

State Procurement Manual

DOA-3449 N(R06/94) Formerly AD-P-12

		Number PRO-I-8
		Effective 2-16-09
Section CONTRACTING FOR SERVICES	Agencies Affected ALL	Replaces 4-1-02
Title LEGAL SERVICES		Page 1 of 2

AUTHORITY: [Wis. Stats.](#) 14.11
16.705(2)
20.930

SCOPE: - to establish policy and procedures regarding contracting for legal services

- CONTENT: I. No agency in the executive branch may employ any legal counsel until such employment has been approved by the governor under s. 20.930, Wis. Stats.
- II. The engagement of legal services is a contractual service, subject to the provisions of Chapter 16, Wis. Stats.
- III. All requests for procurement of legal services, regardless of the dollar amount of the transaction, will be processed through the State Bureau of Procurement. (They will not be sent directly to the governor's legal counsel.) A Request for Purchasing Approval/Authority (RPA) will be submitted by the agency regardless of its delegated authority and the dollar amount of the transaction. The RPA will be signed by the agency head, deputy, chancellor or vice chancellor.
- A. The agency may conduct procurement processes for legal services within its delegated authority.
- After an award is made, the agency will submit an RPA to the Bureau along with the original(s) of the proposed contract. (See D. below.)
- B. For requests for bids/proposals beyond delegated authority, the agency will submit an RPA to the Bureau for processing as usual. Upon Bureau approval, the agency may conduct the procurement process. After an award is made, the agency will submit a copy of the approved RPA contract along with the original(s) of the proposed contract. (See D. below.)
- C. For noncompetitive negotiation (sole source) procurements beyond delegated authority, the agency will submit an RPA along with the original(s) of the proposed contract for approval. (See D. below.)

Authorized:



Helen McCain, Director
State Bureau of Procurement

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- D. Compliance with s. 20.930. The request for procurement approval will contain the original(s) of the proposed contract; the proposed contract will include the following:

Approved Pursuant to Section 20.930, Wisconsin Statutes

Governor or Governor's Designee

Both parties sign the proposed contract prior to the governor's approval. Each contract contains a clause stating that no work may proceed prior to the governor's approval.

When the procurement is approved, the agency receives an authorizing RPA contract as well as the original(s) of the contract with the governor's approval.

- E. See the [sample contract/retainer agreement](#).
- IV. PRO-I-8 does not apply to contracts pursuant to s. 14.11, Wis. Stats., for legal services paid from the Department of Justice special counsel appropriation.

Authorized:



Helen McCain, Director
State Bureau of Procurement