

..Number

111422

..Version

PROPOSED SUBSTITUTE A

..Reference

090352

..Sponsor

ALD. BOHL

..Title

A substitute charter ordinance relating to exceptions to bid requirements for city purchases.

..Sections

16-05-3-b am

..Analysis

Current charter provisions allow exceptions to the general city bid requirements for city purchases, including the conditions under which the purchasing director may negotiate amendments to existing contracts and grant waivers. This ordinance eliminates waivers based on the continuation of work, requires that a waiver be made in writing and requires the purchasing director to report the circumstances surrounding each waiver to the committee on finance and personnel within the next regularly scheduled common council cycle following the issuance of the waiver. In addition, no waiver granted may extend a contract for longer than one year after issuance unless otherwise approved by the committee on finance and personnel.

..Body

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 16-05-3-b of the city charter is amended to read:

16-05. Purchasing.

3. EXCEPTIONS TO BID REQUIREMENTS.

b. The purchasing director may negotiate amendments to any existing contracts. When an existing single or sole source contract of less than \$50,000 is amended and the original amount of the contract added to the amended amount of the contract is \$50,000 or greater, the single or sole source contract amendment shall not be effective unless approved by the finance and personnel committee. This requirement shall not apply to contract amendments, upon >>written<< waiver by the city purchasing director, that are necessary to respond to emergency situations that threaten life, health~~[[,]]~~ >>or<< safety ~~[[or the continuation of work]]~~. >>The purchasing director shall report the circumstances surrounding each waiver to the committee on finance and personnel within the next regularly scheduled common council cycle following the issuance of the waiver. No waiver granted may extend the contract for longer than one year after issuance unless otherwise approved by the committee on finance and personnel.<<

Part 2. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within such 60 days a referendum petition is filed as provided in s. 66.0101(5), Wis. Stats., in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

..LRB

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

..Attorney

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

..Requestor

..Drafter

LRB137184-3

Mary E. Turk

2/22/2012

Technical Correction-tb-3-13-12