

**AMENDMENT NO. 2
TO
INTERGOVERNMENTAL AGREEMENT FOR
EMERGENCY MEDICAL SERVICES (EMS)**

This Amendment No. 2 to Intergovernmental Agreement for Emergency Medical Services (EMS) (this “Amendment No. 2”) is entered into as of January 1, 2021 (the “Amendment Effective Date”), by and between Milwaukee County, a Wisconsin municipal body corporate (“County”), and [insert fire department name] (“Municipality”). Each of the County and Municipality also may be referred to herein as a “Party” and both may be referred to collectively as the “Parties.”

RECITALS:

Whereas, County and Municipality entered into that certain Intergovernmental Agreement Between Milwaukee County and [insert fire department name] For Emergency Medical Services (EMS) (2017 – 2018), effective as of January 1, 2017 (the “Agreement”), relating to the provision of a coordinated delivery system of EMS services to the residents of the County and others; and

Whereas, County and Municipality previously extended the term of the Agreement via Amendment: Intergovernmental Agreement for Emergency Medical Services (EMS) (2017-2018) dated July 21, 2017, through December 31, 2020 pursuant to Article VII(E) thereof; and

Whereas, representative of the strength of the County EMS System, as proven by the 2020 Adopted Capital Budget's investment in Project WO27301 of \$1.125M for countywide cardiac defibrillators, the Parties desire to extend further the term of the Agreement through December 31, 2025; and

Whereas, the Parties desire to further amend the Agreement as more particularly set forth herein;

NOW, THEREFORE, in consideration of the covenants and promises hereinafter made, the Parties hereby agree as follows:

- 1.0 **TERM.** The term of the Agreement is hereby extended through December 31, 2025, unless extended or terminated in accordance with the terms of the Agreement.
- 2.0 **AMENDMENT OF CHARTS.** The charts in the following sections of the Agreement are hereby deleted and replaced with the charts set forth below:

2.1 Article III(B)(5):

SATURATION NUMBERS								
	MED UNITS	PARAMEDIC (Footnote III)	FIRE STATIONS	PARAMEDIC (Footnote IV)	FORMULA PARAMEDICS	2020 ACTUAL PARAMEDICS	VARIANCE	SATURATION NUMBERS
Franklin	4	36	3	12	48	42	6	48
Greendale	2	18	1	4	22	17	5	22
Greenfield	4	36	2	8	44	43	1	44
Milwaukee	14	126	30	120	246	197	49	246
North Shore	3	27	5	20	36	42	-6	42
Oak Creek	3	27	3	12	39	40	-1	40
South Milwaukee	3	27	1	4	31	17	14	31
Wauwatosa	2	18	4	16	34	59	-25	59
West Allis	2	18	3	12	30	77	-47	77
TOTAL					530	534		609

- I. Applicable to Municipalities that hold State EMT-P licenses.
- II. Formula based on # Med Units and # of Fire Stations.
- III. Med Units are manned by 2 paramedics/shift, +1 for vacation/sick time. E.g., 1 Med Unit operating 3 shifts needs 9 paramedics.
- IV. Fire Station paramedic staffing of 1/shift, +1 additional coverage over 3 shifts for vacation/sick time.
- V. Saturation Number based on the higher of the formula, or number of trained paramedics as of **January 1st, 2020**.
- VI. Med Units equipped by the County must be staffed and available 25% or more during each year in order to be in the count.
- VII. The Saturation Number may change if a Municipality increases or decreases the number of Med Units or Fire Stations.
- VIII. Additional Municipalities may be added to the Saturation table should they become state-licensed or should they ride on a partnering Municipality's state license, with approval from the State DHS.

2.2 Article III(D)(1):

See number of "MED UNITS" displayed in the Article III(B)(5) chart.

