



Community Business Development Partners

MILWAUKEE COUNTY

NELSON SOLER • Director, DBE Liaison Officer, ACDBE Liaison Officer

INTER-OFFICE COMMUNICATION

DATE: April 22, 2013

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

FROM: Nelson Soler, Director, Community Business Development Partners

SUBJECT: **DBE WAIVER REPORT FOR FEBRUARY & MARCH 2013**

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.

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 establishing 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 Part 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 Board, to establish and maintain a program based upon the Federal DBE Program rules and standards for all of its contracts. This action of the County Board and County Executive established, and adopted, rules and regulations of USDOT Office of the Secretary, per the Federal Register (49 CFR Parts 23 and 26), over Milwaukee County's Federally, and County, funded projects.

Milwaukee County, as a Federal funding recipient, 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 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. As a certifying partner, Milwaukee County has the responsibility of verifying and maintaining the status of 411 of the 919 currently certified firms throughout the State, while processing all new applications.

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WAIVER REQUESTS

When CBDP receives a waiver request from a department/division, staff thoroughly reviews it and available supporting documentation before forwarding the request on to the Director for 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 February and March. This report does not include contracts awarded by Procurement Division processes under Chapter 32, as CBDP is not authorized access to this information. 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, or lack thereof.

Total Contracted Dollars for Period	\$ 46,100,856.34
Total Contracted Dollars w/ Waiver Approval	\$ 4,453,807.76
Total Contracted Dollars w/o Waiver Approval	\$ 186,889.00
Percentage of Contracts Waived for Period	10.07%

RECOMMENDATION

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

Approved by:

Nelson Soler
Director, CBDP

CC: Chris Abele, Milwaukee County Executive

Milwaukee County Community Business Development Partners Department (CBDP) DBE Waiver Report February 2013

DEPARTMENT	CONSULTANT/CONTRACTOR	SCOPE OF SERVICES	CONTRACT AMOUNT	APPROVAL REASON
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CBDP Approved Waivers ¹

Milwaukee County Zoo	Oceans of Fun	Marine mammal show, animal training & consultation / Sea Lion Show	176,700.00	Specialized Service
Parks	Wheel & Sprocket, Inc.	To provide rentals of skis & other winter equipment in Whitnall Park	500.00	Under \$2,000.00
DHHS-BHD	Laurens D. Young MD	Inpatient Psychiatric Services	140,400.00	Provide professional service
Human Resources	Mary J. Mountin	Provide legal service for the Civil Service Commission	400.00	Provide professional service
Human Resources	TALX Corporation	Assist in complying with Immigration Reform & Control Act of 1986	19,000.00	Specialized Service
Dept. on Aging	Jennifer Lefeber	To provide consulting services for the elderly	17,500.00	Specialized Service
District Attorney	Dr. Anthony Jurek	Legal services	4,000.00	Provide professional service
MCSO	Wisconsin Renal Care Group, LLC	Inmate hemodialysis services related to their medical care	113,910.00	Specialized Service
Combined Court Related	Legal Aid Society of Milwaukee	Legal services	1,814,400.00	Provide professional service
Ethics Board	Gonzalez, Saggio & Harlan, LLP	Legal services	17,700.00	Provide professional service
Economic Development	Milwaukee Economic Development Corp	DAS - ED Economic Development Fund	1,000,000.00	County Board File No. 12.985
Economic Development	Bluecoat Configuration	DAS - ED - MCLIO - Validation of Bluecoat Website Security	2,000.00	Proprietary Software Testing and Validation

Contracts Issued Without CBDP Review ²

Comptroller	Public Financial Management, Inc.	Professional services rendered in connection with the 2012A General Oblig	39,640.00	No CBDP Review
Comptroller	Baker Tilly Virchow Krause & Company	For the issuance of the 2012A refunding bonds	3,000.00	No CBDP Review

