



## Legislation Text

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**File #:** 80421, **Version:** 1

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### Fiscal Note

The proposed resolution authorizes a contract with the State of Wisconsin, Department of Military Affairs for the Madison Fire Department to provide regional hazardous materials response system services for the period of July 2023 through June 2025. The annual cost of providing the services is approximately \$160,000 and is reimbursed by the State of Wisconsin. Funding for the 2023 portion of the contract is included in the Fire Department's operating budget. No additional appropriation is required.

### Title

Authorizing a contract between the State of Wisconsin, Department of Military Affairs, Division of Emergency Management for the City of Madison Fire Department to provide regional hazardous materials response system services.

### Body

WHEREAS, the contract between Wisconsin Department of Military Affairs, Division of Emergency Management and the City of Madison Fire Department (MFD) for participation in the Southwest Wisconsin Hazardous Materials Taskforce expired on June 30, 2023;

WHEREAS, a new contract period started on July 1, 2023 and will run through June 30, 2025;

WHEREAS, state payment to MFD will remain the same at \$160,085.71 annually;

WHEREAS, the contract reimburses MFD for costs associated with team training, employee stipend as a certified hazardous material responder, medical examinations as required for team members, and equipment supplies used in hazardous materials responses;

WHEREAS, MFD is also permitted to claim reimbursement for response costs from the party responsible for the hazardous material incident;

WHEREAS, the City of Madison Fire Department wishes to continue participation in the Southwest Wisconsin Hazardous Materials Taskforce for the State of Wisconsin;

WHEREAS, contract language related to indemnification and insurance provisions does not comply with the City's standard policy for contracts but is the same as contained in the recently expired contract agreement;

WHEREAS, contract language related to indemnification and insurance provisions has been reviewed by City Risk Management and the City Attorney's Office;

NOW, THEREFORE, BE IT RESOLVED that the City of Madison approves the contract with the State of Wisconsin, Department of Military Affairs, Division of Emergency Management for the Madison Fire Department to provide regional hazardous materials response system services for the contract period of July 1, 2023 through June 30, 2025;

BE IT FURTHER RESOLVED that the City of Madison approves the following contract language from the State of Wisconsin on indemnification:

8.7 **Hold Harmless:** Contractor will indemnify, defend against, and hold harmless the Division of Emergency Management, the Department of Military Affairs, and the State of Wisconsin for any claims arising from any disputes any Local Agency may have with its employees. This shall include, but not be limited to, charges of discrimination, harassment, and discharge without just cause.

BE IT FURTHER RESOLVED that the Madison Fire Department will include the annual program budget for participation in the Southwest Wisconsin Hazardous Materials Taskforce in the annual operating budget;

BE IT FINALLY RESOLVED that the Mayor and City Clerk are authorized to execute the necessary contract documents.