

MILWAUKEE COUNTY
INTEROFFICE COMMUNICATION

DATE October 15, 2012

TO Michael Mayo Sr., Chairperson, Transportation, Public Works & Transit
 Committee.

FROM Frank Busalacchi, Director of Department of Transportation

RE: PROFESSIONAL SERVICE CONTRACT FOR LEGAL SERVICES FOR
 SALES AND LAND ACQUISITION AS IT RELATES TO THE ZOO
 INTERCHANGE RECONSTRUCTION PROJECT NEGOTIATIONS

POLICY

Milwaukee County Ordinances requires that all Professional Service Contracts over \$50,000 be brought before the Milwaukee County Board of Supervisors for review and approval.

BACKGROUND

The Department of Transportation in County Board File No. 12-452 came to the Transportation and Public Works Transit Committee to request an extension of a Professional Service Contract for legal services to allow an RFP to be advertised by Airport Corporation Counsel. The extension allowed the continuation of negotiations by the Director of Transportation to ensure the best interest of Milwaukee County in the land acquisitions for the Zoo Interchange Reconstruction Project.

After review of RFP submissions of legal firms in the area, the panel selected the firm of Michael Best & Friedrich LLP. as the best legal representative to deal with the land sales and parcel acquisitions on behalf of Milwaukee County.

The selection of the law firm was made on October 10 2012. During that period of the preparation and review of proposals, Milwaukee County continued the critical work regarding land acquisition on behalf of Milwaukee County.

The Department of Transportation after being notified of the panel selection is bringing forth a Professional Service Contract for Michael Best & Friedrich, LLP. to represent Milwaukee County on the sales and parcel acquisitions on behalf of Milwaukee County.

Due to the timing of this committee and the importance of continuation of negotiation, the Department of Transportation is requesting approval of the selection and requesting to pay for services rendered during the review process for the RFP and until the Professional Service Contract is executed.

RECOMMENDATION

The Department of Transportation is requesting approval of the firm selected by the panel of "Michael Best & Friedrich, LLP" and authorization to pay for all outstanding legal services regarding sales and land acquisitions rendered before execution of this Professional Service Contract.

Capital Project WH O141001 Fund 1850, Agency 120, Org 1850 has been created to pay for services rendered during negotiations for the Zoo Interchange Reconstruction Project.

Prepared by Fay L. Roberts



Frank Busalacchi, Director

(Item) From the Director of Transportation requesting to exceed \$50,000 on the Professional Service Agreement for Legal Services Agreement for Legal Services as it pertains to the Zoo Interchange Reconstruction Project.

RESOLUTION

The Department of Transportation in County Board File No. 12-452 came to the Transportation and Public Works Transit Committee to request an extension of a Professional Service Contract for legal services to allow an RFP to be advertised by Airport Corporation Counsel. The extension allowed the continuation of negotiations by the Director of Transportation to ensure the best interest of Milwaukee County in the land acquisitions for the Zoo Interchange Reconstruction Project.

WHEREAS, after review of the RFP submissions of legal firms in the area, the panel selected the firm of Michael Best & Friedrich LLP as the legal representative to deal with the land sales and parcel acquisitions on behalf of Milwaukee County; and

WHEREAS, the selection of the law firm was made on October 10, 2012. During the period of the preparation and review of proposals, Milwaukee County continued the critical work regarding land acquisitions on behalf of Milwaukee County; and

WHEREAS, the Department of Transportation is bring forth a Professional Service Contract for Michael Best & Friedrich, LLP to represent Milwaukee County on the sales and parcel acquisitions on behalf of Milwaukee County; and

WHEREAS, due to the timing of this committee and the importance of continuation of negotiations, the Department and Transportation is requesting approval of the selection, and is requesting to pay for services rendered during the review process for the RFP and until the Professional Service Contract is executed.

BE IT RESOLVED, that the Director of Transportation is hereby requesting approval of the firm selected by the panel, Michael Best & Friedrich, LLP, and is requesting authorization to pay all outstanding legal services regarding the sale and land acquisitions rendered before execution of this Professional Service Contract; and

BE IT FURTHER RESOLVED, Capital Project WH0141001, Fund 1850, Agency 120, Org 1850 has been crated for all services rendered during the negotiations for the Zoo Interchange Reconstruction Project.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: October 15, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: BUILDING LEASE AGREEMENT BETWEEN MILWAUKEE COUNTY AND THE FRIENDS OF THE MITCHELL GALLERY OF FLIGHT, INC.

FISCAL EFFECT:

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

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.

| | Expenditure or Revenue Category | Current Year | Subsequent Year |
|-----------------------------------|---------------------------------|--------------|-----------------|
| Operating Budget | Expenditure | 0 | 0 |
| | Revenue | 0 | 0 |
| | Net Cost | 0 | 0 |
| Capital Improvement Budget | Expenditure | 200,000 | 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. ¹ 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.

The Department of Transportation is requesting approval of the firm selected by a Milwaukee County panel "Michael Best & Friedrich, LLP" and is requesting approval to pay for all outstanding legal services regarding sales and land acquisitions rendered before execution of this Professional Service Contract. Capitol Project #WH0141001, Fund 1850, Agency 120, Org 1850 has been created for the services rendered during negotiations for the Zoo Interchange Reconstruction Project.

Department/Prepared by: Deborah Bachun, Fiscal Director DOT

Authorized Signature Deborah Bachun

Did DAS-Fiscal Staff Review? Yes No

Reviewed by:

¹ 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.