

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** 2/19/15

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** From Corporation Counsel, requesting authorization for Milwaukee Transit Services, Inc., to engage Quarles and Brady LLP on behalf of Milwaukee County and for the benefit of the County and the Milwaukee County Transit System, to develop and implement a legal strategy including the authorization to pursue litigation if necessary related to the Milwaukee County Transit System Farebox Replacement Project.

**FISCAL EFFECT:**

- |   |  |
|---|--|
| <input type="checkbox"/> No Direct County Fiscal Impact   | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required   | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures<br>(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues     |
| <input checked="" type="checkbox"/> Absorbed Within Agency's Budget   | <input type="checkbox"/> Decrease Capital Revenues     |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget  |  |
| <input type="checkbox"/> Decrease Operating Expenditures  | <input type="checkbox"/> Use of contingent funds       |
| <input type="checkbox"/> Increase Operating Revenues  |  |
| <input type="checkbox"/> Decrease Operating Revenues  |  |

*Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.*

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	See explanation	\$0
	Revenue	See explanation	\$0
	Net Cost	See explanation	\$0
<b>Capital Improvement Budget</b>	Expenditure	\$0	\$0
	Revenue	\$0	\$0
	Net Cost	\$0	\$0

## DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. <sup>1</sup> If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

- A. Authorization for Milwaukee County Transit System to engage Quarles and Brady LLP (Quarles and Brady) on behalf of Milwaukee County to develop and implement a legal strategy as authorized and directed by Corporation Counsel, including the authorization to pursue litigation if necessary, related to the Milwaukee County Transit System Farebox Replacement Project.
- B. The extent of costs incurred for legal services provided by the law firm of Quarles and Brady on this engagement will depend on whether litigation must be pursued. The services will be purchased at an estimated rate of \$325 per hour.
- C. Funding for this purpose was not included in the 2015 Transit/Paratransit operating budget. All efforts will be made to absorb costs for this engagement within the existing 2015 appropriation for Transit/Paratransit.
- D. A total cost for engaging Quarles and Brady cannot be estimated at this time related to the Transit Farebox Replacement Project. If litigation must be pursued the cost for legal services could become significant and it may become necessary to pursue an additional source of funds such as the Appropriation for Contingencies.

Department/Prepared By James H. Martin, Director of Administration, MCDOT

Authorized Signature 

Did DAS-Fiscal Staff Review?  Yes  No  
Did CDBP Review?<sup>2</sup>  Yes  No  Not Required

<sup>1</sup> If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

<sup>2</sup> Community Business Development Partners' review is required on all professional service and public work construction contracts.