SERVICES AGREEMENT

BETWEEN

MILWAUKEE COUNTY DEPARTMENT OF PARKS, RECREATION AND CULTURE AND

GREAT LAKES COMMUNITY CONSERVATION CORPS

This services agreement ("Agreement") is made and entered into effective March 1, 2015, by and between the MILWAUKEE COUNTY DEPARTMENT OF PARKS, RECREATION AND CULTURE (the "County") and GREAT LAKES COMMUNITY CONSERVATION CORPS ("Contractor"), with local headquarters at 531 S. Water St., Ste. 200, Milwaukee, WI 53204, as represented by: Chris Litzau. Referenced together, the County and the Contractor are the "Parties" to this Agreement.

1. <u>SCOPE OF SERVICES</u>:

(a) Contractor shall specifically perform all of the tasks set forth in the Project Summary, attached hereto as <u>Exhibit A</u>.

(b) Services to be performed and activities related to these services may be changed, enhanced, or deleted from time to time throughout the term of this Agreement upon mutual agreement between the Parties.

(c) These services are provided pursuant to Grant Number 00E01436, issued by the U.S. Environmental Protection Agency (the "EPA") and governed by that certain Grant Agreement between the EPA and the County dated February 12, 2015 (the "Underlying Agreement").

2. <u>STAFFING</u>:

Contractor shall provide, at its own expense, all personnel required in performing the services under this Agreement. Such personnel shall not be employees of, or have any other contractual relationships with, the County. Contractor shall also provide pertinent experience in outreach and education techniques and any necessary certifications earned.

3. <u>TERM</u>:

This term of this Agreement shall commence on the Effective Date and terminate on April 30, 2017. The Parks Director or designee will negotiate hours and dates of services to be provided throughout the term of the Agreement.

4. <u>COMPENSATION</u>:

Contractor shall be paid an amount not to exceed One Hundred Ninety-Four Thousand Eighty-Six Dollars (\$194,086) as allotted by grant funds paid pursuant to the Underlying Agreement. The compensation set forth in this Section 4 shall be the sole amount payable to Contractor by County during the term. Contractor shall submit invoices on a monthly basis for services rendered for the previous month. Contractor shall further provide, either by its own means or

through its beneficiaries or donors, Sixty Thousand Three Hundred Twenty Dollars (\$60,320) in cost-sharing funds toward its performance of the tasks set forth on <u>Exhibit A</u>.

5. <u>OWNERSHIP OF DATA</u>:

(a) Upon completion of the work or upon termination of the Agreement, it is understood that all completed or partially completed data, drawings, records, computation, survey information, and all other material that the Contractor has collected or prepared in carrying out this Agreement shall be provided to and become the exclusive property of County. Therefore, any reports, information and data, given to, prepared or assembled by the Contractor under this Agreement shall not be made available to any individual or organization by the Contractor without the prior written approval of County.

(b) No reports or documents produced in whole or in part under this Agreement shall be the subject of an application for copyright by or on behalf of the Contractor.

6. **BUSINESS PERMITS, CERTIFICATES, LICENSES**:

Contractor acknowledges that it has complied with all federal, state, and local laws requiring business permits, certificates, and licenses required to carry out the services to be performed under this Agreement.

7. <u>REPRESENTATIONS</u>:

Contractor represents that it will perform its services under this Agreement in conformance with the care and skill ordinarily exercised by reputable members of the professional community practicing under similar conditions at the same time and in the same or similar locality.

8. AUDIT AND INSPECTION OF RECORDS:

Pursuant to Milwaukee County ordinance section 56.30(6)(e), Contractor shall allow Milwaukee County, the Milwaukee County Department of Audit, or any other party Milwaukee County may name, when and as they demand, to audit, examine and make copies of records in any form and format, meaning any medium on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by the Contractor, including not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), computer files, computer printouts and optical disks, and excerpts or transcripts from any such records or other information directly relating to matters under this Agreement, all at no cost to Milwaukee County. Any subcontracting by the Contractor and/or associates to the same audit terms and conditions as the Contractor. The Contractor (or any subcontractor) shall maintain and make available to Milwaukee County the aforementioned audit information for no less than three (3) years after the conclusion of each Agreement term.

