

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: August 31, 2023

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

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

Subject: From the Executive Director of Milwaukee of County Parks, requesting authorization to enter into any and all contracts and take all actions necessary to effectuate a \$8,000,000 grant from the Wisconsin Department of Natural Resources for the South Shore Beach Rehabilitation project in the Milwaukee Estuary Area of Concern

File Type: Action Report

REQUEST

The Executive Director of Milwaukee County Parks (MCP) is requesting the authority to prepare, review, approve, and execute all contracts, amendments, agreements, and any other documents, and take all actions required for the purpose of administering the grant agreement between Milwaukee County and the Wisconsin Department of Natural Resources (WDNR) for \$8,000,000 for the South Shore Beach Rehabilitation Project in the Milwaukee Estuary Area of Concern to complete the Scope of Work (SOW) that is attached to this file.

POLICY

Implementation of Wisconsin Statutes 59.51(31). Any contract with a value of at least \$100,000, but not more than \$300,000, to which a county is a party, and which satisfies any other statutory requirements, may take effect only if the board's finance committee does not vote to approve or reject the contract within 14 days after the contract is signed or countersigned by the county executive. Any single contract, or group of contracts between the same parties which generally relate to the same transaction, with a value or aggregate value of more than \$300,000, to which a county is a party, and which satisfies any other statutory requirements, may take effect only if it is approved by a vote of the board.

Wisconsin State Statutes:	Wis Stat 59.51(31)
Milwaukee County Code of General Ordinances:	Chapter 56
Specific Adopted Budget:	
Specific Adopted Budget Amendment:	
Specific Adopted Capital Project:	

BACKGROUND

In 1987 the Milwaukee Estuary was designated as an Area of Concern (AOC) under the

Great Lakes Water Quality Agreement between the United States and Canada – a “hotspot” of pollution and environmental degradation issues on the Great Lakes. The presence of impairments in the AOC mean that our communities can’t safely use their waterways for eating, drinking, swimming, fishing, and more.

The nearshore areas of South Shore Park are located within the Milwaukee Estuary Area of Concern (AOC). Poor water quality at the beach results in frequent beach closings. The 1.7 acre swimming beach regularly ranks among the worst in the nation in water quality testing and closures. In 2015, 65% of the water quality samples collected at the beach exceeded recreational water quality standards for E. coli. The relocation of South Shore Park beach has been identified as important projects for addressing the Beach Closings/Recreational Restrictions Beneficial Use Impairment (BUI).

In 2014 an investigation report and schematic design for the redevelopment of the waterfront areas of the park went before the County Board, Parks, Energy and Environment Committee. Some of the recommended improvements were designed to address near-shore water quality problems and to address BUIs within the Milwaukee Estuary AOC at South Shore Park. An extensive public education and public feedback process with stakeholders informed the planning process.

In 2017 MCP, in coordination with WDNR, and project partners, moved forward with the preparation of engineering designs for the concepts outlined in the master plan, fully funded by a Great Lakes Restoration Initiative grant. SmithGroup was retained to complete planning and design (Phase 1 and 2) with the option to extend the contract agreement to include bidding & construction oversight services (Phase 3) for the project. The first phase of work involved development of conceptual designs for improved water quality based upon Lake Michigan currents and wave data, hydraulic modeling, and other science-based data researched and collected by the consultants.

A series of designs were reviewed by MCP, WDNR and partners, and shared with the community. A first round of alternatives informed by input from these groups were completed in 2018. It was determined that improvements at the existing beach location would not improve water quality to the point of noticeably fewer beach closings and the next round of alternatives focused on relocation of the beach. After a series of revisions based on input from partners and community stakeholders the final Alternative was chosen in 2019 – this design involves closing and revegetating the current beach and converting the existing rock beach to south into a swimming area, along with amenities.

The SOW for this project is to complete the Design and Construction phases of the South Shore Beach Rehabilitation Project. MCP will be exercising the option to retain SmithGroup, as outlined in the original RFP and Proposal documents. SmithGroup will conduct review and finalize of drawings/specifications in preparation for bidding (also called Construction Contract Documents), updating as needed; renewal of permits as needed; preparation of bidding documents in coordination with MCP. MCP will select a construction contractor through a competitive bid procurement process. Work will involve relocation of the existing swimming beach through the creation of a new

swimming beach to the south the first year; and conversion of the existing beach into a naturalized area, along with new features and amenities to promote access and improved water quality in year two. A 2-year contractor implemented vegetative maintenance period will follow construction completion. The WDNR expects that it will have authority to execute the grant with the County by October of 2023.

In order to meet all state and federal obligations and deadlines for use of this grant funding and ensure that no funding is lost, the Executive Director of Milwaukee County Parks is requesting that upon execution of the grant agreement between Milwaukee County and the WDNR for \$8,000,000 for the South Shore Beach Rehabilitation Project in the Milwaukee Estuary Area of Concern, the Department be granted the authority to prepare, review, approve, and execute all contracts, amendments, agreements, and any other documents, and take all actions required to carry out the Scope of Work that is attached to this file to expend the full grant amount of \$8,000,000. This will include approval to renew the contract with SmithGroup, which will result in a fee increase exceeding \$300,000 (previous contract amount: \$259,691) and to procure and hire a construction contractor.

Related File No's:	23-109, 22-1006, 21-495, 19-678, 19-710
Associated File No's (Including Transfer Packets):	
Previous Action Date(s):	

ALIGNMENT TO STRATEGIC PLAN

Describe how the 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

None. Work is grant funded by the Wisconsin Department of Natural Resources and does not require a match.

TERMS

- Work shall commence on effective date of the grant and continue until 7/31/2028
- Fees will be determined through County processes, e.g., RFP, BID, quotes, etc.
- Total fees for contracts will not exceed \$8,000,000.

➤ Deliverables are specified in the attached Scope of Work.

VIRTUAL MEETING INVITES

Erica Goblet, Contracts Manager, Milwaukee County Parks

Jeremy Lucas, Director of Administration & Planning, Milwaukee County Parks

Natalie Dutack, AOC Program Supervisor, Milwaukee County Parks

PREPARED BY:

Natalie Dutack, AOC Program Supervisor, Milwaukee County Parks

APPROVED BY:

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

ATTACHMENTS:

Resolution

Fiscal Note

Scope of Work – GLRI SOW South Shore

CC: David Crowley, County Executive
Mary Jo Meyers, Chief of Staff, County Executive's Office
Sheldon A. Wasserman, Supervisor District 3, PEEC Chair
Steven Shea, Supervisor District 8, PEEC Vice Chair
Felesia A. Martin, Supervisor District 7, PEEC Member
Juan Miguel Martinez, Supervisor District 12, PEEC Member
Steve F. 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
Allyson R. Smith, Committee Coordinator, Office of the County Clerk
Ciara Miller, Research & Policy Analyst, Office of the Comptroller
Anthony Rux, Budget & Management Analyst, DAS-PSB