

ECD

COUNTY OF MILWAUKEE

Referred
FEB 20 2012
County Board
Chairman

INTER-OFFICE COMMUNICATION

DATE : February 6, 2012

FILE NO. 12-212

TO : Lee Holloway, County Board Chairman

FROM : Craig C. Dillmann, Manager of Real Estate Services
Department of Administrative Services

SUBJECT : From the Manager of Real Estate Services requesting an amendment to the Professional Service Contract Agreement with the law firm of Lichtsinn & Haensel, S.C. for legal services subsequent to the UWM Innovation Park, LLC land closing.

POLICY:

Section 56.30, Milwaukee County Ordinances ("Section 56.30") provides that a professional service contract to be extended or amended that provides additional reimbursement to the same vendor and extends the total reimbursement beyond fifty-thousand dollars (\$50,000) to the same vendor requires County Board approval.

BACKGROUND:

In November 2007 the office of Milwaukee County Corporation Counsel entered into a Professional Services Agreement ("Agreement"), in the amount of \$30,000, with the law firm of Lichtsinn & Haensel, S.C. (Attorney Michael D. Orgeman). The Agreement was to provide the County legal assistance for the sale of County-owned land in the Northeast Quadrant of the County Grounds to UWM Innovation Park, LLC for the development of UWM Innovation Park.

The subject Agreement was amended in December 2009 and March 2011 increasing the Agreement amount to a not to exceed amount of \$65,000, since the \$50,000 limit under Section 56.30 was insufficient to compensate Lichtsinn & Haensel, S.C to close the sale on February 15, 2011 and provide the County post-closing legal maintenance and contract oversight. Ongoing legal representation is warranted since the County holds an \$8.55 million first mortgage as part of the \$13.55 million sale.

The installation of the infrastructure in Innovation Park and the construction of the first UWM Innovation Park building are advancing. A Federal Economic Development Administration grant (EDA grant) is being used to fund the construction of the building so additional legal document review/preparation is necessary to protect the County's

interests as the mortgagee. Therefore, staff is proposing to amend the Agreement with Lichtsinn & Haensel, S.C., by adding funds in the amount of \$20,000, thus increasing the \$65,000 cap stated in the Agreement to a not to exceed amount of \$85,000.

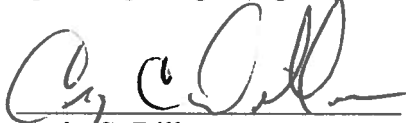
Staff will also be increasing the professional service contract agreement with Attorney Roy Bradford Evans by \$3,500 to a not to exceed amount of \$19,550. Attorney Evans continues as co-counsel for the UWM Innovation Park project in addition to providing legal services for other County Grounds initiatives. Attorney Evans is a Disadvantaged Business Enterprise (DBE), as certified by Milwaukee County Community Business Development Partners. To date, 18% DBE participation has been achieved.

RECOMMENDATION:

Staff recommends amending the Agreement with Lichtsinn & Haensel, S.C. (Attorney Michael D. Orgeman), by increasing the existing Agreement by \$20,000, thus increasing the \$65,000 cap stated in the Agreement to a not to exceed amount of \$85,000.

FISCAL NOTE:

The necessary funds to increase the Lichtsinn & Haensel, S.C. (Attorney Michael D. Orgeman) Agreement by \$20,000 and to increase the Attorney Roy Bradford Evans professional service agreement by \$3,500 are available in the DAS-Real Estate Section operating budget (Agency 119, Org. Unit 1191 and Object No. 6149).


Craig C. Dillmann, Manager
Real Estate Services

ECD Committee meeting: March 5, 2012

Attachments

cc: Chris Abele, County Executive
Lee Holloway, County Board Chairman
Supervisor James Schmitt, District 19
Kimberly Walker, Corporation Counsel
Patrick Farley, Director, Department of Administrative Services (DAS)
Brian Taffora, Director, Economic & Community Development-DAS
Freida Webb, Director, Community Business Development Partners
Vince Masterson, Fiscal Mgt Analyst-DAS

AMENDMENT TO AGREEMENT

THIS IS AN AMENDMENT to an Agreement between Milwaukee County and Attorney Michael D. Orgeman of the law firm of Lichtsinn & Haensel, S.C. dated December, 2007.

WHEREAS, the above parties had entered into an Agreement in November, 2007 which stated that the County would pay Orgeman and/or his associates up to \$30,000 for professional services, and

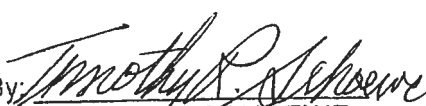
WHEREAS, the same Agreement provided that the parties were to discuss an amendment to the Agreement when the said \$30,000 was insufficient to compensate Orgeman and/or his associates to complete the requested professional services, and

WHEREAS, an amendment was entered into in December, 2009 which stated that the County would add an additional \$19,500 to the Agreement to compensate Orgeman and/or his associates to complete the requested professional services, and

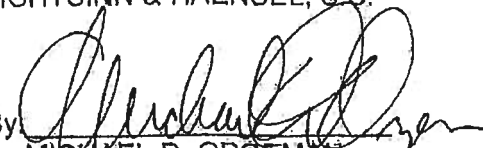
WHEREAS the professional services provided by Orgeman and/or his associates have not been completed, and

IT IS HEREBY AGREED, between the parties that the cap of \$49,500 stated in the aforementioned agreement and amendment is hereby amended to indicate a not to exceed amount of \$65,000. For our internal purposes, the costs related to these professional services will be assigned to Agency 580, Org. Unit 5804 and Object No. 6149.

MILWAUKEE COUNTY

By: 
TIMOTHY R. SCHOEWE
Acting Corporation Counsel

LICHTSINN & HAENSEL, S.C.

By: 
MICHAEL D. ORGEMAN

Dated: 3-30-11

Dated: 3/30/11