

**COUNTY OF MILWAUKEE**  
**INTEROFFICE COMMUNICATION**

**DATE:** December 1, 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 WP032001 – North Point Parking Lot**

**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 Short Elliott Hendrickson, Inc. (SEH) to provide additional professional design services for the 2020 and 2023 Capital Project WP032001 – North Point Parking Lot.

**OVERVIEW**

Capital project **WP032001 – North Point Parking Lot**. The Milwaukee County Department of Parks, Recreation and Culture (“Parks”) owns, operates, and maintains North Point Parking Lot next to Bradford Beach.

The proposed project includes the planning and design for the reconstruction of North Point Parking Lot located east of N. Lincoln Memorial Drive. Work consists of complete reconstruction of the parking lot, including new pavement, concrete curb and gutter, and stone revetement. The project will incorporate storm water best management practices, green infrastructure, and natural areas restoration and management. Stone revetment work consists of 620 Linear Feet of Stone Revetment, and 37,100 SF (0.85 AC) of fill material (stone) placed into Lake Michigan to maintain a revetment for the purpose of erosion control at the North Point Parking Lot next to Bradford Beach. Project also includes new storm sewer outlet pipes to Lake Michigan through the revetment.

Milwaukee County is seeking additional professional design services with Fee Revision 1. Fee Revision 1 accounts for work completed timely in the preparation of materials for unanticipated presentations, a modified project approach of phasing into two distinct bidding units, and additional services.

- Out of Scope Work Already Completed
  - During the early phases of the parking lot project, the following was requested.

- Prepare materials for, present to and answer questions from Lakefront Development Advisory Commission (LDAC).
  - Develop 2D plan view for use on county web site and/or site boards during construction.
  - Path & overlooks – inclusion of a path and overlooks has required significant additional coordination and added a level of complexity to the design of both adjacent elements (parking lot and revetment).
- Modified Scope Due to Phasing
  - Splitting the project into two projects required some additional work and re-work; however, will lead to savings in the overall construction. The goal was to involve additional general contractors that specialize and have experience with stone revetment work on the Great Lakes.
    - Second set of construction plans were created.
    - Second set of specifications were created.
    - Additional time spent QA/QC to provide a value and high-quality engineered design.
    - Additional time to be required for a second construction event.
- Additional Scope
  - Environmental Services
    - Soil Sampling and Analysis – Due to soil being under pavement, a drill rig with boring capability is required for soil sampling.
    - NR718 Report/Letter will be required to construct the parking lot due the unknown nature of the historic fill used in the construction of the Lakefront.

Short Elliott Hendrickson, Inc. (SEH) 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 2020 and 2023 capital budgets as project number WP0320001 and with total design and construction capital appropriation amount of \$5,689,718.87. The professional services agreement results in a Not to Exceed (NTE) fee of

\$197,197.00 for WP032001. 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. SEH 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 | \$152,937.00  |
| 2. <u>Reimbursable Allowance (NTE)</u>         | <u>\$0.00</u> |
| 3. Fee Plus Allowance (NTE)                    | \$152,937.00  |

Proposed Fee Revision No. 1, Plus Allowance:

|  |               |
|--|---------------|
| 1. Basic Services - Lump Sum Not to Exceed Sum | \$44,800      |
| 2. <u>Reimbursable Allowance (NTE)</u>         | <u>\$0.00</u> |
| 3. Fee Plus Allowance (NTE)                    | \$44,800      |

Revised Maximum Allowable Fee, Plus Allowance:

|  |               |
|--|---------------|
| 1. Basic Services - Lump Sum Not to Exceed Sum | \$197,737.00  |
| 2. <u>Reimbursable Allowance (NTE)</u>         | <u>\$0.00</u> |
| 3. Fee Plus Allowance (NTE)                    | \$197,737.00  |

**TERMS**

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

**RACIAL EQUITY COMPONENT**

The SEH contract includes a targeted business enterprise (TBE) goal of 17.0%. Project total TBE goal will be 17.7%. 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*

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Stuart Carron, Director  
Facilities Management Division

Request for Passive Review

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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