



State Procurement Manual

Department of Administration, State Bureau of Procurement

Number
PRO-101

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SCOPE: The purpose of this section is to establish definitions for terms and thresholds that are used throughout the State Procurement Manual.

THRESHOLDS: Competitive bidding, waivers and other procurement activities are determined by spending thresholds set by applicable law. References to these procurement activities in various sections of the State Procurement Manual tie to the following thresholds:

Method/Procedure/Topic	Threshold
Signage Bid Threshold	Over \$3,500
Best judgment	\$5,000 or less
Purchase Order Required	\$5,000+, unless a lower threshold is set at agency discretion
Simplified bidding	Over \$5,000 up to \$50,000 over full contract duration
Simplified Request for Proposal	Over \$5,000 up to \$50,000 over full contract duration
Official sealed bid or Request for Bid (RFB)	Over \$50,000 over full contract duration
Competitive negotiation or Request for Proposal (RFP)	Over \$50,000 over full contract duration
Emergency Procurement Threshold	Over \$25,000
Sole source waiver	Over \$25,000 over full contract duration
General waiver	Over \$25,000 over up to 12 months
Vehicles	All dollar amounts, pre-approval requisition process required
Legal services	All dollar amounts, pre-approval requisition process required



Legal Authority
Various; citations as identified herein.

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Collective purchase	Over \$50,000 over full contract duration
Cost benefit analysis	Over \$50,000 per year
Continued appropriateness	Over \$50,000 per year
Protest and appeals process	Over \$50,000 over full contract duration; contractual services only
Major expenditure for Contract Sunshine posting	\$10,000 or more over biennium
Applicability for Prohibited Boycott	\$100,000 or more
Contract compliance/affirmative action plan	Over \$50,000
Telecommunications purchase	Over \$10,000
Large or High Risk Information Technology purchase	Over \$1,000,000
WTOGPA Threshold (Goods) per USA-Sub Central Government Entities Annex 2	\$492,000
WTOGPA Threshold (Services) per USA-Sub Central Government Entities Annex 2	\$492,000
WTOGPA Threshold (Construction) per USA-Sub Central Government Entities Annex 2	\$6,932,000

DEFINITIONS: Certain terms used in state procurement have official meanings, many of which are derived from applicable law. Where a definition is provided for in law, such law is cited:

Term and Definition	Citation (where applicable)
Affiliate means a person, as defined in s. 77.51 (10), that controls, is controlled by, or is under common control with another person, as defined in s. 77.51 (10).	16.70(1b)



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Affirmative action plan (AAP) is a written document committing the contractor to a program designed to achieve a balanced work force within a reasonable period of time. It contains, at a minimum, a policy statement, work force analysis, program goals, internal monitoring system, and dissemination of the plan. An acceptable plan is one which satisfies s. 16.765, Wis. Stats., and Adm 50, Wisconsin Administrative Code.	16.765; Adm 50.05
Agency means an office, department, agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority and is seeking or has received “delegation” from the “State Bureau of Procurement”.	16.70 (1e)
Agency purchasing card program administrator means the individual(s) appointed by the agency head to manage, coordinate and control purchasing cards within the agency.	
Agreement between state agencies means the acquisition of property or services by one state agency from another state agency.	
Agreement with a labor organization means any agreement with a labor organization, including a collective bargaining agreement, a project labor agreement, or a community workforce agreement.	16.75(1p)(a)1
Alternate bid means a response that complies with all required specifications and instructions of a solicitation but includes pricing for substitute products or equivalent services to that specified by the procuring agency. An alternate bid may also be labeled as a multiple bid, where a bidder submits an exact match as “bid 1” and an alternative as “bid 2”. A bid submitted with an intentional, substantive variation to a required specification or instruction may be deemed non-responsive.	
“Anything of value” means any money or property, favor, service, payment, advance, forbearance, loan, or promise of future employment, but does not include compensation and expenses paid by the state, fees, honorariums and	19.42(1)



