



Community Business Development Partners
MILWAUKEE COUNTY

RICK NORRIS, PE • Director, DBE Liaison Officer, ACDBE Liaison Officer

INTER-OFFICE COMMUNICATION

DATE: May 7, 2014

TO: Supervisor Marina Dimitrijevic, Chair, Milwaukee County Board of Supervisors
Supervisor Patricia Jursik, Chair, Economic & Community Development Committee
Supervisor Michael Mayo, Sr., Chair, Transportation, Public Works & Transit Committee

FROM: Rick Norris, PE, Director, Community Business Development Partners

SUBJECT: DBE Wavier Report for April 2014 (Original Format)

DIRECTIVE

At the request of the Committee on Economic and Community Development, the Community Business Development Partners Department (CBDP) provides a monthly update on the Disadvantaged Business Enterprise (DBE) utilization waivers requested by, and granted to, Milwaukee County departments/divisions.

At the previous Economic and Community Development Committee CBDP proposed a new format to the DBE Waiver Report. The Committee asked for CBDP to provide the original format and the proposed New Format. This is the Original Format.

BACKGROUND

CBDP is responsible for designing, implementing, monitoring and enforcing Milwaukee County's DBE Program in order to maintain compliance with Federal Regulations and Milwaukee County Ordinances. Implementation of the Program includes assignment of participation goals on, both, Federal and County funded contracts, as well as monitoring and enforcing compliance of these contracts. Participation goals may only be established on contracts where opportunities exist for ready, willing and able certified firms to perform commercially useful functions related to the satisfaction of those contracts.

In 1999, the United States Department of Transportation (USDOT) implemented DBE Program rules with seven (7) key objectives directed at creating a level playing field on which certified firms could compete fairly for USDOT-assisted contracts. This legislation, 49 CFR Parts 23 and 26, requires all recipients of USDOT funds to establish and maintain a DBE program that, not only, complies with the intent and language of the legislation, but that has also been reviewed and approved by USDOT. As a result of public and private stakeholder input, Milwaukee County determined and approved, by action of the County Executive and the full County Board, to establish and maintain a program based upon the Federal DBE Program rules and standards for all of its contracts. This action designed to ensure the same level of commitment and consistency in approach to the facilitation of small business involvement when and where appropriate has been enacted in Chapter 42 of the Milwaukee County Code of General Ordinances.

Milwaukee County is required to provide and establish contract opportunities for certified firms on its projects based upon the number of ready, willing and able firms certified to perform within the scope(s) of each of these projects. Only firms certified through Wisconsin's Unified Certification Program (UCP), a consortium of over 24 municipalities and agencies throughout the State, count as ready, willing and able firms for this purpose. Four of the UCP

members serve as certifying partners for the consortium, Milwaukee County, WisDOT, Dane County, and the City of Madison. Milwaukee County has the responsibility of verifying and maintaining the certification status of 356 of the 854 currently certified firms throughout the State, while processing all new applications for DBE certification.

WAIVER REQUESTS

When CBDP receives a waiver request from a department/division, staff thoroughly reviews it and available supporting documentation before rendering a determination. The Director may require staff to gather more comprehensive information or to provide more detailed clarification regarding any identified issues prior to issuing a determination.

WAIVER REPORT SUMMARY

The figures below include Professional & Management Service and Capital Improvement/Maintenance contracts awarded during April of 2014. This report does not include contracts awarded by the Procurement Division of the Department of Administrative Services processes under Chapter 32. Please see the attachment for waivers requested as broken out by owner department, contractor/consultant awarded, scope of services rendered, total contract amounts, and reason for approval.

Total Contracted Dollars for Period	\$ 3,077,044.40
Total Contracted Dollars w/o DBE Participation	\$ 292,039.00
Percentage of Contracts w/o DBE Participation	9.5%
Total Contracted Dollars w/ Waiver Approval	\$ 292,039.00
Percentage of Contracts w/ Waiver Approval	9.5%
Total Contracted Dollars w/o Waiver Approval	\$ 0.00
Percentage of Contracts w/o Waiver Approval	0.0%

It is also important to note that the Milwaukee County Code of General Ordinances exempts various contracts from DBE participation consideration review for services such as those used for the purpose of securing credit rating services related to debt issuance and administration. These exemptions appear as Chapter 56.30(2)(a) and 56.30(10)(a).

Total Contracted Dollars for Period	\$ 3,077,044.40
Total Exempted Contract Dollars	\$ 0.00
Percentage of Exempted Contracts for Period	0.0%

RECOMMENDATION

CBDP prepared this informational report, and recommends that it be received and filed, as such.

Approved by:

Rick Norris

Rick Norris, PE
Director, CBDP

CC: Chris Abele, Milwaukee County Executive

Milwaukee County Community Business Development Partners Department (CBDP) DBE Waiver Report April 2014