9. INDEMNIFICATION:

The Contractor agrees to the fullest extent permitted by law, to indemnify, defend and hold harmless, the County, and its agents, officers and employees, from and against all loss or expense including costs and attorney's fees by reason of liability for damages including suits at law or in equity, caused by any wrongful, intentional, or negligent act or omissions of the Contractor, its

agents or employees which may arise out of or are connected with the activities covered by this Agreement. Contractor shall, at its own expense, investigate all claims and demands, attend to their settlement or disposition, defend all actions based thereon and pay all charges of attorneys and other costs and expenses arising from any such injury, damage or loss, claim, demand or action.

10. <u>INSURANCE</u>:

Contractor agrees to evidence and maintain proof of financial responsibility to cover costs as may arise from claims of tort, statutes and benefits under Workers' Compensation law and/or vicarious liability arising from employees. Such evidence shall include insurance coverage for Workers' Compensation claims as required by the State of Wisconsin, including Employer's Liability and insurance covering General and Automobile Liability coverage in the following minimum amounts:

Type of Coverage	<u>Minimum Limits</u>			
Commercial General Liability Bodily Injury and Property Damage (incl. Personal Injury, Fire Legal, Contractual & Products/Completed Operations)	\$1,000,000 Per Occurrence \$1,000,000 General Aggregate			
Automobile Liability Bodily Injury & Property Damage All Autos-Owned, non-owned and/or hired Uninsured Motorists	\$1,000,000 Per Accident Per Wisconsin Requirements			
Wisconsin Workers' Compensation or Proof of All States Coverage	Statutory			
Employers' Liability	\$100,000/\$500,000/\$100,000			

Milwaukee County, as its interests may appear, shall be named as an additional insured for General and Automobile Liability, and be afforded a thirty (30) day written notice of cancellation or non-renewal. A waiver of subrogation for Workers Compensation by endorsement in favor of Milwaukee County shall be provided. Disclosure must be made of any non-standard or restrictive additional insured endorsement, and any use of non-standard or restrictive additional insured endorsement will not be acceptable. A certificate indicating the above coverages shall be submitted for review and approval by the County for the duration of this Agreement.

Coverages shall be placed with an insurance company approved by the State of Wisconsin and rated "A" per Best's Key Rating Guide. Additional information as to policy form, retroactive date, discovery provisions and applicable retentions shall be submitted to County, if requested, to obtain approval of insurance requirements. Any deviations, including use of purchasing groups, risk retention groups, etc., or requests for waiver from the above requirements shall be submitted

in writing to the County for approval prior to the commencement of activities under this Agreement.

The insurance requirements contained within this Agreement are subject to periodic review and adjustment by the County Risk Manager.

11. INDEPENDENT CONTRACTOR:

Nothing contained in this Agreement shall constitute or be construed to create a partnership or joint venture between the County or its successors or assigns and Contractor or its successors or assigns. In entering into this Agreement, and in acting in compliance herewith, Contractor is at all times acting and performing as an independent contractor, duly authorized to perform the acts required of it hereunder.

12. <u>TERMINATION</u>:

County or Contractor may terminate this Agreement at any time upon thirty (30) days written notice one party to the other. In the event of termination, the County will only be liable for services rendered through the date of termination and not for the uncompleted portion, or for any materials or services purchased or paid for by Contractor for use in completing the Agreement.

13. <u>SUBCONTRACTS</u>:

Assignment of any portion of the work by subcontract must have the prior written approval of the County.

14. ASSIGNMENT LIMITATION:

This Agreement shall be binding upon and inure to the benefit of the parties and their successors and assigns; provided, however, that neither party shall assign its obligation hereunder without the prior written consent of the other.

15. **PROHIBITED PRACTICES**:

(a) Contractor, during the period of this Agreement, shall not hire, retain or utilize for compensation any member, officer, or employee of County or any person who, to the knowledge of Contractor, has a conflict of interest.

