



OFFICE OF THE COUNTY EXECUTIVE

Chris Abele

MILWAUKEE COUNTY EXECUTIVE

DATE: June 1, 2017

TO: The Honorable Milwaukee Board of Supervisors

FROM: Chris Abele, Milwaukee County Executive

RE: Veto of County Board File No. 17-374 which denies the use of non-tax levy settlement dollars for the creation of a new exhibit at the zoo.

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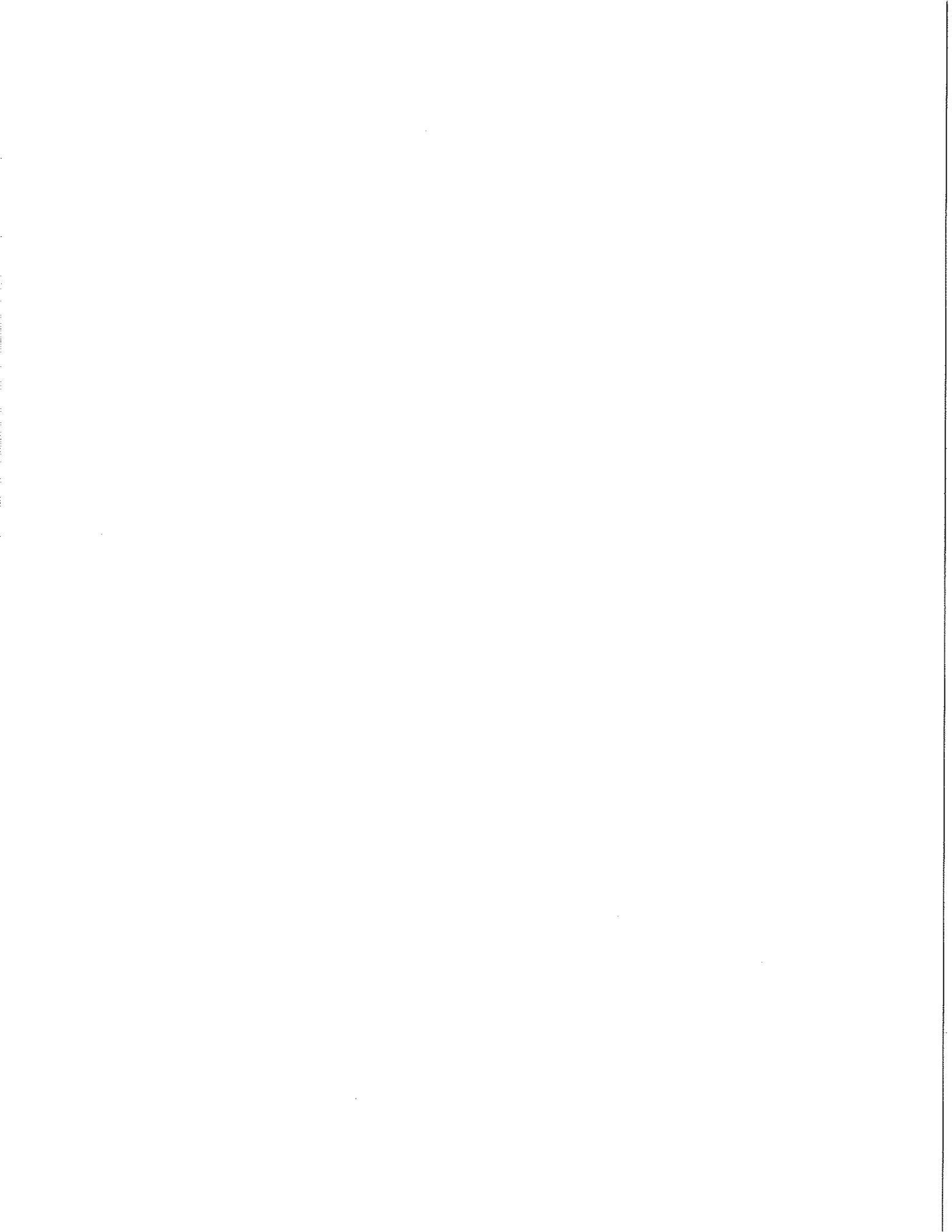
I am vetoing County Board File No. 17-374. As Supervisors know, the State's zoo interchange project took away a large portion of available parking for the zoo, causing a negative impact to zoo visitors. To mitigate this impact, the State gave the County funds to create a new entrance, new parking lot and a new exhibit at the new entry – the otter exhibit. These new amenities would significantly improve the zoo experience for our visitors and would not have any adverse financial impact on Milwaukee County. In fact, the enhanced experience at the zoo could serve to boost revenues, allowing us to invest more funds into one of the region's most beloved cultural attractions.

The zoo director emailed the County Board on May 22, 2017 with all of these details but the County Board still denied - with no explanation - the use of these mitigation dollars and, in turn, these improvements to the zoo. I believe these improvements are critical to keeping the zoo as one of the top attractions statewide.

Our Milwaukee County Zoo had a \$155 million economic impact in the Milwaukee area in 2015, according to researchers from the University of Wisconsin-Milwaukee. Researchers expect that number to rise in the coming years based on planned upgrades, like the otter exhibit and new entrance.

The zoo has kept the Board updated on this project every step of the way (see additional attachments), including all necessary approvals. If the Board does not approve this fund transfer immediately, the bid will expire and the zoo will be forced to rebid the project, which will likely cost the County tens of thousands of dollars and delay improvements that the community is eager to enjoy.

I ask that you sustain my veto and, subsequently, approve these critical projects as soon as possible.



**(CLOSED SESSION - Item # 13)**

*The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(e), for the purpose of the Committee deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever action(s) it may deem necessary.*

**MILWAUKEE COUNTY ZOO - 1**

- 13      14-449      From the Director, Milwaukee County Zoo, requesting authorization to use award funds to implement the Remediation Plan to cure the effects of the Wisconsin Department of Transportation Zoo Freeway Interchange Project on the Milwaukee County Zoo. (Referred to the Committees on Parks, Energy, and Environment and Finance, Personnel, and Audit)

Attachments:    REPORT  
                          RESOLUTION  
                          FISCAL NOTE  
                          WISDOT COST TO CURE  
                          WISDOT LAND ACQUISITION PHOTOS

**Adjournment**

Deadline for the next meeting:

*The next regular meeting for this Committee is Tuesday, June 17, 2014. All items must be in the Committee Clerk's possession by the end of the business day on Tuesday, June 3, 2014.*

ADA accommodation requests:

*ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities, 278-3932 (voice) or 711 (TRS), upon receipt of this notice.*

**(CLOSED SESSION: ITEM 2)**

*The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(e), for the purpose of the Committee deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever action(s) it may deem necessary.*

- 2      14-449      From the Director, Milwaukee County Zoo, requesting authorization to use award funds to implement the Remediation Plan to cure the effects of the Wisconsin Department of Transportation Zoo Freeway Interchange Project on the Milwaukee County Zoo. **(Referred to the Committees on Parks, Energy, and Environment and Finance, Personnel, and Audit)**

Attachments:    REPORT  
                          RESOLUTION  
                          FISCAL NOTE  
                          WISDOT COST TO CURE  
                          WISDOT LAND ACQUISITION PHOTOS

- 3      14-440      From the Director, Milwaukee County Zoo, submitting notification of a potential Revenue Deficit in the amount of \$233,226 as of March 31, 2014. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments:    REPORT

- 4      14-331      From the Milwaukee County Treasurer, requesting authorization to execute a two-year extension of the State Contract Participation Agreement with US Bank allowing Milwaukee County to continue to piggyback onto the State banking services contract until the new State banking Request for Proposals is complete.

Attachments:    REPORT  
                          RESOLUTION  
                          CONTRACT EXTENSION  
                          FISCAL NOTE  
                          MASTER SERVICES AGREEMENT

14-447  
5/13/14  
Parks Comm

**COUNTY OF MILWAUKEE  
INTEROFFICE COMMUNICATION**

**DATE** : May 5, 2014

**TO** : County Executive Chris Abele  
Milwaukee County Board Chairwoman Marina Dimitrijevic  
Supervisor Gerry Broderick, Chairman, Parks, Energy and Environment Committee  
Willie Johnson Jr., Co-Chair, Committee on Finance and Audit  
David Cullen, Co-Chair, Committee on Finance and Audit

**FROM** : Charles Wikenhauser, Director, Zoological Department

**SUBJECT** : **Report on Impact of the WISDOT Zoo Interchange Reconstruction Project on Zoo Facilities and Operations and Approval of Proposed Mitigation Plans and Authorization to Enter Into an Agreement with WISDOT for the Acquisition of Land**

**Issue**

The Zoo Interchange reconstruction project will require the acquisition by WISDOT of various property interests, including approximately eight acres of Zoo property comprising a parking lot with 700 car capacity. Approval is requested of the Zoo's mitigation program including an auxiliary entrance for Zoo guests, parking facilities, and the relocation of entrance/exit drives and replacement of landscaping and the sale of the Zoo land to WISDOT.

**Background**

WISDOT plans for the reconstruction of the Zoo Interchange are impacting Zoo grounds, facilities, and operations. The plans also include the WISDOT's acquisition of the Zoo's easternmost parking lot with a capacity of 700 cars. Driveways and parking associated with the Zoofari Conference Center as well as the Zoo's entrance/exit drive will have to be reconfigured.

