
- C. For waivers, there will be a minimum of seven days between the posting on the Internet and the date on which the contract will be awarded or the purchase order will be issued.
- D. If additional vendors indicate an interest in bidding or proposing as a result of the waiver notice, the agency will use a competitive process. See PRO-301, Competitive Bidding Policy.



Legal Authority

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III. Legal Notices

- A. In addition to the public notice, the agency may also advertise a legal notice. Procedures for placing legal notices in the official state newspaper are published using the contract for certified newspapers. In addition, these legal notices may be placed in other media selected by the Bureau or authorized agencies.
- B. Legal notices for official sealed bids or RFPs appear once each week for a minimum of two weeks. There will be a minimum of seven days between publication of the first notice and the last notice and between the last notice and the date submissions are due.
- C. Legal notices may be combined according to common date.

IV. Documentation of Notices

- A. For a public notice, the agency will retain a copy of the posting from the website.
- B. For a legal notice, the agency will request and pay for affidavits of publication of legal notices as the agency deems appropriate to meet statutory and agency requirements. If an affidavit is not requested, the agency will have on file tear sheets from the newspaper or actual notices taken from the newspaper as documentation the legal notice requirements have been met.



Legal Authority

Wis. Stats. 16.75(1)(b); 16.75(2m)(b); 16.75(5);
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