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expenses which are permitted and reported under s. 19.56, political contributions which are reported under ch. 11, or hospitality extended for a purpose unrelated to state business by a person other than an organization.	
Appreciable contribution means adding value to a commodity by reforming raw materials or assembling components for a commodity contract.	16.752(10)
Auction fee means a charge by the State Surplus Property Program for disposing of a vehicle or related equipment at a vehicle auction.	
Auction sale means sale by bidding at a public auction, including on-line auctions, conducted by the State Surplus Property Program.	
Authority means a body created under subch. II of ch. 114 or under ch. 231, 232, 233, 234, 237, or 279.	16.70(2)
Balanced work force means an equitable representation of persons with disabilities, minorities and women available for jobs at any particular level from the relevant labor market.	Adm 50.03(1)
Bid means a price quotation specifically given to a prospective purchaser by a prospective seller; a bid is an offer to sell.	Adm 6.01(1)
Bid file means a file maintained by a procuring agency that contains: the original bid response with an indication of the date and time received, original copy of request for bid, original bidders list, an abstract of bids received, a listing of any late bids, the names of successful bidders, justification for any lower bids rejected, a statement of the application of life-cycle cost formula, Wisconsin bidder preference, minority bidder preference, sheltered workshop preference, and "buy American" preference, where pertinent.	Adm 6.01(2)
Bidder means a person that is submitting a bid or a competitive sealed proposal or that is seeking an award under this section in a procedure established under sub. (1)(c) .	16.75(1p)(a)(2) and Adm 6.01(3)



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Bidder means a person or firm which submits a competitive bid in response to requests for bids.	
Bidders list is a listing of vendors who are registered on the Wisconsin eSupplier Portal to receive notification of requests for bids/proposals in their designated commodity/service area(s). Bidders list means a list maintained by a procuring agency, setting out the names and addresses of suppliers of various goods from whom bids, proposals, and price quotations can be solicited.	Adm 6.01(4)
Board (state use) means the state use board.	16.752(1)(a)
Bureau means the State of Wisconsin, Department of Administration, Division of Enterprise Operations, State Bureau of Procurement.	
Cardholder means a specific state employee who has been issued a purchasing card by an agency.	
Certificate of insurance means a document issued by an insurer which evidences that an insurance policy is in place with the vendor providing information such as: insurer, insurance agency, insured, type(s) of insurance, policy number(s), effective date(s), expiration date(s), limits, certificate holder, cancellation procedure, and the name of the representative who authorized the policy.	
Certified work center means a work center that has met the requirements needed to participate in the State Use Program under s. 16.752, Wis. Stats.	
Commodity or standard service procurement (as it relates to insurance coverage) means a contract, procurement or purchase which is not a high-risk service procurement as defined in Appendix A, Insurance Coverage Limits Requirements.	
Competitive bidding means the offer of prices by individuals or firms competing to supply specified goods.	Adm 6.01(5)



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Competitive negotiation means soliciting proposals when an award cannot be made strictly on specifications or price and several individuals or firms are qualified to furnish the product.	Adm 6.01(6)
Components mean a simple part of a larger entity or a relatively complex entity which is regarded reasonably as a part of a larger entity.	
Computer Services means any services in which a computer is utilized other than for personal computing purposes.	16.70(2m)
Confidential information is information which is intended by the owner not to be available to anyone other than the owner, or persons having access thereto with the owner's consent, and is so stated by the owner, which accords or may accord the owner a competitive advantage over other persons.	
Construction work means all labor and materials used in the framing or assembling of component parts in the erection, installation, enlargement, alteration, repair, moving, conversion, razing, demolition or removal of any appliance, device, equipment, building, structure or facility. Construction work projects are projects having project numbers assigned by the Division of Facilities Development (DFD).	
Consumer price index means the average of the consumer price index over each 12-month period, all items, U.S. city average, as determined by the bureau of labor statistics of the U.S. department of labor.	16.75(11)(a)
Continued appropriateness means a periodic review of, and justification for, continuing a contractual services agreement involving an estimated annual expenditure of more than the cost benefit analysis threshold. This review must be done before renewal of any contract, but may be done more often.	16.705(2)(a) and Adm 10.037
Continued appropriateness of contracting means the department or its designated agents shall review periodically, and before any renewal, the continued appropriateness of contracting under each contractual service	



