



### Legislation Details (With Text)

**File #:** 16817      **Version:** 1      **Name:** Affirmative Action contracts  
**Type:** Ordinance      **Status:** Passed  
**File created:** 12/7/2009      **In control:** AFFIRMATIVE ACTION COMMISSION  
**On agenda:**      **Final action:** 6/1/2010  
**Enactment date:** 6/11/2010      **Enactment #:** ORD-10-00057  
**Title:** Amending Sec. 39.02(9)(a)2.f. of the Madison General Ordinances to exempt relocation type contracts from the Affirmative Action requirements.  
**Sponsors:** Joseph R. Clausius, Paul E. Skidmore, David J. Cieslewicz

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/1/2010	1	COMMON COUNCIL		
5/11/2010	1	AFFIRMATIVE ACTION COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
2/23/2010	1	AFFIRMATIVE ACTION COMMISSION		
1/6/2010	1	BOARD OF PUBLIC WORKS	Return to Lead with the Recommendation for Approval	Pass
12/16/2009	1	AFFIRMATIVE ACTION COMMISSION	Refer	
12/15/2009	1	COMMON COUNCIL	Referred	
12/7/2009	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

No fiscal impact.

**Title**

Amending Sec. 39.02(9)(a)2.f. of the Madison General Ordinances to exempt relocation type contracts from the Affirmative Action requirements.

**Body**

DRAFTER'S ANALYSIS: This ordinance clarifies that certain contracts, where the City pays another party to relocate or modify their facilities due to a City project, are not subject to the Affirmative Action requirements. In these instances, the other party does not receive a benefit from the City, but is required by law to move or modify the facilities and the City is required by law to pay for such changes. The other party - usually a public utility or railroad -- could simply move or modify the facilities and bill the City, but both the City and the other party often want to enter into an agreement to describe the work to be done and the amount of the payment. Because of the unique nature of these contracts, this ordinance would exclude them from the AA requirements.

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

Subparagraph f. of Paragraph 2. entitled "Contract" of Subdivision (a) entitled "Definitions" of Subsection (9) entitled "Contract Compliance Provisions" of Section 39.02 entitled "Affirmative Action Ordinance" of the Madison General Ordinances is amended to read as follows:

"f. Contracts for the sale or purchase of real property and relocation-related contracts. Relocation-related

contracts are contracts for city payment of the costs of the relocation or modification of another person's facilities required when the City acquires a real property interest or modifies a railroad crossing, usually arising out of a relocation order, transportation project plat, or order of the Commissioner of Railroads."