

COUNTY OF MILWAUKEE
INTER-OFFICE COMMUNICATION

DATE: February 18, 2021

TO: Supervisor Marcelia Nicholson, Chairwoman, County Board of Supervisors

FROM: Aaron Hertzberg, Director, Economic Development Division – Department of Administrative Services

SUBJECT: An informational report from the Director of Economic Development Division – Department of Administrative Services regarding capital Project WC20901 – Forensic Science Center Phase II as it pertains to Constructing a Facility for the Center for Forensic Science and Protective Medicine

BACKGROUND

As part of the 2021 Budget process, an amendment was included to request a report to the County Board of Supervisor during the March cycle for “final projected costs to complete the buildout and routine lease payments for a new Forensic Science Center.” With the amendment \$3,016,216 was added as a capital appropriation for the project. The funds were to be held until such time that the Administration presented final project and lease terms to the County Board and the Board approved the release of funds. The 2021 budget allocation was added to a prior allocation of \$11,191,328 (WC20901) approved in the 2020 capital budget. In 2019, \$940,262 in 2019 (WC21401) was allocated from the capital budget for project planning and design. Those funds are currently being spent down as project planning continues.

In 2019, at the request of the Board, the Office of the Comptroller, working in conjunction with the Department of Administrative Services (“DAS”), performed a cost-benefit analysis of owning versus leasing a portion of the proposed new Center for Forensic Science and Protective Medicine Building (“CFSPM”). The CFSPM is intended to house the Milwaukee County (“County”) Offices of the Medical Examiner and Emergency Management. The project has been considered for placement at the Milwaukee Regional Medical Complex (“MRMC”).

In addition, other alternatives such as the County constructing and owning the building and leasing a portion of the building to the Medical College of Wisconsin (“MCW”) were to be examined. Finally, the Office of the Comptroller and DAS were requested to explore the status of the proposed State of Wisconsin Crime Lab for potential synergies of collocating the facility in or adjacent to the planned CFSPM.

In May 2020, staff reported to the Board that as part of land sales at MRMC, 6 acres of land was reserved on the campus for development of the planned project in partnership with MCW (File 20-235). Additionally, in May, staff presented draft lease terms to the Finance Committee, but noted that negotiations regarding the project had been paused due to the on-going COVID-19 pandemic. The pause on negotiations allowed the County to re-evaluate the partner landscape and consider additional opportunities for funding (File 20-237).

The County Board has previously received information relevant to the project in the following reports:

16-393 – An informational report regarding a collaborative effort between the OEM, Office of the Medical Examiner, State of Wisconsin Department of Justice Crime Lab and the Medical College of the Wisconsin in creating a Forensic Science and Intelligence Center

16-721 – An informational report regarding Milwaukee County’s participation in the development of a collaborative forensic research facility

17-298 – An informational report regarding the Public Policy Forum report titled “Breaking New Ground?” Analyzing the potential for a public-private forensic science center in southeast Wisconsin

18-484 – An informational report regarding Milwaukee Regional Medical Complex land options

18-764 – From the County Executive, submitting the 2019 Recommended Budget (see Amendment 1B005 by Supervisor Lipscomb, Sr. amending Capital Project WC21401 – Forensic Science Center Phase 1)

19-625 – An informational report regarding Amendment 1B005 Center for Forensic Science and Protective Medicine

19-705 – An informational report on the Development of the Center for Forensic Science and Protective medicine, Recommending Transfer of \$660,00 from Allocated Contingency to Capital Improvement Project WC21401 - Forensic Science Center Phase 1

20-235 – An informational report regarding the sale of County owned land at 9201-9501 W. Watertown Plank Road and other lands at the Milwaukee Regional Medical Complex

20-237 – An action report on the Development of the Center for Forensic Science and Protective Medicine, Recommending Transfer of \$11,191,328 from Allocated Contingency to Capital Improvement Project WC20901 – Forensic Science Center

20-610 – An informational report presentation regarding the Center for Forensic Science and Protective Medicine including current Capital Projects WC214011 and WC20901 Phases I and II, respectively

PROJECT STATUS

Milwaukee County and MCW remain committed partners in advancing the planned Center Forensic Science and Protective Medicine facility on the MRMC campus. Throughout the last 9 months, several potential outside financial resources and partnerships have collectively been explored.

In December of 2020, the State of Wisconsin’s Department of Administration issued a request for proposals (RFP) for construction and lease of a new Milwaukee State Crime Laboratory to be located in Milwaukee County or eastern Waukesha County. Milwaukee County had previously collaborated on response to a similar RFP for the State Crime Lab in 2016. That contract award was issued to another development team, but the project was never delivered. The reissuance of the RFP provides another opportunity for Milwaukee County to consider a co-location model for the CFSPM project with the State Crime Lab, which is widely viewed as a complimentary government function. A report outlining the benefits of co-location was prepared by the Public (Wisconsin) Policy Forum in 2017 and previously presented to the Board (File 17-298).