Total Contract \$ Amount for Month ³	\$5,035,649.00
Total Approved Waiver \$ Amount	\$3,306,510.00
Total Unapproved Waiver \$ Amount	\$42,640.00
Percentage Waived	66.51%

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 Total does not include Procurement Division Figures

Milwaukee County Community Business Development Partners Department (CBDP) DBE Waiver Report March 2013

DEPARTMENT	CONSULTANT/CONTRACTOR	SCOPE OF SERVICES	CONTRACT AMOUNT	APPROVAL REASON
<u>CBDP Approved Waivers ¹</u>				
Zoo	Mary Kazmierczak	Professional Zoo library services	21,500.00	No DBE's available for service
Parks	Stantek	For swimming pool engineering consultation & expert witness testimony	20,000.00	Specialized service
DHHS-BHD	Hochstatter, McCarthy, Rival & Runde, S.C.	Legal services	95,000.00	Provide professional services
DTPW-Airport	Schoencker & Associates	Reports establishing current market value lease rates 4900 S. Howell Ave.	1,250.00	Under \$2,000.00
DTPW-Airport	Institute for Human Factors	Conduct four session classes on "Overcoming Your Fear of Flying"	1,500.00	Under \$2,000.00
District Attorney	Sojourner Family Peace Center, Inc.	Investigation & prosecution of domestic violence in Milwaukee	63,000.00	Provide professional counseling
District Attorney	Christopher Tyre, Ph.D	To conduct an evaluation of L.C. Streeter whether	2,500.00	Provide professional counseling
District Attorney	Melissa J. Westendorf, Ph.D	State v. Jerome O'Dell	3,000.00	Provide professional counseling
District Attorney	Christopher Tyre, Ph.D-Randy Purifoy	To determine whether Randy Purifoy continues to be a "sexually violent pe	2,500.00	Provide professional counseling
District Attorney	Anthony M. Jurek, Ph.D	To conduct an evaluation of Matthew Tyler	3,000.00	Provide professional counseling
MCSO	Whitcomb, Michael A.I., Law Office	Legal matters Sheriff David A. Clarke, Jr. v. Milwaukee County	49,999.99	Provide professional services
MCSO	ACL Services, Inc.	Pre and post employment alcohol and drug testing	74,610.90	Specialized service
MCSO	Veterinary Medical Associates, Inc.	Veterinary Services	15,500.00	Provide professional counseling
MCSO	Mobile Medical Specialists, LLC	Inmate dental services related to their medical care	585,936.37	Medical services
MC Ethics Board	Pleas Williams	Legal services	7,099.00	Provide professional services
UW Extension	Board of Regents of the University of WI Sys	Salaries of professional staff members	157,614.00	Provide professional services
DAS - MCAMLIS	Latitude Geographics	DAS - ED - MCAMLIS - Essentials Silverlight Migration	14,500.00	Specialized service
Economic Development	Public Policy Forum	DAS - FM - Comprehensive Facilities Plan Report and Analysis	5,087.50	Specialized service
DOT - GMIA	Mead & Hunt	GMIA - Noise Study Presentation to ANAC	19,200.00	Specific Consultant Expertise and Experience
MCTS	Graef	MCTS - Façade Repairs	4,500.00	Project Scope provides nominal subcontracting opportunity

Contracts Issued Without CBDP Review ²

Comptroller	Standard and Poor's	Analytical services rendered in connection with the \$138,730,000.00 taxat	46,250.00	No CBDP Review
Comptroller	Moodys Investors Service	Professional services regarding the \$138,730,000.00 taxable general oblig	48,000.00	No CBDP Review
DOT - GMIA	Unison Consulting	GMIA - Perform CIP & PFC Tasks	49,999.00	No CBDP Review

Total Contract \$ Amount for Month ³	\$41,065,207.34
Total Approved Waiver \$ Amount	\$1,147,297.76
Total Unapproved Waiver \$ Amount	\$144,249.00
Percentage Waived	3.15%

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

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³ Total does not include Procurement Division Figures