



## Community Business Development Partners

# MILWAUKEE COUNTY

MARINA DIMITRIJEVIC • Chairwoman, Milwaukee County Board of Supervisors  
NELSON SOLER • Interim Director, Community Business Development Partners

## INTER-OFFICE COMMUNICATION

DATE: February 15, 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, Interim Director, Community Business Development Partners

SUBJECT: **DBE WAIVER REPORT FOR JANUARY 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) 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. These certifying partners share the responsibility of verifying and maintaining the status of the 883 currently certified firms throughout the State, while processing all new applications.

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WAIVER REQUESTS

When CDBP receives a waiver request from a department/division, staff thoroughly reviews it and available supporting documentation before forwarding the request on to the Interim Director for determination. The Interim 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 January. This report does not include contracts awarded by Procurement Division processes under Chapter 32, as CDBP is not authorized access to this information. 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.

<b>Total Contracted Dollars for Period</b>	<b>\$ 12,528,313.55</b>
<b>Total Contracted Dollars w/ Waiver Approval</b>	<b>\$ 1,142,905.52</b>
<b>Total Contracted Dollars w/o Waiver Approval</b>	<b>\$ 38,000.00</b>
<b>Percentage of Contracts Waived for Period</b>	<b>9.43%</b>

RECOMMENDATION

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

Approved by:



Nelson Soler  
Interim Director

CC: Chris Abele, Milwaukee County Executive

# Milwaukee County Community Business Development Partners Department (CBDP) DBE Waiver Report January 2013

DEPARTMENT	CONSULTANT/CONTRACTOR	SCOPE OF SERVICES	CONTRACT AMOUNT	APPROVAL REASON
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DEPARTMENT	CONSULTANT/CONTRACTOR	SCOPE OF SERVICES	CONTRACT AMOUNT	APPROVAL REASON
<u>CBDP Approved Waivers <sup>1</sup></u>				
Parks	United Summer Camp	To provide summer camp for children	27,500.00	No DBE's provide this service
Human Resources	Affion Public, LLC	Search for Parks Director	25,000.00	Specialized recruitment
Dept. on Aging	Jennifer Lefebvre	Consulting management services	17,500.00	Project cannot be subcontracted
Dept. on Aging	Board of Regents of University of WI System	Research for the Wellness Works Adult Fitness Program	30,585.00	Project cannot be subcontracted
Combined Court Related	Midwest Medical Records Association, Inc.	In-house copy services	24,000.00	Good Faith Efforts Were Pursued
Combined Court Related	State of Wisconsin	To continue operation of the Legal Resource Center	139,829.00	Adopted budget
Combined Court Related	Metro Milwaukee Mediation Services, Inc.	To set up each Judge and the Central Resource Library to comply with the standard law book collection	35,000.00	Adopted budget
Combined Court Related	Sojourner Family Peace Center, Inc.	Legal services to perform mediation between lending institutions & homeowners	636,086.34	Per Chapter 56.30
District Attorney	Broadcast Services	Investigation & prosecution of domestic violence in Milwaukee	63,000.00	Grant
IMSD	Chapman & Cutler	Space on top of US Bank Center for antenna site	67,537.80	County Board Action File No. 05-264
Comptroller	Jackson MacCadden	Professional services relating to the 2012 AGO retuning & other bond related issues	55,108.20	Per Chapter 56.30
CH - Facilities Management	Technical Design Services, Inc.	Safety Building - Domestic Violence Unit Remodeling - Asbestos Consulting Services	2,100.00	Annual Consultant Utilization <sup>2</sup>
IMSD	ACL Laboratories	Replacement of existing fiber optic link	13,800.00	Specific knowledge of County facilities; Succession Planning
Parks		Drug and alcohol testing for CDL holders	5,877.18	No CBDP Review

DEPARTMENT	CONSULTANT/CONTRACTOR	SCOPE OF SERVICES	CONTRACT AMOUNT	APPROVAL REASON
Office of Persons w/Disabilities	Various Interpreters	To provide sign language interpreter services for MC citizens whose deaf and/or hearing impaired	38,000.00	No CBDP Review

<u>Contracts Issued Without CBDP Review <sup>2</sup></u>				
			\$12,528,313.55	
Total Contract \$ Amount for Month <sup>3</sup>			\$1,142,905.52	
Total Approved Waiver \$ Amount			\$38,000.00	
Total Unapproved Waiver \$ Amount			9.43%	
Percentage Waived				

<sup>1</sup> Waivers approved by CBDP; within guidelines of Code of General Ordinances

<sup>2</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>3</sup> Total does not include Procurement Division Figures