



County of Milwaukee
Office of the Sheriff

David A. Clarke Jr.
Sheriff

Date: May 8, 2017

To: Supervisor Theodore Lipscomb, Sr., Chairman, Milwaukee County Board of Supervisors

From: Richard Schmidt, Inspector, Office of the Sheriff

Subject: **Request to Execute a Short Term Professional Services Contract with State Process Service, Inc. to Provide Civil Process Paper Service in Milwaukee County and Request the Provision of Milwaukee County Code of General Ordinances Section 56.30(9) is Waived and the Comptroller is Authorized to pay for any Services Rendered by State Process Services, Inc., prior to the Contract being Signed and Executed**

REVISED

Pursuant to Milwaukee County Ordinance Chapter 56, the Sheriff is requesting referral to the proper board committee for authorization to execute a short term professional services contract with State Process Service, Inc. to provide civil process paper service in Milwaukee County.

Background

Wisconsin State Statute 59.27(4) requires the Sheriff to execute all service of civil process papers in Milwaukee County. Civil process papers are time sensitive and need to be executed in accordance with State Statute Chapters 801 & 847 depending upon the paper type. The Civil Process Unit is committed to providing excellent customer service through efficient and effective processes which ensure timely and accurate service of all papers by mandated time frames

According to Wisconsin State Statutes the Sheriff is responsible for serving the following types of "civil" legal papers:

- 1) Notice Entry of Judgment
- 2) Notice of Deposition
- 3) Notice of Hearing
- 4) Notice of Motion and Motion

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- 5) Notice Pay or Quit
- 6) Notice Sale of
- 7) Notice Termination Tenancy
- 8) Order of Appearance
- 9) Order of Pretrial
- 10) Order Show Cause
- 11) Order Show Cause Aff FI DN
- 12) Order Show Cause Affidavit
- 13) Order to Show Cause with Summons and Petition
- 14) Subpoena
- 15) Subpoena Adverse
- 16) Subpoena District Attorney
- 17) Subpoena Duces Tecum
- 18) Subpoena Paternity
- 19) Summons
- 20) Summons & Complaint
- 21) Summons & Petition
- 22) Summons (Children's Court)
- 23) Summons and Criminal Complaint
- 24) Summons Complaint Authenticated
- 25) Summons Complaint SC Eviction
- 26) Summons Complaint Small Claims
- 27) Summons, Petition, Order to Show Cause/Affidavit

On March 19, 2012 the Milwaukee County Sheriff's Office entered into a contract with State Process Service, Inc. to provide limited, contracted civil process service in Milwaukee County. Initial duration of the contract was three (3) years with two (2) one-year renewal options. The final extension of that contract ended on March 18, 2017.

In anticipation of the contract expiration a Request for Proposal was prepared and published on February 2, 2017 to award a new contract. Submission due date for proposal responses was February 15, 2017. Only a single response was received and upon review was considered incomplete in regards to the requirements of the RFP. The respondent was notified that the RFP was being cancelled and a subsequent Request for Proposal would be issued at a future date. That respondent was not State Process Service, Inc.

That contract with State Process Service, Inc. has now ended and the subsequent RFP is being published to select a vendor to continue to provide civil process paper service utilizing current technology in Milwaukee County at a favorable rate. The Sheriff is requesting the authorization to enter into a short term contract effective March 19, 2017 and not to exceed August 31, 2017 with State Process Service, Inc. to continue the civil process paper service until a new contract can be awarded from the responses to the RFP. The attached resolution requests the provision to Milwaukee County Code of General Ordinances Section 56.30(9) be waived and the Comptroller authorized to pay for any services rendered by State Process Service, Inc., prior to the contract being signed and executed. Corporation Counsel has assisted the Sheriff's Office in the preparation of this document so that it is in compliance with all Milwaukee County ordinances and Wisconsin State Statutes.

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The Unrestricted Right of Termination within this agreement allows either party to cancel this contract in whole by providing (14) days written notice. At such time that a new contract is awarded, this agreement will be cancelled within (14) days of the effective day of the award.

Request

It is requested that the Milwaukee County Board of Supervisors approve the Sheriff's request to execute this short term professional services contract to continue to provide civil process paper service in Milwaukee County until such time that a new contract is awarded as a result of the Request for Proposal currently issued, but not to exceed August 31, 2017. It is also requested provision of Milwaukee County Code of General Ordinances Section 56.30(9) is waived and the Comptroller is authorized to pay for any services rendered by State Process Services, Inc., prior to the contract being signed and executed.



Richard R. Schmidt, Inspector
Senior Commander
Office of the Sheriff, Milwaukee County

cc: Supervisor Willie Johnson, Jr., Chair, Judiciary, Safety & General Services
Supervisor Peggy West, Chair, Finance & Audit
Allyson Smith, Committee Coordinator, Judiciary, Safety & General Services
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