



State Procurement Manual

Department of Administration, State Bureau of Procurement

Number
PRO-511

Section EXCEPTIONS, WAIVERS AND SPECIAL HANDLING	Effective 2/18/2020	Replaces PRO-I-8 2-16-09
Title LEGAL SERVICES		Page 1 of 2

SCOPE: The purpose of this policy is to establish official procedure when contracting for legal services.

POLICY: No agency in the executive branch may employ any legal counsel until such employment has been approved by the governor under § 20.930, Wis. Stats. The engagement of legal services is a contractual service, subject to the provisions of Chapter 16, Wis. Stats. See PRO-204, Contractual Services Procurement.

All requests for procurement of legal services will be processed through the State Bureau of Procurement as a Request for Purchasing Approval/Authority (RPA). See PRO-210, RPA Policy and Procedure. Agencies will not send requests directly to the governor's legal counsel.

This policy does not apply to contracts pursuant to s. 14.11, Wis. Stats., for legal services paid from the Department of Justice special counsel appropriation.

- PROCEDURE:**
- I. RPA Requirement
 - A. An 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.
 - B. The agency may conduct procurement processes for legal services within its delegated authority. All contracts must comply with section II below.
 - C. For requests for bids/proposals beyond delegated authority, the agency will submit a procurement plan. See PRO-201, Procurement Plans. Upon Bureau approval, the agency may



Legal Authority
Wis. Stats. 14.11, 16.705(2), 20.930
Agencies Affected: All, unless otherwise noted

Authorized:
Sara Redford, Director
State Bureau of Procurement



State Procurement Manual

Department of Administration, State Bureau of Procurement

Number
PRO-511

Section EXCEPTIONS, WAIVERS AND SPECIAL HANDLING	Effective 2/18/2020	Replaces PRO-I-8 2-16-09
Title LEGAL SERVICES		Page 2 of 2

conduct the procurement process. Post-award, the agency will submit a copy of the signed contract with the RPA.

- D. 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.

II. Compliance with §. 20.930, Wis. Stats.

- A. The RPA will contain the proposed contract.
- B. Both parties sign the proposed contract prior to the Governor’s approval. Each contract will contain a clause stating that, pursuant to § 20.930, Wis. Stats, no work may proceed prior to the Governor's approval.
- C. The Governor’s signature on the RPA case letter is indicia of approval and represents the Governor’s signature on the contract.
- D. When the procurement is approved, the agency receives an authorizing RPA contract number as well as a copy of the signed case letter indicating the Governor's approval.



Legal Authority

Wis. Stats. 14.11, 16.705(2), 20.930

Agencies Affected: All, unless otherwise noted

Authorized:

Sara Redford, Director
State Bureau of Procurement