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**JAMES A. BOHL, JR.**

Alderman, 5th District

July 7, 2011

City Attorney Grant Langley  
City of Milwaukee  
Room 716-Zeidler Municipal Building  
Milwaukee, Wisconsin 53202

Re: Legal Opinion Request – Common Council File #101245  
(Change in Local Business Enterprise Preference)

Dear Atty. Langley,

In light of the recent passage of the State budget, which I understand exempts road and sewer projects from Milwaukee's local business enterprise preference ordinance, I request the opinion of the City Attorney's Office on the legality and enforceability of Common Council File #101245.

This ordinance amends ss. 365-3 and 365-7 of the code by increasing a local business enterprise's bid preference to 10% and requiring a preference-qualifying local business enterprise to lower its bid to meet the lowest bid before it can be awarded the contract. Under current code, a contract is awarded to a local business enterprise that bids within 5% of the lowest bid at that higher bid price, thus increasing the City's costs for the project.

Attorney Kathy Block was consulted during the drafting of this ordinance, and I am attaching a copy of the file for your convenience.

Thank you for your prompt attention to this request.

Sincerely,

A handwritten signature in black ink that reads 'Jim Bohl'.

Ald. James Bohl Jr.  
5<sup>th</sup> Aldermanic District

Attachment

