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From the Executive Zoo Director, requesting approval to enter into an agreement with the Zoological Society of Milwaukee for the construction of a new Rhino habitat for the Milwaukee County Zoo, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the Milwaukee County Zoo's (the Zoo) 2013 Master Plan developed with the Zoological Society of Milwaukee (the Society) addressed the need to upgrade facilities to comply with the Association of Zoos and Aquariums' accreditation standards for a habitat complex called Adventure Africa; and

WHEREAS, the Master Plan included a new habitat for elephants and upgrades to the old elephant and pachyderm habitats for hippopotamus' (Hippos); and rhinoceros' (Rhinos); and

WHEREAS, Adventure Africa - Phase 1 Elephants opened in May of 2019, and Adventure Africa - Phase 2 Hippos opened in May of 2020; and

WHEREAS, as part of the 2020 Adopted Capital Budget, Milwaukee County (the County), in association with the Society, agreed to begin the design of Adventure Africa - Phase 3 Rhinos for the replacement of the former elephant habitat and renovation of the remainder of the pachyderm complex including the addition of a new central pathway through the Zoo; and

WHEREAS, the schematic design of Adventure Africa - Phase 3 Rhinos is complete and through the use of Construction Manager at Risk (CMAR) contracting, the construction costs are \$22,209,691, with the Society contributing up to \$6,000,165 of the construction cost, and the County's share being \$16,209,526; and

WHEREAS, in order to complete the construction bid documents in 2023 to ensure the construction of the Rhino project can stay on track to begin in March of 2024, the Society is contributing \$487,043, as included in adopted File No. 23-781, to provide the additional funding to continue the Rhino project construction bid documents, and will be credited towards the Society's contribution of \$6,000,165, and is contingent upon the approval of the Rhino project; and

WHEREAS, per the 2020 Memorandum of Understanding between the County and the Society, both entities are required to enter into individual project agreements for all joint-funded capital projects; and

WHEREAS, the County and the Society wish to jointly develop a new Rhino habitat for the Zoo as part of the Adventure Africa complex; and

46 WHEREAS, the County's and the Society's funding detail for the Rhino project is
 47 shown in the table below:
 48

Planned Appropriation Instrument & Year	County	Zoological Society	TOTAL
2023 Appropriation Transfer via Res #23-781	\$ -	\$ 487,043.00	\$ 487,043.00
2024 Capital Budget	\$ 6,961,116.00	\$ 5,513,122.00	\$ 12,474,238.00
2025 Capital Budget	\$ 9,248,410.00	\$ -	\$ 9,248,410.00
TOTAL	\$ 16,209,526.00	\$ 6,000,165.00	\$ 22,209,691.00

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 50
 51 ; and

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 53 WHEREAS, the Committee on Parks and Culture, at its meeting of
 54 September 12, 2023, considered File No. 23-781 for informational purposes only per
 55 Section 59.52(31)(d), Wisconsin State Statutes; and

56
 57 WHEREAS, the Committee on Finance, at its meeting of September 14, 2023,
 58 recommended adoption of File No. 23-781 (vote 7-0); now, therefore,

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 60 BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board)
 61 hereby authorizes the County Executive, Department of Administrative Services, Office
 62 of the Comptroller (the Comptroller), County Clerk, Office of Corporation Counsel, and
 63 Director, Milwaukee County Zoo (the Zoo), and any other Milwaukee County (the
 64 County) official deemed necessary, to prepare and execute all documents, instruments,
 65 agreements, or otherwise, including without limitation execution of the Construction
 66 Agreement (the Agreement), and to perform all actions necessary to effectuate the
 67 commitment to enter into an Adventure Africa - Phase 3 Rhino Project Agreement with
 68 the Zoological Society of Milwaukee (the Society), and Construction Manager At Risk
 69 Agreement with Gilbane Building Company, in an amount not-to-exceed \$22,209,691,
 70 with the Society contributing up to \$6,000,165 of the construction cost, and the County's
 71 share of the construction project not-to-exceed \$16,209,526; and

72
 73 BE IT FURTHER RESOLVED, the County Board hereby authorizes the Director,
 74 Zoo, to enter into the aforementioned Agreement contingent upon approval by the
 75 County Board to enter into an Agreement up to a not-to-exceed amount of \$22,209,691,
 76 based on a construction project cashflow analysis, expenditures in an amount of
 77 \$12,474,238 authorized in the 2024 Capital Budget, including \$5,513,122 in revenues
 78 from the Society, and an amount not-to-exceed \$9,248,410 authorized in the 2025
 79 Capital Budget; and

80
 81 BE IT FURTHER RESOLVED, should the County Board authorize the amount of
 82 \$12,474,238 in the 2024 Capital Budget, including \$5,513,122 in revenues from the
 83 Society, the County Board shall authorize an amount not-to-exceed \$9,248,410 in the
 84 2025 Capital Budget; and

85

86 BE IT FURTHER RESOLVED, the Zoo, The Concord Group, and Gilbane
87 Building Company must provide an updated construction project cashflow analysis
88 indicating no expenditures beyond \$12,474,238 will be required (nor paid) in 2024,
89 unless additional appropriations are authorized by the County Board; and

90

91 BE IT FURTHER RESOLVED, the Zoo, The Concord Group, and Gilbane
92 Building Company must provide an updated construction project cashflow analysis
93 indicating no expenditures beyond \$9,248,410 will be required (nor paid) in 2025,
94 unless additional appropriations are authorized by the County Board; and

95

96 BE IT FURTHER RESOLVED, if the County does not appropriate funding, then
97 the County withdraws the authorizations in this resolution; and

98

99 BE IT FURTHER RESOLVED, pursuant to adoption of File No. 23-781 by the
100 County Board, the Office of Strategy, Budget, and Performance, and the Comptroller
101 are authorized to provide an administrative transfer creating budget authority for new
102 Capital Project WZ0141 Adventure Africa – Phase 3 Rhino project, and to recognize
103 revenue of \$487,043 from the Society’s contribution to be applied towards the project.

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jmj

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09/14/23

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