



Community Business Development Partners
MILWAUKEE COUNTY

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

INTER-OFFICE COMMUNICATION

DATE: April 9, 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 MARCH 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 352 of the 848 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 March 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	\$ 16,481,225.30
Total Contracted Dollars w/o DBE Participation	\$ 3,425,008.92
Percentage of Contracts w/o DBE Participation	20.8%
Total Contracted Dollars w/ Waiver Approval	\$ 3,415,883.92
Percentage of Contracts w/ Waiver Approval	20.7%
Total Contracted Dollars w/o Waiver Approval	\$ 0.00
Percentage of Contracts w/o Waiver Approval	0.0%

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	\$ 16,481,225.30
Total Exempted Contract Dollars	\$ 9,125.00
Percentage of Exempted Contracts for Period	0.1%

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

Milwaukee County Community Business Development Partners Department (CBDP) DBE Waiver Report March 2014

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

Child Support Services	DNA Diagnostic Center	Genetic tests to establish paternity	300,000.00	Specialized Service
Dept. of Administration	CBRE, Inc.	To address the use and/or alternatives for the Coggs bldg & City Campus	200,000.00	Specialized Service
Dept. of Administration	Tuszynski Consulting Services	To develop policies and guidelines	90,000.00	Specialized Service
District Attorney	William A. Merrick, Ph.D-Charles C. Hill	To conduct an evaluation on Charles C. Hill	3,800.00	Specialized Service
Dept. on Aging	Prospect Congregate Housing, Inc.	Nutrition supervision service	\$20,000.00	Specialized Service
DOT-GMIA	ACL Services	Laboratory testing for GMIA employees	\$28,528.92	Specialized Service
DOT-GMIA	Institute for Human Factors	To conduct a class on "Overcoming your fear of Flying" class	\$4,072.00	Specialized Service
DOT-GMIA	U.S. Dept. of Agriculture Animal & Plant Health	To conduct operational control activities to reduce wildlife hazard to aircraft	\$149,339.00	Specialized Service
DHHS-BHD	Dr. Robert G. Clark	To provide psychiatric services to BHD clients	\$265,000.00	Specialized Service
DHHS-BHD	City of Milwaukee-Police Dept.	Milwaukee police to guard clients at BHD	\$187,500.00	Specialized Service
DHHS-BHD	University of Wisconsin-Madison	Program evaluation of the federal SAMSHA grant MI-WISH program to treat homeless clients	\$292,640.00	Specialized Service
DHHS-BHD	Families United of Milwaukee	To support and advocate for families enrolled in Wraparound Milwaukee	\$525,000.00	Specialized Service
DHHS-BHD	Wisconsin Council on Children & Families	Program evaluations, information technology/management information services, clinical support & training	\$643,438.00	Specialized Service
DHHS-BHD	United Dynacare, LLC	Clinical laboratory services at the MCBHD complex/Original contract had 17% DBE participation	\$200,000.00	Specialized Service
DHHS-BHD	Hochstatter, McCarthy, Rivas & Runde	To provide legal assistance BHD re: compliance with immigration laws	\$145,000.00	Specialized Service
Parks	ACL Laboratories	Drug and alcohol testing for CDL holders	\$2,500.00	Specialized Service
Parks	Board of Regents of the University of WI	Nature in the Parks	\$265,000.00	Specialized Service
Parks	The Alliance for the Great Lakes	To work with Park's natural areas staff to document its findings	\$5,000.00	Specialized Service
Corporation Counsel	Hinshaw & Culbertson	Emergency contract for legal services to represent BHD & its professional staff re: health care liability	\$15,000.00	Specialized Service
Procurement	Periscope Holdings, Inc.	Review of procurement policy and procedures and development of best practices	\$42,000.00	Specialized Service
Human Resources	M.R.A. Institute of Management	Completed a compensation study of select department of Human Resources jobs	\$600.00	Specialized Service
DOT - Airports	Giles Engineering	LTJ - Runway Resurfacing - Phase 2	3,400.00	Annual Consultant Utilization
DOT - Airports	Giles Engineering	GMIA - Cessna Service Center Apron Reconstruction - Materials Testing	23,208.00	Annual Consultant Utilization
DOT - Airports	James G Otto	GMIA - Solar Feasibility Study on Concourse C	4,860.00	Annual Consultant Utilization

Contracts Issued Without Review ⁴

None

Exempted Contracts ³

Comptroller	U.S. Bank	US Bank administration fees for the 2013A&B Airport Revenue Bonds	1,125.00
Milwaukee County Treasurer	Public Funds Consulting, LLC	Investment Advisory Services	8,000.00
Total Contract \$ Amount for Period ⁴			\$16,481,225.30
Total Contract \$ Amount w/o DBE Participation for Period			3,425,008.92
Percentage w/o DBE Participation			20.8%
Total Approved Waiver \$ Amount			\$3,415,883.92
Percentage Waived			20.7%
Total Unapproved Waiver \$ Amount			\$0.00
Percentage w/o Waiver Approval			0.0%
Total Exempted \$ Amount			\$9,125.00
Percentage Exempted			0.1%

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 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

⁴ Total does not include Procurement Division Figures