



Legislation Text

File #: 33419, **Version:** 1

Fiscal Note

No appropriation is required.

Title

Authorizing an amendment to the March 24, 2011 Contract for the Purchase of Services with Sustain Dane that releases all intellectual property rights the City has over the MPower Champions Program.

Body

WHEREAS, Sustain Dane's MPower Champions Program, MPower, is a one-year, fully customizable program for businesses and organizations in the Greater Madison Region that want to reduce their environmental impact while saving costs and creating a healthier and more engaging workplace and community; and,

WHEREAS, MPower is a proven and nationally recognized model for achieving sustainability success from within an organization; and,

WHEREAS, since 2009, over 70 Madison-area businesses and organizations have excelled as MPower Business Champions, creating positive change in areas of waste reduction, energy efficiency, transportation, supply chain efficiency, employee health and wellness, employee and community engagement, and more; and,

WHEREAS, as a result of the program, MPower Business Champions collectively realize an annual reduction of 21,500 tons of CO2 emissions, the equivalent of removing 4,200 cars from Wisconsin roads and a cost savings of over \$916,000 each year; and,

WHEREAS, Sustain Dane started the MPower program in 2007 as a pledge campaign for businesses and individuals to reduce their carbon footprint and in 2009, Sustain Dane received and administered an EPA P2 grant in partnership with the City of Madison and Madison Gas & Electric in which MPower Champions was developed; and,

WHEREAS, in 2011, the City of Madison and Sustain Dane received a three-year Climate Showcase Community (CSC) Grant from the EPA, with the entire local match being made by Madison Gas & Electric, where the program structure and design evolved to what it is today, one of the goals of the grant being that the product created should be able to be replicated and spread beyond the life and geographic location of the grantee; and,

WHEREAS, in order to administer the grant, the City adopted RES-11-00217, Legistar File No. 21390, and entered into a Contract for Purchase of Services with Sustain Dane on March 24, 2011, which contract included an intellectual property provision that declared that all work product and copyrights arising from the grant belonged to the City; and,

WHEREAS, although the City acted merely as a pass through entity to administer the grant, the City's contractual ownership of the materials created through the grant proceeds is hindering Sustain Dane's efforts to spread the use of the MPower Champions program and it is therefore necessary for the City to waive its intellectual property rights in the Contract so that the grant purposes may be fully realized.

NOW THEREFORE BE IT RESOLVED that the Mayor and the City Clerk are hereby authorized to execute an amendment to the March 24, 2011 Contract for the Purchase of Services with Sustain Dane that releases all

intellectual property rights the City has over the MPower Champions program, in a form to be approved by the City Attorney.