The Zoo engaged several professional consultants to develop plans for the parking lot replacement and a description of additional facilities needed to create an auxiliary entrance. Fortunately, the Zoo owns eight undeveloped acres on the western edge of the Zoo bordering HWY 100 and Bluemound Road.

Zoo staff has utilized the expertise of the outside legal counsel previously engaged by Milwaukee County to assist in negotiating with the WISDOT to obtain equitable compensation for the Zoo regarding the "cost to cure" all Zoo components impacted by the Zoo Interchange reconstruction project at an equivalent function and quality.

Zoo staff and outside counsel have met on several occasions with WISDOT and are close to finalizing a compensation package adequate to fund the attached cost to cure plan.

**Recommendation**

The Zoological Department Director recommends approval of the Zoo's mitigation plan and land sale to the WISDOT. It is anticipated that the compensation package will be final by the May 13, 2014 Parks, Energy and Environment Committee and an updated report seeking authorization to enter into an agreement with Wisconsin Department of Transportation will be submitted along with an updated fiscal note and resolution.

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Charles Wikenhauser  
Director, Zoological Department

**Attachments**

pc: Supervisor Khalif Rainey, Vice-Chair, Parks, Energy and Environment  
Committee  
Scott Manske, Comptroller  
Raisa Koltun, Acting Chief of Staff, County Executive's Office  
Kelly Bablitch, Chief of Staff, County Board  
Josh Fudge, Fiscal and Budget Administrator, DAS  
Steve Cady, Comptroller's Office, Research & Policy Director  
Jessica Janz-McKnight, Comptroller's Office, Research Analyst  
Daniel Laurila, DAS, Fiscal and Management Analyst  
Vera Westphal, Deputy Zoo Director (Administration/Finance)

1 (Item )From the Director, Milwaukee County Zoo requesting approval of the  
2 Remediation Plan to cure the effects of the Wisconsin Department of Transportation  
3 (WISDOT) Zoo Freeway Project on the Milwaukee County Zoo.  
4  
5

6 **A RESOLUTION**  
7  
8

9 WHEREAS, WISDOT has been legislatively authorized to reconstruct the Zoo  
10 Freeway Interchange by the State of Wisconsin and by the Federal Highway  
11 Administration (FHWA) under various state and federal statutes and codes; and  
12

13 WHEREAS, WISDOT plans for the renovation of the Zoo Interchange are  
14 impacting Zoo grounds, facilities, and operations. The plans also include the WISDOT's  
15 acquisition of the Zoo's easternmost parking lot with a capacity of 700 cars. Driveways  
16 and parking associated with the Zoofari Conference Center as well as the Zoo's  
17 entrance/exit drive will have to be reconfigured; and  
18

19 WHEREAS, The Zoo engaged several professional consultants to develop plans  
20 for the parking lot replacement and a description of additional facilities needed to create  
21 an auxiliary entrance; and  
22

23 WHEREAS, The Zoo recommends proceeding to implement the aforesaid plans;  
24 and  
25

26 WHEREAS, Negotiations are ongoing with WISDOT and the latest offer by  
27 WISDOT will provide sufficient funds to implement most of the aforesaid plans; and  
28

29 WHEREAS, If negotiations are unsuccessful, WISDOT will acquire the Zoo  
30 property needed by Award, and pay the amount of the Award to County, with County  
31 then having a right to appeal the amount; now, therefore,  
32

33 BE IT RESOLVED, (1) If an Award is made, the Zoo may use the Award funds  
34 paid to the County to implement the Remediation Plan, to the extent of such funds paid.  
35 (2) If an additional Award is recovered on appeal, the Zoo may use such funds to  
36 complete the Remediation Plan, to the extent of such funds paid; and  
37

38 BE IT FURTHER RESOLVED, that the Department of Administrative Services  
39 is authorized to process a 2014 Administrative Fund Transfer and establish expenditure  
40 authority for the respective Zoo remediation projects.  
41

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** May 5, 2014

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Report on Impact of the WISDOT Zoo Interchange Reconstruction Project on Zoo Facilities and Operations and Authorization to Enter Into an Agreement with WISDOT for the Acquisition of Land

**FISCAL EFFECT:**

- |  |  |
|--|--|
| <input type="checkbox"/> No Direct County Fiscal Impact  | <input type="checkbox"/> Increase Capital Expenditures |
| <input checked="" type="checkbox"/> Existing Staff Time Required                                       | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures<br>(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues     |
| <input type="checkbox"/> Absorbed Within Agency's Budget   | <input type="checkbox"/> Decrease Capital Revenues     |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget   |  |
| <input type="checkbox"/> Decrease Operating Expenditures   | <input type="checkbox"/> Use of contingent funds       |
| <input type="checkbox"/> Increase Operating Revenues   |  |
| <input type="checkbox"/> Decrease Operating Revenues   |  |

*Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.*

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	Expenditure	\$0	\$0
	Revenue	\$0	\$0
	Net Cost	\$0	\$0



## DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. <sup>1</sup> If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.
- A. The Zoological Department Director is requesting authorization to enter into an agreement with the Wisconsin Department of Transportation (WISDOT) for the acquisition of land and approval for the Zoo's mitigation plan as part of the Zoo Interchange Reconstruction project. As part of entering into this agreement, expenditure and revenue authority will be created for the mitigation project. It is anticipated that the compensation package from the WISDOT will be final for the May 13 meeting of the Parks, Energy and Environment Committee and a revised fiscal note will be submitted.
- B. The Zoo's cost to cure program is estimated at \$8,087,115. Attached is a breakdown of areas affected by the land sale and the associated cost to cure.
- C. Revenues anticipated from the land sale to the WISDOT will cover all mitigation plans.
- D. Zoo staff has engaged several professional consultants to develop plans for the parking lot replacement and a description of additional facilities needed to create an auxiliary entrance. Zoo staff also worked with contractors and other professionals to develop costs for the other areas that will be impacted by the construction of the Zoo Interchange.

Department/Prepared By Vera Westphal, Deputy Zoo Director

Authorized Signature \_\_\_\_\_

Did DAS-Fiscal Staff Review?  Yes  No

Did CBDP Review?<sup>2</sup>  Yes  No  Not Required

<sup>1</sup> If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

<sup>2</sup> Community Business Development Partners' review is required on all professional service and public work construction contracts.

## Cost to Cure

~~5/17/2017~~ 5 | 114

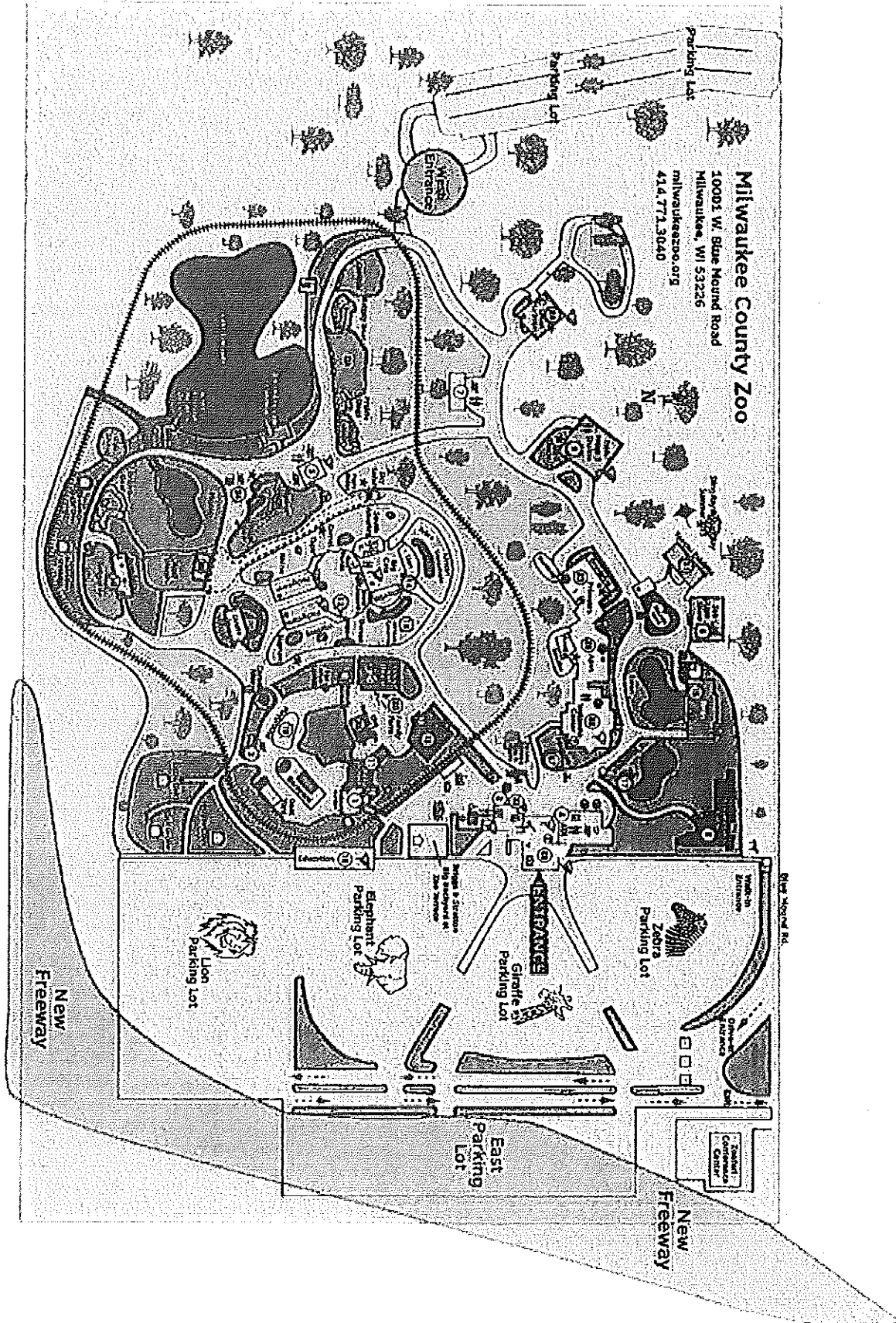
- Zoofari Conference Center Parking & Access Drive
  - Asphalt southwest corner of property to replace 37 parking spaces lost to acquired right of way: \$160,000
  - New access drive to Zoo exit drive: \$23,340
  - New electronic 24 foot wide slide gate with operator equipment: \$10,500
  - **Total: \$193,840**
- Parking Lot #4 Access Alteration
  - Partial removal of landscape island and restoration of road: \$30,856
  - New lot #4 road to WE Energies property: \$31,876
  - New access gate and fencing to WE Energies property from lot #4: \$36,000
  - **Total: \$98,732**
- Hoof Stock Isolation/Quarantine Facilities
  - Concrete Pad: \$10,000
  - Plumbing – Trench drain with grates and 4" sanitary sewer 150 feet away: \$24,960
  - Pole barn cover (to meet code): \$30,849 purchase price
  - Pole barn installation: \$25,000
  - Asphalt roadway: \$5,997
  - **Total: \$96,806**
- Railroad Track Replacement
  - Original work quote: \$28,150
  - Additional work due to DOT contractor damage: \$5,550
  - **Total: \$33,700**
- Reconfiguration of Point of Sale System Due to New Admission Facilities at West Side of Property
  - Existing Hardware updates: \$142,560
  - New equipment: \$213,010
  - Installation and training: \$91,255
  - Extra hardware and software for back-up/A La Carte: \$93,270
  - Contingency: \$67,787
  - **Total: \$607,882**
- New Parking Lot (Sigma estimate): \$2,655,594
- New Entry Complex (PGAV estimate): \$2,760,000
- Sense of Arrival (PGAV estimate): \$70,000

