

**Department of Administration  
Purchasing Division**

**Finance & Personnel Committee Approval Required  
For Single Source Contract  
Contract #E0000012849-A**

**Background:**

<b>User Department:</b>	Fire and Police Commission (FPC)
<b>Purchasing Agent:</b>	Markiesha Henderson
<b>Contract Description:</b>	Vendor Service Contract for Job Analysis Services and Selection Procedures to Hire MPD Personnel
<b>Vendor Name and Location:</b>	PSI Services LLC (College State, PA)
<b>Contract Term:</b>	12/20/2013 through 12/19/2016
<b>Requisition # and Date Received:</b>	0000019231 & 10/21/2022
<b>Original Contract Amount:</b>	\$365,000.00
<b>Expenditures to Date:</b>	\$914,234.41
<b>Current Contract Amount:</b>	\$1,000,550.00

**History of Contract Amendments:**

Date	Item	Term	Cost
10/30/2013	Original Contract Vendor Service Contract for Job Analysis Services and Selection Procedures to Hire MPD Personnel <b>Approved by F&amp;P Committee on: 10/30/2013</b>	12/20/2013 through 12/19/2016	\$365,000.00
12/13/2014	Amendment #1: Increased the estimated contract total by \$189,550.00 from \$365,000.00 to \$554,550.00. <b>Approved by F&amp;P Committee on: 12/13/2014</b>	N/A	\$189,550.00
11/14/2016	Amendment #2: Renewed the contract term for an additional three (3) years, with indefinite options to renew for additional three (3) years, upon mutual agreement. Also, increased the estimated contract total by \$200,000.00 from \$554,550.00 to \$754,550.00. Lastly, the Certificate of Liability Insurance was made effective during the renewal options and incorporated into and made a part of the contract. <b>Approved by F&amp;P Committee on: 11/14/2016</b>	12/20/2016 through 12/19/2019	\$200,000.00
02/05/2020	Amendment #3: Increased contract estimated total by \$246,000.00 from \$754,550.00 to \$1,000,550.00 and extended the contract term by three (3) years, exercising the option to extend upon mutual consent. Also, incorporated a name change from E. B. Jacobs LLC, a PSI Business to PSI Services LLC and implemented contract number change from E0000012849 to E0000012849-A. <b>Approved by F&amp;P Committee on: 02/05/2020</b>	12/20/2019 through 12/19/2022	\$246,000.00
Pending	Amendment #4: Incorporate a vendor name change from PSI Services LLC to Talogy, Inc. in accordance with the vendor's w-9 dated 04/22/2022 and a vendor number change from E0000012849-A to E0000012849-B. Exercise the option to extend the contract term by extending for three (3) years from 12/20/2022 through 12/19/2025. Additionally, increase the contract total by \$432,710.66 from \$1,000,550.00 to \$1,433,260.66.	12/20/2022 through 12/19/2025	\$432,710.66
<b>Total (including the pending amendment)</b>			<b>\$1,433,260.66</b>

**Purpose of Amendment:**

The purpose of this amendment is to exercise the option to extend the contract term of the Vendor Service Contract for Job Analysis Services and Selection Procedures to Hire MPD Personnel with PSI Services LLC by extending for three (3) years from 12/20/2022 through 12/19/2025. Additionally, this amendment will increase the contract total by \$432,710.66 from \$1,000,550.00 to \$1,433,260.66. Lastly, it will incorporate a vendor name change from PSI Services LLC to Talogy, Inc. in accordance with the vendor's W-9 dated 04/22/2022 and subsequently, a vendor number change from E0000012849-A to E0000012849-B.

**Background:**

The vendor, (formerly E.B. Jacobs LLC, a PSI Business and SHL Landy Jacobs, Inc.) has worked with the FPC since 1997, when they developed the entry-level examination components currently in use for Police Officer and Police Aide. The vendor owns the intellectual property for these exams. The development process was arduous and lasted about three years before each testing component was individually developed, tested, and passed all levels of court review. This vendor has not been found to be at fault due to an omission, error or negligence in their 39-year history. The value of having a selection procedure that is free from legal challenge is incalculable to the City.

