

EXHIBIT E

HUMAN RESOURCE REQUIREMENTS FOR THE PIER WISCONSIN PROJECT

I. Addition

A. The TENANT has voluntarily agreed to develop an outreach program to enable meaningful participation in construction of the Addition by Wisconsin businesses which are operated by persons who are economically and socially disadvantaged and which meet the certification criteria for Emerging Business Enterprises (“EBE”) established by the CITY (the “TENANT Participation Program”). The TENANT Participation Program will strive to enhance the capability and capacity of these EBE firms in their area of specialty while maintaining the quality, safety, time and cost-effectiveness standards for the Addition.

1. The TENANT has identified the following areas of construction as targeted areas in which special outreach efforts shall be undertaken to provide construction opportunities for EBE firms:

Site Demolition
Bridge Demolition
Site Utilities
Rough Grading
Excavation and Earthwork
Landscaping and Site Concrete
Cable-Stayed Bridge
Footings and Foundations
Masonry and Glass Block
Finish Carpentry and Millwork
Metal Studs and Drywall
Ceramic and Quarry Tile
Acoustical Ceilings
Painting
Plumbing
HVAC
Electrical

2. The TENANT through its Owner’s Representative and Construction Manager will utilize the services available from the City’s Equal Opportunities Enterprise Program (“EOEP”) Office to identify EBE firms available to perform work in the targeted areas of construction.

3. The TENANT through its Construction Manager will solicit the guidance and input of the EOEP Office and local business community groups to assist EBE firms in successfully performing portions of the construction, and to identify resources which may be necessary to permit such EBE firms to successfully complete their portions of the Addition.

4. The TENANT shall at all times exercise good faith in implementing the TENANT Participation Program. Good faith efforts are defined as the TENANT completing the following activities:

a. Advertise in general circulation and trade association media, as well as in community newspapers regarding contracting and subcontracting opportunities on the Addition.

b. Provide written notice to pertinent construction trade EBEs listed in the current Joint Certification Program Directory, soliciting their services in sufficient time (at least 2 weeks) to allow their businesses to participate effectively in the contract bidding process.

c. Provide interested EBEs and the City EOEP Office with adequate information about Addition plans, specifications, and contract/subcontract requirements.

d. Negotiate with interested EBEs, not rejecting EBE bids as unqualified or too high without sound reasons based on a thorough review of the bid submitted.

e. Maintain documentation to support the rejection of any EBE bid.

f. Utilize the services available from City EOEP Office to identify EBEs available to perform the work.

g. Include in the Addition bid documents an explanation of TENANT desires for EBE participation by the Joint Certification Program.

II. Improvements

A. During the term of this Agreement, the TENANT shall utilize, or cause to be utilized, Emerging Business Enterprises (“EBEs”), as defined in Chapter 360, Milwaukee Code of Ordinances for a minimum of 18% of the total costs of constructing the Improvements and maintaining the Park within the Park Easement Area.

B. Contract or subcontract amounts awarded to EBE suppliers, that do not manufacture products they supply, may only be counted for up to 20% of the 18% EBE participation.

C. Whenever necessary to meet the obligations under this Agreement, the TENANT shall facilitate, with the direct assistance of the CITY’s EOEP Office, the following:

1. Joint Ventures, limited partnerships or other business relationships intended to increase EBEs’ areas of expertise, bonding capacity, credit limits, etc.

2. Training Relationships.

3. Mentor/protégé agreements.

D. The TENANT agrees to report to the Commissioner of City Development and the CITY's EOEP Office on TENANT's utilization of EBEs in its activities related to the Improvements, pursuant to Chapter 360 of the Milwaukee Code of Ordinances, each month, or such less frequent basis agreed to by the CITY's EOEP Office. After the construction phase of the Improvements, TENANT only needs to report monthly if there are changes in the contract for or provider of the maintenance work. In order to assist the CITY to monitor this EBE participation, TENANT agrees to take the following steps:

1. Provide a list of all categories of work for the Improvements in the Park Easement Area, with budget allowances, for which bids will be solicited and highlight those categories, based upon the knowledge and experience of the TENANT's Construction Manager, which are conducive to EBE participation prior to any bids being solicited or awarded.

2. Provide CITY's EOEP Office with documentation supporting efforts extended to solicit bids from EBEs. Upon request, the TENANT shall make information related to EBE bids available to CITY's EOEP Office.

E. Only EBEs that have been certified by the Joint Certification Program ("JCP") under the inter-agency agreement entered into by the CITY, the Milwaukee Metropolitan Sewerage District, and Milwaukee County shall be counted towards the 18% requirement. The JCP officers are located at 2323 N. Dr. Martin Luther King, Jr. Drive, Milwaukee, Wisconsin 53212. JCP telephone number is 265-7680.

F. Modifications or waivers of the EBE participation requirement set forth herein shall only be effective if agreed to by the CITY and the TENANT in writing. Any such modification or waiver shall be made only on the basis of verified information that the existing, available, certified EBEs in any particular trade area or level are insufficient to achieve the required participation.

III. Definitions

A. Emerging Business Enterprise is a small business concern that is owned, operated and controlled by one or more disadvantaged individuals, as defined in Chapter 360 of the Milwaukee Code of Ordinances. The disadvantaged individuals must have day-to-day operational and managerial control, interest in capital, financial risks and earnings commensurate with the percentage of their ownership. Emerging Business Enterprises are certified as such by the Joint Certification Program.

B. Joint Venture is an association of two or more persons or businesses to carry out a single business enterprise for profit for which purpose they combine their property, capital efforts, skills and/or knowledge.