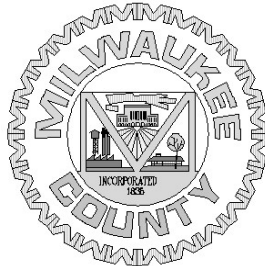


MILWAUKEE COUNTY



Department of Administrative Services

**Architecture, Engineering & Environment Services
633 W. Wisconsin Ave., Suite 1000
Milwaukee, Wisconsin 53203**

**REQUEST FOR PROPOSAL
FOR**

**Underwood Creek Parkway Road Replacement
Roundabout to Swan Boulevard**

PROJECT NO. WP067401

May 2023

May 8, 2023

To All Interested Consultants

Project: Underwood Creek Parkway Road
Replacement – Roundabout to Swan
PROJECT NO. WP067401

Subject: REQUEST FOR PROPOSAL (R.F.P.)

Milwaukee County Department of Administrative Services is requesting proposals for professional consulting services to complete planning, design and construction documents for the Underwood Creek Parkway Road Replacement located between the Roundabout and Swan Boulevard. See Attachment 1 for location map.

I. BACKGROUND AND GENERAL PROJECT DESCRIPTION

Underwood Creek Parkway Road Replacement

The Underwood Creek Parkway segment that falls between the Roundabout and Swan Boulevard is 1.58 miles in length and is in poor condition. This portion of roadway serves facilities including Wil-O-Way, Firefly Ridge, Forestry Exploration Center, MMSD County Grounds Basin, and Hansen Golf Course.

The scope of work includes planning and design for the reconstruction of the Underwood Creek Parkway segment that falls between the Roundabout and Swan Boulevard. The Parkway shall be designed for shared use to accommodate bicycles along with wayfinding signage. The approved capital project envisions a public outreach phase of work to create and evaluate several design alternatives, and related feedback to determine the preferred alternative. Storm water best management practices including curb cuts with a concrete ribbon, green infrastructure, natural areas restoration and management shall be incorporated where applicable. Lighting will be evaluated for both safety and natural resource impacts.

- II. SCOPE OF CONSULTANT SERVICES:** The successful consultant shall provide all services as specified per the standard terms and conditions of the Milwaukee County Department of Administrative Services Consultant Agreement for Professional Services (Type A). (A copy can be found on the County's website or upon request).

1) GENERAL SCOPE REQUIREMENTS

- A. Perform geotechnical analysis for all design efforts if needed.
- B. Perform video analysis to evaluate condition of all storm sewer pipes underneath the proposed pavement area if needed.

- C. Provide agency coordination and permit applications for required plan reviews and permits. Investigate, develop and incorporate into the planning and construction documents elements necessary to comply with permit conditions.
- D. Include due diligence related to historic designation of the parkway or any associated assets.
- E. Provide erosion control planning and design for all aspects of the project. File all necessary agency notices, such as WDNR Notice of Intent, etc., if applicable.
- F. Schedule, attend and facilitate a project design kickoff meeting. The consultant shall be prepared to attend monthly meetings (at a minimum) to review the project status with their design team and the work group as necessary to address planning and design issues.
- G. The consultant is expected to participate in a significant public engagement and planning phase for this project. This will include an alternatives analysis of several design solutions and will be responsible for conducting a digital survey and/or online feedback mechanism. The consultant will also be expected to participate in at least one public engagement event in coordination with Milwaukee County Staff, to share design options and gather public feedback. The consultant will document and summarize all public comments in a report for the project files.
- H. Submit three (3) hard copy sets and an electronic file of various reports, project manuals and construction plans for review and comments at each level of project development.
- I. Bidding services and construction oversight are not included in the scope of this request for qualification/proposal.

2) DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PREPARATION

- A. Complete review of all existing project information.
- B. Coordinate impacts to parks and Milwaukee County staff – construction access, staging, temporary equipment relocation, scheduling around events, etc.
- C. Prepare a Report (design development report) assessing the condition of the pavement, detailing appropriate rehabilitation materials and methods, replacement options and issues, construction cost estimate, etc.
- D. Complete construction documents for bidding and construction stakeout.
- E. Complete technical specification in CSI format for inclusion in the Milwaukee County assembled project manual. Prepare the schedule of prices for the bid form for electronic bidding. Bid Form template will be provided to consultant.
- F. Complete final pre-bid engineer's probable construction cost estimate.

