



Community Business Development Partners

# MILWAUKEE COUNTY

RUBEN L ANTHONY, Jr, PhD • Interim Director, DBE Liaison Officer, ACDBE Liaison Officer

## INTER-OFFICE COMMUNICATION

**DATE:** December 27, 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:** Ruben L. Anthony Jr. Ph.D., Interim Director, Community Business Development Partners

**SUBJECT:** DBE WAIVER REPORT FOR NOVEMBER OF 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 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 351 of the 830 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 Interim 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 November of 2013. 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.

<b>Total Contracted Dollars for Period</b>	<b>\$ 10,349,902.60</b>
<b>Total Contracted Dollars w/o DBE Participation</b>	<b>\$ 1,053,706.17</b>
<b>Percentage of Contracts w/o DBE Participation</b>	<b>10.2%</b>
<b>Total Contracted Dollars w/ Waiver Approval</b>	<b>\$ 881,188.00</b>
<b>Percentage of Contracts w/ Waiver Approval</b>	<b>8.5%</b>
<b>Total Contracted Dollars w/o Waiver Approval</b>	<b>\$ 11,340.00</b>
<b>Percentage of Contracts w/o Waiver Approval</b>	<b>0.1%</b>

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).

<b>Total Contracted Dollars for Period</b>	<b>\$ 10,349,902.60</b>
<b>Total Exempted Contract Dollars</b>	<b>\$ 161,178.17</b>
<b>Percentage of Exempted Contracts for Period</b>	<b>1.6%</b>

RECOMMENDATION

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

Approved by:



Ruben L. Anthony Jr., Ph.D.  
Interim Director, CBDP

CC: Chris Abele, Milwaukee County Executive

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

DEPARTMENT	CONSULTANT/CONTRACTOR	SCOPE OF SERVICES	CONTRACT AMOUNT	APPROVAL REASON
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Approved Waivers<sup>1</sup>

Parks	Milwaukee Metropolitan Sewerage District	Survey of stormwater in vicinity of Dineen Park	33,000.00	Specialized Service
Parks	Nagy Restoration, Inc.	Fish Hatchery	39,200.00	Specialized Service
DHHS-Deinquency & Court Services	Jewish Family Services	JFS to provide administrative & fiscal services for the Youth Sports Authority	8,000.00	Specialized Service
DHHS-Deinquency & Court Services	Express Yourself Milwaukee	The multi-cultural artistic team will provide a series of weekly sessions for youth whose detained	12,500.00	Specialized Service
DHHS-BHD	City of Milwaukee Police Department	To provide an identified police officer to the BHD Mobile Crisis Team	109,375.00	Intergovernmental Cooperation
Family Care	La Crecia S. Thomson	To facilitate three focus groups in Milwaukee, Racine & Kenosha	1,800.00	Under \$2,000.00
Risk Management	AEGIS	To provide medicare mandatory insurer reporting services	37,975.00	Specialized Service
MCSO	Brentwood Animal Hospital	Veterinary Services	20,000.00	Specialized Service
Dept. of Administration	CBRE, Inc.	To address the use and/or alternatives for the Coggs bldg & City Campus	50,000.00	Specialized Service
Dept. of Administration	Amset, Inc.	Fire Investigation of Courthouse	50,000.00	Specialized Service
Human Resources	ACL, Inc.	Drug and alcohol testing for employees for the Dept. of Transportation Regulations	26,025.00	Specialized Service
GMIA	USDA - APHIS	GMIA - Wildlife Services 2014-2016	475,377.00	Intergovernmental Cooperation
Parks -by DAS - FM	James G Otto Architect	Wehr Nature Center Improvements	9,900.00	Annual Consultant Utilization
GMIA	Mead & Hunt	GMIA - Engineering Review of Fire Suppression Systems in Airport Hangar # 217 & 302 at the MKE Regional Business Park	6,000.00	Annual Consultant Utilization
Parks -by DAS - FM	Endpoint Solutions	Wehr Nature Center Improvements - Environmental Inspection	2,038.00	Annual Consultant Utilization

Contracts Issued Without Review<sup>2</sup>

Dept. on Aging	Personnel Specialist	Temporary help in Resource Center	7,200.00	
House of Corrections	Benedict Center	Superintendent was given a specific budget and tasked with creating new programming, this is a one time test	4,140.00	

Exempted Contracts<sup>3</sup>

GMIA	Chapman & Cutler	Professional services relating to the issuance of \$47,095,000 of 2013A General Airport Revenue Bonds \$3,330,000	94,904.87	Per Chapter 56.30(2)(a)
GMIA	Chapman & Cutler	Professional services relating to the issuance of \$28,935,000 of general obligation corporate purpose bonds, series 2013A	66,273.30	Per Chapter 56.30(2)(a)
<b>Total Contract \$ Amount for Period *</b>			<b>\$10,349,902.60</b>	
<b>Total Contract \$ Amount w/o DBE Participation for Period</b>			<b>1,053,706.17</b>	
<b>Percentage w/o DBE Participation</b>			<b>10.2%</b>	
<b>Total Approved Waiver \$ Amount</b>			<b>881,168.00</b>	
<b>Percentage Waived</b>			<b>8.5%</b>	
<b>Total Unapproved Waiver \$ Amount</b>			<b>11,340.00</b>	
<b>Percentage w/o Waiver Approval</b>			<b>0.1%</b>	
<b>Total Exempted \$ Amount</b>			<b>161,178.17</b>	
<b>Percentage Exempted</b>			<b>1.6%</b>	

<sup>1</sup> Waivers approved by CDBP; within guidelines of Code of General Ordinances

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

<sup>3</sup> 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

\* Total does not include Procurement Division Figures