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agreement involving an estimated annual expenditure of more than the cost benefit analysis threshold.	
Contract compliance program (CCP) means the organization within the State of Wisconsin responsible for overall administration of Wisconsin's Contract Compliance Law (s. 16.765, Wis. Stats.). The CCP is a part of the Wisconsin Department of Administration.	
Contracting agency means the state agency that executes a purchase order for contractual services.	Adm 10.03(2)
Contractor means any individual or any legal entity, including its officers and directors, that submits bids or proposals for, or is awarded or may reasonably be expected to submit bids or proposals for or be awarded a department contract. Contractor includes any subcontractor of a contractor that conducts business with the department as an agent or representative of a contractor and any individual or legal entity that conducts business with the department as an agent or representative of a contractor.	Adm 24.02(5)
Contractual Services includes all services, including technical and professional services, materials to be furnished by a service provider in connection with services, and any limited trades work involving less than the official sealed bid or RFP threshold to be done for or furnished to the state or any agency. Contractual services includes all services, materials to be furnished by a service provider in connection with services, and any limited trades work to be done for or furnished to the state or any office thereof.	16.70(3)
Control means to own, directly or indirectly, more than 10 percent of the interest in or voting securities of a business.	16.70(3e)
Cost analysis (as it relates to work centers) means a work center's information documenting its anticipated costs to produce a single unit of a product or a month of service.	



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<p>Cost-benefit analysis means a comprehensive study to identify and compare the total cost, quality, technical expertise, and timeliness of a service performed by state employees and resources with the total cost, quality, technical expertise, and timeliness of the same service obtained by means of a contract for contractual services.</p> <p>Cost-benefit analysis means a uniform analysis that shall be completed by a contracting agency or its designated agents of each proposed contractual service procurement involving an estimated expenditure of more than the cost benefit analysis threshold.</p>	<p>16.70(3g) and Adm 10.035(1)</p>
<p>Covered classes refers to the fifteen classes covered by non-discrimination requirements of s. 16.756(1), Wis. Stats. and 2019 Wisconsin Executive Order 1 which include age, race, religion, color, disability, sex, physical condition, developmental disability, military or veteran status, sexual orientation, gender identity or expression, national origin, marital or familial status, genetic information or political affiliation.</p>	
<p>Criteria (as it relates to delegation) is a standard by which a judgment can be formed to determine whether delegation is warranted for a state agency.</p>	
<p>Delegation is the authority for an agency to purchase up to a specified dollar level without obtaining prior approval for each individual transaction from the State Bureau of Procurement.</p>	
<p>Developmental disability means a disability as prescribed by s. 51.01(5)(a), Wis. Stats.</p>	<p>51.01(5)(a)</p>
<p>Direct labor means all labor or work involved in producing or supplying materials, supplies or equipment or performing contractual services including preparation, processing and packing, but excluding supervision, administration, inspection and shipping.</p>	<p>16.752(1)(c)</p>
<p>Disabled veteran-owned business means a business certified by the department of administration under s. 16.283 (3).</p>	<p>16.75(3m)(a)(1) Wis. Stats.</p>



