



Community Business Development Partners

MILWAUKEE COUNTY

RICK NORRIS, PE • Director, DBE Liaison Officer, ACDBE Liaison Officer

INTER-OFFICE COMMUNICATION

DATE: September 29, 2015

TO: Supervisor Theodore Lipscomb Sr., Chair, Milwaukee County Board of Supervisors
Supervisor Steve Taylor, Chair, Economic and Community Development Committee
Supervisor Michael Mayo, Sr., Chair, Transportation, Public Works and Transit Committee

FROM: Rick Norris, PE, Director, Community Business Development Partners

SUBJECT: DBE Waiver Report for August 2015

DIRECTIVE

At the request of the Committee on Economic and Community Development, the Community Business Development Partners Department (CBDP) provides a monthly update on the Disadvantaged Business Enterprise (DBE) utilization waivers requested by, and granted to, Milwaukee County departments/divisions.

BACKGROUND

CBDP is responsible for designing, implementing, monitoring and enforcing Milwaukee County's DBE Program in order to maintain compliance with Federal Regulations and Milwaukee County Ordinances. Implementation of the Program includes assignment of participation goals on, both, Federal and County funded contracts, as well as monitoring and enforcing compliance of these contracts. Participation goals may only be established on contracts where opportunities exist for ready, willing and able certified firms to perform commercially useful functions related to the satisfaction of those contracts.

DEFINITIONS AND AUGUST 2015 Waiver and Exemption Explanations:

Waivers: A contract is granted a waiver for the following reasons:

1. A contract is awarded to a nonprofit organization, providing that the nonprofit organization is self-performing the scope of services. In circumstances where all or a portion of the works performed by others, CBDP will seek to obtain DBE participation when practical.
2. The contract is awarded to another government agency. Agreements with government agencies will fall under the category of Exemption.
3. Contracts under \$10,000
4. When the scope of services cannot be divided in a way that is practical and does not compromise the integrity of the project. The contract might create a financial hardship for the DBE firm, or increases the liability of both the DBE firm and Prime firm.
5. The lack of DBE firms available to perform the scope of services.
6. A DBE firm might elect not to participate. Some of the reasons for the lack of interest would be financial or availability.



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Exemption: A contract is granted an exemption for the reasons:

1. Contract awarded to another governmental agency.
2. Transactions where Milwaukee County is receiving revenues related to lease, rental, donations, etc.
3. Nonprofit organizations that self-perform the work. Example, Community Advocates, universities, etc.
4. Contracts under \$10,000
5. Agreements where no money is exchanged. For example, organization adopts a playground and use private funding to maintain the grounds.

August 2015 Waiver and Exemption explanations:

1. Airport debt issuance annual monitoring fee (\$13,000). Annual payment to providers for insurance coverage.
2. Monitor & assess impacts of glycol deicer management on water quality (\$292,500). Contracted with a government agency that will self-perform the scope of services.
3. Various agreements associated with Emergency Management. Items are either lease agreements or the purchase/installation of specialized equipment. Waived.
4. Payroll, human resources & benefit systems & support associated with Ceridian (\$1,720,000). Waived due to specialize single provider of Ceridian.
5. Economic Development contract with FaegreBD Consulting (\$25,000). Specialized experience working with FTA related to the USDOT and the Couture Development. To lobby on the County's behalf that the proposed transit amenities will satisfy the original agreement (funds spent) associated with the existing Transit building.

WAIVER REQUESTS

When CBDP receives a waiver request from a department/division, staff thoroughly reviews it and available supporting documentation before rendering a determination. The Director may require staff to gather more comprehensive information or to provide more detailed clarification regarding any identified issues prior to issuing a determination.