(b) Contractor hereby attests that it is familiar with Milwaukee County's Code of Ethics which states, in part, "No person may offer to give to any County officer or employee or his immediate family, and no County officer or employee or his immediate family, may solicit or receive anything of value pursuant to an understanding that such officer's or employee's vote, official actions or judgment would be influenced thereby."

16. <u>NOTICES</u>:

All notices with respect to this Agreement shall be in writing. Except as otherwise expressly provided in this Agreement, a notice shall be deemed duly given and received upon delivery, if delivered by hand, or three days after posting via US Mail, to the party addressed as follows:

To Contractor:

To County:

Great Lakes Community Conservation Corps Chris Litzau 531 S. Water St., Ste. 200 Milwaukee, WI 53204 Milwaukee County Dept of Parks John Dargle, Director 9480 Watertown Plank Rd Wauwatosa, WI 53226

Either party may designate a new address for purposes of this Agreement by written notice to the other party.

17. <u>MISCELLANEOUS</u>:

This Agreement shall be interpreted and enforced under the laws and jurisdiction of the State of Wisconsin. This Agreement constitutes the entire understanding between the parties and is not subject to amendment unless agreed upon in writing by both parties hereto. Contractor acknowledges and agrees that it will perform its obligations hereunder in compliance with all applicable state, local or federal law, rules and regulations and orders.

Signature page follows

IN WITNESS WHEREOF, the Parties hereto have set their hands as follows:

Great Lakes Community Conservation Corps

by _____ Date _____

print name	

Milwaukee County Dept of Parks, Recreation & Culture



Approved with regards to County Ordinance Chapter 42:

By: ______Rice_ Marris____ Date: _3/18/2015 Commissioners Development Partners

Approved:

Approved:

Date 3/26/15 Ву: ____

By: _____ Date: _____ Date: _____ Date: ______ Date: _______ Date: ______ Date: ______ Date: ______ Date: ______ Date: ___

Approved as to form and independent status:

Reviewed by:

Docusigned by: Mark O. Loggeby 3/23/2015 Cou神砂^C 18神梦 5月ation Counsel By: _

By: Docusigned by: Date: <u>3/19</u>/2015 Cotonsty Risk²Management

Approved as compliant under Sec. 59.42(2)(b)5, Stats.:

By:	Date:
5	County Corporation Counsel

EXHIBIT A

PROJECT SUMMARY

Milwaukee County Parks, in collaboration with its partners the Milwaukee Conservation Leadership Corps/Student Conservation Association (MCLC/SCA), the Great Lakes Community Conservation Corps (Great Lakes CCC), the Alliance for the Great Lakes (Alliance), and the University of Wisconsin Sea Grant Institute (WISG) seek to improve the health of the Great Lakes ecosystem through an integrative approach to invasive species control. Using the Civilian Conservation Corps model, MCLC/SCA and Great Lakes CCC will work with Milwaukee County Parks to conduct rapid response invasive species removals at 32 ecologically diverse natural areas encompassing 1,300 acres of critical wildlife habitat in one of the Great Lake region's important wildlife migration corridors. In addition, to engage the broader Milwaukee County community, the Alliance will work with students in grades 6 through 12 through experiential learning opportunities and college-aged students through the formation of a network of academic institutions dedicated to the long-term monitoring of these sites. While the Milwaukee County Department of Parks, Recreation & Culture is the lead applicant on this funding request the project is a coalition of organizations working together to implement the larger work plan.

The Great Lakes CCC will implement the on the ground invasive species removal projects based on the site-specific control plans developed by the Parks Department's Natural Areas staff. The Great Lakes CCC will provide internal administrative support for all Great Lakes CCC activities.