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Discounts for early payment means a discount for a payment made within a specific time period.	Adm 6.01(8)
Educational technology means technology used in the education or training of any person or in the administration of an elementary or secondary school and related telecommunications services.	16.70(3m) as provided for in 16.99(3)
Employee means anyone who has received any wages for work performed by the contractor.	
Energy consuming equipment means any equipment that is designed for heating, ventilation, air conditioning, water heating or cooling, lighting, refrigeration, or any other function, and that consumes energy.	16.75(10e)(a)
Executive branch agency means an agency in the executive branch but does not include the building commission.	16.70(4)
Fair and reasonable price is a price that is fair to both contracting parties, consideration the agreed upon conditions, promised quality, and timeliness of contract performance. Procuring agencies can use several methods to determine fair and reasonable prices, such as competitive bidding, price and cost analysis, and benchmarking to other contracts.	
Fair market price means the price for a commodity/service that compares favorably to the price available from other industry sources.	
Fair market value is the price for an item upon which the purchaser and vendor agree in an open market when both are fully acquainted with market conditions.	
Federal employer identification number (FEIN) is the number assigned by the IRS to employers for tax reporting purposes or the Social Security Number (SSN) if the contractor is a sole proprietorship with no FEIN.	
Foreign entity means an organization which is headquartered in a country other than the United States.	
Full delegation transfers procurement authority to a special designated agent in another state agency. This delegation authorizes the agency to conduct bids for commodities in any dollar	



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amount if not provided on a mandatory statewide contract and approve sole source procurements meeting statutory requirements through specified dollar amounts. Full delegation does not include authority to: conduct any request for proposal, conduct any bid for services over the competitive bidding threshold, and approve any sole source waiver request over the specified threshold. Full delegation to a special designated agent must be acquired from the State Bureau of Procurement.

Good faith dispute means a contention by an agency that goods delivered or services rendered were of a lesser quantity or quality than ordered or specified by contract, were faulty or were installed improperly; or any other reason giving cause for the withholding of payment by the agency until the dispute is settled.

[66.0135\(1\)\(b\)](#)

Goods is a general term used to refer to various commodities, materials, supplies, and equipment.

Governmental body means a local agency, board, commission, committee, council, department, or public body created by constitution, statute, ordinance, rule, or order.

Grant means the transfer of things of value to a recipient to carry out a public purpose of support or stimulation authorized by law.

“Has a record of such impairment” means has a history of, or has been classified as having, a mental or physical impairment which substantially limits one or more life activity.

[111.32\(8\)](#)

Improper invoices means an invoice presented for payment not submitted with adequate or correct information for processing. Examples include incorrect price, cash discount not shown, incorrect reference to purchase order number and submittal to the incorrect address for processing.

[16.53\(2\)](#)

Individual with a disability means a person who: has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.

[111.32\(8\)](#)



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Information technology means the electronic processing, storage and transmission of information including data processing and telecommunications. Information technology portfolio refers to IT systems, applications, infrastructure and information resources and human resources devoted to developing and maintaining information technology systems.	16.70(4m) as provided for in 16.97(6)
Intergovernmental procurements are those purchases of supplies, materials, equipment, or contractual services other than printing and stationery, from the federal government.	16.75(6)(a)
“Is regarded as having such an impairment” means an individual has a physical or mental impairment that does not substantially limit major life activities, but that is treated by a recipient as constituting such a limitation, has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others towards such impairment, or has none of the impairments defined in this section but is treated by a recipient as having such an impairment.	111.32(8)
Job category means a broad-based group of employees with comparable job responsibilities who are located at comparable levels of responsibility within an organization. Job categories are located on the U.S. Equal Employment Opportunity Commission Web site: http://www.eeoc.gov/employers/eo1survey/jobclassguide.cfm .	
Judicial branch agency means an agency created under ch. 757 or 758 or an agency created by order of the supreme court.	16.70(5)
Labor market means an economically integrated geographic area within which individuals can reside and find employment within a reasonable distance or can readily change employment without changing their place of residence.	
Labor organization means any employee organization in which employees participate and which exists primarily for the purpose of engaging in collective bargaining with any employer concerning grievances, labor disputes, wages, hours or conditions of employment, or the promotion and	5.02(8m)



