ELECTRONIC PACKET

March 8, 2021 POLICY, FINANCE, & PERSONNEL COMMITTEE MEETING

RELEASED: Monday, March 1, 2021



Milwaukee Metropolitan Sewerage District

260 West Seeboth Street Milwaukee, WI 53204

Meeting Agenda Policy, Finance & Personnel Committee

Jeff Stone, Chair Corey Zetts, Vice Chair Tim Carpenter, Chantia Lewis, Eugene Manzanet Dan Devine, Ex-Officio

Monday, March 8, 2021

9:05 AM

Teams Online Meeting/Conference Call

NOTICE IS HEREBY GIVEN, pursuant to Section 19.84, Wisconsin Statutes, that the Milwaukee Metropolitan Sewerage District's Policy, Finance and Personnel Committee will hold its regularly scheduled public meeting on Monday, March 8, 2021, at 9:05 a.m. or immediately following the Operations Committee meeting which begins at 9:00 a.m. via Teams online meeting. The weblink to access this meeting is https://tinyurl.com/y8kpjwok; telephone dial-in is available through 414.909.9127, access code 874 182 41#.

PURSUANT TO SECTION 19.85(1)(g), Wisconsin Statutes, the Committee reserves the right to go into Closed Session on any item on the public portion of the agenda to confer with Legal Counsel when it appears the matter may involve the District in litigation. If the Committee does convene in such a Closed Session, it is contemplated that the Committee will again, before adjourning the meeting, reconvene at the same place in Open Session at which time the Committee may act upon any item(s) considered in the Closed Session and upon any unfinished items from the regular agenda.

CALL TO ORDER

RECORD ROLL

Approval of Proceedings of Regular Committee Meeting held February 8, 2021

NEW BUSINESS

10	21-034-3	Agreement between the Milwaukee Metropolitan Sewerage District and Milwaukee County for Kletzsch Dam Repair and Fish Passage Installation and Assume the Inter-Fluve, Inc., Contract from Milwaukee County
11	21-035-3	Settlement of Ferric Chloride Dispute with Veolia Water Milwaukee, LLC
12	21-036-3	Project Partnership Agreement with the United States Army Corps of Engineers for the Kinnickinnic River Reach 3, Project W40007
13	21-037-3	Agreement between the Milwaukee Metropolitan Sewerage District and Milwaukee County for the Kinnickinnic River Reach 3, Project W40007

14	21-038-3	Declaration of Excess Lands and Authorization to Transfer One Greenseams® Purchased Property and to Place a Greenseams® Conservation Easement over Two Properties Owned by Milwaukee Area Land Conservancy
15	21-039-3	Award of Contract G98002P10, Bioretention Basins and Turf Naturalization
16	21-040-3	Authorizing the Executive Director to Submit the Water Infrastructure Finance and Innovation Act of 2014 Application and Associated Fee

ORGANIZATION & ADMINISTRATION

21-002-1 EXECUTIVE DIRECTOR'S REPORT

A. Monthly Reports

ADJOURNMENT

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request these services, contact the Office of the Commission at 414.225.2264, (FAX) 414.272.6360 or write to Office of the Commission, 260 W. Seeboth Street, Milwaukee, Wisconsin, 53204-1446.

Anna Kettlewell, Comprission Secretary Milwaukee Metropolitan Sewerage District

MMSD PAINTERS FOR A CREAMER INTERPRETATION

Milwaukee Metropolitan Sewerage District

260 West Seeboth Street Milwaukee, WI 53204

Meeting Minutes Policy, Finance & Personnel Committee

Jeff Stone, Chair Corey Zetts, Vice Chair Tim Carpenter, Chantia Lewis, Eugene Manzanet Dan Devine, Ex-Officio

Monday, February 8, 2021

9:05 AM

Teams Online Meeting/Conference Call

CALL TO ORDER

Committee Chair Commissioner Stone called the meeting to order at 9:41 a.m.

RECORD ROLL

Present 6 - Tim Carpenter, Chantia Lewis, Eugene Manzanet, Jeff Stone, Corey Zetts, and Dan Devine

Other Commissioners Present: Dan Bukiewicz, LaTonya Johnson, Bryan L. Kennedy, Ph.D., Kris Martinsek, and John Swan, III.

Approval of Proceedings of Regular Committee Meeting held January 11, 2021

A motion was made by Commissioner Zetts, seconded by Commissioner Lewis. The motion carried by the following roll call vote:

Yes: 6 - Commissioner Carpenter, Commissioner Lewis, Commissioner Manzanet,
Commissioner Stone, Commissioner Zetts and Commissioner Devine

No: 0

NEW BUSINESS

Items 9-12 were taken as a block.

9 21-021-2

Agreement between the Milwaukee Metropolitan Sewerage District and the City of Milwaukee Regarding the Western Milwaukee Phase 2B Project W20028

The Committee received a PowerPoint presentation from Michael Martin, Director of Technical Services.

A motion was made by Commissioner Manzanet, seconded by Commissioner Devine, that this matter be approved by a roll call vote. The motion carried by the following roll call vote:

Yes: 5 - Commissioner Carpenter, Commissioner Manzanet, Commissioner Stone, Commissioner Zetts and Commissioner Devine

No: 0

Out of Room: 1 - Commissioner Lewis

10 21-022-2

Authorizing the Executive Director to Continue a Self-insured Workers' Compensation Program

The Committee received a presentation from Mickie Pearsall, Director of Finance and Human Resources.

Commissioner Stone asked for the District's stop loss threshold level for workers' compensation and the District's stop loss ratio.

Commissioner Manzanet requested the analysis to recommend continuing with self-insured workers' compensation.

