



Community Business Development Partners
MILWAUKEE COUNTY

RICK NORRIS, PE • Director, DBE Liaison Officer, ACDBE Liaison Officer

INTER-OFFICE COMMUNICATION

DATE: June 23, 2014

TO: Supervisor Marina Dimitrijevic, Chair, Milwaukee County Board of Supervisors
Supervisor Patricia Jursik, Chair, Economic & Community Development Committee
Supervisor Michael Mayo, Sr., Chair, Transportation, Public Works & Transit Committee

FROM: Rick Norris, PE, Director, Community Business Development Partners

SUBJECT: DBE Wavier Report for May 2014 (Current Format)

DIRECTIVE

At the request of the Committee on Economic and Community Development, the Community Business Development Partners Department (CBDP) provides a monthly update on the Disadvantaged Business Enterprise (DBE) utilization waivers requested by, and granted to, Milwaukee County departments/divisions.

BACKGROUND

CBDP is responsible for designing, implementing, monitoring and enforcing Milwaukee County's DBE Program in order to maintain compliance with Federal Regulations and Milwaukee County Ordinances. Implementation of the Program includes assignment of participation goals on, both, Federal and County funded contracts, as well as monitoring and enforcing compliance of these contracts. Participation goals may only be established on contracts where opportunities exist for ready, willing and able certified firms to perform commercially useful functions related to the satisfaction of those contracts.

In 1999, the United States Department of Transportation (USDOT) implemented DBE Program rules with seven (7) key objectives directed at creating a level playing field on which certified firms could compete fairly for USDOT-assisted contracts. This legislation, 49 CFR Parts 23 and 26, requires all recipients of USDOT funds to establish and maintain a DBE program that, not only, complies with the intent and language of the legislation, but that has also been reviewed and approved by USDOT. As a result of public and private stakeholder input, Milwaukee County determined and approved, by action of the County Executive and the full County Board, to establish and maintain a program based upon the Federal DBE Program rules and standards for all of its contracts. This action designed to ensure the same level of commitment and consistency in approach to the facilitation of small business involvement when and where appropriate has been enacted in Chapter 42 of the Milwaukee County Code of General Ordinances.

Milwaukee County is required to provide and establish contract opportunities for certified firms on its projects based upon the number of ready, willing and able firms certified to perform within the scope(s) of each of these projects. Only firms certified through Wisconsin's Unified Certification Program (UCP), a consortium of over 24 municipalities and agencies throughout the State, count as ready, willing and able firms for this purpose. Four of the UCP members serve as certifying partners for the consortium, Milwaukee County, WisDOT, Dane County, and the City of Madison. Milwaukee County has the responsibility of verifying and maintaining the certification status of 356 of the 854 currently certified firms throughout the State, while processing all new applications for DBE certification.

WAIVER REQUESTS

When CBDP receives a waiver request from a department/division, staff thoroughly reviews it and available supporting documentation before rendering a determination. The Director may require staff to gather more comprehensive information or to provide more detailed clarification regarding any identified issues prior to issuing a determination.

WAIVER REPORT SUMMARY

The figures below include Professional & Management Service and Capital Improvement/Maintenance contracts awarded during April of 2014. This report does not include contracts awarded by the Procurement Division of the Department of Administrative Services processes under Chapter 32. Please see the attachment for waivers requested as broken out by owner department, contractor/consultant awarded, scope of services rendered, total contract amounts, and reason for approval.

Total Contracted Dollars for Period	\$ 8,176,763.30
Total Contracted Dollars w/o DBE Participation	\$ 4,214,514.06
Percentage of Contracts w/o DBE Participation	51.5%
Total Contracted Dollars w/ Waiver Approval	\$ 4,214,514.06
Percentage of Contracts w/ Waiver Approval	51.5%
Total Contracted Dollars w/o Waiver Approval	\$ 0.00
Percentage of Contracts w/o Waiver Approval	0.00%

It is also important to note that the Milwaukee County Code of General Ordinances exempts various contracts from DBE participation consideration review for services such as those used for the purpose of securing credit rating services related to debt issuance and administration. These exemptions appear as Chapter 56.30(2)(a) and 56.30(10)(a).

Total Contracted Dollars for Period	\$ 8,176,763.30
Total Exempted Contract Dollars	\$ 1,658.00
Percentage of Exempted Contracts for Period	0.02%

RECOMMENDATION

CBDP prepared this informational report, and recommends that it be received and filed, as such.

