

RESOLUTION NO. 2024-32

**VILLAGE OF YORKVILLE
RACINE COUNTY, STATE OF WISCONSIN**

**A RESOLUTION SETTING STANDARDS FOR THE ACCEPTANCE OF ALTERNATE
SECURITY UNDER WIS. STAT. § 779.14(1m)(d)(2)(b)**

**THE VILLAGE BOARD OF THE VILLAGE OF YORKVILLE, RACINE COUNTY,
STATE OF WISCONSIN, RESOLVES AS FOLLOWS:**

WHEREAS, Wis. Stat. § 779.14(1m)(d)(2)(b) provides that, for local government contracts valued at between \$74,000 and \$148,000, a payment and performance bond must be provided to the municipality by the contractor, unless the municipality establishes a written policy for the acceptance of alternate security; and

WHEREAS, the Village Board has determined that, in certain circumstances, alternate security to a payment and performance bond may better serve the Village's interests, such as by being more easily accessible if the need arises than would be a bond, and may also be a more acceptable option to the Village's contractor(s).

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of Yorkville, Racine County, State of Wisconsin, that:

1. Alternate security in the form of an irrevocable letter of credit or escrow account, in an amount at least equal to the contract amount ("Alternate Security") may be allowed for contracts in the above-described range, on a case-by-case basis and in the Village Board's reasonable discretion, based on the particular circumstances.

2. The Alternate Security shall be in a form, and from an issuer, reasonably satisfactory to the Village's attorneys, and the Village may also impose additional reasonable restrictions or conditions on the Alternate Security.

3. The Alternate Security shall be provided to the Village prior to the contractor's commencement of work, unless otherwise indicated by the parties' contract.

4. The Village Board's acceptance of Alternate Security shall be indicated by being noted in the Village Board minutes or via approval of the contract itself.

This Resolution was adopted by the Village Board of the Village of Yorkville, County of Racine, State of Wisconsin, this 11th day of November, 2024.

VILLAGE OF YORKVILLE

Ayes: 5

By: /s/ Douglas Nelson
Douglas Nelson, President

Nays: 0

Attest: /s/ Janine Carls
Janine Carls, Clerk

Abstentions: 0

Absences: 0