

# State Procurement Manual

DOA-3449 N(R06/94) Formerly AD-P-12

Number PRO-C-6
Effective 1-12-12
Replaces 6-18-04
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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)

SCOPE: - to define legal notice and public notice  
- to identify policy and procedure for the advertising of official sealed bid and request for proposal transactions over \$50,000 and noncompetitive negotiation (sole source) and general waiver transactions over \$25,000

DEFINITIONS: I. “Legal notice” means an advertisement of a procurement in the official state newspaper.  
II. “Public notice” means a posting of a procurement on the official designated Website.

CONTENT: I. Any official sealed bid or request for proposal over \$50,000 and noncompetitive negotiation (sole source) or general waiver over \$25,000 will be advertised.  
II. The agency will post official sealed bids and requests for proposals over \$50,000 on VendorNet. From this announcement, the system automatically will generate a public notice on the Internet. This will satisfy the advertising requirement. There will be a minimum of seven days between the posting on VendorNet and the date submissions are due.  
III. In addition to the public notice, the agency may advertise in the legal notices column of the official state newspaper. Procedures for placing legal notices in the official state newspaper are published in State Procurement Statewide Contract No. 15-99955-(5L). The contract also contains the name of the newspaper, rates, schedules, examples, and other ordering information and instructions. In addition, these legal notices may be placed in other media selected by the State Bureau of Procurement or authorized agencies.  
IV. Legal notices for official sealed bids or requests for proposals appear once each week for a minimum of two weeks in the official state newspaper. 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.

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- V. For nondelegated transactions, the agency will obtain Request for Purchasing Approval/Authority (RPA) or procurement plan approval from the State Bureau of Procurement prior to advertising the official sealed bid or request for proposal.
- VI. Because the agency does not post noncompetitive negotiations (sole source) and general waivers on VendorNet, the agency will need to go directly to the public notices Website to generate the notice. (See [Procedures for Using Public Notices Website](#).) Alternatively, the agency may place a legal notice in the official state newspaper. The notice may be placed prior to obtaining RPA approval from the State Bureau of Procurement. However, the contract may not be awarded or the purchase order issued until approval is obtained from the Bureau. If additional vendors indicate an interest in bidding or proposing as a result of the advertisement, the agency will use a competitive process and issue new legal and/or public notices.
- A. Noncompetitive negotiations:
1. Legal notice: There will be a minimum of seven days between publication of the first legal notice and the last notice and between the last notice and the date on which the contract will be awarded or the purchase order will be issued.
  2. Public notice: 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.
- B. General waivers:
1. Legal notice: There will be a minimum of seven days between publication of the first legal notice and the last notice and between the last notice and the date on which the initial contract will be awarded or the purchase order will be issued.
  2. Public notice: There will be a minimum of seven days between the posting on the Internet and the date on which the initial contract will be awarded or the purchase order will be issued.
- VII. Legal notices may be combined according to their common date.

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## VIII. Documentation of publication of legal and public notices:

### A. Legal notice:

1. The agency will request and pay for affidavits of publication of legal notices as the agency deems appropriate to meet statutory and agency requirements. The fee for an affidavit of publication is one dollar (\$1.00).
2. 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.

### B. Public notice:

1. The agency will print and retain a hard copy of the posting on the Internet.

## IX. A public notice will remain on the Internet:

- A. For an official sealed bid or a request for proposal, until the date submissions are due.
- B. For noncompetitive negotiations, until the date on which the contract will be awarded or the purchase order will be issued.
- C. For general waivers, until the date on which the initial contract will be awarded or the purchase order will be issued.

## X. Intergovernmental procurements are exempt from PRO-C-6. See [PRO-C-25](#), Intergovernmental Procurements.

Authorized:



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State Bureau of Procurement