ATTACHMENT A

\$ 1,500,000

2021 30-30-40 FORMULA									
	POPULATION SERVED		30% OF POPULATION	SQ. MILES SERVED		30% OF SQ. MILES	AVG ALS TRANSPORT	40% OF ALS TRANSPORTS	TARGET
Franklin	35,872	3.8%	\$ 17,023	34.58	14.3%	\$ 64,382	5.7%	\$ 34,336	\$ 115,741
Hales Corners	7,598	0.8%	\$ 3,606	3.192	1.3%	\$ 5,944	--	--	\$ 9,549
TOTAL	43,470	4.6%	20,628	37.77	15.6%	\$ 70,326	5.7%	\$ 34,336	\$ 125,291
Greendale	14,072	1.5%	\$ 6,678	5.57	2.3%	\$ 10,363	2.6%	\$ 15,638	\$ 32,679
Greenfield	37,358	3.9%	\$ 17,728	11.53	4.8%	\$ 21,474	6.3%	\$ 37,880	\$ 77,081
Milwaukee	592,025	62.4%	\$ 280,939	96.184	39.8%	\$ 179,105	50.0%	\$ 300,041	\$ 760,085
St. Francis	9,514	1.0%	\$ 4,515	2.569	1.1%	\$ 4,784	--	--	\$ 9,299
West Milwaukee	4,122	0.4%	\$ 1,956	1.119	0.5%	\$ 2,084	--	--	\$ 4,040
TOTAL	605,661	63.9%	287,410	99.87	41.3%	\$ 185,972	50.0%	\$ 300,041	\$ 773,423
North Shore	64,387	6.8%	\$ 30,554	24.27	10.0%	\$ 45,193	9.0%	\$ 53,953	\$ 129,700
Oak Creek	36,470	3.8%	\$ 17,306	28.45	11.8%	\$ 52,971	5.2%	\$ 31,493	\$ 101,771
South Milwaukee	20,801	2.2%	\$ 9,871	4.83	2.0%	\$ 8,992	2.9%	\$ 17,426	\$ 36,289
Cudahy	18,202	1.9%	\$ 8,638	4.772	2.0%	\$ 8,886	--	--	\$ 17,524
TOTAL	39,003	4.1%	\$ 18,508	9.60	4.0%	\$ 17,878	2.9%	\$ 17,426	\$ 53,813
Wauwatosa	48,376	5.1%	\$ 22,956	13.23	5.5%	\$ 24,630	8.8%	\$ 52,941	\$ 100,528
West Allis	59,492	6.3%	\$ 28,231	11.38	4.7%	\$ 21,193	9.4%	\$ 56,292	\$ 105,716
TOTAL	948,289	100%	450,000	241.66	100.0%	\$ 450,000	159%	\$ 600,000	\$ 1,500,000

I. Population data sourced from the 2010 U.S. Census Bureau's Population Estimates Program (PEP)

II. Square mileage sourced from the 2019 update to the U.S. Census Bureau's Gazetteer files

TEN-YEAR ADJUSTMENT FORMULA TO A NEW 2021 30-30-40 FORMULA													
	2016/2017	10-YR +/- 2018-2020	7-YR +/- 2021-2025	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027 TARGET
Franklin	\$ 125,004.00	-\$ 1,805.74	\$ 814.83	\$ 123,198.26	\$ 121,392.52	\$ 119,586.78	\$ 120,401.61	\$ 121,216.44	\$ 122,031.28	\$ 122,846.11	\$ 123,660.94	\$ 124,475.77	\$ 125,291
Greendale	\$ -	\$ 3,225.85	\$ 3,285.85	\$ 3,225.85	\$ 6,451.70	\$ 9,677.55	\$ 12,963.40	\$ 16,249.26	\$ 19,535.11	\$ 22,820.96	\$ 26,106.82	\$ 29,392.67	\$ 32,679
Greenfield	\$ 115,149.00	-\$ 3,281.91	-\$ 4,031.72	\$ 111,867.09	\$ 108,585.18	\$ 105,303.27	\$ 101,271.55	\$ 97,239.83	\$ 93,208.11	\$ 89,176.39	\$ 85,144.67	\$ 81,112.95	\$ 77,081
Milwaukee	\$ 601,066.50	\$ 19,270.44	\$ 16,363.57	\$ 620,336.94	\$ 639,607.38	\$ 658,877.82	\$ 675,241.39	\$ 691,604.95	\$ 707,968.52	\$ 724,332.08	\$ 740,695.65	\$ 757,059.21	\$ 773,423
North Shore	\$ 181,252.50	-\$ 5,628.61	-\$ 4,952.32	\$ 175,623.89	\$ 169,995.28	\$ 164,366.67	\$ 159,414.35	\$ 154,462.03	\$ 149,509.71	\$ 144,557.39	\$ 139,605.07	\$ 134,652.75	\$ 129,700
Oak Creek	\$ 136,591.50	-\$ 3,948.55	-\$ 3,282.18	\$ 132,642.95	\$ 128,694.40	\$ 124,745.85	\$ 121,463.67	\$ 118,181.49	\$ 114,899.32	\$ 111,617.14	\$ 108,334.96	\$ 105,052.78	\$ 101,771
South Milwaukee	\$ 144,916.50	-\$ 8,956.74	-\$ 9,176.24	\$ 135,959.76	\$ 127,003.02	\$ 118,046.28	\$ 108,870.04	\$ 99,693.81	\$ 90,517.57	\$ 81,341.34	\$ 72,165.10	\$ 62,988.87	\$ 53,813
Wauwatosa	\$ 97,234.50	\$ 438.28	\$ 282.61	\$ 97,672.78	\$ 98,111.06	\$ 98,549.34	\$ 98,831.95	\$ 99,114.57	\$ 99,397.18	\$ 99,679.79	\$ 99,962.40	\$ 100,245.02	\$ 100,528
West Allis	\$ 98,785.50	\$ 686.98	\$ 695.59	\$ 99,472.48	\$ 100,159.46	\$ 100,846.44	\$ 101,542.03	\$ 102,237.62	\$ 102,933.21	\$ 103,628.79	\$ 104,324.38	\$ 105,019.97	\$ 105,716
TOTAL	\$ 1,500,000			\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,500,000