Invasive Species Control

Working in partnership with the Milwaukee County Parks Department, the Great Lakes CCC will conduct invasive species removal on 28 different invasive species (many of them rapid response populations) found within 32 of the Park System's best natural areas. Invasive species control efforts will follow scientifically and professionally accepted best management practices (BMP's) utilizing control techniques for 28 different invasive plant species which will encompass herbicide application (foliar and cut-stump), mowing (herbaceous plants), chainsawing and brush sawing (large woody plants), and bagging plants or seed heads. Invasive species will be controlled during the points in their lifecycles when they are most vulnerable to management techniques.

The invasive species to be controlled will be: black alder, black locust, common buckthorn (select populations in high quality areas), glossy buckthorn, European privet, honeysuckle (Lonicera spp.), Japanese barberry, Japanese knotweed, Norway maple, oriental bittersweet, tree of heaven, wayfaring tree, winged burning bush, common burdock, Canada thistle (select populations in high quality areas), cut-leaved teasel, Dame's rocket, garlic mustard (select populations in high quality areas), lesser celandine, greater celandine, purple loosestrife, spotted knapweed, yellow sweet clover, white sweet clover, wild parsnip, common reed grass, Lyme grass, and reed canary (select populations in high quality areas).

Parks Department Natural Areas staff will also develop a native seed collection program where Great Lakes CCC conservation crews will assist with harvesting native plant seed for the restoration sites.

Training

In the field and/or classroom sessions on plant identification before and during the field season to ensure proper identification during control efforts and to significantly reduce the chance for collateral damage to native plants and wildlife. Each crew will also undergo day long training sessions in the field with Natural Areas staff to learn proper tool usage and demonstrate use competency before being allowed to work with reduced Parks Department supervision. Finally, seed collection techniques will be trained in the field under the direct supervision of Parks Department staff to ensure proper seed identification, to prevent over harvest, and to make sure seed will be cleaned and stored properly.

Project Milestone Dates

Project milestones March 2015-December of 2015					
MCLC/SCA and Great Lakes CCC field training	March-August (on-going)				
Woody invasive species control	March-December				
Herbaceous invasive species control	April-September				
Native seed collection	June-November				
Citizen Science – colleges (4 events)	March -December				
Teacher Training (1 event)	March-May				
Education events - grades 6-12 (5 events)	April-October				

Project milestones January 2016-December 2016

MCLC/SCA and Great Lakes CCC field training	January-August (on-going)
Woody invasive species control	January-December
Herbaceous invasive species control	April-August
Native seed collection and planting	June-November
Citizen Science - colleges (4 events)	February-November
Teaching Training (1 event)	January-May
Education events - grades 6-12 (5 events)	April-October
Native tree and shrub planting	October-November
Webinar	December

Project milestones January 2017-April 2017 Woody invasive species control

January-March

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	ect owner. Please, direct quest							
	CBDP@milwaukee	CountyWi.gov						
	FUNDING S	OURCE						
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Federal Source of Funds: F	AA FTA DOT	(includes WisDOT)	Other: EPA					
	CONTACT INFO	ORMATION						
Contract Administrator: Suzanne (Carter Phone: 257-8017 Date	e: <u>3/5/15</u>						
Email Address suzanne.carter@m	nilwaukeecountywi.gov Fund:	0001 Agency: Parks Org	g No. <u>9000</u>					
	PROJECT INFO	RMATION						
Project Name: EPA "Engaging Url	han Youth to Control Invasivo	Snecies" Great Lakes Co	mmunity Conservation Corps					
Subcontract		Openies Great Lakes CO						
Contract Scope/Project Descriptio	n (attach scone/description	of work or estimating sl	heet).					
Great Lakes Community Conserva		-						
disadvantaged populations while I								
system. This contract requires a								
		-						
resource) training. In addition, Great Lakes has provided more than \$60,000 in voluntary matching funds. Contracting Opportunities (List NAICS codes): N/A. Great Lakes is a 501(c)(3) organization.								
• • • • •								
RFP/BID will be used (Yes/No) N	TYPE OF PR	·						
		OJECI						
Professional Services	Estimated Amount	Recom	mended DBE Participation					
	\$ <u>194,086</u>	_	<u>0</u> %					
Construction Related	Estimated Amount	Estimated Allowance	Recommended DBE Participation					
oonstruction related	\$	\$						
	APPROV		70					
Is county board approval required	? Yes Resolution #: _	14-675_ (attach resolut	ion)					
	WAIVER RE	QUEST						
Request for a goal of 0% re	equires signature of departm	nent head, a full scope o	f project and explanation.					
John Dargle, Jr.								
Department/Division Administrato		Signature	Date					
	CBDP USE	ONLY						
Concur with Recommendation	X, or provide	the following goals:	<u> 0</u> %					
This seaton at is successful and the D	BE goal: Ves X No)						
This contract is exempt from the D	DE goal 163/_ NC	•						