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advancement of the professional or occupational standards and the welfare of its members and families and any organization established for the same purposes composed of individuals or affiliates of any such employee organization.	
Late fee means charge by the State Surplus Property Program for late submittal of the Inter-Agency Used Vehicle Sale Report.	
Legislative service agency means an agency created under ch. 13 which is authorized, or the head of which is authorized, to appoint subordinate staff, except the building commission.	16.70(6)
Limited trades work means maintenance work consisting of the repair or replacement of existing equipment or building components with equipment or components of the same kind, if the work is not dependent upon the design services of an architect or engineer, and does not alter or affect the performance of any building system, structure, exterior walls, roof or exits, or the fire protection or sanitation of the building. Limited trades work includes decorative and surface material changes within a building and minor preventive maintenance to ancillary facilities such as exterior lighting, drives, parking lots, sidewalks and fences.	16.70(7)
Lowest responsible bidder means the person or firm submitting the competitive bid with the lowest price that meets the specifications of the solicitation.	Adm 6.01(9)
Maintenance work means work on equipment and facilities routinely accomplished to preclude breakdown or deterioration.	
Major expenditure means an expenditure of \$10,000 or more or, if a contract or order is for continuing purchases, an expenditure of \$10,000 or more in the current fiscal biennium.	16.753(1)



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Major life activities include, but are not limited to, caring for oneself, performing manual tasks, walking, standing, seeing, hearing, eating, sleeping, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working.	
Manufactured means mined, produced, manufactured, fabricated or assembled.	16.754(1)(a)
“Manufactured in the United States” means that materials are manufactured in whole or in substantial part within the United States, or that the majority of the component parts thereof were manufactured in whole or in substantial part in the United States.	16.754(1)(b)
Master lease means an agreement entered into by the department on behalf of one or more agencies to obtain property or services under which the department makes or agrees to make periodic payments.	16.76(4)(a)
Materials (as it relates to sustainability in procurement) mean natural, recycled or synthetic products used in the manufacturing of a commodity.	
Materials (generally) means any goods, supplies, equipment or any other tangible products or materials.	16.754(1)(c)
Materials as used in the definition of contractual services means products, supplies, equipment, or reports incidental to the required performance under the contract but not a specific end product	
MCC means the merchant category code assigned by the banking industry. The state has three standard specifications: regular, travel and foreign emergency major medical expense.	
Minorities is as defined in Adm 50.03(7)	Adm 50.03(7)
Minority business means a business certified by the department of administration under s. 16.287 (2).	16.75(3m)(a)(4) Wis. Stats.
Moveable equipment means furnishings, machinery, tools and other property which is to be used in conjunction with programs in the new building or facility. It is not incorporated into the	



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<p>construction. Although it may be fastened to the structure and may be connected to utility service, it is readily separable. It is generally funded with construction project funds, but is not part of the construction contract.</p>	
<p>Municipality means a county, city, village, town, school district, board of school directors, sewer district, drainage district, vocational, technical, and adult education district, or any other public or quasi-public corporation, officer, board or other body having the authority to award public contracts.</p>	<p>16.70(8); Adm 6.01(10)</p>
<p>Nonprocurement transaction means a grant, agreement between state agencies, and payment made pursuant to statute.</p>	
<p>Nonprofit/other government sale means sale to a nonprofit or other governmental unit within Wisconsin.</p>	
<p>Non-standard specification (see the contents of PRO-B-6) may be generic or performance specifications, or both, prepared to describe in detail the article which the state desires to purchase either by its physical properties or by its programmatic utility. When appropriate for such nonstandard items or services, trade names may be used to identify what the state requires, but wherever possible 2 or more trade names shall be designated and the trade name of any Wisconsin producer, distributor or supplier shall appear first.</p>	<p>16.72(2)(b), Wis. Stats.</p>
<p>Officer includes the person or persons at the head of each agency, by whatever title the person or persons may be elsewhere designated.</p>	<p>16.70(9)</p>
<p>Original receipt means the customer copy of the purchasing card receipt signed by the cardholder at the time of purchase. In the case of phone, fax or Internet orders, "original receipt" means the copy of the receipt sent by the supplying vendor to the purchaser with the goods purchased. This "original receipt" should be annotated by the cardholder to indicate that the order was placed by phone, fax or Internet.</p>	
<p>Partial delegation means the transfer of procurement authority with specific dollar or commodity and/or service limits.</p>	



