

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: October 1, 2021

To: Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors

From: Guy Smith, Executive Director, Milwaukee County Parks

Subject: From the Milwaukee County Executive Director of Milwaukee County Parks, requesting authorization to pay Toole Design Group, LLC, the amount of \$57,089.40 for professional services under an Engineering Services Contract for Lincoln Creek Parkway and Northwest Side Trail Connectivity Plan and requesting a waiver of Sections 56.30 (8) and (9) of the Milwaukee County Code of General Ordinances

File Type: Action Report

REQUEST

Milwaukee County Parks respectfully requests a waiver of Sections 56.30 (8) and (9) of the Milwaukee County Code of General Ordinances to authorize the Comptroller to pay Toole Design Group, LLC, \$57,089.40 for professional services under an Engineering Services Contract for the Lincoln Creek Parkway and Northwest Side Trail Connectivity Plan.

POLICY

Section 56.30(9) of the Milwaukee County Code of General Ordinances (the Code) requires that a written contract be signed and executed before an outside party performs professional services in an amount greater than \$2,000, while Section 56.30(8) of the Code states that the Comptroller shall deny payment for professional services if the conditions of Chapter 56 have not been met

Wisconsin State Statutes:	
Milwaukee County Code of General Ordinances:	56.30 (8) and (9)
Specific Adopted Budget:	
Specific Adopted Budget Amendment:	
Specific Adopted Capital Project:	

BACKGROUND

Section 56.30(9) of the Milwaukee County Code of General Ordinances (the Code) requires that a written contract be signed and executed before an outside party performs professional services in an amount greater than \$2,000, while Section 56.30(8) of the Code states that the Comptroller shall deny payment for professional services if the conditions of Chapter 56 have not been met.

In 2020 Parks received approval from the County Board of Supervisors to apply for Transportation Alternative Program (TAP) Grants including a grant to carry out the Lincoln Creek and Northside Trail Connectivity Plan/Study (County Board File No. 20-89). Parks was awarded the grants and the County Board authorized Parks to accept the grants in File 20-874.

The Wisconsin Department of Transportation (WDOT) requested that Milwaukee County enter into a three-party design engineering services contract to carry out the Lincoln Creek and Northside Trail Connectivity study. WDOT sent the contract by DocuSign to the Parks Executive Director, following the WDOT's required signing process, which the Parks Executive Director signed.

The third-party engineer began its work and recently sent invoices to Milwaukee County to be paid, at which time the Comptroller's office notified Parks: a) that it considered this agreement a professional services agreement; b) that it was not properly executed; and c) that Parks would need to request a waiver of 56.30 (8) and (9) prior to the invoices being paid.

Related File No's:	20-89, 20-874, 21-553
Associated File No's (Including Transfer Packets):	20-874
Previous Action Date(s):	N/A

ALIGNMENT TO STRATEGIC PLAN

Describe how the item aligns to the objectives in the [strategic plan](#):

3B: Enhance the County's fiscal health and sustainability by following the requirements of the Code.

FISCAL EFFECT

No impact. Funding was already budgeted with an eighty percent (80%) match from the Transportation Alternative Program grant to carry out the Lincoln Creek Parkway and Northwest Side Trail Connectivity Plan.

TERMS

None. Requesting a waiver of 56.30 (8) and (9)

VIRTUAL MEETING INVITES

Erica Goblet

PREPARED BY:

Erica Goblet, Parks Contracts Manager

APPROVED BY:

Guy Smith, Parks Executive Director

Guy Smith

ATTACHMENTS:

Report

Resolution

Fiscal Note

Agreement

cc: Kelly Bablitch, Chief of Staff, Milwaukee County Board of Supervisors
Janelle M. Jensen, Legislative Services Division Manager, Office of the County Clerk
David Crowley, County Executive
Mary Jo Meyers, Chief of Staff, County Executive's Office
Sheldon Wasserman, Parks, Energy & Environment Chair, Supervisor District 3
Steven Shea, Parks, Energy & Environment Committee Vice-Chair, Supervisor District 8
Felesia Martin, Parks, Energy & Environment Committee Member, Supervisor District 7
Sylvia Ortiz-Velez, Parks, Energy & Environment Committee Member, Supervisor District 12
Liz Sumner, Parks, Energy & Environment Committee Member, Supervisor District 1
Aaron Hertzberg, Director, Department of Administrative Services
Joseph Lamers, Fiscal & Budget Director, DAS
Vince Masterson, Fiscal & Strategic Asset Coordinator, DAS
Pamela Bryant, Capital Finance Manager, Comptroller's Office
Justin Rodriguez, Capital Finance Analyst, Comptroller's Office
Kelsey Evans, Committee Coordinator, Office of the County Clerk
Emily Peterson, Research & Policy Analyst, Office of the Comptroller
Anthony Rux, Budget & Management Analyst, DAS-PSB