A motion was made by Commissioner Manzanet, seconded by Commissioner Devine, that this matter be approved by a roll call vote. The motion carried by the following roll call vote:

Yes: 5 - Commissioner Carpenter, Commissioner Manzanet, Commissioner Stone, Commissioner Zetts and Commissioner Devine

No: 0

Out of Room: 1 - Commissioner Lewis

21-023-2 11

Declaration of the Public Necessity and Approval of the Acquisition Plat (Relocation Order) for the Project C05051, Edgewood Avenue Near Surface Collector Extension Project

The Committee received a presentation from Mickie Pearsall, Director of Finance and Human Resources.

A motion was made by Commissioner Manzanet, seconded by Commissioner Devine, that this matter be approved by a roll call vote. The motion carried by the following roll call vote:

Commissioner Carpenter, Commissioner Manzanet, Commissioner Stone, Commissioner Zetts and Commissioner Devine

No: 0

Out of Room: 1 - Commissioner Lewis

12 21-024-2

Approval of Job Content Value and Job Title

The Committee received a presentation from Mickie Pearsall, Director of Finance and Human Resources.

It was moved by Commissioner Carpenter, seconded by Commissioner Manzanet, to amend the resolution to reflect that Policy, Finance, and Personnel Committee approval over this matter, not Commission approval; the motion carried.

A motion was made by Commissioner Manzanet, seconded by Commissioner Devine, that this resolution, as amended, be approved by a roll call vote. The motion carried by the following roll call vote:

Yes: 5 - Commissioner Carpenter, Commissioner Manzanet, Commissioner Stone,
Commissioner Zetts and Commissioner Devine

No: 0

Out of Room: 1 - Commissioner Lewis

ORGANIZATION & ADMINISTRATION

21-002-1

EXECUTIVE DIRECTOR'S REPORT

A. Monthly Reports

A. No report.

ADJOURNMENT

It was moved by Commissioner Zetts, seconded by Commissioner Manzanet, to adjourn. The motion carried.

As there was no further business, the meeting was adjourned at 10:00 a.m.

Anna Kettlewell, Commission Secretary

Milwaukee Metropolitan Sewerage District



COMMISSION ACTION:

COMMISSION FILE NO:	21-034-3	DA	TE INTRODU	ICED:	March 8, 2021
INTRODUCED BY:	Executive Directo	or (Signature on	File in the Offic	e of the Co	mmission)
REFERRED BY COMMIS	SION CHAIRPE	ERSON TO:	Policy, Financ	e, and Pers	sonnel Committee
RELATING TO:	and Milwaukee	County for K d Assume	(letzsch Dam	Repair a	Sewerage District and Fish Passage , Contract from
SUMMARY:					
The Commission is reintergovernmental cooper District (District) and Milw passage around Kletzsch	ation agreement aukee County ((ICA) betwee County) for th	en the Milwau ne District to	kee Metro design ar	politan Sewerage
Further, the Commission on behalf of the District th					Pirector to execute
Kletzsch Dam is located of owned by Milwaukee Courshaped, fixed crest, large Wisconsin Department of including vegetation encre	nty. The dam wa e stone masonr Natural Resourc	as built in the ry spillway. res (WDNR) to	mid-1930's a It is subject address mir	nd consis to a repa nor operat	ts of a serpentine- air order from the ional deficiencies,
Kletzsch Dam is currently native fish can migrate fro of the dam in the Milwauk the ecological health of organism passage at Kletz Wildlife Habitat Beneficial	om Lake Michiga kee River and its the Milwaukee zsch Dam is ide	in to spawning s tributaries is River and L ntified as a ne	g and juvenile s a priority fo ake Michigar ecessary proj	e rearing r restoring n. Rees ect to add	habitats upstream g and maintaining tablishing aquatic dress the Fish and
	_	KEY ISS THER ve_file.docx	UES 🗌	RESOLU	TION 🖂
02-22-21	-				
COMMITTEE ACTION:				DATE:	

DATE:

Agreement between the Milwaukee Metropolitan Sewerage District and Milwaukee County for Kletzsch Dam Repair and Fish Passage Installation and Assume the Inter-Fluve, Inc., Contract from Milwaukee County

An AOC is an area that has experienced significant environmental degradation and a resource that the public is unable to fully use in a safe or beneficial way. The Milwaukee River Estuary was designated as an AOC in the 1980's, because historical contamination impaired public benefits, such as water quality, fish consumption, healthy fisheries, and wildlife habitat. The Milwaukee River Estuary includes portions of the three major rivers in Milwaukee (the Milwaukee, the Menomonee, and the Kinnickinnic Rivers) and Lake Michigan.

In 2017, the County entered into an agreement with WDNR to design and construct fish passage at Kletzsch Dam in conjunction with the planned dam repair work. The County hired Inter-Fluve, Inc., through a competitive selection process to develop the design. Several alternatives were analyzed, and a preferred alternative was selected; however, due to opposition from members of the public, the County chose not to implement this alternative.

Through subsequent discussions among the County, the District, and WDNR, it was concluded that the District's assistance would benefit the project. This is largely due to the District's experience in watercourse work and recent success on similar projects. The parties will work together to ensure any repairs or alterations to the Kletzsch Park Dam do not increase the risk of regional flooding. The County and District have proposed developing an ICA that would include transfer of available funding to the District to continue the design of a fish passage solution. The ICA also would include assigning the Inter-Fluve, Inc., contract from the County to the District. Approximately \$200,000 of the available funding is remaining in the Inter-Fluve, Inc., contract. The responsibility for the dam repair design and implementation would also be transferred to the District to maintain the efficiencies associated with completing the work together. The District will not be responsible for financing the project in absence of grant funding.