- Entry Area Exhibit (PGAV estimate): \$1,410,000
- Picnic Area (PGAV estimate): \$90,000
- TADI Traffic Study: \$15,756
- Sigma Preliminary Parking Lot Design: \$8994.86
- PGAV West Entrance Conceptual Design: \$45,810
- **Zoo Cost to Cure Grand Total: \$8,087,115**

**5/5/2014**

DRAFT



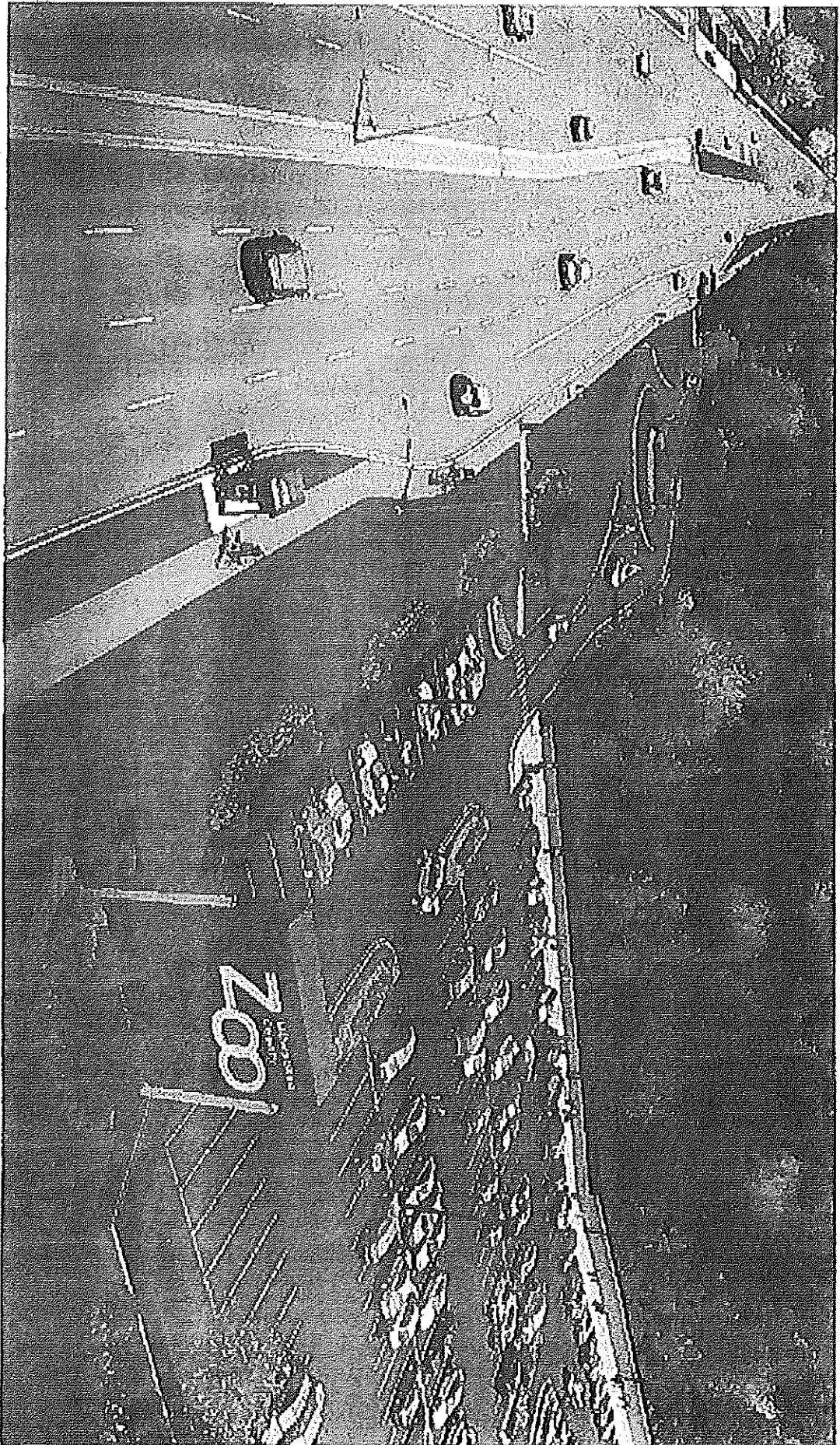


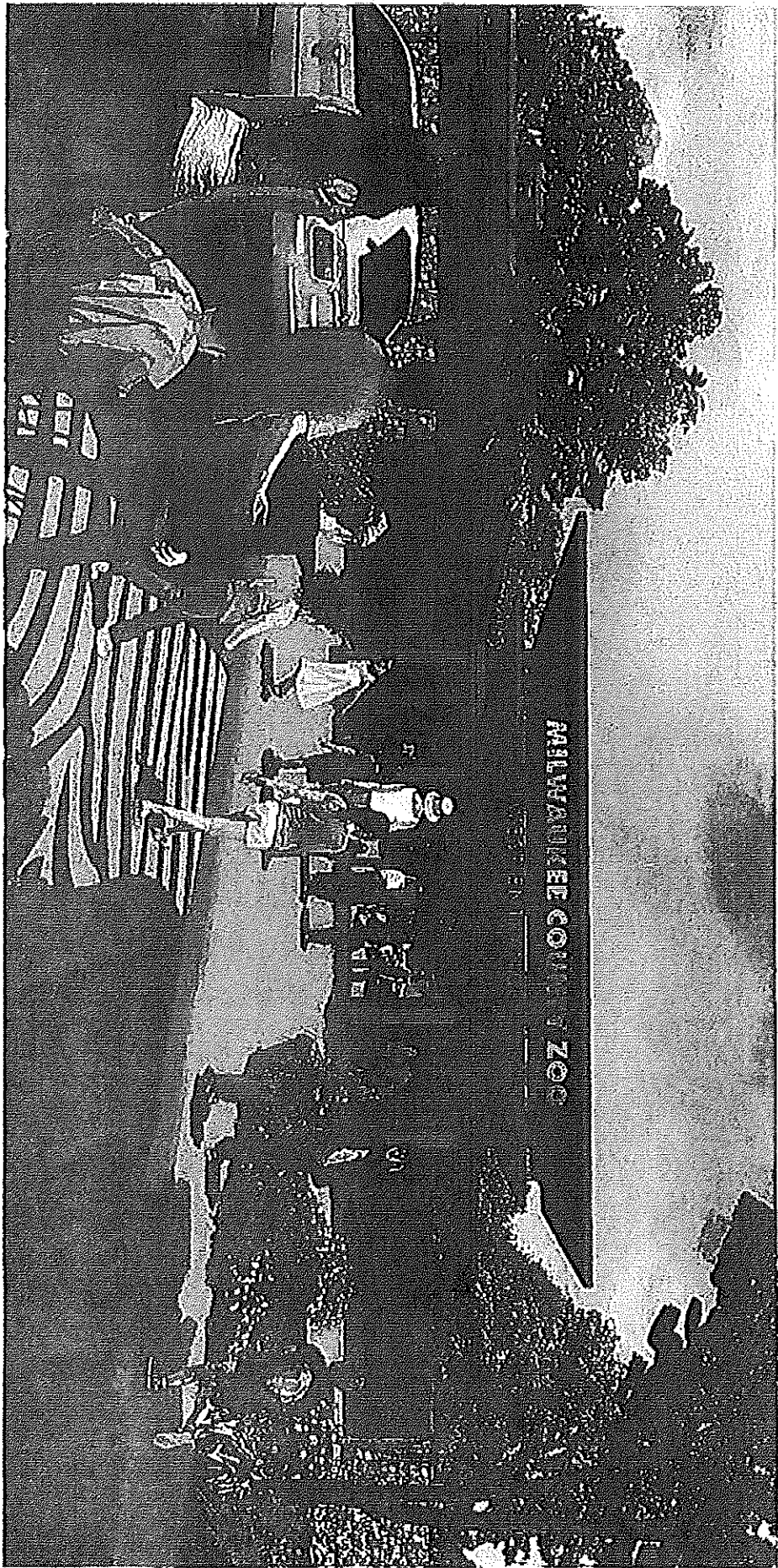
**Milwaukee County Zoo**  
10001 W. Blue Island Road  
Milwaukee, WI 53226  
milwaukeezoo.org  
414.773.3040