III. QUALITY CONTROL

- 1. Milwaukee County reserves the right to request partial or full reimbursement from consultants for change orders resulting from errors and omissions in the services they are contracted to provide.

IV. PROJECT SCHEDULE

- | | | |
|----|----------------------|---|
| 1. | May 10, 2023 | Issue Request for Proposal |
| 2. | June 5, 2023 | RFP Due by 4:00 PM |
| 3. | June 16, 2023 | Selection Committee selects consultant. |
| 4. | June 23, 2023 | Consultant award (will occur no sooner than this date). |
| 5. | July 14, 2023 | Offer, negotiate and execute a contract with selected consultant. |
| 6. | Dec. 15, 2023 | Deliver final PS&E documents |
| 7. | TBD | Construction Start (subject to securing construction funding) |
| 8. | TBD | Construction Completion |

V. RELATED WORK BY OTHERS

1. The County will complete the front end/boiler plate sections of the project manual, incorporate the Consultant's technical specification sections and assemble the project manual.
2. The County will provide topographic survey information in AutoCAD 2022 to be used for design purposes. The County will also survey additional areas if determined necessary to complete the design scope.
3. County will provide AutoCAD template drawing file and drawing borders.
4. Milwaukee County will provide all available utility drawings of County owned and maintained utilities within the area. The County has included private utilities on the topographic survey as field marked through Diggers. However, the Consultant is responsible for contacting other utilities and municipalities for utility information as needed.

VI. SUBMISSION REQUIREMENTS: The proposal shall conform to Milwaukee County's Proposal Preparation, Submission and Evaluation Guidelines (see Attachment 2). The proposal shall include the Consultant Proposal Form (Attachment 3) and the following information:

1. Cover Page: Include project number and name, project location, consultant's name, address, telephone number, FAX number, e-mail address, proposal date, etc.
2. Table of Contents: Include an identification of the material by section and page number.
3. Letter of Transmittal: The name and description of the organization submitting the proposal briefly stating the proposer's understanding of the service to be provided.
4. Description of the Organization: A description of the organization submitting the proposal. Include the name, size, legal status (corporation, partnership, etc.), professional registration/certification, major type of activity or areas of consulting.
5. Description of the Organization's Experience: Include a list of similar projects that the consultant has participated with during the past five years. Attach a separate sheet for each project, up to five maximum, giving a brief description of each project, the consultant's participation, and a client contact reference and phone number.
6. Description of Project Team/Resumes: Provide an organizational structure of the consultant's project team, including any subconsultants to be used for this project. Include

the name of the Principal in Charge of this project along with the name, occupation and title of the Project Manager who will be in charge of this project.

Provide a one-page resume for each individual involved in the project, and include their name, title, address, telephone number, e-mail address, fax number, duties for the project, professional registration, a brief description of related experience including time contribution in this capacity to past projects, and Proposals.

7. Sub-Consultants: Indicate the names and addresses of any sub-consultants and/or associates proposed to be used in this project. State the capacity they would be used in and the approximate percentage of the total services they would provide. Also state their past experience in the field.
8. Project Approach: Provide a description of challenges you anticipate in this project and how you propose to overcome them. Discuss how you plan to staff the project to efficiently complete the work effort.
9. Project Schedule to Completion: Provide a timetable and relationship of tasks which are necessary to complete this project as noted in the "Project Schedule" section of this RFP.
10. Constant Effort: Include a spreadsheet/matrix listing the names, classifications, hourly rates and hours to be spent by each required task to complete the project as described in this RFP.
11. TBE Firm Goals: The Targeted (Disadvantaged) Business Enterprise participation goal for this project/contract is 17% for consulting services. The TBE participation goal applies individually to each capital project.
 - i. Community Business Development Partners (CBDP) is responsible for monitoring and enforcing Milwaukee County's Targeted Business Enterprise (TBE) Program for inclusion of small business. Targeted firms include DBE firms certified under the Unified Certification Program following Federal regulations and WBE and MBE certifications from the State of Wisconsin DOA.

For a non-certified firm bidding or proposing as Prime, participation may be obtained utilizing a TBE firm, whether DBE, MBE, or WBE. This allows for increased participation by providing opportunities for multiple certifications to be included in the project.

For a TBE firm proposing as Prime, self-performed work applies toward the goal and may satisfy the goal without using other TBE subcontractors or sub-consultants.

