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From the Executive Director of Parks requesting a waiver of Sections 56.30 (8) and (9) of the Milwaukee County Code of General Ordinances to authorize the Comptroller to pay Toole Design Group, LLC, for professional services under an Engineering Services Contract for the Lincoln Creek Parkway and Northwest Side Trail Connectivity Plan, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Section 56.30(9) of the Milwaukee County Code of General Ordinances (the Code) requires that a written contract be signed and executed before an outside party performs professional services in an amount greater than \$2,000, while Section 56.30(8) of the Code states that the Milwaukee County Comptroller shall deny payment for professional services if the conditions of Chapter 56 have not been met; and

WHEREAS, in 2020, the Department of Parks, Recreation, and Culture (DPRC) received approval from the Milwaukee County Board of Supervisors (County Board) to apply for Transportation Alternative Program (TAP) grants, including a grant to carry out the Lincoln Creek and Northside Trail Connectivity Plan/Study (Adopted File No. 20-89); and

WHEREAS, DPRC was awarded the grants, and the County Board authorized DPRC to accept the grants in Adopted File No. 20-874; and

WHEREAS, the Wisconsin Department of Transportation (WisDOT) requested that Milwaukee County (the County) enter into a three-party design engineering services contract to carry out the Lincoln Creek and Northside Trail Connectivity study; and

WHEREAS, WisDOT sent the contract by DocuSign to the Executive Director, DPRC, following WisDOT’s required signing process, which the Executive Director, DPRC, signed; and

WHEREAS, the third-party engineer began its work and recently sent invoices to the County to be paid at which time the Comptroller’s office notified DPRC:

- a) that it considered this agreement a professional services agreement;
- b) that it was not properly executed;
- c) that DPRC would need to request a waiver of Sections 56.30 (8) and (9) of the Code prior to the invoices being paid

; and

WHEREAS, the Committee on Finance, at its meeting of November 1, 2021, recommended adoption of File No. 21-933 (vote 6-0); now, therefore,

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BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board) hereby waives Sections 56.30 (8) and (9) of the Milwaukee County Code of General Ordinances, and authorizes the Milwaukee County Comptroller to pay Toole Design Group, LLC, \$57,089.40 for professional services under an Engineering Services Contract for the Lincoln Creek Parkway and Northwest Side Trail Connectivity Plan; and

BE IT FURTHER RESOLVED, the County Board hereby authorizes the Department of Parks, Recreation, and Culture, the Office of Comptroller, and the Department of Administrative Services to execute administrative fund transfers and take other necessary actions to carry out the Lincoln Creek and Northside Trail Connectivity Study.

srb
11/01/2021
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