DEPARTMENT	CONSULTANT/CONTRACTOR	SCOPE OF SERVICES	CONTRACT AMOUNT	APPROVAL REASON
"ORIGINAL"				
<u>Approved Waivers ¹</u>				
DAS-Facilities Management	Jackson MacCadden	SB Cooling Towers Asbestos	285.00	Annual Consultant Utilization
DAS-Facilities Management	Dixon Engineering, Inc.	Investigating and inspection services for North Reservoir level sensing on County Grounds	1,200.00	Annual Consultant Utilization
Dept. on Aging	Community Relations-SDC	Medicare Outreach	9,233.00	Grant
DHHS-BHD	Hinshaw & Culbertson, LLP	Emergency contract for legal services to represent BHD	20,000.00	Emergency contract
DHHS-Housing Division	Pathfinders Milwaukee, Inc	To provide emergency shelter services	11,727.00	Specialized service
DHHS-Housing Division	La Causa, Inc.	To provide emergency shelter services	15,634.00	Specialized service
DHHS-Housing Division	Salvation Army, Greater Milwaukee Chapter	To provide emergency shelter services	154,080.00	Specialized service
MCSO	Michael A.I. Whitcomb	Legal services	50,000.00	Specialized service
Medical Examiner	Medical College of WI Pathology	Neuropathology consult services performed by Dr. Elizabeth Cochran-MCME	800.00	Under \$2,000.00
Parks	Neuman Pools	Cool Waters Activity Pool Overflow Grate Removal	29,980.00	Contract Specificity

Contracts Issued Without Review ²

None

Exempted Contracts ³

None

Total Contract \$ Amount for Period ⁴	\$3,077,044.40
Total Contract \$ Amount w/o DBE Participation for Period	\$292,039.00
Percentage w/o DBE Participation	9.5%
Total Approved Waiver \$ Amount	\$292,039.00
Percentage Waived	9.5%
Total Unapproved Waiver \$ Amount	\$0.00
Percentage w/o Waiver Approval	0.0%
Total Exempted \$ Amount	\$0.00
Percentage Exempted	0.0%

¹ Waivers approved by CBDP; within guidelines of Code of General Ordinances

² Contracts issued by Departments in violation of the Code of General Ordinances;
CBDP is made aware of these projects when Accounts Payable forwards new contract information

³ These contracts are exempted from Disadvantaged Business Enterprise participation review within the guidelines of Code of General Ordinance Chapter 56.30(2)(a) such as those used for the purpose of securing credit rating services related to debt issuance and administration

⁴ Total does not include Procurement Division Figures



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Total Contracted Dollars w/o DBE Participation	\$ 292,039.00
Percentage of Contracts w/o DBE Participation	9.5%
Total Contracted Dollars w/ Waiver Approval	\$ 100,565.00
Percentage of Contracts w/ Waiver Approval	3.27%
Total Contracted Dollars w/o Waiver Approval	\$ 0.00
Percentage of Contracts w/o Waiver Approval	0.0%

It is also important to note that the Milwaukee County Code of General Ordinances exempts various contracts from DBE participation consideration review for services such as those used for the purpose of securing credit rating services related to debt issuance and administration. These exemptions appear as Chapter 56.30(2)(a) and 56.30(10)(a).

Total Contracted Dollars for Period	\$ 3,077,044.40
Total Exempted Contract Dollars	\$ 191,474.00
Percentage of Exempted Contracts for Period	6.22%

RECOMMENDATION

CBDP prepared this informational report, and recommends that it be received and filed, as such.

Approved by:



Rick Norris, PE
Director, CBDP

CC: Chris Abele, Milwaukee County Executive

Monthly Waiver Report for April 2014

Prepared by the Department of Community Business Development Partners

"New Format"

Director's Report

¹ These contracts are exempted from Disadvantaged Business Enterprise participation review within the guidelines of Code of General Ordinance Chapter 56.30(2)(a). Not included in the the waiver calculations.

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Total Contract \$ Amount for Period ⁴	\$	3,077,044
Total Contract \$ Amount w/o DBE Participation for Period	\$	292,039
Percentage w/o DBE Participation		9.49%
Total Approved Waiver \$ Amount ²	\$	100,565
Percentage Waived ²		3.27%
Total Unapproved Waiver \$ Amount ³	\$	-
Percentage w/o Waiver Approval ³		0.00%
Total Exempted \$ Amount	\$	191,474
Percentage Exempted from Waiver Calculations		6.22%

REPORTING Ending PERIOD 4/30/2014

DEPARTMENT	CONSULTANT/CONTRACTOR	SERVICES	COMMENTS	EXEMPTED	Waived
Dept. on Aging	Community Relations-SDC	Medicare Outreach	Grant	\$ 9,233.00	
		Emergency contract for legal services to represent BHD			
DHHS-BHD	Hinshaw & Culbertson, LLP		Emergency contract	\$ -	\$ 20,000.00
Parks	Neuman Pools	Cool Waters Activity Pool Overflow Grate Removal	Contract Specificity	\$ -	\$ 29,080.00
DAS-Facilities Management	Jackson MacCudden	SB Cooling Towers Asbestos	Annual Consultant Utilization	\$ -	\$ 285.00
	Dixon Engineering, Inc.	Investigating and inspection services for North Reservoir level sensing on County Grounds	Annual Consultant Utilization	\$ -	\$ 1,200.00
DHHS-Housing Division	Pathfinders Milwaukee, Inc	To provide emergency shelter services	Specialized Service	\$ 11,727.00	
	La Causa, Inc.	To provide emergency shelter services	Specialized Service	\$ 15,634.00	
	Salvation Army, Greater Milwaukee Chapter	To provide emergency shelter services	Specialized Service	\$ 154,080.00	
MCSO	Michael A.I. Whitcomb	Legal services	Specialized Service	\$ -	\$ 50,000.00
Medical Examiner	Medical College of WI Pathology	Neuropathology consult services performed by Dr. Elizabeth Cochran-MCMEO	Under \$2,000.00	\$ 800.00	
Grand Total				\$ 191,474.00	\$ 100,565.00

DASHBOARD