**New Freeway**

**New Freeway**















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- 2      14-612      From the Milwaukee County Comptroller, submitting an informational report providing an update on the 2014 Year-End Fiscal Projection for Milwaukee County. (May 2014) **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**  
*Attachments:* REPORT
- 3      14-590      From the County Executive, appointing Ms. Janet Cleary to the Milwaukee County Civil Service Commission for a term expiring August 1, 2019.  
*Attachments:* APPOINTMENT LETTER  
RESUME/BIO
- 4      14-609      From the Director, Milwaukee County Zoo, requesting authorization to extend the Master Plan Consultant contract with PGAV to include the full design service for a new auxiliary entrance complex to be constructed to mitigate impacts of the loss of Zoo land to the Wisconsin Department of Transportation in an amount not to exceed \$900,000. (Referred to the Committees on Parks, Energy, and Environment and Finance, Personnel, and Audit)  
*Attachments:* REPORT  
RESOLUTION  
FISCAL NOTE  
PGAV LETTER  
Audio PE&E 07/22/14
- 5      14-11      From the Chief Financial Officer, Milwaukee Public Museum, submitting Financial Updates. (Considered by the Committees on Parks, Energy, and Environment and Finance, Personnel, and Audit) **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**  
*Attachments:* 3rd QUARTER UPDATE  
Audio PE&E 07/22/14
- 6      14-630      From the Director, Department of Administrative Services, submitting an informational report providing a status update on the Courthouse fire. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**  
*Attachments:* REPORT
- 7      14-631      From the Director, Department of Administrative Services, submitting Notification of Emergency Repair to the Washington Park Senior Center roof. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**  
*Attachments:* REPORT

**COUNTY OF MILWAUKEE  
INTEROFFICE COMMUNICATION**

DATE : July 8, 2014

TO : County Executive Chris Abele  
Milwaukee County Board Chairwoman Marina Dimitrijevic  
Supervisor Gerry Broderick, Chairman, Parks, Energy and Environment Committee  
Willie Johnson Jr., Co-Chair, Committee on Finance, Personnel and Audit  
David Cullen, Co-Chair, Committee on Finance, Personnel and Audit

FROM : Charles Wikenhauser, Director, Zoological Department

SUBJECT : **Authorization to Extend the Contract of Master Plan Consultant PGAV for the Purpose of Fast Tracking the Design of the New West Zoo Entrance and Parking Facilities**

**Issue**

Previously, the Zoo requested and received authorization to receive and expend proceeds from Zoo property being acquired through eminent domain by the Wisconsin Department of Transportation in conjunction with the Zoo Interchange renovation project (County Board Reference Number 14-499). More specifically, the Zoo will be losing its 700 car auxiliary parking lot. This parking capacity must be replaced by Memorial Day Weekend, 2015. In order to meet this deadline, the Zoo requests the authority to extend the contract of Master Plan Consultant PGAV for the following reasons.

Contracting a qualified design firm via the standard County RFP process will take more than three months, delaying the start of design until November 2014, subsequently delaying the opening of the parking lot until past the summer of 2015, and the opening of the entrance facilities and new exhibit until past the summer of 2016. To meet the intended opening dates a more expeditious process of contracting a design firm must be considered.

**Background**

The firm of PGAV who had prepared the studies, conceptual design and cost estimates for the compensation negotiation with the WisDOT is a world renowned expert in animal exhibits and destination facilities complex design. PGAV is currently under contract for the Zoo Master Plan. They were selected using a formal RFP process in 2012. In order to provide services to implement the ancillary entrance complex PGAV has proposed a competitive fee, an expeditious process, a substantial commitment to engage local architectural and engineering firms, and a minimum of 25% commitment in DBE participation. The implementation of the mitigation program within the intended time frame will be well served by extending the Master Planning contract of PGAV to include the full design service for the ancillary entrance complex.

**Recommendation**

The Zoological Department Director recommends approval the contract extension of Master Plan Consultant PGAV for the purpose of fast tracking the design of the new auxiliary Zoo entrance and parking facilities.

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Charles Wikenhauser  
Director, Zoological Department

**Attachments**

pc: Supervisor Khalif Rainey, Vice-Chair, Parks, Energy and Environment  
Committee  
Scott Manske, Comptroller  
Raisa Koltun, Acting Chief of Staff, County Executive's Office  
Kelly Bablitch, Chief of Staff, County Board  
Josh Fudge, Fiscal and Budget Administrator, DAS  
Greg High, Director, AE & ES Section  
Steve Cady, Comptroller's Office, Research & Policy Director  
Jessica Janz-McKnight, Comptroller's Office, Research Analyst  
Pamela Bryant, Comptroller's Office, Capital Finance Manager  
Justin Rodriguez, Comptroller's Office, Budget and Management Coordinator  
Erica Horton, DAS, Fiscal and Management Analyst  
Vera Westphal, Deputy Zoo Director (Administration/Finance)

1 (Item )From the Director, Milwaukee County Zoo requesting authorization to extend the  
2 Zoo Master Planning contract of PGAV to include the full design service for a new  
3 auxiliary entrance complex to be constructed to mitigate impacts of the loss of Zoo land  
4 to WisDOT.  
5  
6

7 **A RESOLUTION**  
8  
9

10 WHEREAS, the Wisconsin Department of Transportation (WisDOT) Zoo  
11 Interchange Renovation Project requires the WisDOT's acquisition of the Zoo's auxiliary  
12 parking lot which will require a mitigation program which includes an constructing an  
13 auxiliary entrance for Zoo guests, replacement parking lot, visitor service facilities and a  
14 new animal exhibit; and  
15

16 WHEREAS, WisDOT has provided "cost to cure" funding intended for the  
17 construction of an auxiliary entrance for Zoo guests, replacement parking lot, visitor  
18 service facilities and a new animal exhibit; and  
19

20 WHEREAS, the Zoological Gardens will lose the use of portions of the current  
21 parking lot beginning in October 2014, the replacement parking lot must be opened to the  
22 public by May 22, 2015, and the animal exhibit, gift shop and visitors service building  
23 must be opened no later than a year after, the design of these facilities must begin in  
24 August, 2014; and  
25

26 WHEREAS, contracting a qualified design firm via the standard County RFP  
27 process will take more than three months, delaying the start of design until November  
28 2014, subsequently delaying the opening of the parking lot until past the summer of 2015,  
29 and the opening of the entrance facilities and new exhibit until past the summer of 2016,  
30 a more expeditious process of contracting a design firm must be considered; and  
31

32 WHEREAS, the firm of PGAV who had prepared the Zoo Master Plan and the  
33 studies, conceptual design and cost estimates for the new auxiliary entrance and parking  
34 facilities is a world renowned expert in animal exhibits and destination facilities complex  
35 design, and the contract for the Zoo Master Plan remains open; and for providing services  
36 to implement the ancillary entrance complex has proposed a competitive fee, an  
37 expeditious process, a substantial commitment to engage local architectural and  
38 engineering firms, and a minimum of 25% commitment in DBE participation, the  
39 implementation of the mitigation program within the intended time frame; and  
40

41 WHEREAS, the approval of the Milwaukee County Board is required of the  
42 extension of such a contract; now, therefore,  
43

44 BE IT RESOLVED, that Milwaukee County board approves the extension of the  
45 Zoo Master Planning contract with PGAV as proposed to include the full design service

46 for a new auxiliary entrance complex to be constructed to mitigate impacts of the loss of  
47 Zoo land to WisDOT in an amount not to exceed \$900,000.  
48  
49  
50

July 7, 2014

Via Email

Philip Hung  
Milwaukee County  
C/O Milwaukee County Zoo  
Department of Administrative Services  
2711 West Wells Street  
Milwaukee, WI 53208

**Re: Milwaukee County Zoo West Entrance**

Dear Philip,

Thank you for the invitation to submit this proposal for design services related to the West Zoo Entrance. Please find an outline of the project scope and proposed PGAV services:

**Project Outline:**

Due to the highway reconstruction, a new west entry and parking lot addition is required to meet zoo capacity. The new entry will provide an equitable experience to that at the main entry on the east and will feature an integrated small aquatic animal exhibit. Based on the capacity of the new parking lot, a gift shop and snack stand will be integrated into one building in order to minimize operational needs. Toilets and separate turnstiles will also be included. The snack bar will include service windows from both interior and exterior. The new west entry will include an exhibit adjacent to the gift shop and snack bar. Additionally, a picnic area will be set into the woods nearby allowing use of the snack stand and toilets.

