



Legislation Text

File #: 110104, Version: 1

110104

SUBSTITUTE 1

ALD. BAUMAN

A substitute ordinance relating to how parking garage management service contracts are awarded.

309-61-1-b am

This ordinance clarifies that the commissioner of public works has the option of awarding parking garage management service contracts through means other than competitive bidding when competitive bidding is impracticable, i.e. when contracts require professional judgment, the exercise of discretion or where specifications cannot be drafted.

Whereas, Section 309-61-1-b of the code provides only competitive bidding as the method for awarding management service contracts for city-owned parking garage structures although the charter and common law provides that other award procedures are allowed if competitive bidding is impracticable; and

Whereas, Management service contracts for city-owned parking garage structures do require significant professional judgment, management discretion and reporting obligations to the department of public works, the department of administration and the office of the comptroller which cannot be adequately evaluated through a lowest bidder contract award process; and

Whereas, Current code provisions need to be amended to clarify that management service contracts for city-owned parking garage structures may be awarded by means other than competitive bidding when competitive bidding is impracticable; now, therefore

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

Part 1. Section 309-61-1-b of the code is amended to read:

309-61. Operation of Parking Facilities.

1. CONTRACT REQUIRED.

b. Pursuant to s. 7-22 of the charter, ~~[[a]]~~ contracts for managing city permanent parking structures shall be awarded and administered by the commissioner of public works to the lowest responsible bidder in the manner provided in s. 7-14 of the charter >>, **except when not practicable**, << and shall be for a minimum duration of 3 years with up to 2 one-year extensions allowable. All contracts for management of city parking structures shall be rebid not less than every 5 years. All leases for operating non-permit, non-metered city-owned surface parking lots shall be awarded and administered by the commissioner of public works to the highest responsible bidder after competitive bidding, on the basis of lump sum bids payable in equal monthly installments. All leases shall be for a minimum duration of one year, with up to 4 one-year extensions allowable. All leases for operating city-owned surface parking lots shall be re-bid not less than every 5 years. Any variation to contract or lease terms in this paragraph shall be approved by the common council.

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: _____

LRB #127724-2

Aaron Cadle

05/12/11