Compliance reporting is accomplished from collection of data in the Diversity Management and Compliance System, utilizing B2GNow software. Prime contractors are required to report payments received from the County and amounts paid to subcontractors in the system. Subcontractors will receive an automated email requesting them to confirm the amounts and whether the terms of the prompt payments policy were followed. There is no cost to the Prime or any subcontractor, the only requirement is to become a registered user and complete the one hour webinar training.

- ii. Contact the Community Business Development Partners Office at 414-278-4747 or cbdp@milwaukeecountywi.gov for questions related to TBE and DBE requirements.

12. **Quality Control:** Submit a contract document quality control plan. Quality control is to be performed by individuals not assigned to the project on an ongoing basis.
13. **Fee Proposal:** The fee for this project shall be clearly stated as a Lump Sum fee with reimbursables for these services. A dollar amount for reimbursable items as described in the proposal should also be clearly stated. The fee for each capital project shall be stated separately.

VII. CONSULTANT SELECTION

1. Proposers must recognize this is not a bid procedure, and a Professional Services agreement will not be awarded solely on the basis of the low fee proposal. Milwaukee County reserves the right to accept or reject any and all proposals, issue addenda, request clarification, waive technicalities, alter the nature and/or scope of the proposed project, request additional submittals, and/or discontinue this process.

The proposal evaluation team will be made up of three to five individuals with technical knowledge of the requirements and familiarity with the project. The consultant proposals will be evaluated based on project team, experience and qualifications, project understanding, fee proposal, and reference checks from previous projects.

The project manager will post this RFP, as well as any addendums and other information related to this project to the Milwaukee County Construction RFP website:

<http://county.milwaukee.gov/ConstructionBidsandR23075.htm>

The consultant should consider information on this website to be part of the official RFP. Please check the site frequently. To allow time for proposal preparation, Milwaukee County will not post anything new within two days of the proposal due date.

VIII. GENERAL REQUIREMENTS

1. The selected consultant and/or any contractor affiliated with the prime consultant shall be prohibited from submitting bids in the construction bidding process for this project.
2. Selected consultant shall follow Milwaukee County Code of Ethics as follows: No person(s) with a personal financial interest in the approval or denial of a Contract being considered by a County department or with an agency funded and regulated by a County department, may make a campaign contribution to any County official who has approval authority over that Contract during its consideration. Contract consideration shall begin when a Contract is submitted directly to a County department or to an agency until the Contract has reached final disposition, including adoption, County Executive action, proceeding on veto (if necessary) or departmental approval.

3. The selected consultant must be an Equal Opportunity Employer.
4. The proposal shall conform with all attached documents. All proposals should use this RFP and its attachments as the sole basis for the proposal. The issuance of a written addendum are the only official method through which interpretation, clarification or additional information will be given.
5. All costs for preparing a proposal, or supplying additional information requested by Milwaukee County, is the sole responsibility of the submitting party. Material submitted will not be returned.
6. The proposal must be submitted electronically in pdf format to david.gulgowski@milwaukeecountywi.gov.
7. With the signing and submission of a statement or proposal the submitting consultant certifies that the standard terms and conditions of the Agreement for Professional Services (that will be used to contract with the selected consultant) has been read and understood and that the submitting consultant is ready, willing and able to sign the agreement when requested without making any substantive changes.

Submit proposal in pdf format no later than Monday, June 5, 2023 by 4:00 p.m.

The proposals shall be addressed and submitted to:

David Gulgowski
Principal Civil Engineer
david.gulgowski@milwaukeecountywi.gov

Please direct any questions about this RFP to David Gulgowski at 414-278-4942 or via email at david.gulgowski@milwaukeecountywi.gov.

