

**COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION**

FILE NO. 21-646

DATE: June 9, 2021

TO: Marcelia Nicholson, Chairperson, Milwaukee County Board of Supervisors

FROM: Amy Keltner, Director, AE&ES Section, DAS-FM Division

SUBJECT: A Request from the Director, Department of Administrative Services (DAS), regarding Passive Review of a Professional Services Agreement Exceeding \$100,000 but less than \$300,000 for Capital Project WP372011 – McKinley Flushing Channel Seawalls

FILE TYPE: Passive Review Contract

REQUEST

The Director of DAS respectfully requests passive review of this fee increase of \$28,138.84 for an amendment to the professional services agreement with Collins Engineers for design services for capital project WP372011. The fee increase, including design and construction oversight contingencies, results in a NTE total fee of \$267,359.84 for WP372011.

OVERVIEW

Capital project **WP372011 –McKinley Flushing Channel Seawalls** involves replacement of seawalls along a flushing channel near McKinley Marina in McKinley Park. Timber piles and sheeting form the sides of a flushing channel that leads to the pump house (presently occupied by Colectivo Coffee). Lake water was pumped through a tunnel at the north end of the flushing channel to the Milwaukee River during periods of low flow to flush stagnant water in the river. The flushing channel is abutted by open park land in McKinley Park on the westerly side, and Milwaukee Yacht Club on the easterly side. The Milwaukee Yacht Club leases land from Milwaukee County. The flushing channel is currently used by the yacht club for lifting boats in and out of the lake, mooring small sail boats and for additional boat slips.

Construction plans for the timber seawalls date back to 1906. The timber piles and sheeting are in a severely deteriorated state. Concrete walks and seawalls were added at the westerly and northeasterly side of the channel on top of the timber piles in the late 1920's. The concrete walks and seawalls are leaning toward the channel ready to collapse. On the easterly side of the channel, the yacht club operations take place right up to the edge of the channel. A capital project was approved in the Milwaukee County 2020 Capital Budget to complete the planning, design and construction documents for replacement of the seawalls at the flushing channel. The 2020 capital budget included funding for design only.

A fee increase to Collins Engineers' professional service agreement is requested for the following additional design services:

- additional electrical design at the timber board walk replacement with a steel sheet pile wall and concrete walk near the Yacht Club
- replication of historic concrete parapet walls at north end of channel and associated

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concrete anchor design

- refurbishing existing steel sheet pile instead of replacement
- additional cost estimates to be able to consider phased construction
- extended time for additional design, review and administration - extend to 12/31/2

Collins Engineers' proposed scope of services has been reviewed by the AE&ES Section of DAS-FM. A copy of the proposed scope of services and consultant fee spreadsheet is attached.

POLICY

Implementation of Wisconsin Statutes 59.21(31) with regard to purchase of professional service agreements (under the Milwaukee General Ordinance Chapter 56) for Capital projects requires County Board review to award the initial agreement, or fee extension(s) to the original agreement, when the total contractual fee exceeds \$100,000 but is less than \$300,000.

Wisconsin State Statutes: 59.21(31)
 Milwaukee County Code of General Ordinances: Chapter 56

FISCAL EFFECT

The adopted 2020 capital budget included a total of \$440,447 for capital project WP372. There are sufficient funds in the capital budget to award the requested fee increase for the professional services agreements to Collins Engineers. The fee increase of \$28,138.84 for an amendment to the professional services agreement, along with design and construction oversight contingencies, results in a NTE total fee of \$267,359.84 for WP372011, which breaks down as follows:

FEE BREAKDOWNS:

Current Allowable Fee plus Allowance:	
1. Lump Sum Design (NTE) – Design + Fee Inc 1 Fees	\$199,221.00
2. Design Fee Contingency (NTE)	\$15,000.00
3. Reimbursable Allowance (NTE)	\$0.00
4. Fee Plus Allowance (NTE)	\$214,221.00
Proposed Fee Increase:	
1. Fee Increase No. 2 Actual Cost Not to Exceed Sum	\$28,138.84
2. Design Fee Contingency (NTE)	\$0.00
3. Reimbursable Allowance (NTE)	\$0.00
4. Fee Plus Allowance (NTE)	\$28,138.84

Revised Maximum Allowable Fee Plus Allowance:

1. New Fee Total	\$227,359.84	
2. Design Fee Contingency (NTE)	\$15,000.00	
3. Future Construction Oversight Contingency (NTE)	\$25,000.00	
4. <u>Reimbursable Allowance (NTE)</u>		<u>\$0.00</u>
5. Fee Plus Allowance (NTE)		\$267,359.84

TERMS

The standard Milwaukee County professional services agreement is being used to define the terms.

RACIAL EQUITY COMPONENT

The contract includes a targeted business enterprise (TBE) goal of 17%. The approved TBE participation plan will meet the goal.

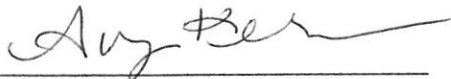
VIRTUAL MEETING INVITEES

Karl Stave, Principal Civil Engineer, DAS-FM, AE&ES
Amy Keltner, Director, DAS-FM, AE&ES
Sarah Toomsen, Planning Manager, Parks

PREPARED BY

Karl Stave, Project Manager, AE&ES, DAS-FM

APPROVED BY



Amy Keltner, Director
AE&ES Section, DAS-FM Division
Department of Administrative Services

Attachments: Consultant Retention Approval
Fiscal Note

cc: David Crowley, County Executive
Mary Jo Meyers, Chief of Staff, Office of the County Executive
Kelly Bablitch, Chief of Staff, County Board
Janelle M. Jensen, Manager, Legislative Services Division, Office of the County Clerk
Joseph Lamers, Director, Office of Performance, Strategy and Budget, Department of Administrative Services
Vince Masterson, Capital Budget Coordinator, Office of Performance, Strategy and Budget, Department of Administrative Services
Pamela Bryant, Capital Finance Manager, Office of the Comptroller
Justin Rodriguez, Budget and Management Coordinator, Office of the Comptroller
Guy Smith, Director, Department of Parks, Recreation and Culture