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Payment made pursuant to statute means only one provider is statutorily permissible and the rate of reimbursement is set by statute.	
Permanent personal property means any and all property which in the opinion of the secretary will have a life of more than 2 years.	16.70(10)
Personal computing means utilizing a computer that is located at the work station where the input or output of data is conducted.	16.70(10m)
Piggybacking is when an agency uses an existing open contract established by another agency. Piggybacks will not exist beyond the final contract date of the originating agency contract. The agency piggybacking will contact the originating agency to determine whether renewal options have been exercised prior to attempting to renew its contract with the vendor.	
Position means a single approval by the governor for the operation of a motor vehicle.	
Procurement means the process of obtaining goods, including all activities from the planning process, preparation, and processing of a requisition, through receipt and approval of the final invoice for payment.	Adm 6.01(11)
Procurement means the acquisition of goods or services by purchasing, renting, leasing, contracting or bartering, but not by seizure, condemnation, donation or requisition.	
Procurement plan means the form that is submitted by a state agency to the State Bureau of Procurement to obtain purchasing authority for specific transactions.	
Procuring agency means the state agency that conducts the purchasing transaction.	Adm 6.01(12)
Prohibited boycott means a refusal to deal with or a termination of business relations with Israel or a person doing business in Israel or in a territory under Israeli jurisdiction, if the refusal or termination is intended to penalize, inflict economic harm on, or limit commercial relations with Israel	20.931(1)(b)



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or the territory. Prohibited boycott does not include an action taken for ordinary business purposes.	
Proposer means a person or firm submitting a proposal in response to a request for proposals (RFP).	Adm 10.03(8)
Proprietary means owned by a private individual or corporation under a copyright, trademark, or patent.	Adm 6.01(13)
Purchase means a transaction whose principal purpose is to acquire goods or services for the direct benefit/use of the state and is subject to Chapter 16, Subchapter IV. Purchase means acquire by purchase or lease.	16.754(1)(d)
Purchase order means a state purchase order form used to offer to contract with a vendor.	Adm 10.03(9)
Purchasing card means a charge card issued to an authorized state employee through the Department of Administration, State Bureau of Procurement's Purchasing Card Contract.	
Reasonable accommodation means changes and modifications that could be made in the structure of a job or employment and training program which are done to make possible the employment of a person with a disability, unless such changes would impose undue hardship on the operation of the contractor's business. Such a change is made to employ or to continue employment of a person with a disability. Note: reasonable accommodation may include making facilities used by the employees, including hallways, restrooms, cafeterias and lounges, accessible to persons with disabilities. It also may include job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, the provision of readers or interpreters or other similar actions.	Adm 50.03(9)
Record means any material on which written, drawn, printed, spoken, visual, or electromagnetic information is recorded or preserved, regardless of physical form or characteristics which has been created or is being kept by an agency. Record does not include	



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drafts, notes, preliminary computations, and like materials prepared for the originator's personal use or prepared in the name of the person for whom the originator is working.

Record of purchases means the medium used by the cardholder to record and verify purchases against the statement. Agencies may determine the mechanism that works best for them. The Purchasing Card User Manual shows a sample Purchase Log Form.

Recovered material is a product which is recovered from solid waste in a form identical to the original form for a use that is the same as or similar to the original use. The recycling of old glass containers into new glass containers is an example of using recovered material.

[16.70\(11\)](#)

Recyclable material is material that is suitable for recycling.

[16.15\(1\)\(c\)](#)

Recyclable material is material in waste for which there exists a commercially demonstrated processing or manufacturing technology which uses the material as a raw material. Glass containers and plastic milk jugs used as examples under recovered materials and recycled materials are also types of recycled materials.

Recycled material is a product which is manufactured from solid waste or paper mill sludge. Plastic lumber that is manufactured from old milk jugs is an example of a recycled material.

[16.70\(12\)](#)

Recycled or recovered content means the proportion of an item, by weight or other measure, which is recycled material or recovered material.

[16.70\(13\)](#)

Request for bids means all documents used for soliciting bids.

[Adm 6.01\(14\)](#)

Request for proposals (RFP) means all documents, whether attached or incorporated by reference, utilized for soliciting proposals.