Sincerely,

David S. Gulgowski
David Gulgowski, P.E.
Project Manager

Attachments:

1. Project Location Map
2. Proposal Preparation, Submission and Evaluation
3. Consultant Proposal Form
4. TBE Forms

cc: Mike Marlin, Parks
Lamont Robinson, CDBP

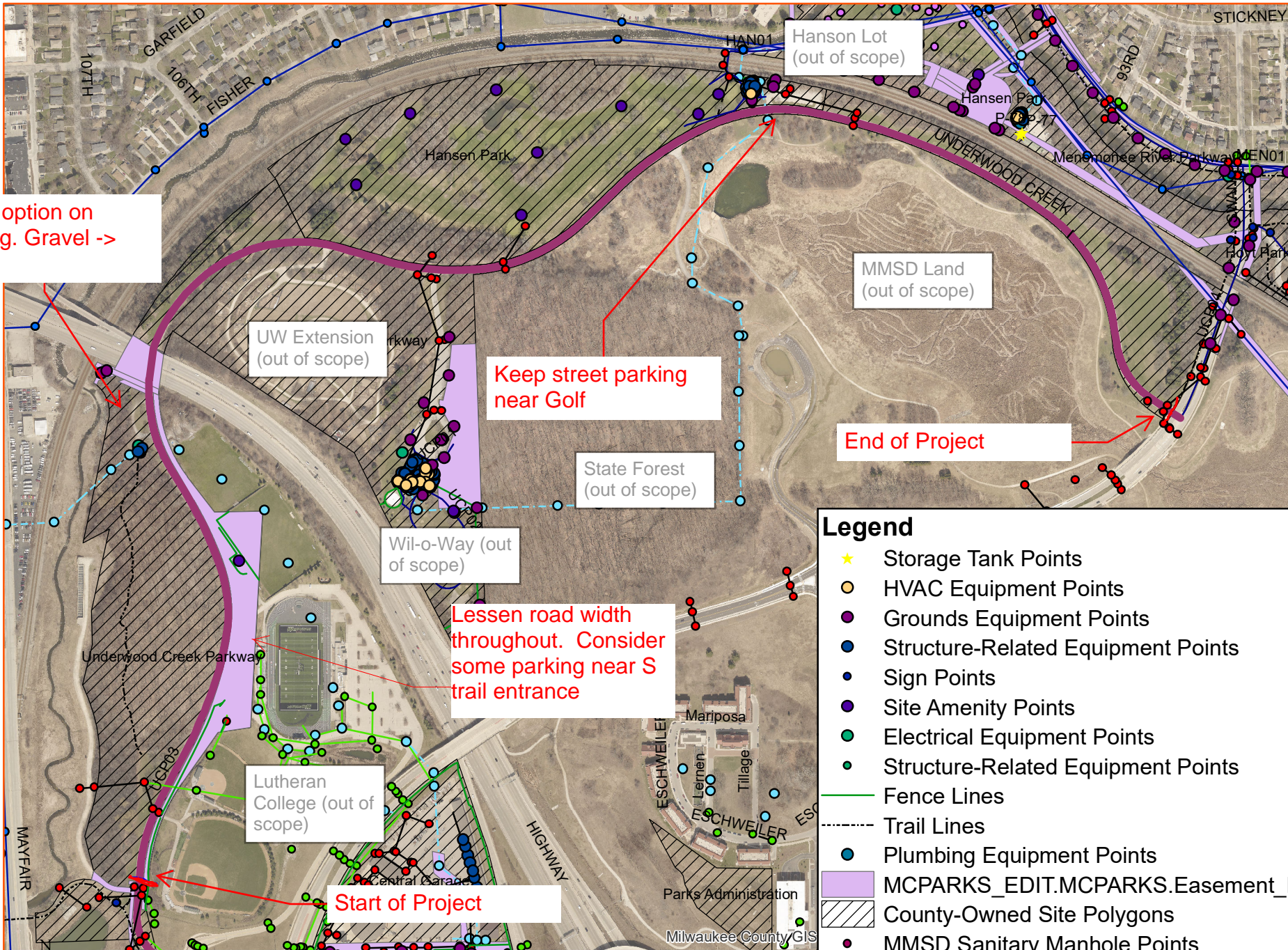
Sarah Toomsen, Parks
Dave Gulgowski, DAS-FM

Katie Bainer, DAS-FM
Sean Hayes, DAS-FM

ATTACHMENT 1
PROJECT LOCATION MAP

Underwood Creek Parkway Road Replacement WP067401 Site

Public option on building. Gravel -> seed



Legend

- ★ Storage Tank Points
- HVAC Equipment Points
- Grounds Equipment Points
- Structure-Related Equipment Points
- Sign Points
- Site Amenity Points
- Electrical Equipment Points
- Structure-Related Equipment Points
- Fence Lines
- Trail Lines
- Plumbing Equipment Points
- MCPARKS_EDIT.MCPARKS.Easement_Ply
- ▨ County-Owned Site Polygons
- MMSD Sanitary Manhole Points