Approved by:



Rick Norris, PE
Director, CBDP

CC: Chris Abele, Milwaukee County Executive

Milwaukee County Community Business Development Partners Department (CBDP) DBE Waiver Report May 2014

DEPARTMENT	CONSULTANT/CONTRACTOR	SCOPE OF SERVICES	CONTRACT AMOUNT	APPROVAL REASON
DOT-GMIA	Johnson Controls, Inc.	To provide weekly preventative maintenance check and services on on-call emergency services	\$176,321.04	Specialized service
MCSO	Agility Ready Suite	Physical deployment of power (generator), fuel, communications (satellite, server, internet), computer	\$6,600.00	Specialized service
MCSO	Pre-Emergency Planning, LLC	Emergency preparedness functional exercise	\$3,204.00	Specialized service
House of Corrections	JusticePoint, Inc.	To continue electronic surveillance services	\$88,607.02	Specialized service
Dept. of Administration	Optima Associates, Inc.	To help Milwaukee County develop a county-wide lean workgroup	\$30,000.00	Specialized service
DHHS-BHD	Pathway Health Services, Inc.	To provide a temporary director for Long Term Care at BHD while a national search is being conducted	\$62,000.00	Specialized service
Parks	Alliance for the Great Lakes	To support public engagement in the coastal resources to make green infrastructure improvements	\$5,000.00	Specialized service
Community Access to Recovery Services Dwi	LaCausa, Inc.	Case management AODA specialist	\$50,000.00	Specialized service
DAS-Facilities Management	Graef-USA	War Memorial Structural Repair	7,500.00	Annual Consultant Utilization
Personnel Review Board	Gonzalez Saggio & Harlan LLP	Legal services	\$24,003.00	Legal services
Alternatives to Incarceration	Wisconsin Community Services, Inc.	Intensive monitoring of defendants charged with a second or subsequent DWI	\$590,959.00	Specialized service
DHHS-DSD	Center for Communication, Hearing & Deafness	The B-3 program is a federally mandated program to support families of children with delays or disabilities	\$112,430.00	Grant
DHHS-DSD	St. Francis Childrens Center	The B-3 program is a federally mandated program to support families of children with delays or disabilities	\$481,669.00	Grant
DHHS-DSD	Penfield Childrens Center	To help children with and without disabilities to succeed	\$1,198,097.00	Grant
DHHS-DSD	Easter Seals Southeast WI, Inc.	The B-3 program is a federally mandated program to help support families of children with delays or disabilities	\$655,65.00	Grant
DHHS-DSD	Vision Forward Association, Inc.	The B-3 program is a federally mandated program to support families of children with delays or disabilities	\$105,219.00	Grant
DHHS-DSD	Milwaukee Center for Independence, Inc.	The B-3 program is a federally mandated program to support families of children with delays or disabilities	\$616,206.00	Grant
DHHS-DSD	Curative Care Network, Inc.	The B-3 program is a federally mandated program to support families of children with delays or disabilities	\$43,281.00	Grant
Combined Court Related	Wisconsin Community Services, Inc.	Repeat Intoxicated Driver Intervention/SCRAM Drug Testing	\$606,758.00	Specialized service

Contracts Issued Without Review ²

NONE

\$5,374,390.28

Exempted Contracts ³

Comptroller	Deutsche Bank Trust Co. Americas	For payment of the annual administration fee of the 2010 capital lease	\$350.00
Comptroller	US Bank	Form the administration fees for the 2004A&B airport revenue bonds	\$1,308.00
Total Contract \$ Amount for Period ⁴			\$8,176,763.30
Total Contract \$ Amount w/o DBE Participation for Period			\$4,214,514.06
Percentage w/o DBE Participation			51.5%
Total Approved Waiver \$ Amount			\$4,212,856.06
Percentage Waived			51.5%
Total Unapproved Waiver \$ Amount			\$0.00
Percentage w/o Waiver Approval			0.0%
Total Exempted \$ Amount			\$1,658.00
Percentage Exempted			0.0%

¹ Waivers approved by CBDP; within guidelines of Code of General Ordinances

² Contracts issued by Departments in violation of the Code of General Ordinances;
CBDP is made aware of these projects when Accounts Payable forwards new contract information

³ These contracts are exempted from Disadvantaged Business Enterprise participation review within the guidelines of Code of General Ordinance Chapter 56.30(2)(a) such as those used for the purpose of securing credit rating services related to debt issuance and administration

⁴ Total does not include Procurement Division Figures



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Total Contracted Dollars w/o DBE Participation	\$	4,214,514.06
Percentage of Contracts w/o DBE Participation		51.54%
Total Contracted Dollars w/ Waiver Approval	\$	1,279,220.00
Percentage of Contracts w/ Waiver Approval		15.64%
Total Contracted Dollars w/o Waiver Approval	\$	0.00
Percentage of Contracts w/o Waiver Approval		0.00%

It is also important to note that the Milwaukee County Code of General Ordinances exempts various contracts from DBE participation consideration review for services such as those used for the purpose of securing credit rating services related to debt issuance and administration. These exemptions appear as Chapter 56.30(2)(a) and 56.30(10)(a).