District responsibilities under an ICA will include:

- Implementing the repair of Kletzsch Dam and install fish passage;
- Providing the County the opportunity to provide input into the design of the project:
- Assuming the contract between the County and Inter-Fluve, Inc., and modifying the contract as appropriate;
- Acquiring real estate interests necessary to construct the project;
- Overseeing management of any hazardous materials encountered in constructing the project;
- Performing resident inspection and resident engineering for the project;
- Supporting efforts to secure additional grant funds for the project; and
- Ensuring establishment of vegetation and management of invasive species for a minimum of three years post-construction.

Agreement between the Milwaukee Metropolitan Sewerage District and Milwaukee County for Kletzsch Dam Repair and Fish Passage Installation and Assume the Inter-Fluve, Inc., Contract from Milwaukee County

The County's responsibilities under the ICA will include:

- Relocating any County utilities or assets necessary to complete the project;
- Reviewing and comment on plans, specifications, solicitations for contracts, and proposed contract modifications;
- Assigning the Inter-Fluve, Inc., contract to the District;
- Supporting outreach efforts, presenting project progress to the County Board, and seeking any necessary approvals from the County Board;
- Consulting with the District and execute any necessary real estate documents;
- Releasing any unspent grant funds to the District, fulfilling any obligations to provide matching funds, and coordinating with the District on efforts to secure additional grant funds for the project; and
- Owning, operating, and maintaining the project following substantial completion.

RESOLUTION

Agreement between the Milwaukee Metropolitan Sewerage District and Milwaukee County for Kletzsch Dam Repair and Fish Passage Installation and Assume the Inter-Fluve, Inc., Contract from Milwaukee County

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to execute an intergovernmental cooperation agreement between the Milwaukee Metropolitan Sewerage District and Milwaukee County for Kletzsch Dam repair and fish passage installation as described herein.

FURTHER RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to assume the Inter-Fluve, Inc., contract from Milwaukee County.



COMMISSION FILE NO:	21-035-3	_ DATE INTRODUCED:	March 8, 2021
INTRODUCED BY:	Executive Director (Signa	ture on File in the Office of the	Commission)
REFERRED BY COMMIS	SION CHAIRPERSON	TO: Policy, Finance, and Po	ersonnel Committee
	Settlement of Ferric Cl LLC	hloride Dispute with Veolia	a Water Milwaukee,
SUMMARY:			
The Commission is reque Milwaukee, LLC, (Veolia) i			m by Veolia Water
In November 2019, the D the primary treatment procrate of four gallons per min 2017, 2018, and 2019.	cess at the South Shor	e Water Reclamation Faci	lity (SSWRF) at the
Veolia disputed the Distric process at SSWRF and n from \$85,000 to \$95,000 p	nade a claim for the a		
The District is recomme rescinded its order to VoSSWRF.	•		
ATTACHMENTS: BAC FISCAL NOTE S/ PFP_VWM_Ferric_Chloride_Settlemen	W/MBE OTHER [Y ISSUES ☐ RESOL ☐	.UTION 🖂
O2-15-21 COMMITTEE ACTION:		DATE	
COMMISSION ACTION:		DATE	

RESOLUTION

Settlement of Ferric Chloride Dispute with Veolia Water Milwaukee, LLC

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the proposed settlement of a claim made by Veolia Water Milwaukee, LLC, for the cost of ferric chloride in the amount of \$400,000 is approved.

FURTHER RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to execute the documents necessary to effectuate this settlement.



O&M Budget Fiscal Note

RELATING TO:

Settlement of Ferric Chloride Dispute with Veolia Water Milwaukee, LLC

Cost Center:	Line Item:		
occ	643-1		
Line Item Impact			
2021 Original Budget		\$50,014,707	
Carryovers or Transfers		\$0	
Adjusted Budget		\$50,014,707	
Estimated Annual Expenditure including Request		\$50,014,707	
Anticipated Year End Balance		\$0	
Actual Year to Date Expenditures Through		\$0	
For unfavorable Year End Balance, identify funding so	ource: Absorbed w	ithin the Division	
	Other Divisi	on	
	Unallocated	Reserve	
Anticipated Expenditure Timing	Requested Expenditures	Anticipated Savings/Revenues	Net Fiscal Impact
Current Year (2021)	\$400,000	\$0	\$400,000
Subsequent -	\$0	\$0	\$0
Total Cost	\$400,000	\$0	\$400,000
Comments: This is accrued as a 2020 expense.			
Budget Review by:			Date
Theresa Zwieg			2/8/2021



COMMISSION FILE N	IO: 21-036-3	DATE INTRODU	ICED: March 8, 2021
INTRODUCED BY:	Executive Director (\$	 Signature on File in the Offic	
REFERRED BY COM	' <u>'</u>		e, and Personnel Committee
	,	greement with the Unickinnic River Reach 3,	ted States Army Corps of Project W40007
SUMMARY:			
partnership agreemen the Kinnickinnic (KK) I	nt (PPA) with the Unite River Reach 3, Project	ed States Army Corps	ctor to execute a project of Engineers (USACE) for n-federal sponsor agreeing t \$5,159,479.
22, 2019, includes received the KK River between naturalized stream. The lining is of its useful life. The part of	commendations to repla en S. 27 th Street and The concrete channel is significantly degraded to proposed naturalized cl	ace the concrete chang the KK River Parkwa lining is a District asse throughout the project hannel will improve pub	by the Commission on July hel lining along Reach 3 of y in Jackson Park with a let that was installed in the area and reaching the end plic safety by slowing down ce the habitat value of the
involvement in funding has completed all step the necessary funding	g and undertaking the os necessary to execut for the project to proce n by USACE, includin	KK River Reach 3 Pro e a PPA with the Distri eed. The PPA sets for	cess for determining their bject. Since then, USACE ct, and they have obtained th terms and conditions for bonsibilities will be shared
	BACKGROUND	<u> </u>	RESOLUTION 🖂
FISCAL NOTE PFP KKR3 W40007 USACE P	PA_2nd_Update_legislative_file.do	ER	
02-11-21	,		
COMMITTEE ACTION	J:		DATE:

COMMISSION ACTION: _____ DATE: ____

Project Partnership Agreement with the United States Army Corps of Engineers for the Kinnickinnic River Reach 3, Project W40007

In December 2018, the Commission authorized the District to enter a PPA with USACE for the KK River Reach 3 project. As the USACE has their own processes to develop and execute a PPA, they did not proceed with executing the PPA at that time. The USACE changed the office from which the project was administered from their Detroit office to their Chicago office and changed project managers. USACE added the replacement of a pedestrian bridge to the project. USACE has indicated that they are now ready to proceed with the PPA; however, given the project delays and additional scope, USACE had to update the PPA and its cost estimates and revise the cost sharing.

The table below summarizes cost sharing between USACE and the District. Ecosystem restoration consists of the concrete channel removal and stream corridor naturalization. The recreation element consists of replacing Milwaukee County's pedestrian bridge over the KK River at S. 31st Street. Costs include design, construction, real estate, construction management and other costs associated with the project. The District's total cost share also includes \$234,839 for 50% of the remaining costs of work the USACE previously performed on this project's feasibility study.

Project Element	USACE (Cost Share*	District	Cost Share	Total \$
Ecosystem Restoration	65%	\$ 8,870,438	35%	\$ 4,776,390	\$13,646,828
Recreation	50%	\$148,250	50%	\$148,250	\$ 296,500
Remaining Feasibility Study Costs	50%	\$234,839	50%	\$234,839	\$469,678
Total		\$ 9,253,527		\$5,159,479	\$14,413,006

^{*}USACE will fund up to a maximum amount of \$10,000,000, exclusive of the feasibility study.

These updates increase the cost estimate developed in December 2018 by \$2,229,042 and increased the District's cost share by \$682,632.

Project Partnership Agreement with the United States Army Corps of Engineers for the Kinnickinnic River Reach 3, Project W40007

Under the PPA, the District will:

- Participate on the project coordination team, which oversees all aspects of the project design, construction, and dispute resolution;
- Collect field data (e.g., survey);
- Provide comments on all project documents;
- Obtain required permitting and real estate;
- Assess the potential for contamination at the site;
- Manage disposal of excess excavated material and hazardous materials encountered during the project; and
- Operate and maintain the project once completed.

The cost of the District performing these activities above (except for post-construction operation and maintenance) count toward the District's cost share.

USACE will:

- Participate on the project coordination team;
- Manage the project design in consultation with the District;
- Publicly bid and manage construction contractors and all construction;
- Prepare a monitoring, operations, and maintenance plan for the District; and
- Provide quarterly progress reports to the District.

This project is located entirely on land owned by Milwaukee County. Under a separate Commission request, the District is requesting authorization to enter into an agreement with Milwaukee County that will address rights to construct this project as well as long term project improvement ownership, operation and maintenance.

This request supersedes the authorization provided by the Commission under Resolution No. 18-124-12 in December 2018.

RESOLUTION

Project Partnership Agreement with the United States Army Corps of Engineers for the Kinnickinnic River Reach 3, Project W40007

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to enter into a project partnership agreement with the United States Army Corps of Engineers for the Kinnickinnic River Reach 3, Project W40007, to be the nonfederal project sponsor agreeing to pay or provide in-kind services for project costs currently valued at \$5,159,479.



Capital Budget Fiscal Note Total Project Cost

RELATING TO:

Project Partnership Agreement with the United States Army Corps of Engineers for the Kinnickinnic River Reach 3, Project W40007

W40007	Impact of Requested Acti		
Total Project Cost Analysis	P	roject Costs	
Adopted 2021 Total Project Cost		\$14,350,727	
Previously Approved Changes		\$0	
Approved Total Project Cost		\$14,350,727	
Requested Total Project Cost		n/a	
Requested (Increase)/Decrease		<u>*************************************</u>	
	_Transfer from Allowance for Cost a _Transfer from another project (spe _ Delay Project(s) (specify in comm	ecify in comments)	
	Delete Project(s) (specify in comments)		
	Other		
		A Sahadula Changas	
	Other Transfer to Allowance for Cost and	d Schedule Changes	
		d Schedule Changes	
Comments		d Schedule Changes	
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Comments Budget Review by:		d Schedule Changes Date:	



COMMISSION ACTION:

COMMISSION FILE NO:	21-037-3	_ DATE INTRODUCED	March 8, 2021
INTRODUCED BY:	Executive Director (Signat	ture on File in the Office of th	ne Commission)
REFERRED BY COMMIS	SION CHAIRPERSON	TO: Policy, Finance, and	I Personnel Committee
•	ement between the Mi aukee County for the Ki	•	•
SUMMARY:			
The Commission is re intergovernmental coopera District (District) and Milwa W40007, in an amount no	ation agreement (ICA) be aukee County (County) fo	etween the Milwaukee N	Metropolitan Sewerage
The updated KK River Wa 22, 2019, includes recome the KK River between S naturalized stream. The 1960's. The lining is signitis useful life. The propo flood flows, providing long riparian corridor.	mendations to replace to the Street and the concrete channel lining ficantly degraded through the naturalized channed the concrete chan	the concrete channel link KK River Parkway in g is a District asset that ghout the project area and will improve public sa	ning along Reach 3 of Jackson Park with a at was installed in the and reaching the end of afety by slowing down
Under a separate Commis agreement (PPA) with the construction of the KK Ridesign and construct the project. The District will be project.	United States Army Cover Reach 3 project. Uproject and provide applications	orps of Engineers (USA) Under the terms of the roximately \$9 million in	CE) for the design and PPA, the USACE will federal funding for the
ATTACHMENTS: BAC FISCAL NOTE S FP_County_ICA_KK_River_R3_legisla	W/MBE OTHER	Y ISSUES \(\text{\backslash} RES	OLUTION 🖂
COMMITTEE ACTION:		DAT	ΓE:

