



Community Business Development Partners

MILWAUKEE COUNTY

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

INTER-OFFICE COMMUNICATION

DATE: November 17, 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 Wavier Report for October 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 OCTOBER 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 work is 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 leases, 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, an organization adopts a playground and use private funding to maintain the grounds.

October 2015 Waiver and Exemption explanations:

1. Near West Side Partners received an \$800,000 grant for neighborhood improvement and redevelopment.

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	\$ 7,486,104
Total Contracted Dollars w/o DBE Participation	\$ 1,640,325
Percentage of Contracts w/o DBE Participation	21.91%
Total Contracted Dollars w/ Waiver Approval	\$600,745
Percentage of Contracts w/ Waiver Approval	8.02%
Total Contracted Dollars w/o Waiver Approval	\$ 0.0
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	\$ 7,486,104
Total Exempted Contract Dollars	\$1,039,580
Percentage of Exempted Contracts for Period	13.89%

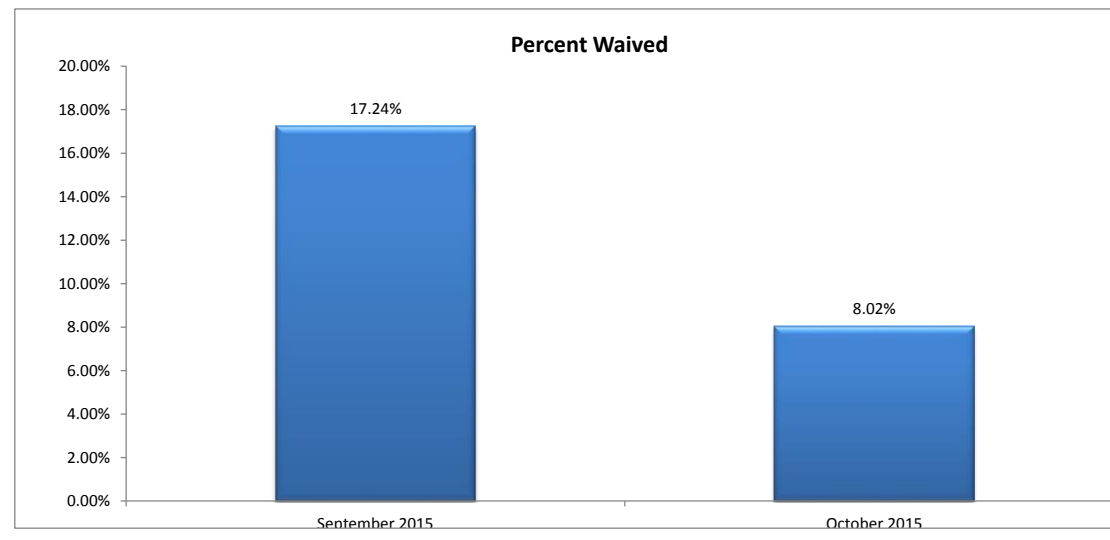
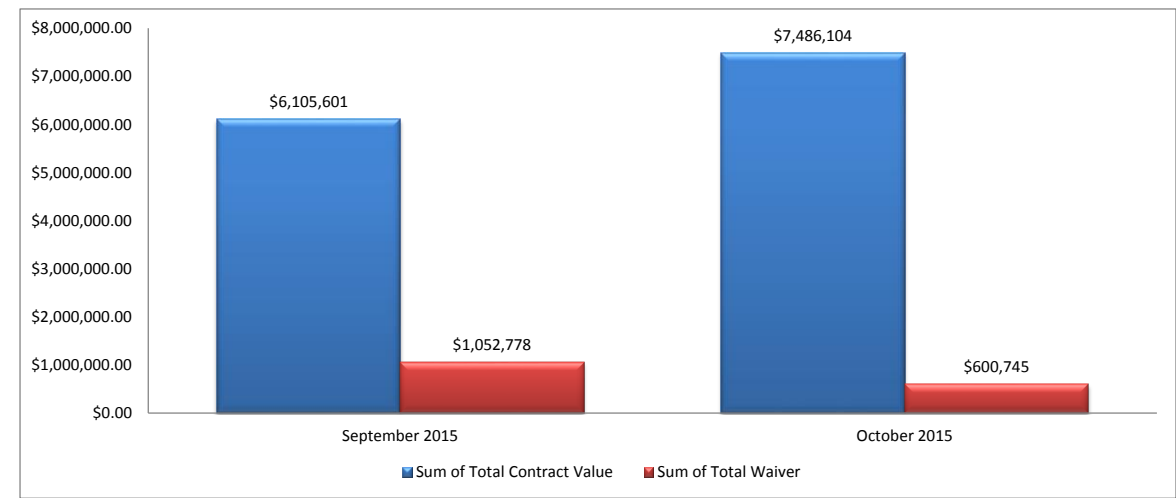
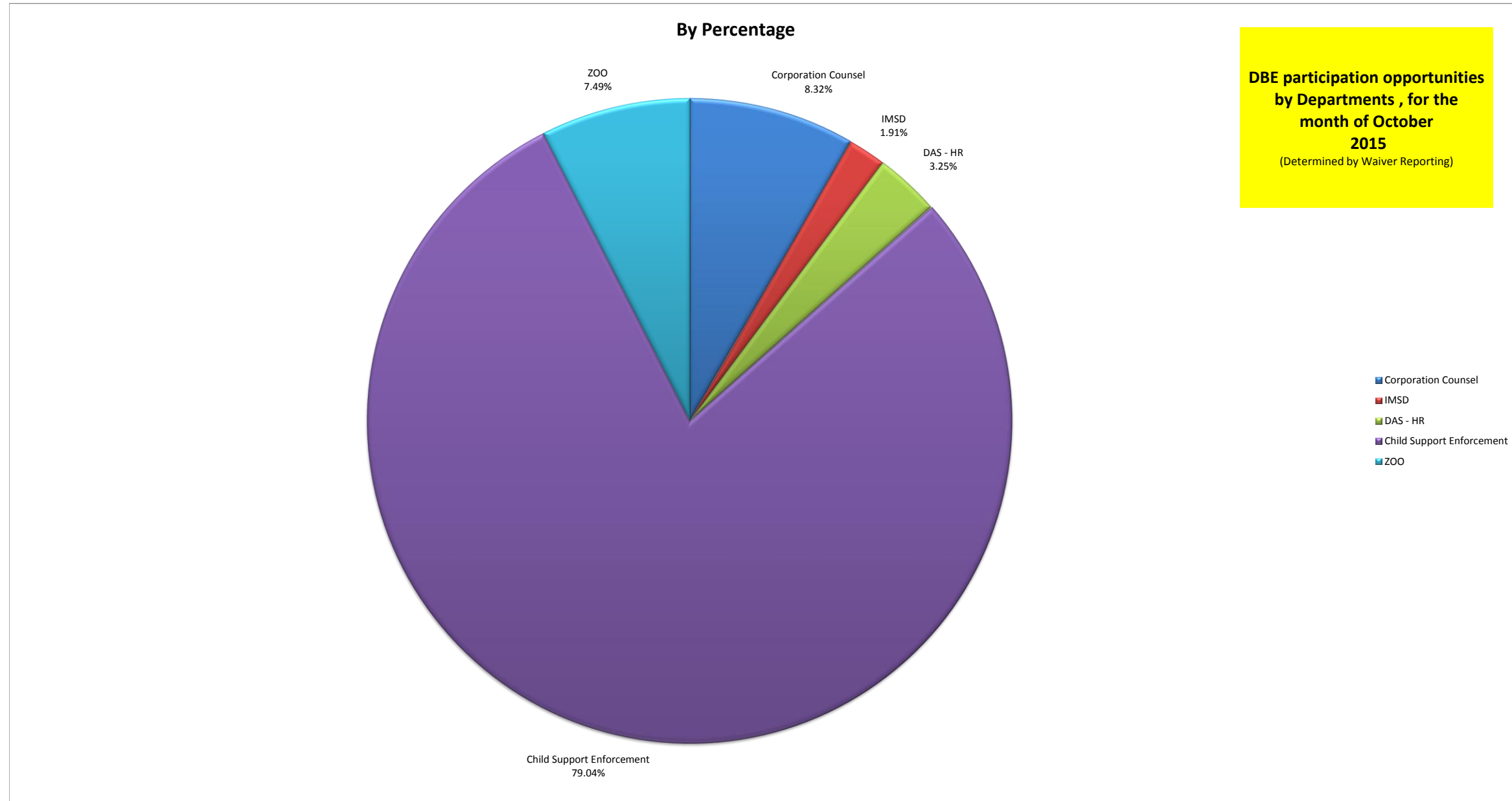
CBDP prepared this informational report, and recommends that it be received and filed, as such.

