



Community Business Development Partners  
**MILWAUKEE COUNTY**

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

## INTER-OFFICE COMMUNICATION

DATE: February 12, 2015  
TO: Supervisor Marina Dimitrijevic, Chair, Milwaukee County Board of Supervisors  
FROM: Rick Norris, PE, Director, Community Business Development Partners  
SUBJECT: **DBE Wavier Annual Report for 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 361 of the 828 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 October 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.

<b>Total Contracted Dollars for Period</b>	<b>\$ 105,178,492</b>
<b>Total Contracted Dollars w/o DBE Participation</b>	<b>\$ 32,225,947</b>
<b>Percentage of Contracts w/o DBE Participation</b>	<b>30.64%</b>
<b>Total Contracted Dollars w/ Waiver Approval</b>	<b>\$18,572,201</b>
<b>Percentage of Contracts w/ Waiver Approval</b>	<b>17.66%</b>
<b>Total Contracted Dollars w/o Waiver Approval</b>	<b>\$592,678</b>
<b>Percentage of Contracts w/o Waiver Approval</b>	<b>0.56%</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>\$ 105,178,492</b>
<b>Total Exempted Contract Dollars</b>	<b>\$13,061,068</b>
<b>Percentage of Exempted Contracts for Period</b>	<b>12.42%</b>

RECOMMENDATION

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

Approved by:



Rick Norris, PE  
Director, CBDP

CC: Chris Abele, Milwaukee County Executive

**Monthly Waiver Report for 2014**

Prepared by the Department of Community Business Development Partners  
Director's Report

<sup>1</sup> 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 waiver calculations.

<sup>2</sup> Waivers approved by CBDP; within guidelines of Code of General Ordinances

<sup>3</sup> 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.

<sup>4</sup> Total does not include Procurement Division Figures

Total Contract \$ Amount for Period <sup>4</sup>

\$ 105,178,492

Total Contract \$ Amount w/o DBE Participation for Period

\$ 32,225,947

Percentage w/o DBE Participation

30.64%

Total Approved Waiver \$ Amount <sup>2</sup>

\$ 18,572,201

Percentage Waived <sup>2</sup>

17.66%

Total Unapproved Waiver \$ Amount <sup>3</sup>

\$ 592,678

Percentage w/o Waiver Approval <sup>3</sup>

0.56%

Total Exempted \$ Amount

\$ 13,061,068

Percentage Exempted from Waiver Calculations

12.42%

REPORTING Ending PERIOD (All)

DEPARTMENT	Waived
Child Support Services	\$300,000
Comptroller	\$101,260
Corporation Counsel	\$115,000
Dept. on Aging	\$20,000
DHHS-BHD	\$2,172,355
District Attorney	\$24,000
DOT - Airports	\$63,522
Human Resources	\$99,999
Parks	\$299,080
Procurement	\$42,000
DAS-Facilities Management	\$79,135
DHHS-Housing Division	\$2,500
MCSO	\$56,500
Medical Examiner	\$175,470
Personnel Review Board	\$24,003
Alternatives to Incarceration	\$590,959
Combined Court Related	\$2,070,815
Clerk of Circuit Court	\$916,822
DHHS	\$177,636
House of Correction	\$9,909,320
MCTS	\$108,704
DAS	\$358,500
County Treasurer	\$26,503
DAS - Economic Development	\$70,000
DAS - Facilities Management	\$59,650
DAS - Facilities Management - A&E/ES	\$25,831
Community Access to Recovery Services	\$94,178
DOT-Airport	\$299,605
DAS-Risk Management	\$215,000
DAS-Fiscal Affairs	\$32,280
DAS A&E	\$11,789
Delinquency & Courts	\$0
Dept. of Family Care	\$14,000
DOT - Highways	\$5,784
Milwaukee County Zoo	\$10,000
<b>Grand Total</b>	<b>\$18,572,201</b>