**General assumptions PGAV made in the preparation of this proposal:**

- The design process will pick up from the concept and programmatic information developed for the Master Plan concept and cost estimate completed in 2013.
- The project will open in late spring 2016. Parking lot will be completed prior to Memorial Day 2015. Design will be completed at the end of 2014 or in spring of 2015.
- The overall project budget is \$7,000,000 including soft costs and contingencies.
- PGAV will contract for these services using the AIA B101 Agreement between Owner and Architect.
- The method of project procurement will be via Design-Bid-Build process.
- MCZ may engage a local contractor for preconstruction services to estimate the project at the DD or CD phase of design. PGAV will coordinate any estimates produced via preconstruction services.

**Specialty Items:**

- Animal holding caging, doors, transfers, exhibit viewing panels, etc. will be advanced to the Design Development level and a selected vendor will be solely responsible for the final design and engineering. In collaboration with the Zoo, PGAV will provide sufficient description and specifications for bidding and design completion by sub-contractors or vendors.
- Engineering of circulation, filtration, and disinfection systems for bodies of water that are in animal exhibits or holding areas.
- Structural Engineering of self-supporting rockwork or rockwork retaining walls less than 3 feet in height shall be accomplished by the Rockwork Contractor as part of the Shop Drawing phase.
- Landscape and Irrigation Design will be advanced to the Design Development level and a selected local vendor will be solely responsible for the final design.
- Design for thematic surfaces (built into the project via the construction documents) will be documented by PGAV in a Character Reference Guide.
- PGAV services include two renderings, depicting the visitor experience or overall views.
- The design of Graphics, Interpretives, and Props is included and will be provided by PGAV as a separate package for fabrication and installation by a specialized contractor or vendor. Related structural and MBP items will be coordinated into the construction documents by the design team.
- The Construction Phase is assumed to be 14 months in length. The design team will provide supplemental drawings; review submittals including RFIs, Shop Drawings, and Product Data and Samples; and participate in weekly meetings (or as scheduled) via phone (or in person when present), as well as prepare certificate of Substantial Completion, and Punch List.
- The design team will provide site visits every two months for review of work, and art direction of thematic, exhibit, and interpretive elements. It is assumed that the Owner's staff or CM will review contractor pay applications, percentage complete certificates, and daily interaction with the construction process.
- Production of a physical model for the purpose of depicting exhibit scope and detailed clay modeling of rockwork is included (should it be deemed necessary for communication and bidding of the project).
- The project will not require the design and integration of a stand-alone generator.

**Services Not Provided**

- Geographical and utility surveys (provided by Owner)
- Geotechnical Investigation Report (if necessary)
- LEED Certification
- Production of a digital fly-through model for the purpose of education and promotion of the project to stakeholders and donors
- HVAC and LSS commissioning
- Special structural inspections
- ALSS Operating Manual



- Post-Construction Phase services, including investigation of suspected defective work, Record Documents, post completion walk-throughs, etc.

PGA V proposes the following fees:

Base Fees (Schematic Design through Issue for Construction)	\$ 617,000
Base Fee Reimbursables	\$ 36,000
Construction Phase (Shop Drawings, RFIs, & Visits)	\$ 175,000
Construction Phase Reimbursables	\$ 24,000
Total	<u>\$ 852,000</u>

The fees presented here include civil, structural, mechanical, electrical, plumbing and ALSS engineering.

The design shall include minimum of 25% of DBE participation with one or more participant DBE certified. The team shall consist of these sub-consultants:

Local Architect	Local firm, TBD
Civil Engineering	Local firm, TBD
Structural Engineering	Firm experienced in similar projects, TBD
MEP Engineering	Firm experienced in similar projects, TBD
Landscape Designer	Local firm, TBD
Exhibit ALSS	Satchell Engineering & Associates

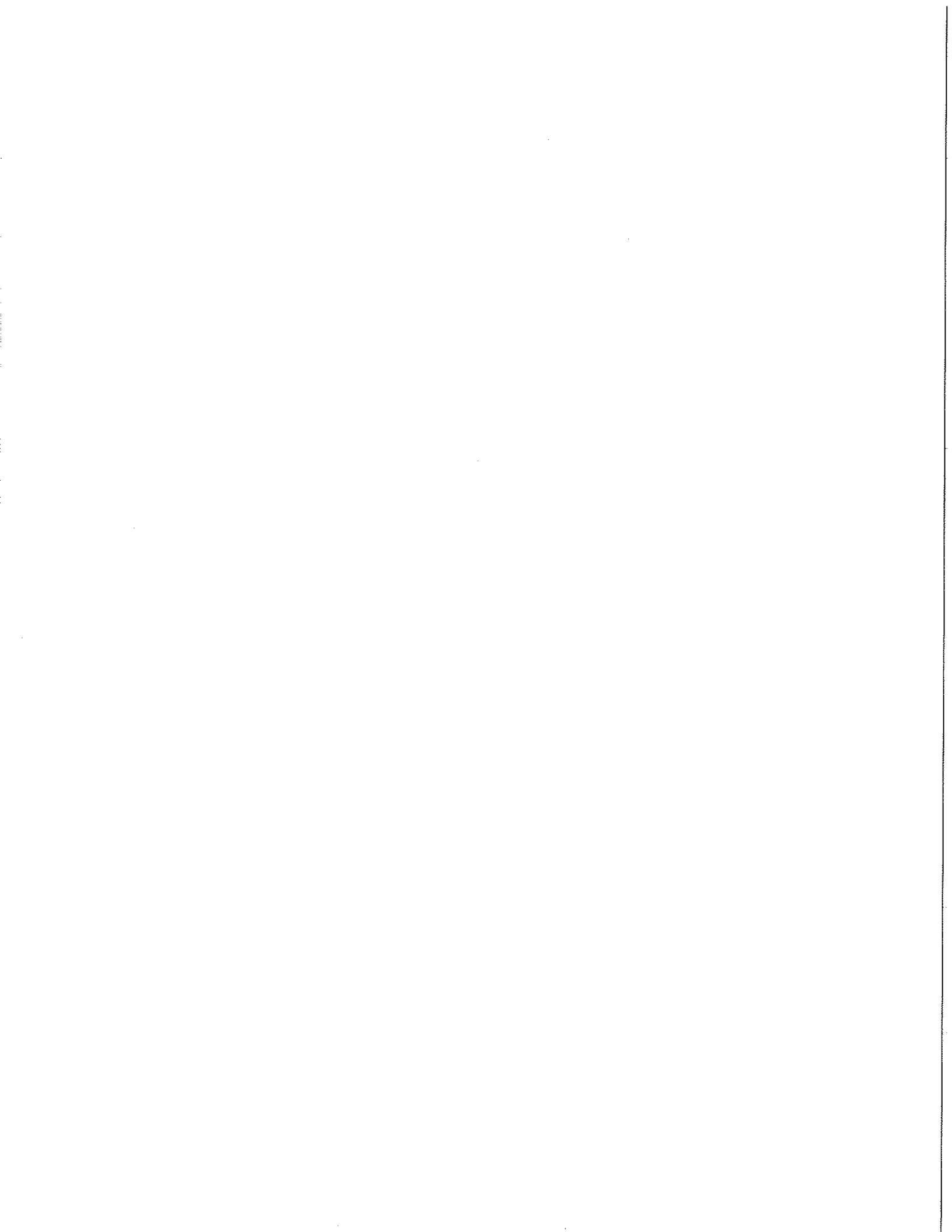
Please let me know if you have any questions or comments about our approach to this project.

Sincerely,



John Kemper  
Vice President

cc: Charles Wikenhauser



DEPARTMENT NAME Zoo

Were Appropriations Requested Below Denied For The Current Budget? No No

TO (Credit)	Line No.	ACCOUNT DISTRIBUTION					Project	OBJECT CODE DESCRIPTION	Transfer Request	DOA Account Modification
		Fund	Agency	Org. Unit	Revenue Object	Activity				
	1575	120	1575	9705		WZ150011	Zoo/ari Conference Center Parking & Access	\$ 25,000.00		
	1575	120	1575	8527		WZ150012	Zoo/ari Conference Center Parking & Access	\$ 169,800.00		
	1575	120	1575	9709		WZ150012	Zoo/ari Conference Center Parking & Access	\$ 8,938.00		
	1575	120	1575	9706		WZ150021	Parking Lot #4 Access Alteration	\$ 17,273.00		
	1575	120	1575	8527		WZ150022	Parking Lot #4 Access Alteration	\$ 66,500.00		
	1575	120	1575	8148		WZ150031	Hoof Stock Isolation/Quarantine Facilities	\$ 14,000.00		
	1575	120	1575	9705		WZ150031	Hoof Stock Isolation/Quarantine Facilities	\$ 2,949.00		
	1575	120	1575	8501		WZ150032	Hoof Stock Isolation/Quarantine Facilities	\$ 84,800.00		
	1575	120	1575	8502		WZ150042	Railroad Track Replacement	\$ 35,421.00		
	1575	120	1575	6999		WZ150051	Point of Sale Reconfiguration	\$ 122,290.00		
	1575	120	1575	8457		WZ150052	Point of Sale Reconfiguration	\$ 306,280.00		
	1575	120	1575	8558		WZ150052	Point of Sale Reconfiguration	\$ 210,347.00		

