

COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION

DATE: August 12, 2021

TO: Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors

FROM: Amy Keltner, Director, AE&ES Section, DAS-FM Division

SUBJECT: **A Request from the Director, Department of Administrative Services, regarding Passive Review of a Professional Services Agreement Exceeding \$100,000 but less than \$300,000 for Capital Project WP498 – Underwood Creek Parkway Replacement.**

FILE TYPE: **Passive Review Contract**

REQUEST

The Director of the Department of Administrative Services (DAS) is requesting passive review of this fee increase of \$12,050.00 for an amendment to the professional service agreement with Exp U.S. Services, Inc. to provide professional services for capital project WP0498011. The fee increase, including design and construction oversight contingencies, results in a NTE total fee of \$120,894.30 for WP0498011 - Underwood Creek Parkway Replacement.

OVERVIEW

Capital project **WP0498011 - Underwood Creek Parkway Replacement** segment that falls between W. Bluemound Road and N. 119th Street is 0.41 miles in length and is in poor condition. This portion of roadway is fronted by numerous residential properties, and also serves as a defacto collector street for the adjacent neighborhood. The pavement is cracked and heaved in locations, and is a hazard for both vehicles and the bicycles that use this stretch as a mapped leg of the Oak Leaf Trail. Some areas of this parkway have broken curb, while others have no curb at all due to deterioration. Lighting in this stretch is not reflective of current Parks standard materials, nor is it consistent with the City of Wauwatosa's reconstruction within the portion of the parkway road that falls under their jurisdiction.

A capital project was approved in the Milwaukee County 2020 Capital Budget for design funding only to complete the planning, design, and construction documents for the reconstruction of Underwood Creek Parkway – W. Bluemound Road to N. 119th Street. A capital project was approved in the Milwaukee County 2021 Capital Budget for the reconstruction of Underwood Creek Parkway – W. Bluemound Road to N. 119th Street.

A fee increase to EXP's professional service agreement is requested for the following additional design and construction services:

- additional design work to include two speed tables to promote traffic calming.

- additional design work to include narrowing of the travel lanes to create a pinch point at the east end of the project to promote traffic calming.
- Additional field support for responding to RFI's, reviewing submittals, and administration for the project.

EXP's proposed scope of services has been reviewed by the AE&ES Section of DAS-FM. A copy of the proposed scope of services and consultant fee spreadsheet is attached

POLICY

Implementation of Wisconsin Statutes 59.21(31) with regard to purchase of professional service agreements (under the Milwaukee General Ordinance Chapter 56) for Capital projects requires County Board review to award the initial agreement, or fee extension(s) to the original agreement, when the total contractual fee exceeds \$100,000 but is less than \$300,000.

Wisconsin State Statutes: 59.21(31)
Milwaukee County Code of General Ordinances: Chapter 56

FISCAL EFFECT

This request was included in the adopted 2020 capital budget for design only, as project number WP0498011 and with a capital appropriation amount of \$134,968.52. Funding for the reconstruction of Underwood Creek Parkway was added in the 2021 capital budget with a total capital appropriation amount of \$1,758,564.52. The fee increase of \$12,050.00 for an amendment to the professional services agreement, along with design and construction oversight contingencies, results in a Not to Exceed (NTE) fee of \$120,894.30 for WP0498011 with a fee breakdown for the project as follows:

FEE BREAKDOWNS:

Current Allowable Fee plus Allowance:

| | |
|---|---------------|
| 1. Basic Services - Lump Sum Not to Exceed Sum | \$81,090.00 |
| 2. Fee Increase No. 1 - Actual Cost Not to Exceed Sum | \$17,754.30 |
| 3. <u>Reimbursable Allowance (NTE)</u> | <u>\$0.00</u> |
| 4. Fee Plus Allowance (NTE) | \$98,844.30 |

Proposed Fee Increase:

| | |
|---|---------------|
| 1. Fee Increase No. 2 Actual Cost Not to Exceed Sum | \$12,050.00 |
| 2. <u>Reimbursable Allowance (NTE)</u> | <u>\$0.00</u> |
| 3. Fee Plus Allowance (NTE) | \$12,050.00 |

Revised Maximum Allowable Fee Plus Allowance:

| | |
|--|---------------|
| 1. New Fee Total | \$110,894.30 |
| 2. Design Fee Contingency (NTE) | \$10,000.00 |
| 3. <u>Reimbursable Allowance (NTE)</u> | <u>\$0.00</u> |
| 4. Fee Plus Allowance (NTE) | \$120,894.30 |

TERMS

The standard Milwaukee County professional services agreement is being used to define the terms.

RACIAL EQUITY COMPONENT

The contract includes a targeted business enterprise (TBE) goal of 17%. The approved TBE participation plan for the contract will meet the goal.

VIRTUAL MEETING INVITEES

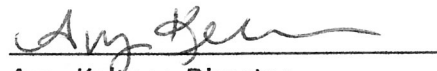
Amy Keltner, Director, AE&ES Section, DAS-FM Division

Sarah Toomsen, Manager of Planning and Development, Department of Parks, Recreation and Culture

PREPARED BY

David S. Gulgowski, Project Manager, AE&ES, DAS-FM

APPROVED BY



Amy Keltner, Director

AE&ES Section, DAS-FM Division

Department of Administrative Services

ATTACHMENTS

Consultant Retention Approval

Fiscal Note

cc: David Crowley, County Executive
Mary Jo Meyers, Chief of Staff, Office of the County Executive
Kelly Bablitch, Chief of Staff, County Board
Janelle M. Jensen, Manager, Legislative Services Division, Office of the County Clerk
Joseph Lamers, Director, Office of Performance, Strategy and Budget, Department of Administrative Services
Vince Masterson, Capital Budget Coordinator, Office of Performance, Strategy and Budget, Department of Administrative Services
Pamela Bryant, Capital Finance Manager, Office of the Comptroller
Justin Rodriguez, Budget and Management Coordinator, Office of the Comptroller
Guy Smith, Director, Department of Parks, Recreation and Culture