DATE:

Agreement between the Milwaukee Metropolitan Sewerage District and Milwaukee County for the Kinnickinnic River Reach 3, Project W40007

The KK River Reach 3 project is located on land owned by the County. The proposed work, as described in the PPA, will have direct and indirect impacts on County-owned park facilities within the project area, including the removal and replacement of the pedestrian bridge over the KK River at S. 31st Street and existing trees along the parkway. District staff has negotiated an ICA between the District and the County to implement the KK River Reach 3 project under the PPA with the USACE. The following are key agreement terms.

The District responsibilities are to:

- Act as the non-federal sponsor in the PPA with the USACE including payment of all non-federal sponsor contributions currently estimated at \$5,159,479.
- Pay the County for trees removed within the project area in an amount not to exceed \$350,000.
- Provide the County with opportunities to review and comment upon all designs prior to the public bidding phase and review of construction contract change orders; however, the USACE has exclusive control to award contracts and execute contract change orders.
- Include County staff in the key project decision making processes during the design phase.
- Provide public outreach and opportunities for public input.
- Obtain all regulatory approvals and permits required for the work.
- Perform long-term maintenance of the naturalized stream and assist the County with post flood event remediation of any impacted areas of the park.
- Provide record drawings to the County upon completion of the work.

The County will:

- Provide input throughout the project.
- Provide access to the park for the design and construction of the project and longterm maintenance of the naturalized stream at no cost to the District and USACE.
- Provide any County required permits to the District and USACE at no cost.
- Grant a permanent flood easement to the District.
- Perform long-term maintenance of the park facilities and open space areas.

RESOLUTION

Agreement between the Milwaukee Metropolitan Sewerage District and Milwaukee County for the Kinnickinnic River Reach 3, Project W40007

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to execute an intergovernmental cooperation agreement between the Milwaukee Metropolitan Sewerage District and Milwaukee County for the Kinnickinnic River Reach 3, Project W40007, in an amount not to exceed \$350,000.



Capital Budget Fiscal Note Total Project Cost

RELATING TO:

Agreement between the Milwaukee Metropolitan Sewerage District and Milwaukee County for the Kinnickinnic River Reach 3, Project W40007

	_		otal Project Cost:	
V40007	Increase	Decrease	New Project	X No Change
Total Project Cost Analysis		Project Co	osts	
Adopted 2021 Total Project Cost		\$14,350,		
Previously Approved Changes		<u> </u>	\$0	
Approved Total Project Cost		\$14,350,		
Requested Total Project Cost		<u> </u>	n/a	
Requested (Increase)/Decrease			\$0	
Action to be taken to Long-Ran	= =	=	=	
		ince for Cost and Sche	=	
		er project (specify in co	omments)	
	Delay Project(s) (sp			
	Delete Project(s) (sp	pecify in comments)		
	Other			
	_Transfer to Allowanc	e for Cost and Schedu	le Changes	
Comments				
				Date:
Comments Budget Review by:				Date:



COMMISSION ACTION:

COMMISSION FILE NO:	21-038-3	DAT	E INTRODUC	CED:	March 8, 2021
INTRODUCED BY:	Executive Directo	or (Signature on l	File in the Office	of the Co	mmission)
REFERRED BY COMMIS	SION CHAIRP	ERSON TO:	Policy, Finance	, and Pers	onnel Committee
RELATING TO:	${\it Greenseams} \\ {\it @}$	Purchased Prasement over	operty and t	o Place	to Transfer One a Greenseams® led by Milwaukee
SUMMARY:					
The Commission is requered Prairie, per Commission France Real Estate Delegation of Executive Director to transpart of the Greenseams® perpetuity. The District conservation values and additional parcels in its imaintenance fee.	Policy 1-11.03, For Authority. The sfer the parcel to Program, while will require Managers.	Real Estate Pone Commission to the Milwauk retaining a collable to maintervation easen	olicy, and Adnor is further release Area Landonservation eatain the pardonent in favor	ninistrative quested Conser asement conser of the	ve Policy 2-11.03, I to authorize the vancy (MALC) as over the parcel in istent with those District over two
MALC is a conservation protection and managemers	•	•			
MMSD staff proposes the Table 1 below to MALC District. The transfer cosestate expenses. The dewith Wis. Stat. §200.43(4) property to MALC.	Subject to a state to the District eclaration of except the contraction of except the except the except the contraction of except the except	permanent co t will be an est cess land by th	nservation e timated \$2,00 ne Commission	asement 00 in clos on is nec	retained by the sing fees and real essary to comply
		KEY ISSU THER ⊠ <u>Prop</u>	_	RESOLU	TION 🗵
02-15-21	-				
COMMITTEE ACTION:				DATE:	

DATE:

Declaration of Excess Lands and Authorization to Transfer One Greenseams® Purchased Property and to Place a Greenseams® Conservation Easement over Two Properties Owned by Milwaukee Area Land Conservancy

Table 1

Property	Municipality	Tax Key Number	Acres
Ryan Creek Prairie	Franklin	889-9990	50

The property was purchased in 2008 for \$475,000, with \$253,477 from the Wisconsin Knowles Nelson Stewardship Fund. In 2009, the Greenseams® Program initiated a high quality prairie and wetland restoration project funded by U.S. Fish and Wildlife Service. The proposed transfer is consistent with the District's plans for the long-term management and maintenance of Greenseams® properties. As part of the conservation easement over the Ryan Creek Prairie, MALC will agree to additional prairie seeding, invasive species control, habitat improvements, informative signage, and promotion of the site to the public. To perform these tasks identified in the conservation easement, the District will pay a one-time \$35,000 fee to MALC.

