



**GRAFTON**  
QUALITY LIFE. NATURALLY.

**Town of Grafton Ordinance No. 2015-07**

**AN ORDINANCE AMENDING TITLE 2, CHAPTER 7, FINANCE – PUBLIC  
CONTRACTS AND COMPETITIVE BIDDING  
OF THE CODE OF ORDINANCES, TOWN OF GRAFTON, WISCONSIN,  
ADDRESSING THE AWARDED OF CONTRACTS**

**WHEREAS**, it is deemed to be in the best interest of the Town of Grafton that the Municipal Code of the Town of Grafton be further modified and amended in the manner hereinafter more particularly set forth; and

**WHEREAS**, a Notice of Public Hearing before the Town Board was duly published in the *Ozaukee Press* on August 20, 2015, and August 27, 2015; and

**WHEREAS**, a Public Hearing was held before the Town Board on Sept. 9, 2015, regarding the proposed Amendments to the Town's Code of Ordinances; and

**WHEREAS**, based on the above, it is deemed to be in the best interest of the Town of Grafton that the Municipal Code of the Town of Grafton be further modified and amended in the manner hereinafter more particularly set forth below.

**NOW, THEREFORE**, the Town Board of the Town of Grafton does hereby ordain as follows:

## **Section 1:**

Section 2.7.12 of the Town of Grafton Code of Ordinances is hereby amended as provided below by adding the underlined language and deleting the language struck out:

### **2.7.12 Public Contracts and Competitive Bidding.**

#### **2.7.12.01 Definitions**

In this Section:

- (A) “Public contract” means a contract for the construction, execution, repair, remodeling or improvement of any public work or building or for the furnishing of materials or supplies, with an estimated cost greater than Five Thousand Dollars (\$5,000.00).
- (B) “Responsible bidder” means a person who, in the judgment of the Town Board, is financially responsible and has the capacity and competence to faithfully and responsibly comply with the terms of the public contract.

#### **2.7.12.02 Notice; Advertisement for Bids**

Except as provided in Subsections 2.7.12.04 and 2.7.12.05, TGO;

- (A) The Town may not enter into a public contract with an estimated cost of more than \$5,000 but not more than \$25,000 unless the Town Board, or a Town official or employee designated by the Town Board, gives a Class 1 notice under Ch. 985, Wis. Stats., before execution of that public contract.
- (B) ~~¶~~The Town may not enter into a public contract with a value of more than \$25,000 unless the Town Board, or a Town official or employee designated by the Town Board, advertises for proposals to perform the terms of the public contract by publishing a Class 2 notice under Ch. 985, Wis. Stats. The Town Board may provide for additional means of advertising for bids. Pursuant to Subsection 2.7.12.01(A), TGO, above, this advertising requirement does not apply to the purchase of equipment.

#### **2.7.12.03 Contracts to Lowest Responsible Bidder**

The Town Board shall let a public contract for which advertising for proposals is required under Subsection 2.7.12.01(B), TGO to the lowest responsible bidder. Sec. ~~66.0901~~, Wis. Stats., applies to public contracts let under ~~this Section~~Subsection 2.7.12.01(B), TGO.

#### **2.7.12.04 Contracts With Governmental Entities**

This Section does not apply to public contracts entered into by the Town with a municipality, as defined under Sec. ~~66.0301(2)~~66.0301(1)(a), Wis. Stats.

**2.7.12.05 Exception for Emergencies and Donated Materials and Labor**  
~~See Section 60.47(5), Wis. Stats., and this Section~~ are optional with respect to public contracts for the repair and construction of public facilities when damage or threatened damage to the facility creates an emergency, as declared by resolution of the Town Board, that endangers the public health or welfare of the Town. This Subsection ~~does not apply~~ no longer applies when the Town Board declares that the emergency no longer exists. This section is optional with respect to a public contract if the materials related to the contract are donated or if the labor that is necessary to execute the public contract is provided by volunteers.

**2.7.12.06 Application to Work by Town**  
This Section does not apply to any public work performed directly by the Town.

State Law Reference: Sec. 60.47(6), Wis. Stats.

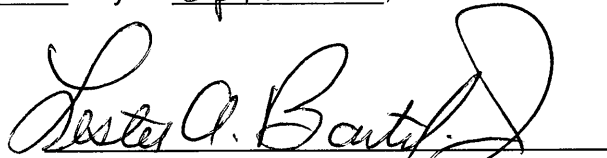
**Section 2:**

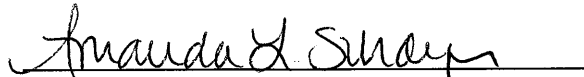
Except as hereinabove specifically modified and amended, the Code of Ordinances, Town of Grafton, Wisconsin, shall remain in full force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

**Section 3:**

This Ordinance shall take effect and be in full force from and after its passage and publication or posting.

Adopted by the Town Board of the Town of Grafton, Ozaukee County, Wisconsin, at its regularly scheduled meeting on this 9<sup>th</sup> day of September, 2015.

  
Lester A. Bartel, Jr., Town Chairman

  
Amanda L. Schaefer, Town Clerk

Publication Date: 9/17, 2015  
Posting Date: N/A, 2015