ŧ	NAICS CODE	DESCRIPTION						
	212319	Other Crushed & Broken Stone Mining & Quarrying						
	212321	Construction Sand & Gravel Mining						
	212322 Industrial Sand Mining							
	New Housing Operative Builders							
236117New Housing Operative Builders236118Residential Remodelers								
	236210 Industrial Building Construction							
	236220	Commercial & Institutional Building Construction						
	237110	Water & Sewer Line & Related Structures Construction						
	237120	Oil & Gas Pipeline & Related Structures Construction						
	237130	Power & Communication Line & Related Structures Construction						
	237310	Highway, Street & Bridge Construction						
	237990	Other Heavy & Civil Engineering Construction						
	237990	Poured Concrete Foundation & Structure Contractors						
		Structural Steel and Precast Concrete Contractors						
	238120							
	238130	Framing Contractors						
	238140	Masonry Contractors						
	238150	Glass and Glazing Contractors						
	238160	Roofing Contractors						
	238170	Siding Contractors						
	238190	Other Foundation, Structure & Building Exterior Contractors						
	238210	Electrical Contractors & Other Wiring Installation Contractors						
	238220	Plumbing, Heating & Air-Conditioning Contractors						
	238290	Other Building Equipment Contractors						
238310 Drywall & Insulation Contractors								
	238320 Painting and Wall Covering Contractors							
238330 Flooring Contractors								
238340 Tile & Terrazzo Contractors								
238350 Finish Carpentry Contractors								
	238390							
	238910	Site Preparation Contractors						
	238990	All Other Specialty Trade Contractors						
	323114	Quick Printing						
	323116	Manifold Business Forms Printing						
	323117	Books Printing						
	323119	Other Commercial Printing						
	325998	All Other Miscellaneous Chemical Product & Preparation Manufacturing						
	327215	Glass Product Manufacturing Made of Purchased Glass						
	327320							
	331210	Iron & Steel Pipe & Tube Manufacturing from Purchased Steel						
	332116	Metal Stamping						
╡	332311	Prefabricated Metal Building & Component Manufacturing						
	332312	Fabricated Structural Metal Manufacturing						
	332321	Metal Window & Door Manufacturing						
┥	332322	Sheet Metal Work Manufacturing						
╡	332323	Ornamental & Architectural Metal Work Manufacturing						
┥	332523	Hardware Manufacturing						
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423210 Furniture Merchant Wholesalers								
423310 Lumber, Plywood, Millwork & Wood Panel Merchant Wholesalers								
┥	423320	Brick, Stone & Related Construction Material Merchant Wholesalers						
┥	423330	Roofing, Siding & Insulation Material Merchant Wholesalers						
4	423390	Other Construction Material Merchant Wholesalers						
	423510	Metal Service Centers & Other Metal Merchant Wholesalers						
	423610	Electrical Apparatus & Equipment, Wiring Supplies & Related Equipment Merchant Wholesalers						
	423690	Other Electronic Parts & Equipment Merchant Wholesalers						
	423710	Hardware Merchant Wholesalers						
1	423720	Plumbing & Heating Equipment & Supplies (Hydronics) Merchant Wholesalers						
	423730	Warm Air Heating & Air-Conditioning Equipment & Supplies Merchant Wholesalers						