TO TOTALS (Credit) \$ 1,083,595.00 \$

FROM (Debit)	Line No.	ACCOUNT DISTRIBUTION					Project	OBJECT CODE DESCRIPTION	Transfer Request	DOA Account Modification
		Fund	Agency	Org. Unit	Revenue Object	Activity				
	1575	120	1575	4805		WZ150011	Zoo/ari Conference Center Parking & Access	\$ 25,000.00		
	1575	120	1575	4905		WZ150012	Zoo/ari Conference Center Parking & Access	\$ 174,736.00		
	1575	120	1575	4905		WZ150021	Parking Lot #4 Access Alteration	\$ 17,273.00		
	1575	120	1575	4905		WZ150022	Parking Lot #4 Access Alteration	\$ 66,500.00		
	1575	120	1575	4905		WZ150031	Hoof Stock Isolation/Quarantine Facilities	\$ 16,949.00		
	1575	120	1575	4905		WZ150032	Hoof Stock Isolation/Quarantine Facilities	\$ 84,800.00		
	1575	120	1575	4905		WZ150042	Railroad Track Replacement	\$ 35,421.00		
	1575	120	1575	4905		WZ150051	Point of Sale Reconfiguration	\$ 122,290.00		
	1575	120	1575	4905		WZ150052	Point of Sale Reconfiguration	\$ 516,627.00		

FROM TOTALS (Debit) \$ 1,083,595.00 \$

EXPLANATION

An appropriation transfer of \$8,500,000 is being processed in order to comply with County Board Resolution 14-449.

The Wisconsin Department of Transportation has been authorized to reconstruct the Zoo Freeway Interchange. The renovations are impacting Zoo grounds, facilities, and operations. The plans also include WisDOT's acquisition of the Zoo's easternmost parking lot and parking associated with the Zoo/ari Conference Center as well as the Zoo's entrance/exit drive.

The County had been negotiating with WisDOT. A May 2014 communication from WisDOT indicated that the minimum that the County will receive is \$8.5 million. The County is appealing the amount, but work on the project will continue.

The County has received final offers from WISDOT for various property interests that are needed for WISDOT as part of the Zoo Freeway Interchange Reconstruction project. The final offer amounts were derived from appraisals, consultants and negotiations with WISDOT.

County Board resolution 14-449 gave authority to the Zoo to use the award funds paid to the County to implement the remediation plan to the extent of such funds paid. A cost of cure list was included in the report that separated out various work and summed to an amount of \$8,087,115. Since the WisDOT letter indicated an amount of \$8.5 million, each of the subprojects was proportionally "grossed up".

The CB Res 14-449 also gave the Department of Administrative Services the authority to process this administrative transfer.

(Continued on Pg 2 and Pg 3)

Justin Rodriguez  
Office of the Comptroller

TYPE OF TRANSFER				TRANSFER NO. TR07912014
IAP	EB	RB		

DATE OF REQUEST 8/7/2014	SIGNATURE OF DEPARTMENT HEAD	TITLE Director- DAS PSB
-----------------------------	------------------------------	----------------------------

ACTION	Dept of Administration	County Executive	Finance Committee	County Board
DATE	8-7-14			
APPROVE	<i>[Signature]</i>			
DISAPPROVE				
MODIFY				

Were Appropriations Requested Below Deleted For The Current Budget?										No	Yes		DOA Account Modification
Line No.	ACCOUNT DISTRIBUTION						OBJECT CODE DESCRIPTION	Transfer Request					
	Fund	Agency	Org. Unit	Revenue/Obj	Activity	Project							
TO (Credit)	1575	120	1575	8030		WZ150061	Parking Lot	\$	200.00				
	1575	120	1575	8050		WZ150061	Parking Lot	\$	5,000.00				
	1575	120	1575	6080		WZ150061	Parking Lot	\$	200.00				
	1575	120	1575	6148		WZ150061	Parking Lot	\$	281,800.00				
	1575	120	1575	7830		WZ150061	Parking Lot	\$	1,500.00				
	1575	120	1575	9700		WZ150061	Parking Lot	\$	160,000.00				
	1575	120	1575	8527		WZ150092	Parking Lot	\$	2,248,200.00				
	1575	120	1575	9709		WZ150092	Parking Lot	\$	63,829.00				
	1575	120	1575	8030		WZ150071	Entry Complex	\$	300.00				
	1575	120	1575	8060		WZ150071	Entry Complex	\$	5,000.00				
	1575	120	1575	8060		WZ150071	Entry Complex	\$	300.00				
	1575	120	1575	6148		WZ150071	Entry Complex	\$	299,600.00				
	1575	120	1575	7950		WZ150071	Entry Complex	\$	1,500.00				
	1575	120	1575	9708		WZ150071	Entry Complex	\$	160,000.00				
	1575	120	1575	8501		WZ150072	Entry Complex	\$	2,404,000.00				
	1575	120	1575	9708		WZ150072	Entry Complex	\$	28,260.00				
	TO TOTALS (Credit)								\$	5,749,849.00	\$	-	
	FROM (Debit)	1575	120	1575	4905		WZ150061	Parking Lot	\$	448,800.00			
		1575	120	1575	4905		WZ150062	Parking Lot	\$	2,351,829.00			
		1575	120	1575	4905		WZ150071	Entry Complex	\$	466,800.00			
157		120	1575	4905		WZ150072	Entry Complex	\$	2,442,260.00				
FROM TOTALS (Debit)								\$	5,749,849.00	\$	-		

EXPLANATION

(CONTINUED FROM PAGE 1)  
 (CONTINUED FROM PAGE 1 and onto PAGE 2)

TYPE OF TRANSFER		TRANSFER NO.			
<input type="checkbox"/> IAP	<input type="checkbox"/> IEB	<input type="checkbox"/> ISB			
IF ADDITIONAL SPACE IS REQUIRED, PLEASE ATTACH ADDITIONAL PAGES.					
DATE OF REQUEST		SIGNATURE OF DEPARTMENT HEAD		TITLE	
A c t i o n	DATE	Dept. of Administration	County Executive	Finance Committee	County Board
	APPROVE				
	DISAPPROVE				
	MODIFY				

APPROPRIATION TRANSFER REQUEST		FISCAL YEAR	DEPT. NO.	INSTRUCTIONS: REFER TO MILW. COUNTY ADMINISTRATIVE MANUAL SECTION 4.06 FOR INSTRUCTIONS ON PREPARING THIS FORM.
MILWAUKEE COUNTY		2014	1575	
DEPARTMENT NAME: DAS-Architecture, Engineering and Environmental Services				

Were Appropriations Requested Below Derived For The Current Budget?								No	No	
TO (Credit)	Use No.	ACCOUNT DISTRIBUTION					OBJECT CODE DESCRIPTION	Transfer Request	DOA Account Modification	
		Fund	Agency	Org. Unit	Reversal No. / Dept.	Activity / Project				
	1575	120	1575	6090		WZ150081 Sense of Arrival	\$ 100.00			
	1575	120	1575	6080		WZ150081 Sense of Arrival	\$ 100.00			
	1575	120	1575	6146		WZ150081 Sense of Arrival	\$ 10,000.00			
	1575	120	1575	7930		WZ150081 Sense of Arrival	\$ 300.00			
	1575	120	1575	9706		WZ150081 Sense of Arrival	\$ 4,800.00			
	1575	120	1575	8501		WZ150082 Sense of Arrival	\$ 57,200.00			
	1575	120	1575	9706		WZ150082 Sense of Arrival	\$ 1,074.00			
	1575	120	1575	6090		WZ150091 Entry Area Exhibit	\$ 160.00			
	1575	120	1575	6090		WZ150091 Entry Area Exhibit	\$ 5,000.00			
	1575	120	1575	9706		WZ150091 Entry Area Exhibit	\$ 100.00			
	1575	120	1575	6146		WZ150091 Entry Area Exhibit	\$ 159,800.00			
	1575	120	1575	7930		WZ150091 Entry Area Exhibit	\$ 1,500.00			
	1575	120	1575	9706		WZ150091 Entry Area Exhibit	\$ 90,000.00			
	1575	120	1575	8501		WZ150092 Entry Area Exhibit	\$ 1,197,000.00			
	1575	120	1575	9706		WZ150092 Entry Area Exhibit	\$ 31,487.00			
	1575	120	1575	6146		WZ150101 Placid Area	\$ 11,595.00			
	1575	120	1575	9706		WZ150101 Placid Area	\$ 10,000.00			
	1575	120	1575	8501		WZ150102 Placid Area	\$ 73,000.00			
	1575	120	1575	6146		WZ150111 TADY Traffic Study	\$ 15,560.00			
<b>TO TOTALS (Credit)</b>								<b>\$ 1,695,716.00</b>	<b>\$</b>	
FROM (Debit)	1575	120	1575	4905		WZ150081 Sense of Arrival	\$ 15,300.00			
	1575	120	1575	4905		WZ150082 Sense of Arrival	\$ 59,774.00			
	1575	120	1575	4905		WZ150091 Entry Area Exhibit	\$ 253,500.00			
	1575	120	1575	4905		WZ150092 Entry Area Exhibit	\$ 1,228,481.00			
	1575	120	1575	4905		WZ150101 Placid Area	\$ 21,995.00			
	1575	120	1575	4905		WZ150102 Placid Area	\$ 73,000.00			
	1575	120	1575	4905		WZ150111 TADY Traffic Study	\$ 15,560.00			
<b>FROM TOTALS (Debit)</b>								<b>\$ 1,668,716.00</b>	<b>\$</b>	