Approved by:

Rick Norris
Rick Norris, PE
Director, CBDP

CC: Chris Abele, Milwaukee County Executive

DASHBOARD



Monthly Waiver Report for October 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	\$ 7,486,104
Total Contract \$ Amount w/o DBE Participation for Period	\$ 1,640,325
Percentage w/o DBE Participation	21.91%
Total Approved Waiver \$ Amount ²	\$ 600,745
Percentage Waived ²	8.02%
Total Unapproved Waiver \$ Amount ³	\$ -
Percentage w/o Waiver Approval ³	0.00%
Total Exempted \$ Amount	\$ 1,039,580
Percentage Exempted from Waiver Calculations	13.89%

REPORTING Ending PERIOD	October 2015
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DEPARTMENT	CONSULTANT/CONTRACTOR	SERVICES	COMMENTS	EXEMPTED	Waived	Unapproved Waivers
Comptroller	Analytical services rendered in connection with the 2015 A-D bond issuances	Standard & Poor's	Specialty Service	\$ 27,000.00		
Corporation Counsel	Legal representation for the Office of the Sheriff	Michael A I Whitcomb	Specialty Service		\$ 50,000.00	
	Legal representation in Lipscomb v Abele matter	Mallery & Zimmerman	Specialty Service	\$ 25,000.00		
Personnel Review Board	Serve as legal counsel for Civil Service Commission in conflict of interest	Mallick Law Office, LLC	Specialty Service	\$ 7,500.00		
DAS - Economic Development	Economic development fund grant agreement	Near West Side Partners, Inc	Specialty Service	\$ 800,000.00		
IMSD	Integration of Sales Force & Active Directory	Vertiba, Inc	Specialty Service		\$ 11,445.00	
DHHS - Delinquency & Courts	Provide on-site Global Appraisal of Individual Needs (GAIN) training	Laura Almond	Specialty Service	\$ 7,100.00		
	Amendment 1 - Funding support for Power of Harambee Project	West Care Wisconsin	Specialty Service	\$ 6,000.00		
DOT - Administration	Section 5310 Grant funding to purchase 6 mobile devices & tracking software	MCFI - Route Boss, LLC	Specialty Service	\$ 5,388.00		
DHHS - BHD	Community Involvement & feedback to implementation of North Side Center for BHD	Faith Partnership Network, Inc	Specialty Service	\$ 51,000.00		
DAS - FM - A&E	Zoo - SA - HVAC Controls & Metasys Programming	Johnson Controls	Sole Source	\$ 1,355.25		
DHHS - Housing	2015 CDBG Sub-Recipient - Trail System Phase 3	City of St. Francis	Interagency Cooperation	\$ 41,871.00		
	2015 CDBG Sub-Recipient - Senior Resource Center	Village of Shorewood	Interagency Cooperation	\$ 6,247.00		
	2015 CDBG Sub-Recipient - Driver license recovery & employability	Wisconsin Community Services	Specialty Service	\$ 5,071.00		
	2015 CDBG Sub-Recipient - Neighborhood outreach program	Interfaith Older Adult Programs	Specialty Service	\$ 21,103.00		
	2015 CDBG Sub-Recipient - senior health related educational programs	City of Franklin	Interagency Cooperation	\$ 4,945.00		
DAS - HR	Provide cross cultural communication & diversity training	Benavides Enterprises, Inc	Specialty Service/Minority Firm		\$ 19,500.00	
Child Support Enforcement	Pathways to Responsible Fatherhood grant services extension	Northcott Neighborhood House	Specialty Service	\$ 30,000.00	\$ 7,500.00	
		Wisconsin Regional Training Partnership	Specialty Service		\$ 13,500.00	
		Center for Self-Sufficiency	Specialty Service		\$ 23,000.00	
	Assist non-custodial parent to obtain employment through the Children First program	United Migrant Opportunity Service / UAMOS	Specialty Service		\$ 100,000.00	
		Center for Veterans Issues	Specialty Service		\$ 165,200.00	
		My Father's House	Specialty Service		\$ 165,600.00	
ZOO	Provide specialized design, layout & resale item recommendations for Zoo gift shops	Service Systems Associates, Inc	Specialty Service	\$ -	\$ 45,000.00	
Grand Total				\$ 1,039,580.25	\$ 600,745.00	