1/10/23

ATTACHMENT 2

PROPOSAL PREPARATION, SUBMISSION AND
EVALUATION GUIDELINES

PROPOSAL PREPARATION, SUBMISSION & EVALUATION

I. Explanation to Prospective Offerors

Any prospective offeror desiring an explanation or interpretation of this RFP must request it in writing no later than seven business days before the last date for submission of proposals. Requests should be directed to the individual in charge at the address listed in the RFP. Any information given to a prospective offeror concerning a solicitation will be furnished promptly to all other prospective offerors as an amendment to the RFP, if that information is necessary in submitting offers or if the lack of it would be prejudicial to any other prospective offerors.

II. Complete Proposals

Proposals shall represent the best efforts of the offerors and will be evaluated as such. Proposals must set forth full, accurate, and complete information as required by this section and other sections of this RFP.

III. Unnecessarily Elaborate Proposals

Brochures or other presentations beyond those sufficient to present a complete and effective response to this solicitation are not desired and may be construed as unnecessarily elaborate and an indication of the offeror's lack of cost consciousness. Elaborate art work, expensive paper and binding, and expensive visual and other presentation aids are neither necessary nor desired. Concise and clear proposals are sought.

IV. Retention of Proposals

All proposal documents shall be retained by the County and therefore, will not be returned to the offerors. The County will not pay for preparation of proposals or for proposals that are retained by the County.

V. Examination of Proposals

Offerors are expected to examine the Site, Statement of Work and all instructions and attachments in this RFP. Failure to do so will be at the offeror's risk.

VI. Legal Status of Offeror

Each offeror must provide the following information in its proposal:

- A. Name of the offeror;
- B. Whether offeror is a corporation, joint venture, partnership (including type of partnership), or individual;
- C. Copy of any current license, registration, or certification to transact business in the State of Wisconsin if required by law to obtain such license, registration, or

certification. If the offeror is a corporation or limited partnership and does not provide a copy of its license registration, or certification to transact business in the State of Wisconsin, the offeror shall certify its intent to obtain the necessary license, registration or certification prior to contract award or its exemption from such requirements; and

- D. Copies of any current license, registration or certification required in RFP;
- E. If the offeror is a partnership or joint venture, names of general partners or joint venturers.

VII. Organization of Offeror

Each proposal must further contain a chart showing the internal organization of the offeror and the numbers of regular personnel in each organizational unit.

VIII. Offerors Authorized Agent

Each proposal shall set forth the name, title, telephone number, and address of the person authorized to negotiate in behalf of the offeror and contractually bind the offeror, if other than the person signing the proposal.

IX. Price Schedule Submission

Offerors are to submit prices for each item identified in the Proposal. Offers for services other than those specified will not be considered. The prices set forth in the schedule will be used for evaluation purposes and for establishing a contract price. Milwaukee County reserves the right to accept or reject any and all Proposals.

X. Certification and Representations

Offerors shall return with their proposal resumes and any other documents as may be requested in the RFP.

XI. Signing of Offers

The offeror shall sign the proposal and print or type its name on the form. Erasures or other changes must be initialed by the person signing the offer. Offers signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the County.

XII. Proposal Guarantee

By submitting a proposal the offeror guarantees that it will keep its initial offer open for at least 60 days.

XIII. Acknowledgement of Amendments

Offerors shall acknowledge receipt of any amendment to this solicitation by signing and returning the amendment or by letter or telegram including mailgrams. The

County must receive the acknowledgment by the date and time specified for receipt of offers. Offeror's failure to acknowledge an amendment may result in rejection of the offer.

XIV. Late Proposals and Modifications and Withdrawals of Proposals

Any proposal received at the office designated in the solicitation after the exact time specified for receipt will not be considered.

XV. Proposal Evaluation Criteria

Following a list of general criteria which will be used to evaluate the proposals:

- a. Quality and responsiveness to the RFP. Weight: 20%
- b. Project approach and understanding, including strategy to perform requested work and time schedule. Weight: 30%.
- c. Qualifications and experience. Weight: 35%
- d. Fee and hourly rates. Weight: 15%.

XVI. Staffing

Consultant shall provide, at its own expense, all personnel required in performing the services under this agreement. Such personnel shall not be employees of Owner.

