

## EMERGENCY DETERMINATION FORM

Emergency Procurement 20023

The emergency procurement method (NMSA 1978, Section 13-1-127) may only be used when the service, construction or item of tangible property procured is needed immediately to:

- (1) control a serious threat to public health, welfare, safety, or property caused by a flood, fire, epidemic, riot, act of terrorism, equipment failure or similar event; or
- (2) plan or prepare for the response to a serious threat to public health, welfare, safety, or property caused by a flood, fire, epidemic, riot, act of terrorism, equipment failure or similar event; and
- (3) cannot be acquired through normal procurement methods.

The entity shall

- (1) employ a competitive process to the extent practicable under the circumstances; and
- (2) use due diligence in determining the basis for the procurement and selecting a contractor; and
- (3) shall not make an emergency procurement for the purchase or lease of heavy road equipment.

I. Name of Entity: Region IX Education Cooperative

Chief Procurement Officer: Carmen Spann

Telephone Number: (575) 257-2368

II. Name of Contractor: Various Contractors to be utilized during the Declaration of Emergency

Address of Contractor: Various

Amount of the contract: \$500,000.00

Term of the prospective contract: Upon the Governor termination the Public Health Emergency which was declared on 3/11/2020

III. Please thoroughly list the services (scope of work), construction or items of tangible personal property of the contract:

An emergency condition exists that is threatening the health and safety of the people of New Mexico.

This declaration of Emergency Procurement is being established to ensure adequate response to the procurement needs of the agency due to the outbreak of COVID-19 (Coronavirus) within the State of New Mexico. The goods and services procured under this Emergency determination will vary widely. Goods and services that may be procured under this emergency determination are: technology, IT services, temporary labor, rent of facilities, support related to telecommunication efforts.

- IV. Provide an explanation for the justification of the procurement including a description of the emergency condition(s) requiring use of emergency procurement and the practicable competition utilized in compliance with NMSA 1978, Section 13-1-127.

As a result of the COVID-19 (Coronavirus) pandemic declared by the World Health Organization and the Public Health Emergency declared by Governor Michelle Lujan Grisham, unforeseen demands of goods and services have arisen. Procurement that restricts ability to effectively respond to the pandemic could create additional strain and complications when providing support. Emergency Procurement shall be made with competition as is practicable under the circumstances.

- V. Describe the use of due diligence that was used in determining the basis for the procurement and in selecting a contractor.

Based on the developments of the COVID-19 (Coronavirus), vendors will be selected that can provide immediate and quality service.

- VI. Describe what measures the Entity will take in the future to prevent/mitigate use of an emergency procurement under similar circumstances. (optional)

N/A - un-foreseen pandemic of this nature.

Certified by:

Date: \_\_\_\_\_

\_\_\_\_\_  
Chief Procurement Officer

Agency Approval by:

Date: \_\_\_\_\_

\_\_\_\_\_  
Executive Director