Staff anticipates that MCW, working with potential design and construction partners will submit a qualified response to the State’s RFP co-locating the State and County uses on the land the County has reserved for the project on the MRMC Campus. Response to the State RFP are due on March 4, 2021, after drafting of this report, but prior to any Board Committee hearings. While staff believe the response will be competitive and provide a desirable opportunity to deliver the CFSPM project, no formal

commitments by the County have yet been made. Staff intends to await review of more advanced planning and cost projections associated with the combined facility, prior to presenting a refined build option and lease to the Board for consideration. Priority focus remains on delivering high-quality space that cost-effectively meets County needs.

The State anticipates a three to six month process to refine its selection and issue a letter of intent. A timeline for presentation to the State Building Commission and Joint Committee on Finance is yet to be determined. The State has tentatively targeted late 2023 for occupancy of a new facility.

DEVELOPMENT MODEL

The County's preferred model for development and funding of the project remains the same as has previously been presented and discussed with the County Board, File 19-625. Following extensive financial modeling and review and presentation, a hybrid funding model is preferred, balancing costs for the project between the County's operational and capital budgets. In this model, MCW would construct a building shell purpose built for lease to the County. The County would lease approximately 90,000 sf for at a preliminary estimated cost of \$1,700,000/year. The County would bond between \$30-40 million to complete tenant improvements. It should be noted that of the bonded portion of the building \$14,207,544 has previously been allocated for the project, awaiting request for allocation from the Board.

The draft lease for County space is for a 30 year term, with two five year options to extend the lease. The County has rights to acquire its condo within the building, if it is determined that ownership is a preferred model in the future. These terms were structured to allow flexibility to the County in future to determine its interests in owning vs. leasing. Additionally, the hybrid model presents a preferred financial structure that minimizes the outsized impacts of constructing a new facility on both the capital and operational budgets.

Please note that cost estimates are subject to change based on new estimates to be provided to Milwaukee County as part of MCW's preparation for response to the State Crime Lab RFP. The County may also refine its needs to accommodate potential for shared spaces and utilities.

CURRENT CONDITIONS

The Medical Examiner ("ME") is currently housed at 933 W Highland Ave., in a 53,000 square foot 1974 facility converted from an abandoned hospital in 1989. Milwaukee County has been actively considering a new ME facility since 2012. In June 2016, the County ME submitted a report (File 16-393) to the Board of Supervisors which stated that the current ME facility "has deteriorated beyond its useful life and will need to be relocated to a new facility soon due to space limitations and the failure of current facilities to meet industry standards". A March 2019 Audit¹ was performed that in part reviewed the current condition of the existing facility. The Audit found numerous concerns that included: the lack of functioning showers in the locker room for all staff working on autopsies, climate control within the office due to a need to keep the toxicology lab temperature cold enough for the machines to not overheat, resulting in areas of the office being too cold for staff, air circulation

¹ "Milwaukee County Autopsies have increased 7.8% Since 2013, Autopsies for Referral Counties Increased 111.7%. A Lack of Contracts for Most of the Referral Counties is a Concern" Milwaukee County Office of the Comptroller - Audit Services Division March 2019

that may not be up to code, drainage of waste from autopsies to the sewage system, and flooding in basement.

The five divisions of the Office for Emergency Management (“OEM”) are currently situated in two separate locations – the Safety Building and leased space at 633 W Wisconsin Ave. The County 911 Center and OEM Radio Services are both housed in the Safety Building, which is substandard and planned to be demolished. In order to maximize efficiencies and public safety coordination, and to allow potential consolidation of county-wide Public Safety Access Points (“PSAPs”), all divisions must be co-located in a secure and larger environment that affords daily collaboration and an immediate and coordinated emergency response during a crisis. OEM’s specific needs and benefits of co-locating in the Center for Forensic Science and Protective Medicine were outlined in the November 2016 report to Board (File 16-721).

The Medical College of Wisconsin has a firmly established presence within the MRMC and is seeking to enhance its program offerings and research capabilities. As detailed in File 17-298, collaboration with Milwaukee County to establish a joint Center for Forensic Science and Protective Medicine could open the door for MCW to become a national leader in forensic science, creating a center for educational excellence that could benefit all southeast Wisconsin. A memorandum from the Milwaukee County Chief Medical Examiner and Director of the Office of Emergency Management dated October 4, 2018, has previously been presented outlining departmental benefits of colocation with the Medical College of Wisconsin and others in a CFSPM.

RECOMMENDATION

This report was submitted in response to a request made as part of the 2021 Budget. No action is recommended at this time.

Aaron Hertzberg
Director – Economic Development Division - Department of Administrative Services

cc: David Crowley, County Executive
Sherri Jordan, Interim Director, Department of Administrative Services
Economic and Community Development Committee Members
MaryJo Meyers, Chief of Staff, Office of the County Executive
Kelly Bablitch, Chief of Staff, County Board of Supervisors
Scott Manske, Comptroller
Steve Cady, Research & Policy Director
Stuart Carron, Director, Facilities Management Division
Dr. Brian Peterson, Medical Examiner
Casandra Libal, Director, Office of Emergency Management