EXPLANATION

(CONTINUED FROM PAGE 2)

TYPE OF TRANSFER		TRANSFER NO.			
AP	EB	RB			
*ADDITIONAL SPACES REQUIRED, PLEASE ATTACH ADDITIONAL PAGES*					
DATE OF REQUEST	SIGNATURE OF DEPARTMENT HEAD		TITLE		
A o i l o n	DATE	Dept. of Administration	County Executive	Finance Committee	County Board
	APPROVE				
	DISAPPROVE				
	MODIFY				

1 Supervisor David Cullen, Chairperson,  
2 From the Committee on Finance, Personnel, and Audit reporting on:

3  
4  
5 File No. 14-449

6 (ITEM ) From the Director, Milwaukee County Zoo, requesting authorization to use  
7 award funds to implement the Remediation Plan to cure the effects of the Wisconsin  
8 Department of Transportation Zoo Interchange Freeway Project on the Milwaukee County  
9 Zoo, by recommending adoption of the following:

10  
11 A RESOLUTION

12  
13 WHEREAS, Wisconsin Department of Transportation (WisDOT) has been  
14 legislatively authorized to reconstruct the Zoo Freeway Interchange by the State of  
15 Wisconsin and by the Federal Highway Administration (FHWA) under various state and  
16 federal statutes and codes; and

17  
18 WHEREAS, WisDOT plans for the renovation of the Zoo Freeway Interchange are  
19 impacting Zoo grounds, facilities, and operations; and

20  
21 WHEREAS, the plans also include WisDOT's acquisition of the Zoo's easternmost  
22 parking lot with a capacity of 700 cars, driveways, and parking associated with the Zoofari  
23 Conference Center, as well as the Zoo's entrance/exit drive, which will have to be  
24 reconfigured; and

25  
26 WHEREAS, the Zoo engaged several professional consultants to develop plans for  
27 the parking lot replacement and a description of additional facilities needed to create an  
28 auxiliary entrance; and

29  
30 WHEREAS, the Zoo recommends proceeding to implement the aforesaid plans; and

31  
32 WHEREAS, negotiations are ongoing with WisDOT and the latest offer by WisDOT  
33 will provide sufficient funds to implement most of the aforesaid plans; and

34  
35 WHEREAS, if negotiations are unsuccessful, WisDOT will acquire the Zoo property  
36 needed by Award, and pay the amount of the Award to the County, with the County then  
37 having a right to appeal the amount; and

38  
39 WHEREAS, the Committee on Parks, Energy, and Environment at its meeting of  
40 May 13, 2014, recommended adoption of the Zoo's request (vote 6-0); and

41  
42 WHEREAS, the Committee on Finance, Personnel, and Audit at its meeting of  
43 May 15, 2014, also recommended adoption of the Zoo's request (vote 8-0); now, therefore,

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BE IT RESOLVED,

- (1) If an Award is made, the Zoo may use the Award funds paid to the County to implement the Remediation Plan, to the extent of such funds paid.
- (2) If an additional Award is recovered on appeal, the Zoo may use such funds to complete the Remediation Plan, to the extent of such funds paid.

; and

BE IT FURTHER RESOLVED, that the Department of Administrative Services is authorized to process a 2014 Administrative Fund Transfer and establish expenditure authority for the respective Zoo remediation projects.

jmj  
05/16/14  
H:\Shared\COMCLERK\Committees\2014\May\FPA\Resolutions\14-449.docx



Division of Transportation  
System Development  
Southeast Regional Office  
141 NW Barstow Street  
PO Box 798  
Waukesha WI 53187-0798

Scott Walker, Governor  
Mark Gottlieb, P.E., Secretary  
Internet: [www.dot.wisconsin.gov](http://www.dot.wisconsin.gov)

Telephone: 262-548-5903  
Facsimile (FAX): 262-548-6424  
E-mail: [ser.dtsd@dot.wi.gov](mailto:ser.dtsd@dot.wi.gov)

May 27, 2014

MILWAUKEE COUNTY  
MILWAUKEE COUNTY CLERK  
901 N. 9TH STREET, ROOM 105  
MILWAUKEE, WI 53233

MILWAUKEE COUNTY ZOO  
CHUCK WIKENHAUSER, DIRECTOR  
10001 WEST BLUE MOUND ROAD  
MILWAUKEE, WI 53226

MICHAEL BEST & FRIEDRICH LLP  
ATTORNEY ALAN MARCUVITZ  
100 EAST WISCONSIN AVENUE, SUITE 3300  
MILWAUKEE, WI 53202-4108

Reference: Project ID 1060-33-24  
Zoo Interchange\_S, 124th Street - S. 70th Street  
IH 94, Milwaukee County  
Parcel # 104\_Milwaukee County ZOO

The Wisconsin Department of Transportation has approved a revised offering price in the amount of **\$8,500,000.00** for the purchase of the interests needed from your property for the above referenced highway improvement project. This letter gives you written notice of the revised offering price, and it rescinds and replaces any previous offers presented to you during our negotiations.

You have previously stated that \$8.5 million is not acceptable. I will begin the process of acquiring the interests from your property by means of eminent domain. This process is explained in the informational sheet previously provided to you, "The Rights of Landowners under Wisconsin Eminent Domain Law."

You may contact me at (262) 548-8781 with your questions and concerns.

Sincerely,

A handwritten signature in cursive script that reads "Larry D Stein".

