

MILWAUKEE COUNTY BOARD OF SUPERVISORS

DATE: July 28, 2016

AMENDMENT NO. 1

Resolution File No. 16-392

Ordinance File No.

COMMITTEE: Finance and Audit

OFFERED BY SUPERVISOR(S): West and Lipscomb, Sr.

ADD AND/OR DELETE AS FOLLOWS:

Amend the WHEREAS clauses at or about line 47:

WHEREAS, the annual expense caps for the three year contract are \$3,474,392 from September 1, 2016 through December 31, 2017, \$2,605,794 through December 31, 2018 and \$2,605,794 through December 31, 2019; and now, therefore,

WHEREAS, the termination of the previous inmate transportation contract by G4S Secure Solutions Inc. highlighted a number of issues with the County's contracting process in regard to early termination of a contract by a vendor; and

WHEREAS, during the July 21, 2016, meeting of the Committee on Finance and Audit, Milwaukee County's Director of Audit Services suggested a number of policy options to dissuade vendors from terminating contracts early; and

WHEREAS, while these issues are being considered, the County can rely on certain protections in the contract, including the unrestricted right of the Sheriff to terminate the contract without cause, to ensure the County's interests are protected; now, therefore,

Amend the following Be It Resolved and Be It Further Resolved clauses at or about line 51:

BE IT RESOLVED, the Sheriff is hereby authorized to execute a three (3) year and four (4) month contract, (Year 1 – September 1, 2016 to December 31, 2017, Year 2 – January 1, 2018 to December 31, 2018, and Year 3 – January 1, 2019 to December 31, 2019) with two one-year renewal options, with G4S Secure Solutions (USA) Inc. for inmate transportation services, including staffing and vehicles, at a cost of \$8,685,980; now, therefore, and

BE IT FURTHER RESOLVED, that a representative from the Office of the Comptroller will chair a Workgroup to evaluate and create recommendations related to vendor contract termination; and

BE IT FURTHER RESOLVED, that the chair of the Workgroup will assemble the workgroup from departments the chair deems necessary to carry out the purpose of the Workgroup, such as the DAS – Procurement Division and Corporation Counsel; and

BE IT FURTHER RESOLVED, the Workgroup is authorized and directed to analyze current contracting policies and practices and develop policy recommendations that will discourage vendors from early termination of contracts with the County, including adding financial penalties, longer timelines for notice to terminate, negative impact on future scoring of proposals, and a clear policy statement regarding early termination; and

BE IT FURTHER RESOLVED, that the Workgroup will provide its policy recommendations for consideration by the Milwaukee County Board of Supervisors as soon as practicable; and

BE IT FURTHER RESOLVED, that the Milwaukee County Sheriff has agreed and is authorized to issue a new request for proposals (RFP) to provide inmate transportation services for the Sheriff within six months from the date of adoption of this resolution and the RFP will incorporate the County Board's adopted policy changes related to the Workgroup's recommendations regarding termination of contracts by vendors; and

BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors hereby authorizes and directs that funds for the transportation contract between the County of Milwaukee and G4S, Inc. shall be paid by the County for work commencing September 1, 2016, through the end of the contract period and any allowable contract extensions, if agreed to by the Sheriff, or his designee. Amounts paid shall be the lesser of the contract or invoiced rates.