

COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION

DATE: April 14, 2023

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

FROM: Stuart Carron, Director, Facilities Management 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 WP069501 – Washington Park Bridge Replacements**

FILE TYPE: **Passive Review Contract**

REQUEST

The Director of the Department of Administrative Services (DAS) is requesting passive review to enter a professional service agreement with EXP US Services, Inc. to provide additional professional design services for the 2021 and 2023 Capital Project WP069501– Washington Park Bridges Replacement.

OVERVIEW

Capital project **WP69501 – Washington Park Bridge Replacements**. The Milwaukee County Department of Parks, Recreation and Culture (“Parks”) operates and maintains Washington Park along with the Urban Ecology Center at 1859 N 40th St, Milwaukee, WI, 53208. An April 2016 inspection of the two concrete lagoon bridges in Washington Park resulted in a recommendation for replacement. The bridge inspector described heavy concrete delamination, cracking and spalling present in all abutments, particularly the outside corners and recommended replacement within 2 years. The deterioration extends below the waterline and all the way up into the deck. All the deck corners at the abutments are experiencing cracking and spalling. In particular, a section of the northeast corner of the north bridge has failed with a large piece of concrete spalled off. Safety barriers have been placed in the area to keep pedestrians away from problem areas. The connecting asphalt walkway between the bridges is highly degraded and should be replaced at the same time the bridges are replaced. File #19-277 approved a ground lease and purchase option for the nearby boathouse by the Urban Ecology Center which is fundraising for a new facility. Parks is working closely with the Urban Ecology Center on the design for the building and surrounding amenities which would occur in 2024-25 and impact the area around the bridges. Milwaukee County Parks, AE&ES, and EXP US Services, Inc. are working to complete the bridge construction plans by June 28th, 2023 in order to bid for construction in July, 2023, start construction September 2023, and substantial complete construction of the two (2) bridges by December 2023. This schedule allows the bridges to be built prior to the adjacent Urban Ecology Center project.

Previously approved fee increase No. 1 was required to evaluate the load rating of current bridges, which was not included in original scope. The scope of this work was to use the plans of the current bridge provided by Milwaukee County to determine the load rating for the bridges constructed in 1938. The load rating was needed for Milwaukee County to decide and present the best bridge alternatives to the public. At the first Public Meeting No. 1, Rehabilitation of the existing bridges was by far the favored option by the public. Public Information Meeting No. 2 was not included in the original scope. A second Public Information Meeting was requested to present the current bridges, a rehabilitation alternative of the current bridges and a replace-in-kind of the current concrete bridge.

Previously approved fee increase No. 2 was required to develop preliminary bridge plans, geotechnical investigation for both bridges, provide additional design detailing due to input from public information meeting No. 2, coordinate pathway development with updated Urban Ecology Center (UEC) plans, and provide historical research support.

Milwaukee County is seeking additional professional design services with Fee Revision 3. Fee Revision 3 advances the current preliminary (30%) plans for the two (2) bridges and approach pathways to final (100%) construction documents, with interim submittals at 60% and 90% completion levels. These bridges appear simple at first glance; however, the structural system is complex and requires advanced analysis, innovative concepts, and non-standard details. These concepts and details would lead to savings in the overall construction and future maintenance cost of the bridges. In addition, the integration of aesthetic details with the structural system requires careful considerations and coordination. Coordination and regular meetings between the consultant and the County are critical and will lead to success of the project.

EXP US Services, Inc. proposed scope of services has been reviewed by the AE&ES Section of DAS-FM. A copy of the proposed scope of services and consultant fee spreadsheet is attached.

POLICY

Implementation of Wisconsin Statutes 59.21(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:	59.21(31)
Milwaukee County Code of General Ordinances:	Chapter 56

FISCAL EFFECT

This request was included in the adopted 2021 and 2023 capital budgets as project number WP069501 and with total design and construction capital appropriation amount of \$1,254,698. The professional services agreement results in a Not to Exceed (NTE) fee of \$185,591.25 for WP069501. The proposed scopes of services have been reviewed by the AE&ES Section of DAS-FM. A copy of the proposed scopes of services and consultant effort fee spreadsheets are attached. EXP US Services, Inc., Not to Exceed (NTE) fee breakdown for the project is as follows:

FEE BREAKDOWNS:

Original Fee, Plus Allowance:

1. Basic Services - Lump Sum Not to Exceed Sum	\$23,400
2. <u>Reimbursable Allowance (NTE)</u>	<u>\$0.00</u>
3. Fee Plus Allowance (NTE)	\$23,400

Previously Approved Fee Revision No. 1, Plus Allowance:

1. Basic Services - Lump Sum Not to Exceed Sum	\$8,000
2. <u>Reimbursable Allowance (NTE)</u>	<u>\$0.00</u>
3. Fee Plus Allowance (NTE)	\$8,000

Previously Approved Fee Revision No. 2, Plus Allowance:

1. Basic Services - Lump Sum Not to Exceed Sum	\$62,507.25
2. <u>Reimbursable Allowance (NTE)</u>	<u>\$0.00</u>
3. Fee Plus Allowance (NTE)	\$62,507.25

Proposed Fee Revision No. 3, Plus Allowance:

1. Basic Services - Lump Sum Not to Exceed Sum	\$91,684.00
2. <u>Reimbursable Allowance (NTE)</u>	<u>\$0.00</u>
3. Fee Plus Allowance (NTE)	\$91,684.00

Revised Maximum Allowable Fee, Plus Allowance:

1. Basic Services - Lump Sum Not to Exceed Sum	\$185,591.25
2. <u>Reimbursable Allowance (NTE)</u>	<u>\$0.00</u>
3. Fee Plus Allowance (NTE)	\$185,591.25

TERMS

The standard Milwaukee County professional services agreement is being used to define the terms.

RACIAL EQUITY COMPONENT

The contract includes a targeted business enterprise (TBE) goal of 15.7%. The approved TBE participation plan for the contract will meet the goal.

VIRTUAL MEETING INVITEES

Stuart Carron, Director, Facilities Management Division
Sarah Toomsen, Manager of Planning and Development, Department of Parks, Recreation and Culture

PREPARED BY

Clifton W. Janssen, Senior Civil Engineer, AE&ES, DAS-FM

APPROVED BY

Stuart Carron

Stuart Carron, Director
Facilities Management Division
Department of Administrative Services

ATTACHMENTS

Consultant Retention Approval
Fiscal Note

cc: David Crowley, County Executive
Mary Jo Meyers, Chief of Staff, Office of the County Executive
Kelly Bablitch, Chief of Staff, County Board
Janelle M. Jensen, Manager, Legislative Services Division, Office of the County Clerk
Joseph Lamers, Director, Office of Performance, Strategy and Budget, Department of Administrative Services
Vince Masterson, Capital Budget Coordinator, Office of Performance, Strategy and Budget, Department of Administrative Services
Pamela Bryant, Capital Finance Manager, Office of the Comptroller
Justin Rodriguez, Budget and Management Coordinator, Office of the Comptroller
Guy Smith, Director, Department of Parks, Recreation and Culture