



City of Madison

Legislative File Number 20897 (version 1)

Title

Amending Section 4.25(2) of the Madison General Ordinances to clarify the applicability of the sweatfree purchasing ordinance's \$5,000 threshold.

Body

DRAFTER'S ANALYSIS: This ordinance amendment clarifies the \$5,000 threshold for applicability of Sec. 4.25, MGO, the sweatfree purchasing ordinance. Currently, MGO 4.25 applies to all purchases of apparel totaling \$5,000 or more. The ordinance does not indicate whether it is a combination of items of apparel or whether it matters if the apparel is from more than one source or brand. This amendment clarifies the applicability in three ways - first it clarifies that the \$5,000 threshold applies to a single contractor or vendor. Secondly, the ordinance would apply to purchases of \$5,000 or more in apparel of the same brand name (such as socks and t-shirts of the same brand), or identical items regardless of brand (such as a \$5,000 worth of short sleeved T-shirts.) Third, this amendment clarifies that the \$5,000 total is counted over the lifetime of the contract, or if the contract has no set term, over the course of the calendar year. *****

The Common Council of the City of Madison do hereby ordain as follows:

Subsection (2) entitled "Applicability - Apparel" of Section 4.25 entitled "Procurement of Items of Apparel" of the Madison General Ordinances is amended to read as follows:

"(2) Applicability - Procurement of Apparel. This ordinance shall apply to all City procurement of apparel, ~~totaling \$5,000 or more. as defined herein, when the circumstances in sub. (a) or (b) are met:~~

(a) \$5,000 or more in apparel with the same brand name purchased from a single contractor. All articles of apparel with the same brand name purchased from that contractor during the term of the contract, or if there is no contract, during the calendar year in which the purchase is made, shall be counted in reaching the \$5,000 total; or

(b) \$5,000 or more of a specific item of apparel purchased from a single contractor, during the term of the contract, or if there is no contract, during the calendar year in which the purchase is made.

(c) For purposes of this ordinance, "procurement" shall include the purchase, rental, lease, laundering or dry cleaning of apparel, whether by contract, purchase order, or other means; and allowance and voucher programs for city employees to make their own purchases, except where a city collective bargaining agreement establishes a clothing allowance or voucher program that specifies another method of purchase or identifies purchasing criteria in conflict with this ordinance, in which case the terms of the collective bargaining agreement shall control. This ordinance shall also apply to contracts for the provision of City financial assistance, if \$5,000 or more of will be used for procurement of apparel under the circumstances in paragraph (2)(a) or (2)(b) above."

Fiscal Note

No fiscal impact is anticipated.

