



Legislation Details (With Text)

File #: 161754 **Version:** 0
Type: Ordinance **Status:** Passed
File created: 3/28/2017 **In control:** COMMON COUNCIL
On agenda: **Final action:** 4/18/2017

Effective date:

Title: An ordinance relating to participation of city residents in construction contracts.

Sponsors: ALD. COGGS, ALD. STAMPER, ALD. RAINEY

Indexes: CONTRACTS

Attachments: 1. Notice Published on 5-4-17

Date	Ver.	Action By	Action	Result	Tally
3/28/2017	0	COMMON COUNCIL	ASSIGNED TO		
4/6/2017	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
4/18/2017	0	COMMON COUNCIL	PASSED	Pass	14:0
4/27/2017	0	MAYOR	SIGNED		
5/4/2017	0	CITY CLERK	PUBLISHED		

161754
ORIGINAL

ALD. COGGS, STAMPER AND RAINEY

An ordinance relating to participation of city residents in construction contracts.

- 309-38-2-b-3 cr
- 309-41-3.5-c cr
- 355-7-2-a-3 cr
- 355-9-1-a-3 cr

This ordinance creates an exception to how hours worked by city residents on construction contracts are credited. Currently, 40% of the worker hours on construction projects and other contracts funded in whole or in part by city, state or federal funds must be performed by unemployed or underemployed residents. There is a similar community participation requirement for projects in which a developer receives direct financial assistance from the city. A portion of apprentice and on-the-job trainee hours on city construction projects and city-assisted developments must also be performed by unemployed or underemployed residents.

According to the code, a resident is unemployed or underemployed if the resident has worked less than 1,200 hours in the preceding 12 months or has not worked in the preceding 15 days or, regardless of employment status, has household income at or below the federal poverty guidelines as adjusted by the Wisconsin department of public instruction to define eligibility for reduced lunch in public schools.

Under this ordinance, the hours worked by a resident who meets the definition of unemployed or underemployed solely under the 15-day provision shall not be credited toward meeting a community participation requirement unless the resident had not worked on the same project for the same contractor prior to the 15-day period.

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

Part 1. Section 309-38-2-b-3 of the code is created to read:

309-38. Apprenticeship and On-The-Job Trainee Requirements for Construction Contracts.

2. REQUIREMENTS.

b-3. Apprentice and on-the-job trainee worker hours of a resident who meets the definition of unemployed or underemployed solely under the 15-day provision of s. 309-41 shall not be credited toward meeting the contract participation requirements of sub. 2-b unless the resident had not worked on the same project for the same contractor prior to the 15-day period.

Part 2. Section 309-41-3.5-c of the code is created to read:

309-41. Participation of City Residents in Public Works Contracts.

3.5. EXCEPTIONS.

c. The hours worked by a resident who meets the definition of unemployed or underemployed solely under the 15-day provision of sub. 1-f shall not be credited toward meeting the contract participation requirements of sub. 2-a unless the resident had not worked on the same project for the same contractor prior to the 15-day period.

Part 3. Section 355-7-2-a-3 of the code is created to read:

355-7. Participation of City Residents.

2. ADMINISTRATION.

a-3. The hours worked by a resident who meets the definition of unemployed or underemployed solely under the 15-day provision of s. 355-1-3 shall not be credited toward meeting the appropriate level of participation required in par. a unless the resident had not worked on the same project for the same contractor or subcontractor prior to the 15-day period.

Part 4. Section 355-9-1-a-3 of the code is created to read:

355-9. Apprenticeship and On-The-Job Trainee Requirements.

1. REQUIREMENT.

a-3. Apprentice and on-the-job trainee worker hours of a resident who meets the definition of unemployed or underemployed solely under the 15-day provision of s. 355-1-3 shall not be credited toward meeting the contract participation requirements of par. a unless the resident had not worked on the same project for the same contractor or subcontractor prior to the 15-day period.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

Dana J. Zelazny
LRB167891-1
March 28, 2017