WAIVER REPORT SUMMARY

Total Contracted Dollars for Period	\$ 8,797,869
Total Contracted Dollars w/o DBE Participation	\$ 6,937,652
Percentage of Contracts w/o DBE Participation	78.86%
Total Contracted Dollars w/ Waiver Approval	\$2,559,968
Percentage of Contracts w/ Waiver Approval	29.10%
Total Contracted Dollars w/o Waiver Approval	\$ 0.00
Percentage of Contracts w/o Waiver Approval	0.0%



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It is also important to note that the Milwaukee County Code of General Ordinances exempts various contracts from DBE participation consideration review for services such as those used for the purpose of securing credit rating services related to debt issuance and administration. These exemptions appear as Chapter 56.30(2)(a) and 56.30(10)(a).

Total Contracted Dollars for Period	\$ 8,797,869
Total Exempted Contract Dollars	\$4,377,683
Percentage of Exempted Contracts for Period	49.76%

CBDP prepared this informational report, and recommends that it be received and filed, as such.

Approved by:

Rick Norris, PE
Director, CBDP

CC: Chris Abele, Milwaukee County Executive

Monthly Waiver Report for August 2015

Prepared by the Department of Community Business Development Partners

Director's Report

¹ These contracts are exempted from Disadvantaged Business Enterprise participation review within the guidelines of Code of General Ordinance Chapter 56.30(2)(a). Not included in the waiver calculations.

² Waivers approved by CBDP; within guidelines of Code of General Ordinances

³ Contracts issued by Departments in violation of the Code of General Ordinances; CBDP is made aware of these projects when Accounts Payable forwards new contract information.

⁴ Total does not include Procurement Division Figures

Total Contract \$ Amount for Period ⁴	\$ 8,797,869
Total Contract \$ Amount w/o DBE Participation for Period	\$ 6,937,652
Percentage w/o DBE Participation	78.86%
Total Approved Waiver \$ Amount ²	\$ 2,559,968
Percentage Waived ²	29.10%
Total Unapproved Waiver \$ Amount ³	\$ -
Percentage w/o Waiver Approval ³	0.00%
Total Exempted \$ Amount	\$ 4,377,683
Percentage Exempted from Waiver Calculations	49.76%

