



Community Business Development Partners
MILWAUKEE COUNTY

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

INTER-OFFICE COMMUNICATION

DATE: May 20, 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 APRIL 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.

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 April. This report does not include contracts awarded by Procurement Division processes under Chapter 32, as this information is not shared with CBDP. 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 | \$ 5,844,718.14 |
| Total Contracted Dollars w/ Waiver Approval | \$ 41,264.00 |
| Total Contracted Dollars w/o Waiver Approval | \$ 46,503.34 |
| Percentage of Contracts Waived for Period | 1.50% |

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 April 2013

| DEPARTMENT | CONSULTANT/CONTRACTOR | SCOPE OF SERVICES | CONTRACT AMOUNT | APPROVAL REASON |
|------------|-----------------------|-------------------|-----------------|-----------------|
|------------|-----------------------|-------------------|-----------------|-----------------|

CBDP Approved Waivers ¹

| | | | | |
|-----------------------------|-----------------------------------------|------------------------------------------------------------------------------|-----------|---------------------|
| Family Care | La Crecia S. Thomson | Manage the development of four videos | 1,800.00 | Under \$2,000.00 |
| District Attorney | Christopher Tyre, Ph.D-L.C. Streeter | State v. L.C. Street case number 96CF961237 | 2,500.00 | Specialized service |
| District Attorney | Christopher Tyre, Ph.D-Paschali Sanders | State v. Paschali Sanders case number 04C1000004 | 2,500.00 | Specialized service |
| District Attorney | Anthony M. Jurek, Ph.D - Mark Rickert | State v. Mark Rickert case number 03C1000001 | 4,000.00 | Specialized service |
| Medical Examiner | Medical College of Wisconsin | To provide forensic dental examination & identification | 200.00 | Under \$2,000.00 |
| County Board of Supervisors | Broydrick and Associates | Professional Service Contract for Milwaukee County - Lobbying services | 30,000.00 | Per Chapter 56.30 |
| Grounds - by DAS - FM | Jackson / MacCudden | Asbestos Inspection to Support Independent Heating Systems for CCC & Fleet G | 264.00 | Under \$2,000.00 |

Contracts Issued Without CBDP Review ²

| | | | | |
|-----------------------|-----------------------------|---------------------------------------------------------------------------------|-----------|----------------|
| Family Care | Einstein Productions | Professional video shoot | 3,539.94 | No CBDP Review |
| DTPW-Airport Division | Legacy Communications, LLC | Changes to wiring or any other changes that effect structural or infrastructure | 13,398.00 | No CBDP Review |
| DTPW-Airport Division | Pre Emergency Planning, LLC | Develop, design, coordinate full scale & table top exercises | 29,565.40 | No CBDP Review |

| | |
|-------------------------------------------------|----------------|
| Total Contract \$ Amount for Month ³ | \$5,844,718.14 |
| Total Approved Waiver \$ Amount | \$41,264.00 |
| Total Unapproved Waiver \$ Amount | \$46,503.34 |
| Percentage Waived | 1.50% |

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