This vendor has an intimate knowledge of Milwaukee Police Department entry-level and promotional positions that other vendors do not. After having developed a new promotional procedure for Captain of Police, PSI Services LLC was able to quickly step in and perform job analyses and develop new testing procedures for the Police Lieutenant, Police Sergeant and Detective positions in 2012, providing consistency in a high-quality testing procedure. They have proven themselves to be flexible, capable, professional, and highly skilled. Additionally, when staffing at the FPC has been low, the vendor has been able to quickly increase the amount of support provided for the exams with minimal difficulty.

Since PSI Services LLC owns the intellectual property for all these exams, any new vendor would need time to analyze and develop new testing instruments and procedures. The ensuing delay would cause great disruption to the planned testing schedule and would create a backlog of vacancies in all ranks. The current three-year contract provides for selection procedures to hire Police Department personnel through 12/19/2025. Of note is that PSI Services LLC has also served as the City's subject matter expert on the validity of these tests under the 2016 Department of Justice collaborative review. Additionally, they have kept their pricing stable. For all of the above reasons, amending this contract as outlined above, is in the best interests of the City and public safety.

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City Purchasing Director

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Date

**F&P Presentation Date: 12/07/2022**

**Department of Administration  
Purchasing Division**

**Finance & Personnel Committee Approval  
Contract #E0000018141**

**Background:**

<b>User Department:</b>	DOA- Info. Tech. Management Division (ITMD) (Citywide)
<b>Purchasing Agent:</b>	Marina Litvinets
<b>Contract Description:</b>	Vendor Service Contract for Laredo Licenses
<b>Vendor Name and Location:</b>	County of Milwaukee (Milwaukee, WI)
<b>Contract Term:</b>	09/15/2021 through 12/31/2022, with options to extend upon mutual consent. <b>Note: Post F&amp;P meeting on 9/15/2021, per the County's request, the County and the City agreed on these term dates.</b>
<b>Requisition # &amp; Date Received:</b>	Requisition #0000019296 / Date Received 11/23/2022
<b>Original Contract Amount:</b>	\$288,000.00 <b>Note: Post F&amp;P meeting on 9/15/2021, the contract total was corrected from \$288,600.00 to \$288,000.00</b>
<b>Expenditures to Date:</b>	\$14,000.00
<b>Current Contract Amount:</b>	\$107,200.00

**History of Amendments:**

Date	Item	Term	Cost
09/15/2021	Original Contract-Vendor Service Contract for Laredo Licenses <b>F&amp;P Approved 09/15/2021</b>	10/19/2021 through 10/18/2022	\$288,000.00
N/A	Amendment #1: Decrease the estimated contract total by \$180,800.00 from \$288,000.00 to \$107,200.00 and reduce the number of additional licenses for DPW-Water from five (5) to one (1). <b>F&amp;P Approval not Required</b>	09/15/2021 through 12/31/2022	-\$180,800.00
Pending	<b>Amendment #2:</b> Extend the contract term for two (2) years from 01/01/2023 through 12/31/2024; increase the estimated contract total by \$182,400.00 from \$107,200.00 to \$289,600.00, and increase the number of additional licenses for DNS from eight (8) to ten (10) and for DCD from one (1) to two (2).	01/01/2023 through 12/31/2024	\$182,400.00
<b>Total (including the pending amendment)</b>			<b>\$289,600.00</b>

**History of Contract Amendments:**

The purpose of this amendment is to allow DOA-ITMD (City-Wide) to amend the existing Vendor Service Contract for Laredo Licenses with County of Milwaukee by extending the contract term for two (2) years from 01/01/2023 through 12/31/2024; by increasing the number of additional licenses for the Department of Neighborhood Services (DNS) from eight (8) to ten (10), by increasing the number of additional licenses for the Department of City Development (DCD) from one (1) to two (2) effective 01/01/2023, and by increasing the contract total by \$182,400.00 from \$107,200.00 to \$289,600.00.

DNS has determined that they need two (2) additional subscriptions for their staff members, and the DCD needs one (1) additional subscription. The addition of three (3) additional subscription, from 01/01/2023 through 12/31/2024, will result in an increased monthly cost of \$1,200.00 per month or total of \$28,800.00 for two (2)

years. Current cost is \$6,400.00 per month for twelve (12) licenses. Effective 01/01/2023, the monthly cost will be \$7,600.00 per month for fifteen (15) licenses.

Table (2) reflects the monthly cost from January 2023-December 2024.

