



City of West Allis

Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

| File Number | Title | Status |
|-------------|-------|--------|
|-------------|-------|--------|

R-2011-0098

Resolution

Introduced

Resolution Relative to Amending the City of West Allis Policies & Procedures Manual Nos. 802, Contract and Bonds Review, and 803, Damage to City Property, Section 4.0 References Under City Attorney.

Introduced: 4/19/2011

Controlling Body: Administration & Finance Committee

Sponsor(s): Administration & Finance Committee

COMMITTEE RECOMMENDATION

adopt

ACTION
DATE:
APR 19 2011

| MOVER | SECONDER | | AYE | NO | PRESENT | EXCUSED |
|-------|----------|------------|-----|----|---------|---------|
| | | Barczak | | | | |
| | | Czaplewski | | | | |
| X | | Kopplin | ✓ | | | |
| | | Lajsic | ✓ | | | |
| | | Narlock | ✓ | | | |
| | | Reinke | ✓ | | | |
| | | Roadt | | | | |
| | | Sengstock | | | | |
| | X | Vitale | ✓ | | | |
| | | Weigel | | | | |
| TOTAL | | | 5 | | | |

SIGNATURE OF COMMITTEE MEMBER

Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

ADOPT

ACTION
DATE:
APR 19 2011

| MOVER | SECONDER | | AYE | NO | PRESENT | EXCUSED |
|-------|----------|------------|-----|----|---------|---------|
| | ✓ | Barczak | ✓ | | | |
| | | Czaplewski | ✓ | | | |
| ✓ | | Kopplin | ✓ | | | |
| | | Lajsic | ✓ | | | |
| | | Narlock | ✓ | | | |
| | | Reinke | ✓ | | | |
| | | Roadt | ✓ | | | |
| | | Sengstock | | | | ✓ |
| | | Vitale | ✓ | | | |
| | | Weigel | ✓ | | | |
| TOTAL | | | 9 | | | 1 |



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2011-0098

Final Action:

Sponsor(s): Administration & Finance Committee

APR 19 2011

Resolution Relative to Amending the City of West Allis Policies & Procedures Manual Nos. 802, Contract and Bonds Review, and 803, Damage to City Property, Section 4.0 References Under City Attorney.

WHEREAS, Policy No. 802, Contract and Bonds Review and Policy No. 803, Damage to City Property, were originally included in the City of West Allis Policies & Procedures Manual on January 1, 1982; and,

WHEREAS, it is necessary to amend said policies at this time.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that Policy No. 802, Contracts and Bonds Review, Section 4.0, References, and Policy No. 803, Damage to City Property, Section 4.0, References, are approved as presented in the attached restatement.

BE IT FURTHER RESOLVED that the City Administrative Officer, Clerk/Treasurer is authorized and directed to include the amended Policy No. 802, Section 4.0 and Policy No. 803, Section 4.0 in the City's Policies & Procedures Manual and distribute said policies to all departments, divisions and offices.

ATTR-Amend Policy Nos 802 & 803-P&P Manual

ADOPTED

APR 19 2011

Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

APPROVED

4/25/11

Dan Devine, Mayor

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.

1.0 PURPOSE:

To describe the procedures to be followed regarding reporting of and collection actions for damage of City property involving the City Attorney's Office.

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 be informed of any damage done to City-owned property and consulted, with regard to action taken to obtain reimbursement for property damage.

4.0 REFERENCES:

Section 62.09(12), Wisconsin Statutes.
Section 2.15(2), City of West Allis Revised Municipal Code.

5.0 PROCEDURES:

5.1 RESPONSIBILITY

- 5.1.1 When damage of any type has been done to City property, including damage to vehicles, and the department concerned cannot effect a resolution of the matter, the department shall submit a written report regarding the facts of the situation to the City Attorney's Office.

5.2 GENERAL POLICIES

- 5.2.1 The property damage collection report should include an assessment of who is liable for the damages, and an itemized cost invoice on the repairs necessary to totally repair the damages. The itemized cost invoice shall contain a breakdown of labor and material costs. Any equipment costs should be described and included under the labor costs itemization.

- 5.2.2 It is essential in these instances, that the department involved, provide the City Attorney's Office with information on the depreciation associated with the damaged property, including the age and the normal operational lifespan of the item.

- 5.2.3 The department concerned must provide specific written information regarding the exact location of the damaged City property and all other pertinent and related facts regarding the damages.
- 5.2.4 When the department concerned receives an inquiry from an insurance company, requesting a further itemization of costs, such inquiries shall be answered by the department. The City Attorney's Office may be consulted regarding the request.

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.

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4.0 REFERENCES:

~~Chapter XI~~ 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.

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3.0 POLICY:

It is the policy of the City to require that the City Attorney be informed of any damage done to City-owned property and consulted, with regard to action taken to obtain reimbursement for property damage.

4.0 REFERENCES:

Section ~~62.25~~ and ~~893.80~~ 62.09(12), Wisconsin Statutes.
Section 2.15(2) and ~~2.65~~, City of West Allis Revised Municipal Code.

5.0 PROCEDURES:

5.1 RESPONSIBILITY

- 5.1.1 When damage of any type has been done to City property, including damage to vehicles, and the department concerned cannot effect a resolution of the matter, the department shall submit a written report regarding the facts of the situation to the City Attorney's Office.

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