## OFFICE OF THE CITY ATTORNEY

# CONTRACT DRAFTING REQUEST FORM

**The Department requesting this Contract is responsible for any resolution needed.** Thisincludes writing the resolution, finding a sponsor, working with Finance on the fiscal note, entering into Legistar, tracking its progress & attending meetings if needed. **Before requesting contract work, determine** [**if a resolution is needed**](https://www.cityofmadison.com/attorney/documents/ContractsQuickChart.pdf)**.**

**The Department is responsible for negotiating all business details of the contract,** such as price and payment schedule, completing the Scope of Services or other details of the work to be performed. The Department will schedule meetings as needed to keep the contract negotiation on track. The OCA’s primary role is to negotiate the legal terms when needed (if changes are requested or when making a unique contract) OCA can advise on contract attachments/exhibits, how to structure payment schedules, other unique problems, when needed.

**Requester:**       **Phone:**

**Department/Division**:

**Contracting Party:**

**Name of Contract:**

**Contact Person for Contracting Party:**

their Phone, email, etc:

\*\***Due Date:** When would you like the contract to start?

*\*\*See “Notes About Timing” on the back of this form.*

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**COMPETITIVE SELECTION - How was the Contractor chosen?** (check one)

[ ]  **Competitive Selection not required due to dollar amount (if so, skip to next section)**

[ ]  **City of Madison RFB or RFP #**       - Attach or email the following:

- Copy of the RFB / RFP and any Addenda

- Copy of Contractor’s Response / Bid / Proposal (if practical)

- Copy of any Award letter or other post-award correspondence

[ ]  **Noncompetitive Contract.** Provide the following:

- A resolution (when required) see below.

- Any quotes, proposals, other documentation from the contractor

- Confirm contractor has received a copy of the [appropriate City POS contract](https://www.cityofmadison.com/employeenet/toolkit/contract-forms) or other information about the City’s contract terms, such as Affirmative Action requirements, indemnification & insurance

[ ]  **Piggyback** on another municipal or state bid and/or contract – provide: name/number of contract, copy or link to the contract, including any forms required for local participation.

[ ]  **Other** (vendor was named in a grant, other reasons not competitively selected)**:**

**APPROVAL/AUTHORIZATION:** (check)

Is Council approval necessary? (MGO 4.26) [ ]  I don’t know [ ]  Yes [ ]  No

Will the contract last longer than 5 years? [ ]  Yes [ ]  No

Will the city pay over $50,000 in total ($50k/year for technology services) [ ]  Yes [ ]  No

Is expenditure authorized in your budget? [ ]  Yes [ ]  No

Was competitive selection used? [ ]  Yes [ ]  No

When required, has an authorizing resolution been drafted? [ ]  Yes [ ]  No

Has the resolution gone to Council? [ ]  Yes [ ]  No

Has the resolution been adopted? [ ]  Yes [ ]  No

If noncompetitive contract, have you followed the [Finance Department procedures](https://www.cityofmadison.com/employeenet/finance/documents/ProcurementProcessOverview.pdf)? [ ]  Yes [ ]  No

*(If there is a resolution already, please attach or email a copy of the Resolution and go to next section.)*

Is there another body, person, or process that approved this Contract? [ ]  Yes [ ]  No

If so, who?

Does someone in your department know how to draft a resolution, obtain a sponsor,

and introduce a resolution to the Council using the Legistar system? [ ]  Yes [ ]  No

**NOTE: Do NOT attach a copy of the contract to the Resolution.**

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| --- | --- | --- |
| **Contract Price:** | Paid by the City: | $       |
|  | \*\*Will the City use any grant funds to pay for this? | [ ]  Yes | [ ]  No |
|  | Paid to the City: | $       |
|  | Grant Awarded to the City: | $       |

**Describe Purpose of the Contract: (if grant funded, include grant info here)**

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**History of Contract:** (check)

[ ]  **New** contract, never been done before.

[ ]  **Renewal** of an existing contract. Exp. date of existing contract:

(**Attach** copy of the current contract AND any authorizing resolution.)

[ ]  **Amendment** to an existing contract. (**Attach** copy of the current contract, AND any authorizing resolution for the current contract AND for the Amendment)

[ ]  City Attorney worked on existing or previous similar contract? [ ]  Yes [ ]  No

Name:

**OTHER CONTRACT TYPES:**

[ ]  **Grant awarded *to* the City of Madison** from another unit of Government.

[ ]  **Grant or other funding given *by* the City to an agency,** etc. Attach or email:

- copy of grantee’s application

- any standard materials used in this program

[ ]  **Other:**

**Materials to be included in the Contract:** list and attach all materials that you wish to include in the Contract, such as a quote, Scope of Services or Statement of Work (SOW), any sample contract forms provided by Contractor. If the proposed contract references any attachments or exhibits, provide copies (electronic copies preferred.)

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**\*\* TIMING:** Many contracts require Council approval before they can be signed. See APM 1-1. The Council process takes 6-8 weeks from introduction to enactment. When a resolution is required, contracts cannot be signed until the authorizing resolution is *enacted* - usually several days *after* adoption. We can work on writing and negotiating the contract while the resolution is pending.