



# Commission Policy

Subject: Contract and Bid Document Language Requirements	Index: 1-78.04
Authority: Statute:	Page: 1 of 1
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**Purpose:**

This policy specifies various contract language requirements.

**Bid Documents:**

Procurement is directed to create and amend bid documents as necessary in order to effectively implement the General Policy for Involvement of SBE, WBE and MBE.

**All Contracts:**

It is the District's policy to encourage equal employment opportunity practices on the part of its suppliers of goods and services. Persons seeking to do business with the District are expected to comply with applicable federal, Wisconsin and local laws, regulations and orders relating to equal employment opportunity and non-discrimination with regard to employees and subcontractors. To this end, the District shall include equal employment opportunity and non-discrimination requirements as part of its purchasing and contracting policies (see [Appendix 1](#)).

**Construction Contracts:**

All construction contracts shall contain a provision requiring a contractor to pay liquidated damages for delay. Provisions requiring actual damages for delay in construction contracts will not be used without prior approval of the Commission before bidding.

**Service Contracts:**

Service contracts with the District shall contain the following language:

The Contractor shall notify the District in writing whenever either of the following occurs:

- (1) 75% of the contract amount has been incurred, whether invoiced to the District or not, or
- (2) The contract amount will be insufficient to complete the work under the contract.

As part of the notification, the Contractor shall provide the District with a revised estimate of the contract amount. The District shall not be liable for any costs incurred by the contractor over the contract amount unless the contract amount is amended in writing.