

**COUNTY OF MILWAUKEE**  
Inter-Office Communication

Date: December 6, 2023

To: Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors

From: Guy D. Smith, Executive Director, Milwaukee County Parks

Subject: A Request from the Executive Director of Milwaukee County Parks for Passive Review of a Professional Services Agreement Exceeding \$100,000 but less than \$300,000 for final design and development of habitat restoration plan sets for Little Menomonee River Parkway Section 1 in the Area of Concern

File Type: Passive Review

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**REQUEST**

The Executive Director of Milwaukee County Parks is requesting passive review of a professional service agreement in an amount not to exceed \$153,467, including any future amendments, for final design and development of habitat restoration plan sets for Little Menomonee River Parkway Section 1 in the Area of Concern.

**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:	Wis Stat 59.21(31)
Milwaukee County Code of General Ordinances:	Chapter 56
Specific Adopted Budget:	
Specific Adopted Budget Amendment:	
Specific Adopted Capital Project:	

**BACKGROUND**

This project will complete the planning and design process to identify upland work for LMRP Section 1 including the development of an Ecological Restoration and Management Plan, as well as aquatic site assessments and a Basis of Design Report (feasibility study) to inform and support and design for aquatic habitat enhancements. All work is conducted in coordination with the Wisconsin Department of Natural Resources (WDNR) and the AOC Fish & Wildlife Technical Advisory Committee (Tech Team).

In May 2020, Milwaukee County entered into a grant agreement with WDNR for the purpose of implementing fish and wildlife habitat recommendations in the Little Menomonee River corridor. The expiration date of the grant agreement is December 31, 2023

The Service Contract for Little Menomonee River Section 1 was awarded to Ozaukee County on May 31, 2021. The contract is recorded as contract No. 274.

According to the 2021 Service Contract, Ozaukee County was to be compensated for performance of its contracted obligations such that payments would not exceed \$252,467 in the aggregate until the expiration of the contract on December 31, 2023. The 2021 Service Contract had an Initial Term expiring on December 31, 2021, with compensation in the amount of \$99,000 in the first term of the contract, and the remaining due during the 2022-2023 extension of the contract.

On January 1, 2022, the County extended the Service Contract through December 31, 2023, in accordance with the duration of the grant agreement. However, due to an oversight, the contract amounts were not updated during the execution of the extensions, and not accurately reflected in the county financial system. It is now necessary to bring the contract to passive review to amend the contract to reflect that \$153,467 is still available from the grant funding to cover the contractor's costs accrued in 2022 and 2023. At this time, invoices submitted cannot be paid due to insufficient balance to pay bills submitted in 2022 and 2023 in the county financial system.

Related File No's:	
Associated File No's (Including Transfer Packets):	
Previous Action Date(s):	

### **ALIGNMENT TO STRATEGIC PLAN**

This item aligns to the objectives in the [strategic plan](#):

- 2C: Apply a racial equity lens to all decisions
- 3A: Invest "upstream" to address root causes of health disparities
- 3B: Enhance the County's fiscal health and sustainability
- 3C: Dismantle barriers to diverse and inclusive communities

Delisting AOCs often have a positive impact on property values in AOC communities, as well as increased outdoor recreation, commerce, port or shoreline activity, residential development that's all supported by a healthy and sustainable environment. The use of grant money for this work ensures the fiscal health and sustainability of the County.

### **FISCAL EFFECT**

Sufficient funds are budgeted as the contract is fully grant funded.

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## **TERMS**

- Term shall commence on effective date and continue until 12/31/2023
- Fee was determined through the RFP process, and total contract fee will not exceed \$252,467
- Deliverable per the Scope of Work:
  - Prepare a Quality Assurance Project Plan
  - Review historic and existing raw data
  - Perform vegetation surveys and provide reports and maps
  - Submit a final Basis of Design report encompassing all data with recommendations for aquatic habitat enhancements
  - Submit engineering designs and specifications for proposed habitat restoration enhancement

## **VIRTUAL MEETING INVITES**

Natalie Dutack, Area of Concern Program Manager, Milwaukee County Parks

## **PREPARED BY:**

Saji Villoth, Contracts Services Manager, Milwaukee County Parks

## **APPROVED BY:**

Guy Smith, Executive Director Milwaukee County Parks *Guy Smith*

## **ATTACHMENTS:**

- Fiscal Note
- Professional Service Agreement
- 2022 Extension Letter

CC: David Crowley, County Executive  
Mary Jo Meyers, Chief of Staff, County Executive's Office  
Sheldon Wasserman, Supervisor District 3, PEEC Chair  
Steven Shea, Supervisor District 8, PEEC Vice Chair  
Felesia Martin, Supervisor District 7, PEEC Member  
Juan Miguel Martinez, Supervisor District 12, PEEC Member  
Steve Taylor, Supervisor District 17, PEEC Member  
Kelly Bablitch, Chief of Staff, Milwaukee County Board of Supervisors  
Janelle M. Jensen, Legislative Services Division Mgr, Office of the County Clerk  
Aaron Hertzberg, Director, Department of Administrative Services  
Joseph Lamers, Fiscal & Budget Director, DAS  
Vince Masterson, Fiscal & Strategic Asset Coordinator, DAS  
Pamela Bryant, Capital Finance Manager, Comptroller's Office  
Justin Rodriguez, Capital Finance Analyst, Comptroller's Office  
Kelsey Evans, Committee Coordinator, Office of the County Clerk  
Ciara Miller, Research & Policy Analyst, Office of the Comptroller  
Anthony Rux, Budget & Management Analyst, DAS-PSB