[Adm 10.03\(10\)](#)

Request for purchasing approval/authority (RPA) means the form and all attached materials that are submitted by a state agency to the State Bureau of Procurement to initiate a procurement process beyond the agency's delegated authority.

[Adm 10.03\(11\)](#)



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Requester means any person who requests inspection or copies of a record.

Reverse auction is an on-line procurement method used to obtain bids for commodities and services. In a reverse auction, something is purchased from the lowest bidder (which is the "reverse" of a normal auction, wherein something is sold to the highest bidder). A reverse auction is typically conducted via the Internet whereby bidders anonymously bid against each other for a lot (an item or group of items) for which an agency has a requirement. Bidding takes place at a specified date and time and continues for a specified amount of time or until no more bids are received.

Risk means the potential for property loss, for physical harm, or legal liability.

Salvage sale means sale for scrap value by bids.

Second tier provider is a supplier that invoices the prime contractors for commodities/services provided under the prime contractor's state contract. A subcontractor is an example of a second tier provider.

Secretary means the Secretary of the Department of Administration.

[Adm 10.03\(12\)](#)

Severely handicapped individual means an individual who has a physical, mental or emotional disability which is a substantial handicap to employment and prevents the individual from engaging in normal competitive employment.

[16.752\(1\)\(d\)](#)

Sexual orientation is as defined in s. 111.32(13m).

[111.32\(13m\)](#)

Sign is interpreted to mean all interior or exterior items used to display a name, direction, warning or announcement posted for public display. This includes but is not limited to "Adopt-a"; ATV/Snowmobile; Banners; Plaques; Crime Prevention; Exterior; Fire Prevention; Highway and Traffic; Interior; Interpretive; NIMS; No Smoking; Park and Recreation; Street Name Signs.

All hardware, components or accessories related to the value of the sign (e.g. posts, mounting rings, etc.) as it is installed if 1) those components would otherwise be purchased with the sign, 2) from the same supplier pool, and 3) on the same order or bid.



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Small business means a business which has had less than \$1.5 million in gross annual sales in the most recent calendar or fiscal year.	16.75(4)(c)
Solicitation means the process of notifying prospective bidders that the state wishes to receive bids or proposals on goods. The process may consist of public advertising, the mailing of requests for bids, posting of notices, or telephone calls to prospective bidders, verbal notice, or any other means that makes the state's intentions known to potential suppliers.	Adm 6.01(15)
Special designated agent means the person within an agency who receives the primary procurement delegation for that agency.	
Specification means a description of what the procuring agency requires and, consequently, what a bidder must offer to be considered for an award. A specification may be a description of the physical or functional characteristics, or of the nature of a supply. It may include a description of any requirement for inspecting, testing, or preparing a supply item for delivery, the necessary performance criteria, and a description of the procedures to be followed when submitting and evaluating bids.	Adm 6.01(16)
Standard specification means a specification, either chemical or physical or both, prepared to describe in detail the article which the state desires to purchase, and trade names shall not be used. On the formulation, adoption and modification of any standard specifications, the department of administration shall also seek and be accorded without cost, the assistance, advice and cooperation of other agencies and officers. Each specification adopted for any commodity shall, insofar as possible, satisfy the requirements of any and all agencies which use it in common.	16.72(2)(a) , Wis. Stats.
State means the State of Wisconsin, or any agency thereof, a contractor acting pursuant to a contract with the state and any person acting on behalf of the state or any agent thereof.	16.754(1)(e)



