

**COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION**

DATE: June 6, 2019

TO: Chairman Theodore Lipscomb, Milwaukee County Board of Supervisors

FROM: Greg High, Director, AE&ES Section, DAS-FM Division

SUBJECT: **Professional Services Agreement Exceeding \$100,000 for Capital Project WP490 – Mitchell Park Horticultural Conservatory - Phase III Funding Study**
- **Passive Review – REVISED**

POLICY

Implementation of Wisconsin Statutes 59.21(31) with regard to purchase of professional service agreements (under the Milwaukee General Ordinance Chapter 56) for Capital projects requires County Board review to award the initial agreement, or fee extension(s) to the original agreement, when the total contractual fee exceeds \$100,000 but is less than \$300,000. The Director of the Department of Administration (DAS) is requesting passive review of a fee increase to extend a professional service agreement with ArtsMarket, Inc. to provide professional services for the 2019 Capital Project WP490-19431 – Mitchell Park Horticultural Conservatory – Phase III Funding Study.

BACKGROUND

The current Horticultural Conservatory in Mitchell Park (the Domes) was dedicated in 1965 and is now in need of major repairs to sustain the structure for the future. In 2016, the Domes were closed temporarily to install a safety mesh such that patrons would be protected from the small surface chipping (spalling) of the concrete structure. Both the age of the structure and a failing glazing system that leaks have contributed toward the deterioration of the concrete. While the surface is deteriorating, the structure is still sound.

Prior to starting those repairs, it is imperative that Milwaukee County develop a long term vision for the Conservatory and the attractions it offers to Milwaukee County and all visitors. This long term plan is meant to make sure that this facility is feasible in many ways including economic, services provided, operating, social impact and maintenance of the structure.

Milwaukee County Resolution 16-200 authorized a Domes Task Force to look into a long range recommendation on the future of the Domes. The Task Force has recognized the need for a continuation of the feasibility study started in 2017 with phases I and II, and requested an RFP be established for the needed services in phase III that will aid in determining a final recommendation for the County. That RFP was put out in March of 2019.

The RFP for the funding study of the facility requested proposals on four tasks in developing the framework for future funding and a draft pro forma plan for the facility.

- Task 1: The Partnership and Operating analysis
- Task 2: Revenues, Funding and fundraising feasibility analysis
- Task 3: The Capital and Operating budgets
- Task 4: Pro Forma Business Plans

A proposal review committee of five persons was assembled to review the three proposals received by the County. This committee was comprised of Parks, AE&ES, the Domes Task Force and DAS – Facilities members. After rating the proposals individually, the three teams were selected to be interviewed. The teams were interviewed in April of 2019 at the 633 building. The committee members again ranked the teams.

The selected proposal for the Funding Study is the ArtsMarket, Inc, (Bozeman, Montana). They are teaming with Engberg Anderson, Milwaukee, and Preservation, LLC. Phase III - Tasks 1 and 2 above have been awarded.

ArtsMarket, Inc, has performed its work well and has been very responsive. DAS-FM and Milwaukee County PARKS plan to extend the current agreement to cover Task 3: The Capital and Operating budgets and Task 4: Pro Forma Business Plans as proposed in the original consultant proposal.

A.	Original Fee Plus Allowance:	\$99,812.00
	1.Fee	\$91,812.00
	2.Reimbursable Allowance	\$8,000.00
	3.Fee Plus Allowance	\$99,812.00
B.	Previous Approved Fee Increases plus Allowance (NTE):	\$0.00
	1.Fee Increase	\$0.00
	2.Reimbursable Allowance (NTE)	\$0.00
	3.Total	\$0.00
C.	This Fee Increase plus Allowance (NTE):	\$69,342.00
	1.Fee Increase*	\$69,342.00
	2.Reimbursable Allowance (NTE)	\$00.00
	3.Total	\$69,342.00
	*NOTE: This includes existing funds within capital project WP49003 of \$9,342 and \$60,000 of anticipated funding from County Board file 19-492).	
D.	Revised Max Allowable Fee Plus Allowance:	\$169,154.00
	1.Fee	\$161,154.00
	2.Allowance (NTE)	\$8,000.00
	3.Fee Plus Allowance (NTE)	\$169,154.00

The 2018 capital budget included a total of \$320,000 for capital project WP553 – Mitchell Park Horticultural Conservatory –long term space planning. There are sufficient funds in the current WP490 budget and the WP553 budget to increase the requested professional services agreement fees to ArtsMarket. County Board File 19-492 authored by Supervisor Haas (and referred to the Finance Committee) resolves that the Milwaukee County Board of Supervisors supports the work of the Milwaukee County Task Force on the Mitchell Park Conservatory Domes and that the Department of Administrative Services is directed and authorized to process an administrative transfer of \$60,000 from Capital Improvement Project WP55301 – Mitchell Park Conservatory Planning to Capital Improvement Project WP49003 – Mitchell Park Domes Long-Term Planning and that the Milwaukee County Board of Supervisors authorizes the Domes Task Force to use the appropriated funds for completion of Phase III of the Future Path and Feasibility Study.

County Board approval of County Board File 19-492 will be required before the consultant receives direction to proceed with the contract extension work. This fund transfer of \$60,000 and existing funds in the WP49003 account of \$9,342.00 will provide sufficient funds for this fee increase.


TBE participation goal for this contract is 17%. The approved DBE participation plan will meet the goal.

RECOMMENDATION

The Director of DAS recommends and requests passive review of this fee increase of \$69,342.00 for the contract amendment with ArtsMarket, Inc, for the Mitchell Park Horticultural Conservatory - Phase III Funding Study. This results in a total fee of **\$169,154.00.**

Prepared by: Julie Bastin, Project Manager, AE&ES, DAS-FM

Approved By:

 6/10/19

Gregory G. High, P.E., Director
AE&ES Section, DAS-FM Division
Department of Administrative Services

Attachments: Fee Increase Approval

Cc: Chris Abele, County Executive

Chairman Lipscomb

June 6, 2019

Page 4

Raisa Koltun, Chief of Staff, County Executive's Office

Kelly Bablitch, Chief of Staff, County Board

Teig Whaley-Smith, 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