



Community Business Development Partners  
**MILWAUKEE COUNTY**

Dr. Ruben Anthony, Jr • Interim Director, DBE Liaison Officer, ACDBE Liaison Officer

DATE: August 21, 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: Dr. Ruben Anthony, Interim Director, Community Business Development Partners

**SUBJECT: DBE WAIVER REPORT FOR May, June & July 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) key 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. As a certifying partner, Milwaukee County has the responsibility of verifying and maintaining the status of approximately 400 of the 900 currently certified firms throughout the State, while processing all new applications.

## WAIVER REQUESTS

When CBDP receives a waiver request from a department/division, staff thoroughly reviews it and available supporting documentation before forwarding the request on to the Director for 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 May, June and July. This report does not include contracts awarded by Procurement Division processes under Chapter 32, as this information is not shared with CBDP. 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 the period</b>	<b>\$ 31,744,340.38</b>
<b>Total Contracted Dollars w/ Waiver Approval</b>	<b>\$ 3,159,037.00</b>
<b>Total Contracted Dollars w/o Waiver Approval</b>	<b>\$ 126,414.26</b>
<b>Percentage of Contracts Waived for Period</b>	<b>10%</b>

## RECOMMENDATION

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

Approved by:

Ruben Anthony  
Interim Director, CBDP

CC: Chris Abele, Milwaukee County Executive

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

DEPARTMENT	CONSULTANT/CONTRACTOR	SCOPE OF SERVICES	CONTRACT AMOUNT	APPROVAL REASON
<b><u>CBDP Approved Waivers <sup>1</sup></u></b>				
DOT - GMIA	Giles Engineering	GMIA - Material Testing - Airfield Pavement Rehabilitation & Stormwater Box Tunnel Repair	\$15,000.00	Annual Consultant Utilization
Parks	Southwest Aquatic Team (SWAT)	Exclusive use of certain lanes of the Wilson Park pool during certain times & dates over the summer	\$9,000.00	Summer Event
DHHS-BHD	UW Waisman Center Community TIES Program	Two specialist from the Waisman Center staff to visit, assess & provide training to BHD staff	\$49,800.00	Specialized Service
DHHS-BHD	Quarles & Brady, LLP	Legal services	\$30,000.00	Specialized Service
DTPW-Airport Division	Smith Amundsen, LLC	Specialize legal services	\$19,999.00	Specialized Service
IMSD	Eden Enterprises, LLC	Assist with planning & implementation of the migration to Office 365 for county staff	\$99,999.00	Specialized Service
Human Resources	Affion Public, LLC	To serve as an execution search firm to identify & place a qualified individual in the position of Parks Director	\$25,000.00	Specialized Service
District Attorney	Fondulac County Medical Examiner's Office	John Doe investigation into the death of Brandon Johnson at BHD	\$2,000.00	Specialized Service
District Attorney	Michael Woody, Psy.D	State v. Robert Fowler	\$3,000.00	Specialized Service

### **Contracts Issued Without CBDP Review <sup>2</sup>**

Comptroller	Chapman & Cutler	Professional services relating to the 2013A Taxable General Obligation Pension Promissory Notes \$138,730	\$85,164.26	No CBDP Review
Comptroller	Fitch Ratings	Professional services associated with the 2013A Taxable General Obligation Pension Notes	40,000.00	No CBDP Review

<b>Total Contract \$ Amount for Month <sup>3</sup></b>	<b>\$17,412,725.00</b>
<b>Total Approved Waiver \$ Amount</b>	<b>\$253,798.00</b>
<b>Total Unapproved Waiver \$ Amount</b>	<b>\$125,164.26</b>
<b>Percentage Waived</b>	<b>2.18%</b>

<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

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

DEPARTMENT	CONSULTANT/CONTRACTOR	SCOPE OF SERVICES	CONTRACT AMOUNT	APPROVAL REASON
<b><u>CBDP Approved Waivers <sup>1</sup></u></b>				
Parks	Board of Regents of the University of Wisconsin System	To conduct programs environmental education, nature in the parks	263,289.00	Specialized Service
DHHS-Delinquency & Court Services	MPD/MPS	To provide specialized training & technical assistance mentoring program	20,000.00	Specialized Service
DHHS-BHD	Enterprise Medical Services	To search for physicians and nurses	99,000.00	Specialized Service
DHHS-EMS	City of Franklin	To provide emergency medical services to County residents and others	170,000.00	Specialized Service
DHHS-EMS	City of Greenfield	To provide emergency medical services to County residents and others	190,000.00	Specialized Service
DHHS-EMS	City of Milwaukee	To provide emergency medical services to County residents and others	760,000.00	Specialized Service
DHHS-EMS	North Shore Fire Department	To provide emergency medical services to County residents and others	270,000.00	Specialized Service
DHHS-EMS	City of Oak Creek	To provide emergency medical services to County residents and others	180,000.00	Specialized Service
DHHS-EMS	City of South Milwaukee	To provide emergency medical services to County residents and others	200,000.00	Specialized Service
DHHS-EMS	City of Wauwatosa	To provide emergency medical services to County residents and others	160,000.00	Specialized Service
DHHS-EMS	City of West Allis	To provide emergency medical services to County residents and others	150,000.00	Specialized Service
Family Care	Baker Tilly Virchow Krause, LLP	To procure additional audit services	478,000.00	Specialized Service
Dept. on Aging	Milwaukee LGBT Community Center, Inc.	Outreach and services to lesbian, gay, bisexual and transgender elderly	10,000.00	Specialized Service
District Attorney	Christopher T. Tyre, Ph.D-Jameel Ali	State v. Jameel Ali	1,750.00	Specialized Service (Under \$2,000.00)
Medical Examiner	Medical College of Wisconsin Affiliated Hospitals (MCWAH)	Forensic Pathology Fellowship Program	88,000.00	Specialized Service
Corporation Counsel	Hansen Reynolds Dickinson Crueger, LLC and Cade Law LLC	Specialized services	49,000.00	Specialized Service (Per Chapter 56.30(a))

### **Contracts Issued Without CBDP Review <sup>2</sup>**

Comptroller	U.S Bank	US Bank administration fees for the 2004A airport revenue bonds	1,250	No CBDP Review
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<b>Total Contract \$ Amount for Month <sup>3</sup></b>	<b>\$3,139,689.00</b>
<b>Total Approved Waiver \$ Amount</b>	<b>\$2,902,039.00</b>
<b>Total Unapproved Waiver \$ Amount</b>	<b>\$1,250.00</b>
<b>Percentage Waived</b>	<b>92.47%</b>

<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

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

DEPARTMENT	CONSULTANT/CONTRACTOR	SCOPE OF SERVICES	CONTRACT AMOUNT	APPROVAL REASON
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CBDP Approved Waivers <sup>1</sup>

Contracts Issued Without CBDP Review <sup>2</sup>

Total Contract \$ Amount for Month <sup>3</sup>	2,395,250.00
Total Approved Waiver \$ Amount	<b>\$0.00</b>
Total Unapproved Waiver \$ Amount	<b>\$0.00</b>
Percentage Waived	<b>0.00%</b>

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

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