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541820 Public Relations Services
541860 Direct Mail Advertising Services
541910 Educational Research Commercial
541922 Photographic Services
541930 Translation and Interpretation Services
561110 Legal Services
561210 Facilities Support Services
561320 Temporary Help Services
561410 Computer Process/Data Preparation and Processing
561439 Photocopying and Duplicating Services
561440 Collection Services
561510 Travel Agencies 07/14) Previous Editions Obsolete Page 3 of 4

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	Tour Operators
561611	Investigation Services
561612	Security Guards and Patrol Services
561621	Security Systems Services
561720	Janitorial/Building Cleaning and Maintenance Services
561730	Ornamental Shrub & Tree Services (tree planting/removal, trimming, pruning)
561740	Carpet and Upholstery Cleaning Service
561990	All Other Business Support Services
562119	Local Trucking w/o Storage
562910	Asbestos/Lead Abatement, Remediation Services
562998	Sanitary Services
621610	Home Health Care Services
621999	Health and Allied Services, NEC
624110	Child and Youth Services
624190	Individual and Family Social Services
624310	Vocational Rehabilitation Services
722110	Full Service Restaurants
722211	Retail Bakeries
722213	Eating Places
722410	Drinking Places Alcoholic Beverages
811121	Automotive Body, Paint and Interior Repair
812990	Shoe Repair Shops and Shoeshine parlors
813319	Other Social Advocacy Organizations
010010	

Note: For a comprehensive listing of NAICS codes please go to the address, http://www.census.gov/eos/www/naics/index.html

CONTRA	ACT FOR	M 1684 R5 (Re	fer to ADMINI	STRATIVE N	ANUAL Se	ection 1.13, fo	or procedures	5)	2					
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Final: Office of the Comptroller, Accounts Payable, Room 301 Courthouse									Professional Service - Capital				Capital	
Community Business Development Partners, 8th Floor City Campus Purchas											Purchase of Service			
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] If YES, gi	ve County				_Date Approve	d	1					
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1						AUTHORIZED REPRESENTATIVE				

Mard J Cruce

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 Signatures: 6
 Envelope Originator:

 Certificate Pages: 5
 Initials: 0
 Suzanne Carter

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Rick Norris

rick.norris@milwaukeecountywi.gov CBDP Director

Milwaukee County

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure: Not Offered ID:

Amy Pechacek

amy.pechacek@milwaukeecountywi.gov

Director of Risk Management

Milwaukee County

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Scott B. Manske

comptrollersignature@milwcnty.com

Comptroller

Milwaukee County

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure: Not Offered

Mark A Grady corpcounselsignature@milwcnty.com Deputy Corporation Counsel

Milwaukee County Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure: Not Offered ID: Holder: Suzanne Carter suzanne.carter@milwaukeecountywi.gov

Signature

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Signer Events

Chris Abele cabele@milwcnty.com

County Executive

Milwaukee County

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure: Not Offered ID:

John Dargle

john.dargle@milwaukeecountywi.gov

Department of Parks, Recreation and Culture -

Director

Milwaukee County

Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered

ID:

Signature

OccuSianed by α 2E580B33A2CC443...

Using IP Address: 204.194.251.5

Timestamp

Sent: 3/23/2015 5:05:26 PM CT Viewed: 3/26/2015 11:17:11 AM CT Signed: 3/26/2015 11:18:04 AM CT

DocuSigned by: Jundary S B44814D7B4E442A...

Using IP Address: 204.194.251.5

Sent: 3/26/2015 11:18:06 AM CT Viewed: 3/27/2015 10:03:14 AM CT Signed: 3/27/2015 10:26:09 AM CT

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Notary Events		Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	3/26/2015 11:18:06 AM CT
Certified Delivered	Security Checked	3/27/2015 10:03:14 AM CT
Signing Complete	Security Checked	3/27/2015 10:26:09 AM CT
Completed	Security Checked	3/27/2015 10:26:09 AM CT
Electronic Record and Signature [

Electronic Record and Signature Disclosure

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Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	Allow per session cookiesUsers accessing the internet behind a Proxy Server must enable HTTP

Required hardware and software

1.1 settings via proxy connection

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