

**COUNTY OF MILWAUKEE**  
Inter-Office Communication

Date: March 22, 2022

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

From: Jack Sudar, Senior Environmental Engineer, AE&ES Section, DAS-FM Division

Subject: A Request from the Director, Department of Administrative Services, regarding Passive Review of a Professional Services Agreement Exceeding \$100,000 but less than \$300,000 for Capital Project V021-20137 Oak Creek Streambank Stabilization

File Type: Passive Review Contract

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**REQUEST**

The Director of the Department of Administrative Services (DAS) is requesting passive review of a professional service agreement with RES Great Lakes, LLC to provide professional services for 2022 Capital Project V021-20137 – Oak Creek Streambank Stabilization for professional construction management services.

**POLICY**

Implementation of Wisconsin Statutes 59.52(31) with regard to purchase of professional service agreements (under the Milwaukee General Ordinance Chapter 56) for Capital projects 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:	59.52(31)
Milwaukee County Code of General Ordinances:	Chapter 56

**ALIGNMENT TO STRATEGIC PLAN**

The Oak Creek Streambank Stabilization project will enhance the County’s fiscal health and sustainability efforts in helping stabilize the streambank such that the Oak Creek Parkway subgrade will not be undermined and erode into the Creek, thus being proactive with the problem, and not leading to a larger and more costly fix in the future.

**FISCAL EFFECT**

The 2020 capital budget included \$68,759 for design services for project WV02101. Included in this initial scope was professional construction management services, though the initial budget of \$68,759 was inadequate to pay for both design and construction management services. Design was completed over 2020 and 2021. The adopted 2022 capital budget was allocated a capital appropriation amount of \$576,868. Of this \$576,868 capital appropriation, \$54,168 was allocated for professional construction management service. The remaining capital appropriation is allocated for construction costs and was bid on March 16, 2022. RES Great Lakes, LLC, Not to Exceed (NTE) fee breakdown for the project is as follows:

Total Contract Amount:	
1. Professional Design Services – (NTE)	\$60,000.00
2. Professional Construction Management Services – (NTE)	<u>\$50,428.00</u>
3. Total Not to Exceed Fee	\$110,428.00

**TERMS**

The contract term start date is dependent on passive review, and the contract is anticipated to be complete by December 2022. The standard Milwaukee County professional services agreement is being used to define the terms.

**VIRTUAL MEETING INVITES**

Jack Sudar, Senior Environmental Engineer, AE&ES Section, DAS-FM Division  
Tim Detzer, Principal Environmental Engineer, AE&ES Section, DAS-FM Division

**PREPARED BY:**

Jack Sudar, Senior Environmental Engineer, AE&ES Section, DAS-FM Division

**APPROVED BY:**

Stuart Carron, Facilities Management Director, AE&ES Section, DAS-FM Division

**ATTACHMENTS:**

Fiscal Note

cc: Kelly Bablitch, Chief of Staff, Milwaukee County Board of Supervisors  
Janelle M. Jensen, Legislative Services Division Manager, Office of the County Clerk