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From the Office of the Sheriff, requesting retroactive authorization to execute a short-term Professional Services Contract with State Process Service, Inc., in an amount not-to-exceed \$94,850, to provide civil process paper service in Milwaukee County for the period effective March 19, 2017, through August 31, 2017, or until a new contract is awarded as a result of the Request for Proposals; and requesting a waiver of Section 56.30(9) of the Milwaukee County Code of General Ordinances, to pay for any service rendered prior to execution of the contract, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Section 59.27(4) of the Wisconsin State Statutes (State Statutes) requires the Sheriff to execute all service of civil process papers in Milwaukee County (the County) as civil process papers are time sensitive and need to be executed in accordance with Chapters 801 and 847 of the State Statutes depending upon the paper type; and

WHEREAS, State Process Service, Inc., provided limited, contracted civil process paper service for the Office of the Sheriff from March 19, 2012, until March 18, 2017, and a Request for Proposals (RFP) was published to award a new contract utilizing current technology at effective rates; and

WHEREAS, due to the impending expiration of the contract with State Process Service, Inc., a RFP was prepared and published on February 2, 2017; and

WHEREAS, only one response to the RFP was received and was deemed not compliant in regards to the requirements of the RFP; and

WHEREAS, said response to the RFP was considered inadequate, the respondent (not State Process Service, Inc.) was notified, and the RFP was withdrawn until a new document could be prepared and issued to solicit additional responses; and

WHEREAS, in order to continue the civil process paper service, State Process Service, Inc., has agreed to continue the civil process paper service prior to executing and signing a Professional Services Contract with the County; and

WHEREAS, sufficient funds exist in the Office of the Sheriff’s 2017 Adopted Budget to reimburse the vendor; and

WHEREAS, Section 56.30(9) of Milwaukee County Code of General Ordinances states “..., no work shall be performed by any professional services contractor unless or until a written contract has been executed and signed by all appropriate officials”; and

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WHEREAS, based on the provisions of Section 56.30(9), a waiver is needed authorizing the Milwaukee County Comptroller to pay for any services rendered by State Process Service, Inc., prior to the contract being executed and signed; and

WHEREAS, the vendor shall continue to be paid \$34 for each civil process paper service with each service consisting of three service attempts; and

WHEREAS, based upon historical volume the maximum amount to be expended will be \$94,850; and

WHEREAS, the contract will be effective March 19, 2017, and terminate no later than August 31, 2017, as this is considered ample time to evaluate the results of the RFP and award a new contract; and

WHEREAS, upon the award of a new contract, the Unrestricted Right of Termination will allow the Office of the Sheriff to cancel this contract in whole by providing 14 days written notice before the termination date of this agreement; and

WHEREAS, all covenants, insurance requirements, and independent contractor provisions as stipulated in the previous contract remain in force; and

WHEREAS, the Committee on Finance and Audit, at its meeting of May 18, 2017, recommended adoption of File No. 17-361 (vote 7-0); now, therefore,

BE IT RESOLVED, the Office of the Sheriff is hereby authorized to execute a short-term Professional Services Contract with State Process Services, Inc., for the period effective March 19, 2017, and not-to-exceed August 31, 2017; and

BE IT FURTHER RESOLVED, if prior to the ending date a contract is awarded as a result of the Requests for Proposals, this contract will be terminated by 14-day written notification; and

BE IT FURTHER RESOLVED, the provisions of Section 56.30(9) of the Milwaukee County Code of General Ordinances is hereby waived and the Milwaukee County Comptroller is authorized to pay for any services rendered prior to the contract being signed and executed.

jmj
05/18/17
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