Furthermore, as part of this partnership, MALC will place a Greenseams® conservation easement over two of their properties, Fitzsimmons Woods and Carity Prairie. The closing fees and real estate expenses for the two conservation easement costs to the District will not exceed \$2,000.

Fitzsimmons Woods is an Isolated Natural Resource Area as identified by the Southeastern Wisconsin Regional Planning Commission in Planning Report #42, "A Regional Natural Areas and Critical Species Habitat Protection and Management Plan for Southeastern Wisconsin." The overall site is approximately 43 acres in size with 19 acres under ownership of Milwaukee County. The conservation easement will cover the remaining 24.5 acres to which MALC holds title, thus maintaining a direct link to the portion of woodland owned by the County.

The many wetlands and natural drainageways in Fitzsimmons Woods are headwaters to the Oak Creek and the Root River. The site is a southern mesic beech-maple woodland with a heavy composition of oak species also present. It is host to 145 native Wisconsin plant species as well as 13 ephemeral wetlands (vernal pools).

MALC partnered with the previous property owner, Bill Carity, to preserve a rare prairie remnant and restore a sedge meadow complex. The 23-acre site is open to the public and is one of the last known examples of virgin (unplowed) prairie in the highly populated Milwaukee County.

RESOLUTION

Declaration of Excess Lands and Authorization to Transfer One Greenseams® Purchased Property and to Place a Greenseams® Conservation Easement over Two Properties Owned by Milwaukee Area Land Conservancy

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized, as part of the Greenseams® Program, to transfer one property to the Milwaukee Area Land Conservancy, as identified in Table 1 below, while retaining a conservation easement over the parcel for the benefit of the District to protect the conservation values of the parcel in perpetuity and to require the partner organization to maintain the parcel in perpetuity consistent with those conservation values.

Table 1

Property	Municipality	Tax Key Number	Acres
Ryan Creek Prairie	Franklin	889-9990	50

FURTHER RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that, pursuant to Sec. 200.43(4), Wis. Stats., the District declares as excess any and all property interest greater than the permanent conservation easement to be retained by the District for each of the tax key parcels identified in Table 1 above.

FURTHER RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director may accept and execute on behalf of the Commission all related conservation easements, deeds of conveyance, or other related real estate documents for an amount not to exceed \$2,000 and make a \$35,000 payment to Milwaukee Area Land Conservancy for long-term ecological management and maintenance activities for Ryan Creek Prairie.

FURTHER RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to place a Greenseams® conservation easement over each of two properties owned by Milwaukee Area Land Conservancy, known as Fitzsimmons Woods (24.5 acres) and Carity Prairie (23 acres), located in the city of Franklin, for an amount not to exceed \$2,000 for closing fees and real estate expenses.



Capital Budget Fiscal Note Total Project Cost

RELATING TO:

Declaration of Excess Lands and Authorization to Transfer One Greenseams® Purchased Property and to Place a Greenseams® Conservation Easement over Two Properties Owned by Milwaukee Area Land Conservancy

W97004	Impact of Rec	puested Action on T	Total Project Cost: New Project X No Change
Total Project Cost Analysis		Project C	Costs
Adopted 2021 Total Project Cost			*
Previously Approved Changes		-	\$0
Approved Total Project Cost			<u>*</u>
Requested Total Project Cost			n/a
Requested (Increase)/Decrease			\$0_
Action to be taken to Long-Ra	nge Financing Plan to a	iddress Total Projec	ct Cost change
_	Transfer from Allowar	=	_
	Transfer from another	project (specify in c	comments)
	Delay Project(s) (spe		
	Delete Project(s) (spe	-	
	Other	,	
	Other		
_	Transfer to Allowance	for Cost and Sched	ule Changes
		for Cost and Sched	ule Changes
Comments		for Cost and Sched	ule Changes
	Transfer to Allowance es not have a total project es \$1.2 million for 2021, a	t cost because it is a	
*The Greenseams® program doe The 2021 Capital Budget include	Transfer to Allowance es not have a total project es \$1.2 million for 2021, a	t cost because it is a	capital program. nancing plan includes \$7.2 million. The adopte





COMMISSION FILE NO:	21-039-3	_ DATE INTRODUCED:	March 8, 2021
INTRODUCED BY:	Executive Director (Signa	ature on File in the Office of the	Commission)
REFERRED BY COMMIS	SION CHAIRPERSON	TO: Policy, Finance, and P	ersonnel Committee
RELATING TO: Award	of Contract G98002P1	0, Bioretention Basins and	d Turf Naturalization
SUMMARY:			
District Contract G98002F	P10, Bioretention Basin 19,977. C.W. Purpero,	Executive Director to exects and Turf Naturalization, Inc., was the lowest resp	with C.W. Purpero,
management plan is app professional engineer and site was evaluated to dete	recertification by the Coroved by the City, a volume of the City, a volume of the city of	2004) for MMSD headquity of Milwaukee in 2020. written recertification musears. As part of this proces on infrastructure (GI) project achieve compliance with	After a stormwater to be prepared by a ss, the headquarters cts could be used to
•	corporating them into the	ditional GI retrofits at the M ne landscape, MMSD par emonstrate commitment to	tners will have high
ATTACHMENTS: BAC FISCAL NOTE S/ OP_G98002P10_Bioretention_Basins_8 02-17-21	W/MBE MOTHER		LUTION ⊠
COMMITTEE ACTION:		DATE	:
COMMISSION ACTION:		DATE	

