



STATE OF WISCONSIN

Legislative Audit Bureau

22 East Mifflin Street, Suite 500
Madison, Wisconsin 53703
(608) 266-2818
Fax (608) 267-0410
www.legis.wisconsin.gov/lab

Janice Mueller
State Auditor

DATE: July 7, 2010

TO: Senator Kathleen Vinehout and
Representative Peter Barca, Co-chairpersons
Joint Legislative Audit Committee

FROM: Janice Mueller 
State Auditor

SUBJECT: Proposed Audit of Wisconsin's "Contract Sunshine Act"—Background Information

At your request, we have gathered some background information the Joint Legislative Audit Committee may find useful in considering a request for an audit of Wisconsin's "contract sunshine" requirements. 2005 Wisconsin Act 410, which was enacted in May 2006 and is known as Wisconsin's "Contract Sunshine Act," was intended to increase the confidence of citizens and vendors by improving the reporting of the State's process for purchasing goods and services.

With some exceptions, the Act requires state agencies in the executive, legislative, and judicial branches to provide the Government Accountability Board with information on each solicitation of bids or competitive sealed proposals, as well as information on each proposed order or contract for which bids or competitive sealed proposals will not be solicited. The Act requires the Government Accountability Board to maintain an Internet site on which state agencies can post the information. However, it includes no enforcement provisions or penalties for state agency noncompliance.

Concerns have been raised that many state agencies are not complying with the Act's contract reporting provisions. Recent media reports indicated that the Government Accountability Board's Internet site contained contract information for only a small number of state agencies, and that information on some large state contracts was not included on the site. The Department of Administration subsequently indicated that state agencies have experienced problems when submitting information to the site, which was designed by a private firm under contract with the State.

An audit of Wisconsin's Contract Sunshine Act could:

- determine the actions that the Government Accountability Board and other state agencies have taken to implement the Act's provisions, including establishing an Internet site on which the required bids, contracts, and other related information can be posted;

- review the extent to which state agencies are complying with the Act and determine the reasons why they have not complied; and
- analyze existing and potential enforcement actions the State could take to help better ensure compliance with the Act's provisions.

I hope you find this information helpful. If you have any additional questions regarding this request, please contact me.

JM/DS/bm

cc: Senator Robert Jauch
Senator Mark Miller
Senator Robert Cowles
Senator Mary Lazich

Representative Andy Jorgensen
Representative Mark Pocan
Representative Bill Kramer
Representative Samantha Kerkman

Kevin Kennedy
Director and General Counsel
Government Accountability Board