Type of Review Required Under 2013 Act 14 and 2015 Act 55

This table does not apply to contracts related to mental health and Community Based Residential Facilities which the County Board cannot consider.

I. If the contract relates to land zoned as park (but not the Transit Center parcel at 909 E. Michigan Street) or if the contract is not facility-based:

	Total Contract Value		
	Less than $100,000	$100,000 to $300,000	More than $300,000
1. Professional Services – Operating	No Review	Passive Review	Full CB Approval
2. Professional Services – Capital	No Review	Passive Review	Full CB Approval
3. Public Works	No Review	No Review	No Review
4. Revenue/Concessions	No Review	Passive Review	Full CB Approval
5. Service Contract	No Review	Passive Review	Full CB Approval
6. Lease	Leases 1-year or longer require Full CB Approval. *See* MCO 56.10. Corporation Counsel will determine whether the agreement is a Lease or a Revenue/Concessions contract.		
7. Easement	Full CB Approval	Full CB Approval	Full CB Approval
8. Any Multi-Year Budget Contract	Full CB Approval	Full CB Approval	Full CB Approval
9. Land Sale/Acquisition	Full CB Approval	Full CB Approval	Full CB Approval
10. Purchase of Service	No Review	Passive Review	Full CB Approval
11. Fee for Service	No Review	Passive Review	Full CB Approval

II. If the contract is to construct, purchase, acquire, lease, develop, improve, extend, equip, operate, or maintain a County facility or acquire, lease, or rent property on land not zoned as park or on the Transit Center parcel (909 E. Michigan Street):

1. Professional Services – Operating *	No Review	No Review	No Review
2. Professional Services – Capital *	No Review	No Review	No Review
3. Public Works	No Review	No Review	No Review
4. Revenue/Concessions *	No Review	No Review	No Review
5. Service Contract *	No Review	No Review	No Review
6. Lease/Easement (even if it uses funds from a not yet adopted fiscal year)	No Review	No Review	No Review
7. Any Multi-Year Budget Contract EXCEPT for a Lease or Easement	Full CB Approval	Full CB Approval	Full CB Approval
8. Land Sale/Acquisition	No Review	No Review	No Review

* A contract to construct, develop, improve, extend, equip, operate, or maintain a County facility not zoned as a park is not subject to CB review if it uses only funds from adopted fiscal years. Corporation Counsel will determine whether contracts meet this criteria.

Examples of activities to operate, maintain, develop, and improve a County facility which are not subject to CB Review if they only use funds from adopted fiscal years:

Facility planning and design for the Courthouse Complex, City Campus, and Coggs Center
Consulting services to improve or expand a County Highway
Engineering and planning to study conversion of Airport electrical infrastructure
Elevator or heating system repair at the House of Correction
Cleaning services at the Behavioral Health Division

EXHIBIT
tabbies
1

Examples of activities which are subject to CB Review:

Operation of a program (rather than a facility)
Penny press and pony rides at the Zoo (currently not zoned as a park) as these activities are not necessary to operate the Zoo

5/11/2016

EXHIBIT 2

tabbies

Type of Review Required Under 2013 Act 14 and 2015 Act 55

NOTE: This table does not apply to contracts related to mental health and Community Based Residential Facilities, which the County Board cannot consider.

I. If the contract relates to county land zoned as park (but not the Transit Center parcel at 909 E. Michigan Street) or if the contract is not related to county non-park personal property,[1] buildings, facilities, or real estate:

	Total Contract Value		
	Less than $100,000	$100,000 to $300,000	More than $300,000
1. Professional Services - Operating	No Review	Passive Review	Full CB Approval
2. Professional Services – Capital	No Review	Passive Review	Full CB Approval
3. Public Works	No Review	No Review	No Review
4. Revenue/Concessions	No Review	Passive Review	Full CB Approval
5. Non-Professional Services	No Review	Passive Review	Full CB Approval
6. Lease	Leases 1-year or longer require full CB approval. *See* MCO 56.10. Corporation Counsel will determine whether the agreement is a Lease or a Revenue/Concessions contract.		
7. Easement	Full CB Approval	Full CB Approval	Full CB Approval
8. Any Multi-Year Budget Contract	Full CB Approval	Full CB Approval	Full CB Approval
9. Land Sale/Acquisition	Full CB Approval	Full CB Approval	Full CB Approval
10. Purchase of Service	No Review	Passive Review	Full CB Approval
11. Fee for Service	No Review	Passive Review	Full CB Approval

II. If the contract relates to county non-park personal property, buildings, facilities or real estate or the Transit Center Parcel at 909 E. Michigan Street:

1. Professional Services – Operating*^	No Review	No Review	No Review
2. Professional Services – Capital*^	No Review	No Review	No Review
3. Public Works	No Review	No Review	No Review
4. Revenue/Concessions	No Review	No Review	No Review
5. Procurement – Services and Other Non-Professional services*^	No Review	No Review	No Review
6. Procurement – Goods*	No Review	No Review	No Review
7. Lease / Easement (even if it uses funds from a not yet adopted fiscal year)	No Review	No Review	No Review
8. Any Multi-Year Budget Contract EXCEPT for Lease or Easement	Full CB Approval	Full CB Approval	Full CB Approval
9. Land Sale/Acquisition	No Review	No Review	No Review

* A contract involving county personal property or land not zoned as park/buildings/facilities is <u>not</u> subject to CB review <u>only</u> if it uses funds from adopted fiscal years. Corporation counsel in conjunction with the Comptroller's Office will determine whether contracts meet this criteria.

^A contract for services is <u>not</u> subject to CB review <u>only</u> if it is related to county personal property or land not zoned as park/buildings/facilities. Corporation counsel will determine whether professional services contracts meet this criteria.

Prepared by the Office of Corporation Counsel with the assistance of the Comptroller's Office
3/3/2017

[1] "Personal property" is all property – anything that can be owned or used or possessed, whether tangible or intangible – that is not real estate (for example, software systems, telephones, trademarks, copyrights, logos, any intellectual property, accounting systems, IT systems of any type, machinery (whether gigantic or tiny), microprocessors, furniture, bank deposits, annuities, cash, equipment, pencils, cleaning equipment, ideas, trade secrets, etc.). *See* Wis. Stat. §§ 990.01(27); 70.03; 70.04; *In re Estate of Larson*, 196 Wis. 2d 231, 235, 538 N.W.2d 802, 803 (Ct. App. 1995) ("bank deposits, checks, annuities and trust agreements are all ... intangible personal property... . This conclusion is consistent with the law defining tangible and intangible personal property in other areas of the law, as in construing intangible personal property to include cash."); *Acharya v. Carroll*, 152 Wis. 2d 330, 335, 448 N.W.2d 275, 278 (Ct. App. 1989); Black's Law Dictionary, 7th ed. (1999) at 1233.