- I. The intent is to adjust the ICC % formula into a known, data driven distribution.
- II. Ten years of adjustment time is calculated to reach the target formula.
- III. The ten year adjustment approach does not guarantee future funding beyond the contract.
- IV. NEW 30-30-40 Formula would be implemented in 2018, year 2 of the contract.
- V. For 2017 and 2018, monies not-to-exceed \$375k and \$250k, respectively, would be distributed at \$30/ALS transport.
- VI. Years 2018-2020 are grayed out because these stipends do not apply to Amendment No. 2; rather the original 30-30-40 figures from the EMS 2017-2018 Agreement withstand.

3.0 AMENDMENT TO COUNTY FUNDING REQUIREMENTS. The subsections of Article V are hereby amended as follows:

3.1 Article V(A) is hereby amended to add the following years and corresponding funding amounts for years 2021-2025:

2021: \$1,500,000;

2022: \$1,500,000;

2023: \$1,500,000;

2024: \$1,500,000;

2025: \$1,500,000.

3.2 The ICC EMS Formula Schedule in Article V(B) for 2021-2025, using the formula noted in Attachment A as revised in this Amendment, is as follows:

	2021	2022	2023	2024	2025
Franklin	\$ 120,401.61	\$ 121,216.44	\$ 122,031.28	\$ 122,846.11	\$ 123,660.94
Greendale	\$ 12,963.40	\$ 16,249.26	\$ 19,535.11	\$ 22,820.96	\$ 26,106.82
Greenfield	\$ 101,271.55	\$ 97,239.83	\$ 93,208.11	\$ 89,176.39	\$ 85,144.67
Milwaukee	\$ 675,241.39	\$ 691,604.95	\$ 707,968.52	\$ 724,332.08	\$ 740,695.65
North Shore	\$ 159,414.35	\$ 154,462.03	\$ 149,509.71	\$ 144,557.39	\$ 139,605.07
Oak Creek	\$ 121,463.67	\$ 118,181.49	\$ 114,899.32	\$ 111,617.14	\$ 108,334.96
South Milwaukee	\$ 108,870.04	\$ 99,693.81	\$ 90,517.57	\$ 81,341.34	\$ 72,165.10
Wauwatosa	\$ 98,831.95	\$ 99,114.57	\$ 99,397.18	\$ 99,679.79	\$ 99,962.40
West Allis	\$ 101,542.03	\$ 102,237.62	\$ 102,933.21	\$ 103,628.79	\$ 104,324.38
TOTAL	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,500,000.00

3.3 Article V(B) is hereby amended to delete the following and replace with:

"The County shall make equal payments to the Municipality during the first week of each first month immediately following the payment quarter of the years covered by this agreement."

3.4 Article V(C) is hereby amended to add the following:

"The distribution of County funds at the value of \$30 per ALS transport was terminated in the 2017 Agreement in the year 2020. There is no longer an applicable corresponding table as these calculations are obsolete."

