



Legislation Details (With Text)

File #: 20750 **Version:** 1 **Name:** Best Value Contracting
Type: Ordinance **Status:** Passed
File created: 12/6/2010 **In control:** BOARD OF PUBLIC WORKS
On agenda: 1/4/2011 **Final action:** 1/4/2011
Enactment date: 1/12/2011 **Enactment #:** ORD-11-00005
Title: Amending Secs. 33.07(7)(e), (k)7. and (7)(l) and repealing Sec. 33.07(7)(q) of the Madison General Ordinances to update various subdivisions of the Best Value Contracting Ordinance.
Sponsors: Larry Palm
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
1/4/2011	1	COMMON COUNCIL	Adopt	Pass
12/15/2010	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT	Pass
12/14/2010	1	COMMON COUNCIL	- REPORT OF OFFICER Referred	
12/6/2010	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

No appropriation is required.

Title

Amending Secs. 33.07(7)(e), (k)7. and (7)(l) and repealing Sec. 33.07(7)(q) of the Madison General Ordinances to update various subdivisions of the Best Value Contracting Ordinance.

Body

DRAFTER'S ANALYSIS: This ordinance amends subdivisions of Sec. 33.07(7), MGO, the Best Value Contracting Ordinance, to specifically allow a contractor to be prequalified under this ordinance if the contractor is already pre-certified by the State as compliant with Wisconsin Executive Order 108 (June 29, 2005). In addition, this ordinance allows a contractor, pursuant to the procedures set forth in Executive Order 108, to not hire an apprentice if they currently have a laid off journeyperson. This ordinance also corrects a statutory cross reference that should have been made as part of the amendments made to this subsection by ORD-09-00095 (Legistar File #14254). Finally, this ordinance deletes provisions relating to the initial effective date of the ordinance that are no longer necessary.

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

1. Subdivision (e) entitled "Prequalification Term" of Subsection (7) entitled "Best Value Contracting" of Section 33.07 entitled "Board of Public Works" of the Madison General Ordinances is amended to read as follows:

"(e) Prequalification Term.

- ~~Any contractor or subcontractor that has prequalified under standards applicable on or after the effective date of this ordinance shall remain prequalified until January 31, 2008.~~
- ~~For any public works contracts advertised for bid on or after January 1, 2008, a contractor or subcontractor must be prequalified under this ordinance.~~
- Once a contractor's prequalification application is approved by the City Engineer under this ordinance, it shall remain valid for a period of two years to expire on January 31, unless

suspended or revoked pursuant to this section.”

2. Paragraph 7. of Subdivision (k) entitled “Required Certifications” of Subsection (7) entitled “Best Value Contracting” of Section 33.07 entitled “Board of Public Works” of the Madison General Ordinances is amended to read as follows:

“7. With respect to BVC contracts only, either participate in a Class A Apprenticeship Program for each separate trade or classification in which it employs craft employees and continue to participate in such program or programs for the duration of the project or have, an apprenticeship program pre-certified as compliant with Wisconsin Executive Order 108 (June 29, 2005) by the Wisconsin Bureau of Apprenticeship Standards on the date the bid is awarded by the Common Council. In applying this requirement, the City Engineer shall apply it to all crafts in the same manner as the State of Wisconsin applies the requirements of Wisconsin Executive Order 108 (June 29, 2005), including provisions related to hiring apprentices when journeypersons remain laid off.”

3. Subdivision (l) entitled “Subcontractors” of Subsection (7) entitled “Best Value Contracting” of Section 33.07 entitled “Board of Public Works” of the Madison General Ordinances is amended to read as follows:

“(l) Subcontractors. Subcontractors may, but are not required to, apply for and obtain prequalification status under this ordinance. At least ten (10) days prior to commencing work under any City of Madison Public Works Contract, a subcontractor, the value of whose work exceeds the single-trade minimum of ~~Wis. Stat. § 66.0903(5)~~Sec. 33.07(7)(b)5., shall submit the information required under this ordinance to be qualified, and no such subcontractor may begin work on a City of Madison Public Works Project until the City Engineer determines that such subcontractor meets the qualification requirements herein.”

4. Subdivision (q) entitled “Effective Date” of Subsection (7) entitled “Best Value Contracting” of Section 33.07 entitled “Board of Public Works” of the Madison General Ordinances is hereby repealed.

EDITOR’S NOTE:

Sec. 33.07(7)(q) currently reads as follows:

“(q) Effective Date. This ordinance applies to any Public Works Contract advertised for bid, and any contracts under sub. (n) entered into, on or after January 1, 2008.”