**Table (2)**

<b>Laredo License Accounts</b>			
<b>Department</b>	<b>Courtesy</b>	<b>Purchased</b>	<b>Cost</b>
Assessor	8	-	\$ 0.00
Treasurer	8	-	\$ 0.00
Attorney	-	1	\$ 800.00
DCD	-	2	\$ 1,200.00
DNS	-	10	\$ 4,400.00
Water Works	-	2	\$ 1,200.00
<b>Total Per Month</b>	<b>16</b>	<b>12</b>	<b>\$ 7,600.00</b>
<b>Annual Total</b>			<b>\$ 91,200.00</b>
<b>Total for Two (2) Years</b>			<b>\$ 182,400.00</b>

**Background**

The Milwaukee County Register of Deeds holds these real estate records and requires the use of a monthly subscription service. Services were previously provided gratis by Milwaukee County. The Register of Deeds requested payment and, as a result, a citywide contract was executed under the auspices of ITMD. Prior to attempting to establish a citywide contract for contracting and payment efficiencies, various city departments were entering into separate agreements. The various city departments as referenced in Table (1) below, are using this contract at \$800.00 for the first (1<sup>st</sup>) subscription and \$400.00 per month for each additional subscription. The number of licenses originally needed by each department is depicted in the table below. The cost of the licenses would normally amount to \$475,200.00, annually. However, the fees were lowered based on the City's higher population count and parcel count compared to other municipalities and resulted in a total savings of \$186,200.00. The estimated contract total for a three (3) year term will be \$288,000.00. **Note: Post F&P Meeting on 09/15/2021, the contract total was found calculated incorrectly; therefore, it had been corrected from \$288,600.00 to \$288,000.00.**

**Table (1)**

<b>Laredo License Accounts</b>			
<b>Department</b>	<b>Courtesy</b>	<b>Purchased</b>	<b>Cost</b>
Assessor	8	-	\$ 0.00
Treasurer	8	-	\$ 0.00
Attorney	-	1	\$ 800.00
DCD	-	1	\$ 800.00
DNS	-	8	\$ 3,600.00
Water Works	-	6	\$ 2,800.00
<b>Total Per Month</b>	<b>16</b>	<b>16</b>	<b>\$ 8,000.00</b>
<b>Annual Total</b>			<b>\$ 96,000.00</b>

It is also important to point out that the Milwaukee County Register of Deed's Office requested that the City enter into an agreement that did not include the City's standard Non-Discrimination provision as required under Milwaukee Code of Ordinances (MCO), Chapter 109 – Equal Rights, Section 109-9-3e that states that it is improper to: *“Fail to include in all contracts negotiated, or renegotiated by a contracting agency of the city, a provision obligating the contractor not to discriminate against any qualified employee, or qualified applicant for employment, on the basis of a person's protected class membership, or based upon affiliation, or perceived affiliation, with any protected class, and shall require the contractor to include a similar provision in all subcontracts.”* The Milwaukee County Register of Deed's Office asserted that: *“The County's commitment to addressing racial inequity is well established by word and action. This clause is nothing more than a re-statement of the City's policy and is required in the event a contract is subcontracted. This is a subscription agreement, which the ROD will not be subcontracting. There is no need for this language.”*

The second matter of importance was regarding the Milwaukee County Register of Deed's request of the City to indemnify Milwaukee County employees, which is well beyond what the City normally agrees to, and goes far beyond the City agreeing to indemnify the County for the acts of City employees done within the scope of City employees' employment. In addition, the County asked the City to defend it from suits that may have been brought because the County failed to transmit records on time. The City's proposed indemnification language would have required the County to indemnify the City for the County's neglect, which the County agreed to in other service contracts whereby we are paying the County. Not including such language would have been a deviation from the City's standard agreements.

**Internal Note:** The City Purchasing Director advised the F&P committee on 9/15/2021 that she did not support the removal of the City's Anti-Discrimination clause, as it is legally required as set forth in the *City's Ordinance, Chapter 109 - Equal Rights* and the City should stand firm on this matter, as a declaration of the City's commitment to non-discriminatory policies and practices. It is important to note that post the F&P meeting on 9/15/2021, the Register of Deed's Office changed its position and agreed to the inclusion of the provision per the email communication dated 9/15/2021 that is included in the correspondence section of the contract file folder. In regards to the indemnification provision, it will remain intact, as requested, in light of the nature of the agreement.

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City Purchasing Director

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Date

**F&P Approval Presentation Date:** 12/07/2022