



Community Business Development Partners

# MILWAUKEE COUNTY

MARINA DIMITRIJEVIC • Chairwoman, Milwaukee County Board of Supervisors  
NELSON SOLER • Interim Director, Community Business Development Partners

## INTER-OFFICE COMMUNICATION

DATE: September 27, 2012

TO: Supervisor Marina Dimitrijevic, Chairwoman, County Board of Supervisors  
Supervisor Patricia Jursik, Chairwoman, Economic & Community Development Committee  
Supervisor Members, Economic & Community Development Committee

FROM: Nelson Soler, Interim Director, Community Business Development Partners

**SUBJECT: DBE WAIVER REPORT FOR AUGUST 2012**

### 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 establishing 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) objectives directed at creating a level playing field on which certified firms could compete fairly for USDOT-assisted contracts. This legislation, 49 CFR Part 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 Board, to establish and maintain a program based upon the Federal DBE Program rules and standards for all of its contracts. This action of the County Board and County Executive established, and adopted, rules and regulations of USDOT Office of the Secretary, per the Federal Register (49 CFR Parts 23 and 26), over Milwaukee County's Federally, and County, funded projects.

Milwaukee County, as a Federal funding recipient, 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 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. These certifying partners share the responsibility of verifying and maintaining the status of the 913 currently certified firms throughout the State, while processing all new applications.

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DBE GOALS

The Milwaukee County Board of Supervisors has established the County's overall desired levels of DBE participation as follows:

Public Works, Construction & Design	25%
Time & Material Contracts	25%
Professional Service Contracts	17%
Procurement of Service Contracts	17%
Procurement of Goods & Commodities	10%

WAIVER REQUESTS

When CBDP receives a waiver request from a department/division, staff thoroughly reviews it and available supporting documentation before forwarding the request on to the Director for 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.

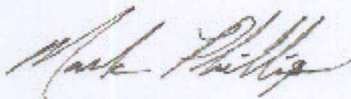
WAIVER REPORT SUMMARY

The *DBE Waiver Report for August 2012*, as compiled and attached by CBDP, notes the following totals and overall percentage of waiver requests. Please see the attachment for waivers requested as broken out by individual owner department, contractor/consultant awarded, scope of services rendered, total contract amounts, and reason for approval, or lack thereof.

<b>Total Contracted Dollars for Month</b>	<b>\$</b>	<b>3,556,910.38</b>
<b>Total Contracted Dollars w/ Waiver Approval</b>	<b>\$</b>	<b>235,903.95</b>
<b>Total Contracted Dollars w/o Waiver Approval</b>	<b>\$</b>	<b>37,500.00</b>
<b>Percentage of Contracts Waived for Month</b>		<b>7.69%</b>

RECOMMENDATION

The following CBDP staff members prepared this informational report, and humbly propose that it be received and filed, as such.



Mark Phillips  
Contract Compliance Manger, DBE

Approved by:



Nelson Soler  
Interim Director

CC: Chris Abele, Milwaukee County Executive

# DBE Waiver Report August 2012

DEPARTMENT	CONSULTANT/CONTRACTOR	SCOPE OF SERVICES	CONTRACT AMOUNT	APPROVAL REASON
DHHS-Behavioral Health MCSC GMIA GMIA Human Resources Parks Risk Management	Aggeus Healthcare Moblhex Quarles & Brady, LLP Graef USA Gonzalez, Saggio & Harlan Milwaukee Community Service Corps Securance Consulting	Provide podiatry services. Immate X-ray services. Special Counsel Concourse C Connector Precast Panel Damage Evaluation & Repair Design David Clark vs Milwaukee County Civil Service Commission Clean up of Bradford and McKinley beaches Assess & advise on security of electronically protected health information	<p style="text-align: center;"><u>CBDP Approved Waivers</u><sup>1</sup></p> 1 500.00 Under \$2,000 144,903.95 No DBE providers 10,000.00 Specialized Legal Services 4,500.00 Emergency Repair 15,000.00 Specialized Legal Services 10,000.00 Not-For-Profit Partnership 50,000.00 HIPPA Requirement	
Medical Examiner	Lake Country Pathologist	Part-time forensic lab oversight	<p style="text-align: center;"><u>Contracts Issued Without CBDP Review</u><sup>2</sup></p> 37,500.00 No CBDP Review	
		<b>Total Contract \$ Amount for Month</b>	<b>\$3,556,910.38</b>	
		<b>Total Approved Waiver \$ Amount</b>	<b>\$235,903.95</b>	
		<b>Total Unapproved Waiver \$ Amount</b>	<b>\$37,500.00</b>	
		<b>Percentage Waived</b>	<b>7.69%</b>	

<sup>1</sup> Waivers approved by CBDP; within guidelines of Code of General Ordinances

<sup>2</sup> 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