The offeror must describe his or her qualifications and experience to perform the work described in this RFP. Information about experience should include direct experience with the specific matter and similar facilities. Areas of expertise of each proposed staff member shall be provided (i.e., engineering, economics, architecture, planning). Specific examples of similar or related projects previously conducted shall cite:

- Name of client organization
- Name, address, and current telephone number of client contact person
- Contract number and inclusive dates
- Contract amount

Offeror shall provide the following information for every resume:

- Full name
- Title and areas of specialty
- Affiliation (that is, staff of offeror or subconsultant)
- Experience directly related to the proposed project

- Education/training
- Individual personnel hours and percentage of total project time which will be devoted to the proposed project in total and broken down by task. (See suggested matrix below)
- Resumes shall be included for all personnel expected to work on the project. Only resumes of staff or subconsultant staff employed by or under contract with the firm as of the date of proposal submission are to be included.

TASK	NAME OF EMPLOYEE 1	NAME OF EMPLOYEE 2	ETC.....	EXPENSES	SUB TASK	TASK TOTAL
	HOURLY RATE W/OH	HOURLY RATE W/OH	ETC.....		TOTAL	
DESCRIPTION						
1. TASK 1	Number of Hrs/Task	Number of Hrs/Task				
2. TASK 2						
3. TASK 3						
4. TASK 4						
5. TASK 5						
6. TASK 6						
TOTAL HOURS						
TOTAL COST						
% OF TIME						

TOTAL FEE

ATTACHMENT 3
CONSULTANT PROPOSAL

MILWAUKEE COUNTY
DEPARTMENT OF ADMINISTRATIVE SERVICES
ARCHITECTURE, ENGINEERING AND ENVIRONMENTAL SERVICES SECTION

PROJECT: Underwood Creek Parkway Road Replacement
PROJECT NO. WP067401

CONSULTANT PROPOSAL

I. BASIC SERVICES – Underwood Creek Parkway Road Replacement_ (Include services of all needed subconsultants)

A. "LUMP SUM" fee for planning, design and construction documents: \$

(_____)

II. PRINCIPAL IN CHARGE

Name of Principal

Engineer's Registration No. in Wisconsin

Flat hourly rate for principal

Participation of Targeted Business Enterprises at the rate of 17% will be required for each project.

Firm Name

Authorized Signature

Title

Date

ATTACHMENT 4
TARGETED BUSINESS ENTERPRISE (TBE)
INSTRUCTIONS & FORMS



COMMUNITY BUSINESS DEVELOPMENT PARTNERS MILWAUKEE COUNTY

TARGETED BUSINESS ENTERPRISE (TBE) UTILIZATION SPECIFICATIONS for PROFESSIONAL SERVICES

1. The award of the contract is conditioned upon achieving the project's Targeted Business Enterprise (TBE) participation goal of 17%. Firms that qualify as a TBE include DBE firms certified by and listed in the Wisconsin Unified Certification Program (UCP) directory, MBE and WBE firms certified by the State of Wisconsin DOA and listed in the directory, SBE firms certified by Milwaukee County and listed in the Milwaukee County directory, and SBE firms that meet the SBA size standards and are listed in the SAM directory. All firms must be certified prior to the proposal submission deadline. A firm certified in another state must be certified by the Wisconsin UCP or State of Wisconsin DOA prior to submission of bid.
2. **TBE Participation:** The participation goal is based upon the total dollar value of your proposal less reimbursable items. Participation must be maintained throughout the contract, including any fee increases. TBE Prime self-performance may be counted to achieve the goal.

PROPOSAL CONSIDERATIONS

3. The County may reject your proposal if it does not include the **Commitment to Contract with TBE (TBE-14)** form(s), one completed for each of the firms you are including for participation. The Prime must indicate the dollar amount of work to be provided to the sub-consultant, sign the form, and have the TBE firm sign the form in the affirmation section prior to acceptance of your proposal by the County.
4. If awarded the contract, you will enter into a contractual agreement, directly or through sub-consultant, according to the **Commitment to Contract with TBE (TBE-14)** form(s) provided with your proposal. Copies of the executed agreements(s) will be submitted to the County.
5. TBE participation credit is calculated as follows:
 - a. All of the identified scope(s) of work must have a commercially useful function in the actual performance of the contract and work must be performed directly by the TBE with their own employees.
 - b. One hundred percent (100%) for the work performed by a TBE firm. If a TBE subcontracts a portion of work to another firm, the value of the subcontracted work will not be counted towards the TBE participation unless the work is performed by another TBE.
 - c. You must notify the County if any TBE contractor(s) sublet any portion of their work.
6. The County reserves the right to request supporting documentation from both you and any listed TBE. If you fail to respond within the time specified, the County may determine you to be non-responsive and remove you from further consideration for contract award.