Larry D Stein  
Real Estate Specialist



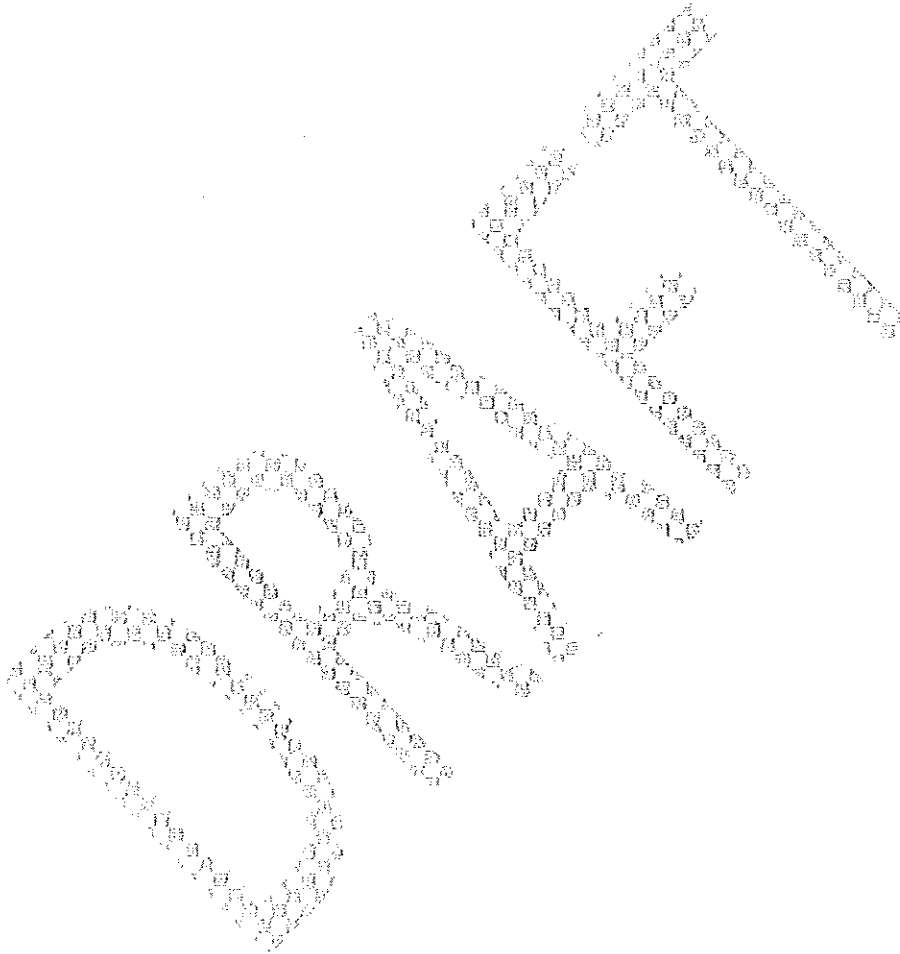
## Cost to Cure

8/7/2014

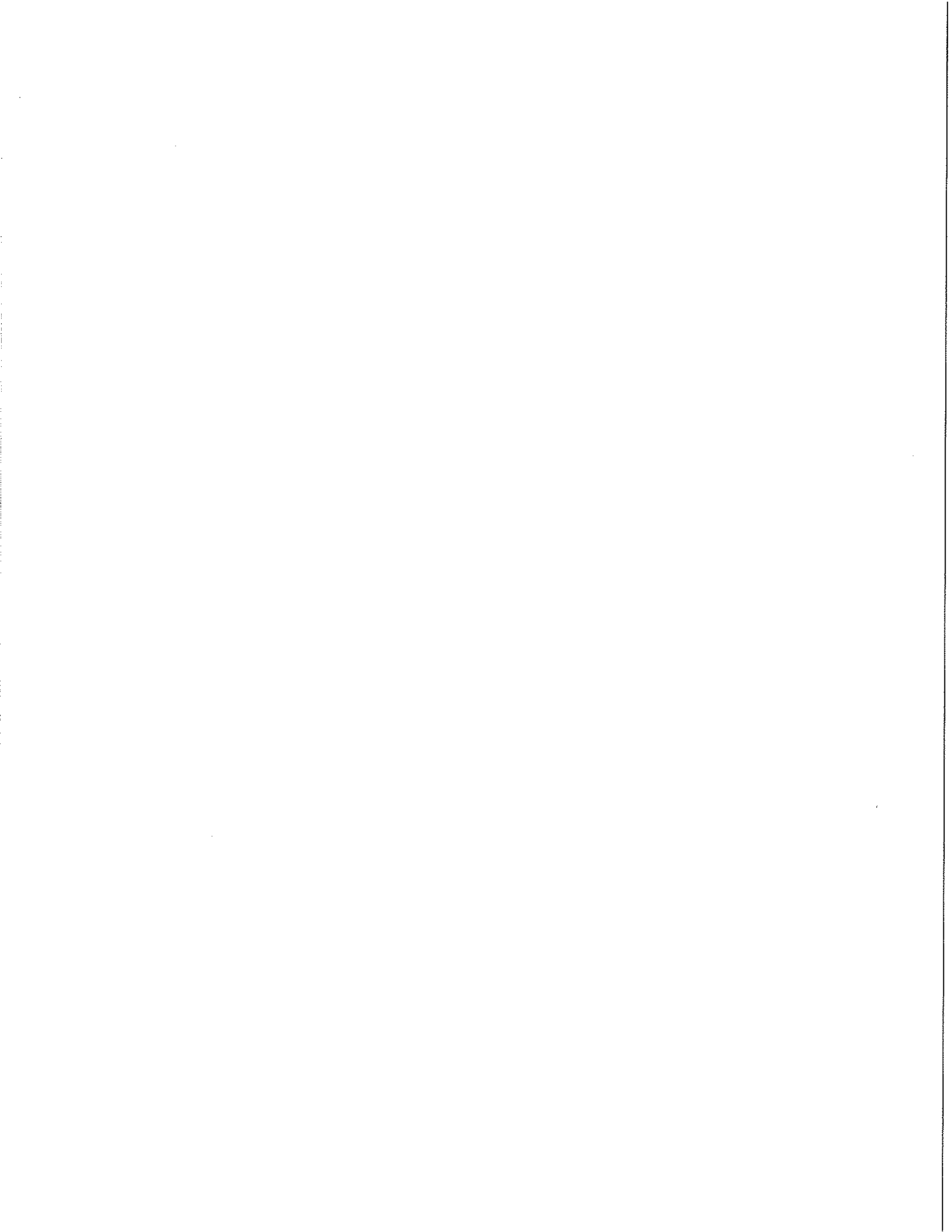
- Zoofari Conference Center Parking & Access Drive
  - Asphalt southwest corner of property to replace 37 parking spaces lost to acquired right of way: \$160,000
  - New access drive to Zoo exit drive: \$23,340
  - New electronic 24 foot wide slide gate with operator equipment: \$10,500
  - **Total: \$193,840**
- Parking Lot #4 Access Alteration
  - Partial removal of landscape island and restoration of road: \$30,856
  - New lot #4 road to WE Energies property: \$31,876
  - New access gate and fencing to WE Energies property from lot #4: \$36,000
  - **Total: \$98,732**
- Hoof Stock Isolation/Quarantine Facilities
  - Concrete Pad: \$10,000
  - Plumbing – Trench drain with grates and 4" sanitary sewer 150 feet away: \$24,960
  - Pole barn cover (to meet code): \$30,849 purchase price
  - Pole barn installation: \$25,000
  - Asphalt roadway: \$5,997
  - **Total: \$96,806**
- Railroad Track Replacement
  - Original work quote: \$28,150
  - Additional work due to DOT contractor damage: \$5,550
  - **Total: \$33,700**
- Reconfiguration of Point of Sale System Due to New Admission Facilities at West Side of Property
  - Existing Hardware updates: \$142,560
  - New equipment: \$213,010
  - Installation and training: \$91,255
  - Extra hardware and software for back-up/A La Carte: \$93,270
  - Contingency: \$67,787
  - **Total: \$607,882**
- New Parking Lot (Sigma estimate): \$2,655,594
- New Entry Complex (PGAV estimate): \$2,760,000
- Sense of Arrival (PGAV estimate): \$70,000

- Entry Area Exhibit (PGAV estimate): \$1,410,000
- Picnic Area (PGAV estimate): \$90,000
- TADI Traffic Study: \$15,756
- Sigma Preliminary Parking Lot Design: \$8994.86
- PGAV West Entrance Conceptual Design: \$45,810
- **Zoo Cost to Cure Grand Total: \$8,087,115**

**5/5/2014**







Email sent to County Board on 5/19/2017

### Background

As you are aware the Wisconsin Department of Transportation (DOT) is renovating the Zoo Interchange. Construction started in 2014 and is expected to last through 2019. This project has directly affected the Milwaukee County Zoo and its operations. Most significantly is the loss of the Zoo's 8 acre 700 car auxiliary parking lot on the east side of the Zoo bordering US Highway 45. The Zoo uses this parking lot several times during the busy season and must retain this parking capacity in order to accommodate the Zoo's 1.3 million visitors.

Once the DOT's final renovation plans were developed and the project's effect on Zoo grounds was known, Zoo and County officials, assisted by outside legal counsel, began negotiations with the DOT. Following an analysis of the final plans, the Zoo developed a list of effects on Zoo property and their estimated cost. This document has been referred to as the "Cost to Cure". This list included a new entrance, parking lot, and entry exhibit to be located on the former Bliffert Lumber Co. site owned by the Zoo at the corner of Bluemound Road and Hwy 100. Preliminary estimates of the "Costs to Cure" were just over \$8 million, excluding the value of the land.

As part of the negotiation process, the County and DOT each retained professional appraisers. When the County's outside counsel and the DOT could not agree on a final settlement amount, negotiations ceased and the DOT proceeded to take the Zoo property through eminent domain. On June 30, 2014 (the "Date of Taking"), the DOT provided the Zoo an \$8.5 million Award of Damages. A short time later, the County's outside counsel notified the DOT of its intent to appeal the "Taking" and the payment and began filing the appropriate submittals through the courts legal system.

The legal procedures continued over the next two years. During this time period, many "Cost to Cure" projects were designed and re-estimated and/or bid out for the start of construction. New estimates for the "Cost to Cure" now exceeded \$13 million. On July 22, 2016, the County's outside counsel and attorneys from Wisconsin Department of Justice (DOJ, representing the DOT) entered mediation. The DOJ's final offer was deemed insufficient and the mediation ended. The DOJ was informed that the legal appeal would proceed to trial. After several delays, a final trial date was set for February 13, 2017. As the date approached, the court appointed mediator continued to contact the DOJ regarding a settlement prior to going to trial. On February 1, 2017, the mediator notified the County's outside counsel that significant progress had been made. On advice of outside counsel, the County accepted a final offer of \$4.2 million. This brought the DOT's total payment for the "Cost to Cure" list to \$12.7 million.

### Legislative History

During the May, 2014 meeting cycle of the County Board, the Zoo Director submitted a report (14-449) regarding the impact of the Zoo Interchange renovation project on the Zoo's property. This information also included the "Cost to Cure" list which included a new entrance, parking lot, and new entry exhibit and a cost estimate. At both the Parks, Energy and Environment and Finance and Audit Committee meetings and in anticipation of receiving a settlement offer from the DOT, the Zoo Director and County's outside counsel requested the opportunity in closed session to discuss the progress of negotiations. The packet provided to the two Board committees also included a resolution providing the Zoo the authority to accept and use any DOT award funds for the "Renovation Plan" (Cost to Cure List) and giving the Department of Administrative Services authority to administratively transfer the funds and establish expenditure authority. The resolution passed in both committees on May 13 and 15, 2014 respectively and subsequently by the full Board on May 22, 2014.

During the July, 2014 meeting cycle of the County Board, the Zoo Director submitted legislation (14-609) seeking to extend the contract of Zoo master plan consultant PGAV for the purpose of designing a new entrance including admission facilities, restrooms, concession and merchandise facilities, a new aquatic animal entrance exhibit, and adjacent parking lot. The new entrance exhibit was more clearly identified as a North American River Otter exhibit during this item's discussion at the Finance and Audit Committee Meeting. The item was passed by both committees on July 22 and 24, respectively, and subsequently by the full Board on July 31, 2014.

On August 7, 2014, the Department of Administrative Services processed an administrative fund transfer of the initial \$8.5 million DOT settlement funds and established the projects, including a new entrance exhibit, on the "Cost to Cure" list.

On May 18, 2017, the Department of Administrative Services submitted a fund transfer providing additional expenditure authority from the final DOT settlement for the completion of the "Cost to Cure" list. The Finance and Audit Committee passed the fund transfer and forwarded it to the full County Board.

#### Project Progress

Following completion of design in August, 2015, construction began on the west entrance parking lot. Site utility work also began. Unforeseen unstable soil conditions at the site hindered construction and began to escalate the cost. In 2016, construction began on the footings and foundations of the buildings, including the otter exhibit. Construction stopped in late 2016, pending the receipt of additional settlement funds from the DOT. Those funds were received in March, 2017 and construction of the building, excluding the otter exhibit was started. The completion of the otter exhibit is pending the final passage of the May 18, 2017 fund transfer request.

