

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: January 18, 2022

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

From: Guy Smith, Executive Director, Milwaukee County Parks

Subject: From the Executive Director of Parks asking for passive review of a third amended scope of work with Cardno Inc. for engineering services, final design and development, and an archeological review of the Little Menomonee River and Parkway which causes the agreement to exceed \$100,000

File Type: Passive Review

REQUEST

The Executive Director of Parks is requesting passive review of a professional service agreement with Cardno, Inc. due to a change in scope that requires a fee revision over \$100,000. The original contract was for engineering services and final design development for Little Menomonee River Parkway and the change of scope includes an archaeological assessment of the LMR Corridor.

POLICY

Implementation of Wisconsin Statutes 59.21(31) with regard to purchase of professional service agreements (under the Milwaukee General ordinance Chapter 56) 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:	59.21(31)
Milwaukee County Code of General Ordinances:	
Specific Adopted Budget:	
Specific Adopted Budget Amendment:	
Specific Adopted Capital Project:	

BACKGROUND

In January of 2021 Parks contracted with Cardno, Inc. to complete a habitat management plan and wetland scrape design for the project area known as Sections 4 & 5 of Little Menomonee River Parkway (LMR Parkway), as part of the grant agreement with the Wisconsin Department of Natural Resources.

In the prior Amended Work Scope #1 that was approved by Milwaukee County on March 18, 2021, Cardno was contracted to conduct an archaeological archival/literature review of Little Menomonee River Sections 2 – 6. This review is being done to identify cultural resources

immediately adjacent to the project area which may be impacted by future projects, to provide context for the resources within the project area, and to determine the likelihood for unidentified resources along the Little Menomonee River corridor. Field visits to support the archival/literature review were not requested by Milwaukee County and were not included within Amended Work Scope #1.

In the prior Amended Work Scope #2, Cardno was requested to conduct on-site field checks (visual inspection, photo documentation, etc.) of the Little Menomonee River Section 2-6 consisting of roughly 5.5 miles and approximately 650 acres as requested by the Wisconsin Department of Natural Resources (WDNR). This was requested to support the desktop review of archival/literature resources in order to meet the requirements of Section 106 of the National Historic Preservation Act of 1966 (NHPA) .

Additional effort was required in order meet the requirements of NHPA Section 106 including:

- Number of architectural resources that needed investigations/evaluation (108 previously recorded historic resources, several unrecorded subdivisions with potentially eligible resources, several historic districts/possible historic districts).
- Additional review of historic plats and aerial images necessary to understand the history of land use in the vicinity of the LMR Parkway. This was needed to understand the potential for unrecorded resources and assist with future planning needed under the state and federal regulations in discussion with WDNR.
- Additional GIS support and edits for figures and report as requested from WDNR.
- Additional NHPA Section 106 requirement requests from Milwaukee County and WDNR. This support was included in the Archaeological and Architectural Assessment Planning Document that was completed as outlined in Amended Work Scope #1 and #2.

Due to the additional work, it is necessary to have a third amendment and fee revision to the contract. This increases the contract from \$113,694 to \$119,338, an increase of \$5,644.

Related File No's:	21-648, 21-328
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

NHPA Section 106 requires federal agencies to consider the effects on historic properties of projects they carry out, assist, fund, permit, license, or approve throughout the country. Section 106 gives the ACHP, interested parties, and the public the chance to weigh in on these matters

before a final decision is made. This process is an important tool for citizens to lend their voice in protecting and maintaining historic properties in their communities. This work ensures the protection of culturally significant resources and ensures diverse communities are not marginalized. The use of grant money for this work ensures the fiscal health and sustainability of the County.

FISCAL EFFECT

Sufficient funds are budgeted because this contract is being paid by grant funding.

TERMS

- Additional requirements to meet the requirements of NHPA Section 106 as outlined in the attached Amended Work Scope #3
- Increase contract by \$5,644

VIRTUAL MEETING INVITES

Erica Goblet, Parks Contracts Manager

PREPARED BY:

Erica Goblet, Parks Contracts Manager

APPROVED BY:

Guy Smith, Parks Executive Director



ATTACHMENTS:

- Fiscal Note
- Cardno Agreement
- Cardno Fee Revision #3
- Cardno Amended Work Scope #3

cc: Kelly Bablitch, Chief of Staff, Milwaukee County Board of Supervisors
Janelle M. Jensen, Legislative Services Division Manager, Office of the County Clerk
David Crowley, County Executive
Mary Jo Meyers, Chief of Staff, County Executive's Office
Sheldon Wasserman, Parks, Energy & Environment Chair, Supervisor District 3
Steven Shea, Parks, Energy & Environment Committee Vice-Chair, Supervisor District 8
Felesia Martin, Parks, Energy & Environment Committee Member, Supervisor District 7
Sylvia Ortiz-Velez, Parks, Energy & Environment Committee Member, Supervisor District 12
Liz Sumner, Parks, Energy & Environment Committee Member, Supervisor District 1
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