COMMUNITY BUSINESS DEVELOPMENT PARTNERS MILWAUKEE COUNTY

FOLLOWING CONTRACT AWARD

7. The County reserves the right to conduct compliance reviews and request, both from you and your subs, supporting documentation to verify TBE participation, in addition to the information entered monthly into the County's online reporting system. The County will notify you if you are not in compliance with contract terms. If you fail to take corrective action as directed, the County may take one or more of the following actions:
 - a. Terminate or cancel your contract, in whole or in part;
 - b. Remove you from the list of qualified consultants, and refuse to accept future proposals from you for a period not to exceed three (3) years;
 - c. Withhold contract payments to cover shortfall; and/or
 - d. Bring suit to recover damages up to the amount of the shortfall, including interest at the rate of 12% annually, plus the County's costs, expenses and actual attorney's fees incurred in the collection action.
8. You must submit copies of the executed subcontract agreement(s) for each of the sub-consultants listed on the contract. REQUESTS FOR PAYMENT WILL BE DELAYED IF NOT SUBMITTED.
9. If the TBE sub(s) are unable to perform, or any other issues arise, you must immediately contact CBDP Compliance at (414) 278-4851. You must submit written notification of your desire for substitution to the TBE affected, and copy the County. This notice must state the reason for the request. The TBE has five (5) business days to provide written objection/acceptance to you. Approval must be obtained from County prior to making any substitutions. TBE consultants are also required to notify and obtain approval from the County prior to subletting work.
10. The Prime will record payments received from the County and payments made to sub-consultants directly into the County's online reporting system on a monthly basis. These entries will cover payments during the preceding month and will include zero dollar (\$0) entries where no payment has occurred. You must also indicate on the invoice work being performed by TBEs. Either a) place the word "TBE" behind the work item or b) break out the work done by TBEs at the end of the report. Failure to comply may result in withholding of payments, or enforcement of other sanctions including those listed in Section 7, above.
11. The County has a revolving loan program for DBE firms. If you have contracted with a DBE that is using these County funds, you must assist the County for repayment of these funds. This may include, but is not limited to, providing written information regarding the sub's contract balance, prior payment (two or three party) agreements, and the issuance of two-party checks payable in the name of Milwaukee County and the DBE indebted to the County under this program.
12. The County reserves the right to waive any of these specifications when it is in our best interest.



COMMUNITY BUSINESS DEVELOPMENT PARTNERS MILWAUKEE COUNTY

COMMITMENT TO CONTRACT WITH TBE

PROJECT No. _____ PROJECT TITLE _____

TOTAL CONTRACT AMOUNT (less allowances) \$ _____ TBE Goal: _____

Name & Address of TBE	Scope of Work Detailed Description	1) TBE Contract Amount	2) % of Total Contract

- 1) The total project contract amount is an estimate based on the outcome of negotiation between the Prime and Milwaukee County. In some situations the TBE sub-contract amount **might NOT** be based on the total project contract amount.
- 2) The **percentage** is based on the eligible scope of services that TBE participation can reasonably be obtained; which might not be based on the total project contract amount. The commitment percentage is the key indicator of TBE participation. The **Pass/Fail** determination is based on the percentage stated in the RFP/BID. If the Prime is using one or multiple TBE companies the sum of the percentages **MUST** satisfy the minimum percentage stated in the RFP/BID. Note the percentage indicated on this document will be viewed by CBDP the Prime's COMMITMENT to the TBE company.

Bidder/Proposer Commitment (To be completed by firm committing work to TBE)

I certify that the TBE firm quoted the identified service(s) and cost(s). I further acknowledge our firm having negotiated with, and having received confirmation, on partnering, pricing and delivery from the TBE firm listed herein.