REPORTING Ending PERIOD	August 2015
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DEPARTMENT	CONSULTANT/CONTRACTOR	SERVICES	COMMENTS	EXEMPTED	Waived	Unapproved Waivers
Comptroller	Airport debt issuance annual monitoring fee	Moody's Investor Service	Exempt	\$ 13,000.00	\$ -	
	Fitch ratings coverage for 2015	Fitch Ratings	Exempt	\$ 5,000.00	\$ -	
	US Bank administration fees for the 2005, 2006, 2007, 2009, 2010 & 2014 bonds	US Bank	Exempt	\$ 6,250.00	\$ -	
District Attorney	Conduct forensic evaluation in the child, D.A., matter	Lynn K. Sheets, MD	Specialized Single Provider	\$ 6,000.00	\$ -	
DOT - Airports	Monitor & assess impacts of glycol de-icer management on water quality	US Geological Survey	Intergovernmental Cooperation	\$ -	\$ 292,500.00	
Parks	Re-estimation of County's share of 50-50 revenue split	CTM Group, Inc	Specialized Single Provider	\$ 1,500.00	\$ -	
DHHS	Wisconsin Home Energy Assistance Program Service Provider	Community Advocates	Not-for-Profit Provider	\$ 1,430,180.99	\$ -	
		United Migrant Opportunity Service / UMOS	Not-for-Profit Provider	\$ 808,838.98	\$ -	
DAS - Economic Development	Assist County in resolving FTA regulatory issues related to the Couture Development	FaegreBD Consulting	Specialized Single Provider	\$ -	\$ 25,000.00	
Child Support	Pathways to Responsible Fatherhood grant services	Wisconsin Community Services	Not-for-Profit Provider	\$ 18,750.00	\$ -	
Combined Court Operations	Foreclosure mediation services	Metro Milwaukee Mediations Services	Not-for-Profit Provider	\$ -	\$ 56,000.00	
	Independent evaluator of the Family Drug Treatment Court for grant compliance	IMPACT Planning Council	Not-for-Profit Provider	\$ 10,600.00	\$ -	
Family Care	Enhanced training on behavioral support for individuals with complex behaviors	UW Board of Regents / Waisman Center / Paul White	Not-for-Profit Provider	\$ -	\$ 18,000.00	
Emergency Management	Tower Lease Agreement for Public Safety Radio System Build-Out	Milwaukee Fire Department Engine 38	Intergovernmental Cooperation	\$ 25.00	\$ -	
	Program management for OASIS 800 MHz Public Safety Radio System migration	CDX Wireless	Specialized Single Provider	\$ 168,200.00	\$ -	
	Tower Lease Agreement Amendment No. 1 for Public Safety Radio System Build-Out	T10 MelTel, LLC	Specialized Single Provider	\$ -	\$ 22,513.00	
DHHS - Delinquency & Courts	Electronic Monitoring of Offenders	Satellite Tracking of People, LLC	Specialized Single Provider	\$ -	\$ 115,705.00	
	Amendment to Shelter Care contract adding a girls population of 11	St. Charles Youth & Family Services	Not-for-Profit Provider	\$ 846,073.33	\$ -	
DHHS - BHD	Comprehensive Community Services programming start-up	Project Access	Not-for-Profit Provider	\$ -	\$ 28,000.00	
	Facility upgrades to assist in transition from BHD to CBRF facilities	Bell Therapy (Phoenix Care Systems)	Not-for-Profit Provider	\$ -	\$ 47,240.00	
	Secure Emergency Detoxification Program	Genesis Behavioral Services	Not-for-Profit Provider	\$ 535,863.00	\$ -	
	Administration of Strategic Prevention Framework Partnership for Success II Amendment 1	Community Advocates	Not-for-Profit Provider	\$ 384,667.00	\$ -	
DAS - FM - A&E	GMIA - Runway 13-31 Pavement Rehabilitation - Material Testing	Giles Engineering & Associates	Annual Consultant Utilization	\$ -	\$ 25,918.00	
	South Shore Park Outreach	Alliance for the Great Lakes	Not-for-Profit Provider	\$ 6,400.00	\$ -	
Ethics Board	Legal Services for Ethics Board	Sullivan Mediation & Arbitration, LLC	Specialized Single Provider	\$ 3,000.00	\$ -	
DHHS - Housing	CDBG funding for accessibility ramp bus pad	City of Cudahy	Intergovernmental Cooperation	\$ 30,000.00	\$ -	
	CDBG funding	City of Cudahy	Intergovernmental Cooperation	\$ 45,835.00	\$ -	
	Case management services to chronically homeless in My Home Program	Cathedral Center	Not-for-Profit Provider	\$ 27,500.00	\$ -	
County Board	Legal Counsel for the County Board	Cullen, Weston Pines & Bach, LLP	Exempt	\$ -	\$ 99,000.00	
	Lobbying Services & IR Committee staffing	Stafford Rosenbaum, LLP	Exempt	\$ -	\$ 37,000.00	
Corp Counsel	Represent County regarding the Downtown Transit Center Amendment 1	VonBriesen & Roper, SC	Specialized Single Provider	\$ -	\$ 50,000.00	
Aging	Senior dining program revitalization plan assessment & report	UWM Board of Regents	Not-for-Profit Provider	\$ -	\$ 23,092.29	
DAS - Employee Benefits	Affordable Care Act management information system, Health E (fx)	HealthCare Impact Associates, LLC	Specialized Single Provider	\$ 30,000.00	\$ -	
DAS - HR	Payroll, human resources & benefit systems & Support	Ceridian	Specialized Single Provider	\$ -	\$ 1,720,000.00	
Grand Total				\$ 4,377,683.30	\$ 2,559,968.29	

DASHBOARD