4.0 Amendment to ARTICLE IV(H) defining Key Performance Metrics as the following:

EMS Agreement Amendment No. 2 (2021 - 2025) Key Performance Metrics

KPM KPMs be monitored via accessible tracking board to be reported out in the countywide Admin Review and CQIP meetings.	Funding %	Notes
1. Attendance at 80% of bimonthly Administrative Review meetings by department representative.	15%	
2. Attendance at 80% of monthly Continuous Quality Improvement Process meetings by department representative.	15%	
3. Submit quarterly plan to address overdue education assignments by April 30th, July 31st, October 31st, and January 31st based on a quarterly report generated and shared by OEM.	15%	
4. Full completion of the Human Subjects Protection Training by all providers every two years beginning in 2021.	15%	
5. Monthly report of adherence to daily completion of the controlled substance log. All incompletes are addressed via report form submitted monthly.	15%	OEM-developed report form.
6. Engage in annual strategic planning session (system-wide) with EMS Agenda 2050 as focus.	15%	Activities related to EMS Agenda 2050 will be monitored via Admin Review and CQIP.
7. Increase bystander CPR/Public AED Access by:	10%	
7a. Identify barriers to intervention in each community.		2021 activity.
7b. Create plan to address/decrease barriers in each community.		2022 activity.
7c. Implement plan.		2023 activity.
7d. Measure impact.		2024 activity.
	100%	

5.0 MISCELLANEOUS. Parties agree that Milwaukee County distribution dollars, as amended in ARTICLE V(A) and V(B), may only be used for the sole purpose of EMS services.

6.0 MISCELLANEOUS. Except as modified by this Amendment No. 2, the Agreement remains in full force and effect. In the event of a conflict between the terms of the Agreement and this Amendment No. 2, the Amendment No. 2 shall prevail. Capitalized terms used but not otherwise defined herein shall have the meanings provided for them in the Agreement.

Signature Page Follows

WHEREOF, the parties hereto have executed this agreement on the day, month, and year above written:

FOR MILWAUKEE COUNTY:

FOR _____

BY: _____ DATE: _____

BY: _____ DATE: _____

NAME: _____

NAME: _____

TITLE: _____

TITLE: _____

DEPARTMENT: _____

TAXPAYER ID No.: _____

REVIEWED AS TO INSURANCE REQUIREMENTS:

APPROVED WITH REGARDS TO COUNTY ORDINANCE CHAPTER 42:

BY: _____ DATE: _____

BY: _____ DATE: _____

Risk Manager
Office of Risk Management

Director
Community Business Development Partners

APPROVED AS TO FUNDS AVAILABLE PER WISCONSIN STATUTES §59.255(2)(e):

APPROVED REGARDING FORM AND INDEPENDENT CONTRACTOR STATUS:

BY: _____ DATE: _____

BY: _____ DATE: _____

Milwaukee County Comptroller
Office of the Comptroller

Corporation Counsel
Office of Corporation Counsel

REVIEWED AND APPROVED BY THE COUNTY EXECUTIVE:

APPROVED AS COMPLIANT UNDER §59.42(2)(b)5, STATS.:

BY: _____ DATE: _____

BY: _____ DATE: _____

David Crowley, County Executive
Office of the County Executive

Corporation Counsel
Office of Corporation Counsel

REVIEWED AND APPROVED FOR COMPLIANCE WITH COVID-19 PUBLIC HEALTH EMERGENCY FISCAL ACTIONS ADMINISTRATIVE ORDER 20-9

BY: _____ DATE: _____

Director of Performance, Strategy & Budget
Department of Administrative Services

CONTRACT FORM 1684 R5 (Refer to ADMINISTRATIVE MANUAL Section 1.13, for procedures)

Mail to: Preliminary: Office of the Comptroller, Contract Signatures, Room 301 Courthouse Final: Office of the Comptroller, Accounts Payable, Room 301 Courthouse Community Business Development Partners, 9th Floor - 633 W. Wisconsin	CONTRACT TYPE		
	Professional Service - Operatin		x
	Professional Service - Capita		
	Purchase of Service		
	Preliminary		Final

DEPARTMENT NAME	AGENCY NO.	DEPARTMENT (HIGH) ORG
Office of Emergency Management (OEM)	480	4800