Prime Contractor/Consultant _____ Phone _____, or one of our subs, will enter into contract with the TBE firm listed, for the service(s) and amount(s) specified when awarded this contract. The information on this form is true and accurate to the best of my knowledge. I further understand that falsification, fraudulent statement, or misrepresentation will result in appropriate sanctions under applicable law.

Signature of Authorized Representative Name & Title of Authorized Representative Date

TBE Affirmation (To be completed by TBE Owner/Authorized Representative)

- I affirm that our company is certified as (check all certifications that apply)
 - _____ DBE by the Wisconsin Unified Certification Program certifying partners
 - _____ MBE by State of Wisconsin DOA
 - _____ WBE by State of Wisconsin DOA
 - _____ SBE by SBA Federal Size Standards, NAICS and registered in SAM
 - _____ SBE by Milwaukee County
- I acknowledge and accept this commitment to contract with my firm for the service(s) and dollar amount(s) specified herein. I understand and accept that this commitment is for service(s) to be rendered in completion of the project specified herein and all work is to be completed with my own forces. I affirm that approval from CBDP will be obtained prior to subletting any portion of this work awarded to my firm on this project. I affirm that our company meets one of the following requirements: Certified as DBE and listed in the Wisconsin UCP Directory, certified as MBE or WBE with the State of Wisconsin DOA, or SBE firm certified by Milwaukee County or meets the SBA size standards and is listed in the SAM directory.

Signature of Authorized TBE Representative Name & Title of Authorized TBE Representative Phone Number Date

FOR CBDP USE ONLY

Commitment number ____ of ____ Participation: _____ Project Total: _____

Authorized Signature Date



COMMUNITY BUSINESS DEVELOPMENT PARTNERS MILWAUKEE COUNTY

COMMITMENT TO CONTRACT WITH TBE

ADDITIONAL INFORMATION & REQUIREMENTS:

Links to Directories for firms eligible for credit:

DBE <http://wisconsin.gov/Pages/doing-business/civil-rights/dbe/certified-firms.aspx>

MBE and WBE <http://www.doa.state.wi.us/Divisions/Enterprise-Operations/Supplier-Diversity-Program>

Milwaukee County SBE <https://mke.diversitycompliance.com/Default.aspx>

SAM Directory for Federal SBE <https://www.sam.gov/portal/SAM/#1>

- 1. CONTRACT ADJUSTMENTS:** The successful Bidder/Proposer will maintain the approved TBE participation level during the term of the contract with the County, including any additional work on the contract, e.g., change orders, addendums, scope changes, or fee increases.
- 2. WRITTEN CONTRACTS WITH TBE:** The County requires that the successful Bidder/Proposer enter into contract, directly or through subs, as stated in this form. Agreements must be submitted to the County within 7 days of receipt of the Notice-To-Proceed. By executing this commitment, you are certifying that you have had contact with the named TBE firm and that they will be hired if you are awarded the contract by the County.
- 3. SUBSTITUTIONS, TBE SUBCONTRACTING WORK, TRUCKING FIRMS:** The successful Bidder/Proposer must submit written notification of desire for substitution to the TBE affected, and send a copy to the County, stating the reason(s) for the request. The TBE will have five (5) business days to provide written objection/acceptance of the substitution. The “right to correct” must be afforded any TBE objecting to substitution/termination for less than good cause as determined by the County. Approval must be obtained from the County prior to making any substitutions. TBE firms are required to notify and obtain approval from the County prior to seeking to subcontract out work on this project. In the case of TBE trucking firms, credit will be given for trucks leased from other TBE firms; however, if the TBE leases trucks from non-TBE firms, the commission or fee will be counted for crediting.
- 4. REQUESTS FOR PAYMENT:** The successful Bidder/Proposer must indicate on the Continuation Sheet (AIA form G703, or equivalent) or invoice for consulting the work being performed by TBE by either a) placing the word “TBE” behind the work item or b) breaking out the work done by TBES at the end of the report. The successful Bidder/Proposer shall notify TBE firms of the date on which they must submit their invoices for payment.
- 5. TBE UTILIZATION REPORTS:** The successful Bidder/Proposer will enter payments to subs and suppliers directly into the County’s online reporting system on a monthly basis. These entries will cover payments made during the preceding month and will include zero dollar (\$0) entries where no payment has occurred.

If you have any questions related to the Milwaukee County Target Enterprise Program, please contact:

414.278.4851 or cbdpcompliance@milwaukeecountywi.gov