

1.0 PURPOSE:

To describe the role of the City Attorney's Office in contracts and bonds entered into between the City of West Allis and any outside party prior to the initiation of such agreement.

2.0 ORGANIZATIONS AFFECTED:

This policy applies to all departments, offices, boards, commissions, and agencies of the City of West Allis.

3.0 POLICY:

It is the policy of the City to require that the City Attorney shall review all draft contracts and bonds between the City of West Allis and any outside party for any purpose. The intent of this policy is to make sure that every contractual agreement entered into between the City of West Allis and an outside vendor is legally binding and protects the best interests of the City of West Allis. Moreover, it is the intent of this policy to insure that every contractual arrangement entered into between the City of West Allis and an outside vendor can be legally enforced.

4.0 REFERENCES:

Section 2.15, City of West Allis Revised Municipal Code.
Sections 62.09(12) and 62.15(12), Wisconsin Statutes.

5.0 PROCEDURES:

5.1 RESPONSIBILITY

- 5.1.1 All City agencies must submit draft contracts and bonds to the City Attorney's Office, prior to the execution of the agreement. In the case of contracts, the City Attorney's Office must promptly and expeditiously review the proposed agreement and make the necessary changes, prior to the agreement's execution. In the case of bonds, the City Attorney's Office shall make recommendations for changes, if necessary.

5.2 GENERAL POLICIES

- 5.2.1 All draft contractual agreements between the City of West Allis and an outside party will be submitted to the City Attorney's Office, along with a statement of any pertinent facts or background materials. It is particularly important that the City Attorney's Office have a clear and concise understanding of what it is that the City intends to derive from the agreement, at what cost, and under what general terms and conditions.

- 5.2.2 The City Attorney's Office will review all draft contractual agreements for form and substance. The City Attorney will work closely with the affected department or agency in order to assure program intent.
- 5.2.3 All contracts and agreements, as well as, performance bonds affecting work supervised by the Public Works Department and Purchasing Division will be submitted to the City Attorney's Office at least ten (10) working days prior to the expected date of contract execution.
- 5.2.4 All contracts and agreements that have been reviewed and approved as to content and legal form shall be signed by the City Attorney or an Assistant City Attorney.
- 5.2.5 Copies of all City Attorney approved contracts, agreements, and bonds will be provided to the City Clerk's Office.