Award of Contract G98002P10, Bioretention Basins and Turf Naturalization

There are two types of GI retrofits in this project: bioretention basins and native prairie landscaping. The installation of two bioretention basins on the south end of the headquarters property on the south and east end of the existing wetland can capture additional runoff from the headquarters driveways. These driveways will be repaved as a separate project in the summer of 2021. Adding two new bioretention basins near the existing wetland demonstrates an ability to install bioretention basins on a site with high groundwater using a modified, relatively shallow cross section with a backflow valve. It also demonstrates the ability to retrofit an urbanized site with GI.

The second part of the project is to convert the headquarters site's turf lawn to a native prairie. A native prairie has many benefits over turf that align with District initiatives such as enhanced urban biodiversity, higher infiltration capacity, and a demonstration to partners that a native prairie can be aesthetically pleasing when maintained properly. Trees will also be removed as part of this project to ensure the prairie and bioretention basins can establish themselves and function properly. The majority of the trees to be removed are non-native trees and diseased ash trees. Trees will be planted on site to balance the loss of non-native and diseased trees. The trees that will be planted include native varieties, such as Red Sunset Red Maple, Green Mountain Sugar Maple, Heritage River Birch, Prairie Pride Hackberry, Black Gum, Swamp White Oak, Bur Oak, Red Oak, American Basswood, Allegheny Serviceberry, Cockspur Hawthorn, and Common Witch Hazel.

A third part of the project was an alternate bid item to modify an existing diversion structure that is part of the existing vortex separator. The vortex separator appears on the surface as a large manhole in the northwest median of the parking lot. Due to high river levels, this structure has had diminished function for an extended period of time. To return the structure's function, weir plates will be replaced within the diversion structure, which is upstream of the vortex separator. These new weir plates will hold back the higher river levels, allowing for the vortex separator to operate even during high water levels. The weir plates can be adjusted in the future as water levels fluctuate.

The duration for G98002P10 is 126 days with a two-year warranty and vegetation establishment period that starts upon substantial project completion.

The low bid received by the District is lower than budgeted.

RESOLUTION

Award of Contract G98002P10, Bioretention Basins and Turf Naturalization

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to execute on behalf of the District Contract G98002P10, Bioretention Basins and Turf Naturalization, with C.W. Purpero, Inc., in the amount of \$319,977.



Capital Budget Fiscal Note Total Project Cost

RELATING TO:

Award of Contract G98002P10, Bioretention Basins and Turf Naturalization

G98002	Impact of Re	quested Action on To	_	t X No Change
Total Project Cost Analysis		Project C	osts	
Adopted 2021 Total Project Cost		\$3,240,	578	
Previously Approved Changes			\$0	
Approved Total Project Cost		\$3,240,	578	
Requested Total Project Cost			n/a	
Requested (Increase)/Decrease			\$0	
Action to be taken to Long-Ran	an Financina Dian to	address Total Drains	t Coot above	
Action to be taken to Long-Ran	_	nce for Cost and Sche	_	
		r project (specify in co	=	
	Transfer from another Delay Project(s) (spe		omments)	
		-		
	Delete Project(s) (sp	echy in comments)		
	OtherOther	e for Cost and Schedu	lo Changes	
	Transfer to Allowance	e for Cost and Schedu	le Changes	
Comments				
Comments There is sufficient funding the rec	quest of \$319,997.			
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	quest of \$319,997.			
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	quest of \$319,997.			
There is sufficient funding the rec	quest of \$319,997.			Date:
	quest of \$319,997.			Date:

Award of Contract G98002P10, Bioretention Basins and Turf Naturalization



Procurement & S/W/MBE Summary Information

Contract #	G98002P10	Cost Center:	PRS
•		· —	

Bioretention Basins and Turf Naturalization

BID SUMMARY

Bid Opening Date: 1/20/2021

	Total	SWMBE	Local
# of Bids	3	0	2
# of Responsive Bids	3	0	2

Bidders	Price	Responsive?	Responsible?	% Sub	% SWMBE
C.W. Purpero, Inc. Oak Creek, WI 53154	\$319,977.00	Responsive	Responsible	36.3%	26.9%
Poblocki Paving Corp. West Allis, WI 53214	\$447,167.00	Responsive	Responsible	Not provided	Not provided
LaLonde Contractors, Inc. Waukesha, WI 53186	\$462,764.38	Responsive	Responsible	Not provided	Not provided

SUBCONTRACTOR INFORMATION

Туре	Subcontractor Name	Type of Work	%	Amount
MBE	UPI, LLC New Berlin, WI 53146	Site utilities	10.3%	\$33,111.00
SBE	Natural Landscapes, Inc. Hartland, WI 53029	Landscaping, seeding	16.6%	\$53,038.00
Non-SWMBE	Stark Pavement Corp. Brookfield, WI 53005	Concrete/asphalt paving	7.2%	\$23,000.00
Non-SWMBE	ACME Systems, Inc. Glendale, WI 53209	Irrigation	1.0%	\$3,200.00
Non-SWMBE	T&T Tree Service Burlington, WI 53105	Tree clearing	1.2%	\$3,960.00

ECONOMIC DEVELOPMENT ELEMENTS

Workforce Requirements

Sanitary Sewer Service Area (SSSA)

Employment: 45%

Target Area (TA) Employment: 20%

Apprentices Required: NA

OUTREACH INFORMATION

The Procurement team performed the following outreach: advertised in the Daily Reporter, sent an e-mail notification to all registered firms in the General Services and Landscaping category, sent targeted e-mails to prequalified landscaping firms. The proposal opportunity is also publicly accessible from the MMSD website and Bonfire, the portal used to post RFPs. Bonfire also performs outreach to its users when an RFP is posted.