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State agency means any department, board, commission, independent agency, or any other separate entity established by statute or by constitution, in the state government, including the legislature.	Adm 10.03(13)
Statement means the detailed statement of charges that is sent to the cardholder by the purchasing card vendor.	
Statewide contract means written directives issued by the State Bureau of Procurement that authorize agency purchasing activities and establish the procedures to be followed in purchasing from that contract.	
Stipulation means a condition established by the State Bureau of Procurement for a specific procurement with which the agency must comply.	
Subcontract/joint venture costs mean costs paid to any person or company that assumes by secondary contract.	
Subcontractor means a person or company that assumes by secondary contract some or all of the obligations of an original contractor.	Adm 50.03(10)
Sub-delegation means the act of a special designated agent assigning procurement authority within the construct of this policy, to a position(s) within his or her procurement oversight.	
Substantially equal means a tied bid or equal proposal score.	
Supervisor means whoever is responsible for approving a purchasing cardholder's (P-Card holder's) time and leave reporting.	
Telecommunications refers to all services and facilities capable of transmitting, switching or receiving information in any form, by wire, radio or other electronic means. Voice and data communications services and voice and data telecommunications equipment and services include, but are not limited to, voice processing, video conferencing, wireless paging, wireless/cell phone technology, TDM or VoIP PBX (Private Branch Exchange) and key systems, hosted telephony services, ACD (Automatic Call	16.70(15) as provided for in 16.97(10)



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Distribution), non-statewide contracted local and long distance services, ISDN (Integrated Services Digital Network), IVR (Interactive Voice Response), and LAN (Local Area Network) interconnection (WAN, i.e., Wide Area Network) services.	
Total number of employees means 1) for purposes of determining whether the contractor needs to submit an Affirmative Action Plan, the number of employees on the contractor's payroll as of the date that the contractor receives a State of Wisconsin contract; and 2) for purposes of submitting a work force analysis, the number of employees on the contractor's payroll as of any date within one year of receiving its State of Wisconsin contract.	
Trade Secret means information, including a formula, pattern, compilation, program, device, method, technique or process to which all of the following apply: 1. The information derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use. 2. The information is the subject of efforts to maintain its secrecy that are reasonable under the circumstances.	134.90(1)(c). Wis. Stats.
Underrepresentation means the contractor's work force does not approximate the percentage of women, minorities or persons with disabilities available for jobs in any particular job category from the relevant labor market in which the contractor recruits.	
Vehicle means airplane, truck, automobile and motorcycle.	
Vehicle means any self-propelled device for moving persons or property or pulling implements from one place to another, whether such device is operated on land, rails, water, or in the air. Vehicle does not include a personal delivery device, as defined in s. 340.01 (43fg)	939.22(44)



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Vehicle lease means a contract between an agency and a vendor to provide a vehicle for a period of 30 consecutive days or more.

Vehicle rental means a rental of 29 days or less that is covered by the state's current contract for leasing or renting vehicles.

Veteran-owned business means a small business, as defined in par. (c), that is certified by the department of veterans affairs as being at least 51 percent owned by one or more veterans, as defined in s. 45.01 (12). [16.75\(4\)\(d\)](#)

Voting securities means securities that confer upon the holder the right to vote for the election of members of the board of directors or similar governing body of a business, or are convertible into, or entitle the holder to receive upon their exercise, securities that confer such a right to vote. [16.70\(16\)](#)

Wisconsin business means any producer, distributor, supplier, or retailer that has all of the following: one or more employees located in Wisconsin; a physical business presence such as a store, factory, warehouse, or office in Wisconsin; "nexus" in Wisconsin as defined by Wis. Adm. Rule Tax 2.82, and is required to file a tax form; and, when required, is licensed to do business in Wisconsin.

Work center means a charitable organization or nonprofit institution which is licensed under s. 104.07 and incorporated in this state or a unit of county government which is licensed under s. 104.07, and which is operated for the purpose of carrying out a program of rehabilitation for severely handicapped individuals and for providing the individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature, and which is engaged in the production of materials, supplies or equipment or the performance of contractual services in connection with which not less than 75 percent of the total hours of direct labor are performed by severely handicapped individuals. [16.752\(1\)\(e\)](#)

Work force means the composite number of employees without regard to job categories of the contractor. The contractor may designate its work force, for the purposes of satisfying the



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Wisconsin Contract Compliance Law, either as that part of the entity (division, company, subsidiary) primarily responsible for satisfying the State of Wisconsin contract or as the work force of the entire entity, with the concurrence of the CCP.



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