Total Contracted Dollars for Period	\$	8,176,763.30
Total Exempted Contract Dollars	\$	2,935,264.00
Percentage of Exempted Contracts for Period		35.90%

RECOMMENDATION

CBDP prepared this informational report, and recommends that it be received and filed, as such.

Approved by:



Rick Norris, PE
Director, CBDP

CC: Chris Abele, Milwaukee County Executive

¹ These contracts are exempted from Disadvantaged Business Enterprise participation review within the guidelines of Code of General Ordinance Chapter 56.30(2)(e). Not included in the the waiver calculations.

² Waivers approved by CBDP; within guidelines of Code of General Ordinances

³ Contracts issued by Departments in violation of the Code of General Ordinances; CBDP is made aware of these projects when Accounts Payable forwards new contract information.

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Total Contract \$ Amount for Period ⁴	\$ 8,176,763
Total Contract \$ Amount w/o DBE Participation for Period	\$ 4,214,514
Percentage w/o DBE Participation	51.54%
Total Approved Waiver \$ Amount ¹	\$ 1,279,220
Percentage Waived ²	15.64%
Total Unapproved Waiver \$ Amount ³	\$ -
Percentage w/o Waiver Approval ³	0.00%
Total Exempted \$ Amount	\$ 2,935,294
Percentage Exempted from Waiver Calculations	35.90%

REPORTING PERIOD

1/1/2014

DEPARTMENT	CONSULTANT/CONTRACTOR	SERVICES	COMMENTS	EXEMPTED	Waived
Comptroller	Deutsche Bank Trust Co. Americas	For payment of the annual administration fee of the 2010 capital lease	N/A	\$ 350.00	
	US Bank	Form the administration fees for the 2004A&B airport revenue bonds	N/A	\$ 1,308.00	
Dept. of Administration	Optima Associates, Inc.	To help Milwaukee County develop a county-wide lean workgroup	Specialized Service	\$ 30,000.00	
DHHS-BHD	Pathway Health Services, Inc.	To provide a temporary director for Long Term Care at BHD while a national search is being conducted	Specialized Service	\$ 62,000.00	
DOT-GMIA	Johnson Controls, Inc.	To provide weekly preventative maintenance check and services on on-call emergency services	Specialized Service	\$ 176,121.04	
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	Pre-Emergency Planning, LLC	Emergency preparedness functional exercise	Specialized Service	\$ 8,204.00	
House of Corrections	JusticaPoint, Inc.	To continue electronic surveillance services	Specialized Service	\$ 88,607.02	
Community Access to Recovery Services Division	LaCausa, Inc.	Case management AODA specialist	Specialized Service		\$ 50,000.00
Personnel Review Board	Gonzales Saggio & Harlan LLP	Legal services	Legal services		\$ 24,003.00
Alternatives to Incarceration	Wisconsin Community Services, Inc.	Intensive monitoring of defendants charged with a second or subsequent OWI	Specialized Service		\$ 590,959.00
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	St. Francis Childrens Center	The B-3 program is a federally mandated program to support families of children with delays or disabilities	Grant	\$ 481,669.00	
	Penfield Childrens Center	To help children with and without disabilities to exceed	Grant	\$ 1,198,097.00	
	Easter Seals Southeast WI, Inc.	The B-3 program is a federally mandated program to help support families of children with delays or disabilities	Grant	\$ -	
	Vision Forward Association, Inc.	The B-3 program is a federally mandated program to support families of children with delays or disabilities	Grant	\$ 105,219.00	
	Milwaukee Center for Independence, Inc.	The B-3 program is federally mandated program to support families of children with delays or disabilities	Grant	\$ 616,208.00	
	Curative Care Network, Inc.	The B-3 program is federally mandated program to support families of children with delays or disabilities	Grant	\$ 43,281.00	
Combined Court Related	Wisconsin Community Services, Inc.	Repeat Intoxicated Driver Intervention/SCRAM Drug Testing	Specialized Service		\$ 606,758.00
Grand Total				\$ 2,935,294.06	\$ 1,279,220.00

DASHBOARD