VENDOR INFORMATION

VENDOR NO.	ORDER TYPE	NEW or	AMEND	CONTRACT NO.
<ENTER MUNICIPAL FIRE DEPARTMENT>			X	

NAME OF VENDOR	ADDRESS
MUNICIPAL FIRE DEPARTMENT	MUNICIPAL ADDRESS

TAX I.D. NO.	EFFECTIVE DATES:	LENGTH OF CONTRACT (IN MONTHS)	AMENDMENT ONLY: DOLLAR CHANGE	TOTAL CONTRACT AMOUNT
	begin date: 01/01/21 end date: 12/31/25	60		\$7,500,000

ACCOUNTING INFORMATION

Year to be Expended	Line No	Fund	Agency	Org Unit	Activity	Function	Object	Job Number	Report Cat	Units	Amount to be Expended/ Amendment
2021		0001	480	4803			6148				\$1,500,000
2022		0001	480	4803			6148				\$1,500,000
2023		0001	480	4803			6148				\$1,500,000
2024		0001	480	4803			6148				\$1,500,000
2025		0001	480	4803			6148				\$1,500,000

PURPOSE OF CONTRACT

This Intergovernmental Agreement Amendment No. 2 is a five-year extension of an agreement with nine local fire departments for the provision of Emergency Medical Services (EMS). The agreement allows the continuing distribution of \$1,500,000 to local fire departments based on an ICC-approved formula which varies by population, square miles and paramedic transport volume per community.

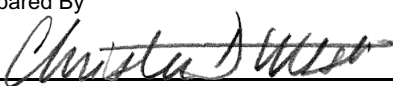
Was County Board approval received prior to contract execution or contract amendment or extension?

If YES, give County Board File No. Approval is pending. Date Approved _____

If NO, why is County Board approval not required? _____

Was Contract **fully** executed prior to work being performed (all signatures received)? YES NO

Is Vendor a certified professional service DBE? YES NO

Christine Westrich	2.19.2020	Director OEM
Prepared By	Date	Title
	2.19.2020	Director OEM
Signature of County Administrator	Date	Title

TBE Participation Recommendation

CONTACT INFORMATION

Contract Administrator: Christine Westrich Phone: 414-345-7191 Date: 2.10.2020
Email Address christine.westrich@milwaukeecountywi.gov Dept: OEM Grant \$\$: n/a Org No. 4800

PROJECT INFORMATION

Project Name: EMS Amendment No. 2 Project No.: n/a

Contract Scope/Project Description (**attach scope/description of work or estimating sheet**):
\$1,500,000 annual distribution to 12 local fire departments for the provision of Emergency Medical Services, as granted in a five-year extension through Amendment No. 2

Contracting Opportunities (List NAICS codes): n/a

TYPE OF PROJECT

Contract Value: \$7,500,000 Contract Type: Intergovernmental Agreement

Recommended Goal: \$0.00

EXPLANATION

Request for a goal of 0% requires signature of department head. Check boxes below. Check all that applies.

- A. \$10,000 or less B. Rental or Lease C. Governmental Agency or Institution
D. ¹Non-Profit (No subcontract) E. Purchasing or Renewal of software license
F. ²Contract Extension/Amendment G. ³Specialized H. Only one individual assigned to the contract
I. The nature (scope of work) of contract doesn't have subcontracting opportunities J. ⁴Grants
K. No funding use by Milwaukee County L. Special License or Certificate required
M. Other _____

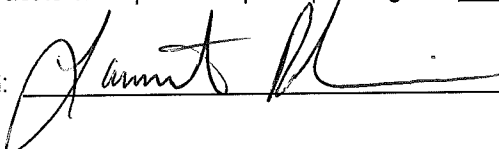
Department/Division Administrator

Name Christine Westrich Signature Christine Westrich Digitally signed by Christine Westrich
Date: 2020.02.19 13:54:07 -0600 Date 2.19.2020

CBDP USE ONLY

Concur with Recommendation _____, or provide the following goals: _____%

This contract is exempt from a participation goal: ___ Yes ___ No

Approved:  Date: 2-19-2020

Note: 1 Non-Profit is not subcontracting work. 2 Must have the original Participation agreement. 3. No known TBE firms available. 4 No subcontracting to a non-profit entity. 5 A non-Milwaukee County entity is funding the project.