



Community Business Development Partners
MILWAUKEE COUNTY

RICK NORRIS, PE • Director, DBE Liaison Officer, ACDBE Liaison Officer

INTER-OFFICE COMMUNICATION

DATE: September 25, 2014

TO: Supervisor Patricia Jursik, Chair, Economic & Community Development Committee
Supervisor Michael Mayo, Sr., Chair, Transportation, Public Works & Transit Committee

FROM: Rick Norris, PE, Director, Community Business Development Partners

SUBJECT: DBE WAIVER REPORT FOR AUGUST OF 2014

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 360 of the 800 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 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 August of 2014. 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.

Total Contracted Dollars for Period	\$ 9,104,135.00
Total Contracted Dollars w/o DBE Participation	\$ 358,288.00
Percentage of Contracts w/o DBE Participation	3.94%
Total Contracted Dollars w/ Waiver Approval	\$ 293,288.00
Percentage of Contracts w/ Waiver Approval	3.22%
Total Contracted Dollars w/o Waiver Approval	\$ 65,000.00
Percentage of Contracts w/o Waiver Approval	0.71%

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).

Total Contracted Dollars for Period	\$ 9,104,135.00
Total Exempted Contract Dollars	\$ 0.00
Percentage of Exempted Contracts for Period	0.0%

RECOMMENDATION

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

Approved by:

Rick Norris

Rick Norris, PE
Director, CBDP

CC: Chris Abele, Milwaukee County Executive

Monthly Waiver Report for August 2014

Prepared by the Department of Community Business Development Partners

Director's Report

¹ These contracts are exempted from Disadvantaged Business Enterprise participation review within the guidelines of Code of General Ordinance Chapter 56.30(2)(a). Not included in the the waiver calculations.

² Waivers approved by CBDP; within guidelines of Code of General Ordinances

³ 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.

⁴ Total does not include Procurement Division Figures

Total Contract \$ Amount for Period ⁴	\$ 9,104,135
Total Contract \$ Amount w/o DBE Participation for Period	\$ 358,288
Percentage w/o DBE Participation	3.94%
Total Approved Waiver \$ Amount ²	\$ 293,288
Percentage Waived ²	3.22%
Total Unapproved Waiver \$ Amount ³	\$ 65,000
Percentage w/o Waiver Approval ³	0.71%
Total Exempted \$ Amount	\$ -
Percentage Exempted from Waiver Calculations	0.00%

REPORTING Ending PERIOD	August 2014
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DEPARTMENT	CONSULTANT/CONTRACTOR	SERVICES	COMMENTS	EXEMPTED	Waived	Unapproved Waivers
Corporation Counsel	von Briesen & Roper, S.C.	Legal representation in connection with restructuring Milwaukee Transport Services, Inc.	Specialized Service		\$ 50,000.00	\$0.00
Medical Examiner	Donald O. Simley II DDS	Forensic dental analysis of unidentified remains	Under \$2,000.00		\$ 170.00	\$0.00
DHHS	Community Advocates	Wisconsin Home Energy Assistance Program-Operations/Amendment #3	Specialized Service		\$ 43,818.13	\$0.00
	SDC - Community Relations	Wisconsin Home Energy Assistance Program-Operations/Amendment #4	Specialized Service		\$ 43,818.13	\$0.00
	Milwaukee Urban League	Case management AODA specialist	Without CBDP Review			\$65,000.00
DAS - Economic Development	S.B. Friedman & Company	Financial Economic Feasibility Analysis	Specialized Service		\$ 15,000.00	\$0.00
	Venture Architects	Develop a program, concept and budget for a new, free standing County Medical Examiner's Facility	Specialized Service		\$ 35,000.00	\$0.00
	The Nicholson Group, LLC	Market analysis, property valuation and appraisal services	Specialized Service		\$ 20,000.00	\$0.00
DAS - Facilities Management	Enpoint Solutions	Hazardous material inspections and cost estimation services for pre-demolition assessment @ City Campus	Specialized Service		\$ 59,650.00	\$0.00
DAS - Facilities Management - A&E/ES	Grumman-Butkus	Lapham Remodel - Arc Flash Study	Annual Consultant Utilization		\$ 3,500.00	\$0.00
	Sigma Group	Kosciuszko Community Center HVAC Asbestos Inspection	Annual Consultant Utilization		\$ 5,351.43	\$0.00
	Kone	MAM Electrical System Evaluation	Annual Consultant Utilization		\$ 3,580.00	\$0.00
	Cityworks	Sanitary Sewer Management Software Upgrade	Proprietary software update		\$ 13,400.00	\$0.00
Grand Total					\$ 293,287.69	\$65,000.00

DASHBOARD