S/W/MBE Planholders:

Masterwork Construction LLC

Rams Contracting, Ltd

K. Singh & Associates, Inc.

Dakota Intertek Corp

Marek Landscaping, LLC

Property Solutions Contracting LLC

Mid City Corporation

Platt Construction, Inc.

If no or low S/W/MBE participation, explain why:

NA

Additional Comments:

NA

AWARDEE INFORMATION

Company:	C.W. Purpero, Inc.
Contact Person:	Todd Schmidt
Phone Number:	414-856-2850
E-mail Address:	schmidtt@purpero.com

EEO DATA 1190 West Rawson Avenue, Location: Oak Creek, WI 53154 Total # of Employees 64 % <u>%</u> **Total Total Minorities** 7 4 6.3% **Females** 10.9% 0 0.0% 0 0.0% Asian Asian Black or African American 1 1.6% Black or African American 0 0.0% 3 4.7% 1 1.6% Hispanic or Latino Hispanic or Latino 0 0 0.0% 0.0% Native American Native American 0 0 0.0% 0.0% Other Minority Other Minority

Labor Market Availability - Minorities 22.0% Labor Market Availability - Females 49.0%

DATE:



COMMISSION FILE NO:	21-040-3	DATE INTRODUCED:	March 8, 2021
INTRODUCED BY:	Executive Director (Signat	ure on File in the Office of the C	Commission)
REFERRED BY COMMIS	SION CHAIRPERSON	TO: Policy, Finance, and Pe	rsonnel Committee
	•	e Director to Submit the V Act of 2014 Application ar	
SUMMARY:			
•		ecutive Director to submit (WIFIA) of 2014 loan and	
by the Environmental Projects. The WIFIA loan	rotection Agency for e n program accelerates in low cost supplemental lo	ogram, a federal credit pro ligible water and wastew nvestment in the nation's v pans for regionally and na including that:	vater infrastructure water infrastructure
 The interest rate is The interest rate is The repayment sch the life of the loan. The repayment per 	not impacted by the bornedule can be customize	closing. ury rate of a similar maturing rower's credit or loan struct ed to anticipated revenues up to 35 years after substa	cture. s and expenses for
	WIFIA loan process. In .	er of interest to expres January 2021, the District	
ATTACHMENTS: BAC FISCAL NOTE S/ PFP_WIFIA_Application_legislative_file	W/MBE OTHER	<u> </u>	UTION 🖂
PFP_WIFIA_Application_legislative_fili 02-15-21	G.UUUX		
COMMITTEE ACTION:		DATE:	

COMMISSION ACTION:

Authorizing the Executive Director to Submit the Water Infrastructure Finance and Innovation Act of 2014 Application and Associated Fee

The District has identified two capital existing projects and one potential new project that meet the application criteria. The projects to be included in the application are:

- 1. 30th Street Corridor, West Basin Flood Management Project: \$36.5 million
- 2. Wilson Park, primarily Reaches 3 and 4: \$39.2 million
- 3. Dredge Materials Management Facility: \$100 million

The WIFIA loan requires the District to finance 51% of the cost of projects, for which staff anticipates issuing general obligation bonds, consistent with the 2021 Long Range Financing Plan. The interest rates used in WIFIA financing are fixed and match the U.S. Treasury rate of similar maturity. Given current rates, the District could save \$20 million by utilizing WIFIA rather than financing 100% through a general obligation bond.

RESOLUTION

Authorizing the Executive Director to Submit the Water Infrastructure Finance and Innovation Act of 2014 Application and Associated Fee

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to submit an application to the Water Infrastructure Finance and Innovation Act Program to finance project expenditures and the application fee in the amount of \$100,000.



Capital Budget Fiscal Note Total Project Cost

RELATING TO:

Authorizing the Executive Director to Submit the Water Infrastructure Finance and Innovation Act of 2014 Application and Associated Fee

Capital Project Number(s)	Impact of Requested Action on Total Project Cost: Increase Decrease New Project X No Change	
M07002		
Total Project Cost Analysis	Project Costs	
Adopted 2021 Total Project Cost	\$2,588,691	
Previously Approved Changes	\$0	
Approved Total Project Cost	\$2,588,691	
Requested Total Project Cost	n/a_	
Requested (Increase)/Decrease	<u> </u>	
Action to be taken to Long-Ran	nge Financing Plan to address Total Project Cost change	
	Transfer from Allowance for Cost and Schedule Changes	
	Transfer from another project (specify in comments)	
	Delay Project(s) (specify in comments)	
	Delete Project(s) (specify in comments)	
	Other	
	Transfer to Allowance for Cost and Schedule Changes	
Comments		
Budget Review by:	Date	
Budget Review by:	Date:	

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING

March 8, 2021

EXECUTIVE DIRECTOR'S REPORT

21-002-01

A. Monthly Reports

March 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8 Operations Committee-9:00 a.m. PF&P Committee- 9:05 a.m.	9	10	11	12	13
14	15	16	17 ST. PATRICK'S DAY	18	19	20
21	22 Commission-9:00 a.m.	23	24	25	26	27
28	29	30	31			