

LAMAR UNIVERSITY

REQUEST FOR EMERGENCY PURCHASE

(For Purchases over \$5000)

Emergency Purchases (The State of Texas Procurement Manual, Section 2.8):

“Emergencies occur as the result of unforeseeable circumstances and may require an immediate response to avert an actual or potential public threat. If a situation arises in which compliance with normal procurement practice is impracticable or contrary to the public interest an emergency purchase may be warranted to prevent a hazard to life, health, safety, welfare, property or to avoid undue additional cost to the state.”

“Notwithstanding the immediate nature of an emergency all procurements conducted as emergencies should be made as competitive as possible under the circumstances. If an emergency exists a written determination of the basis for the emergency and for the selection of a particular vendor shall be included in the procurement file in accordance with this section. Emergency purchases of goods or services should not exceed the scope or duration of the emergency.”

Agency Responsibility (The State of Texas Procurement Manual, Section 2.8):

“Comptroller of Public Accounts (CPA) has delegated to all state agencies the authority to make emergency purchases. The decision to declare an emergency purchase is the sole responsibility of the agency. Notwithstanding this delegation, emergency procurements are subject to CPA’s rules and procedures. Upon request, CPA will assist in advising agencies on the proper procedures for emergency purchases, but does not certify the existence of an emergency.”

Solicitation Procedures (The State of Texas Procurement Manual, Section 2.8):

“At least three informal bids are encouraged whenever possible on all emergency purchases. An award should be made based on best value, considering the type of emergency. An agency is responsible for handling any complaints or protests that result from emergency procurements. See Section 2.11 General Procedures for Delegated Purchases.”

“Emergency purchases over \$25,000.00 must be posted in the Electronic State Business Daily (ESBD), however, the minimum posting requirements do not apply. Posting of the advertisement and/or the award notice satisfies this requirement. See Section 2.31B Electronic State Business Daily.”

Justification Requirements (The State of Texas Procurement Manual, Section 2.8):

“Emergency purchases require a letter of justification documenting the emergency which must be signed by the purchasing director or an authorized representative, and at a minimum address the following:

The nature of the emergency purchase (hazard to life, health, safety, welfare, or property or to avoid undue additional cost to the state), and what caused the emergency situation; and

The estimated impact or damage either financial or otherwise that will occur by following normal procurement practices (general statements of loss or nominal damage are not acceptable).”

Please note, if this request is approved, the emergency approval is no longer applicable once the emergency as defined above is no longer a public threat.

This document, if approved, is only for the not to exceed amount stated below. Additional expenditures will require completion, submittal, and approval of another Request for Emergency Purchase only if compliance with normal procurement practice is impracticable or contrary to the public interest to prevent a hazard to life, health, safety, welfare, property or to avoid undue additional cost to the state.

If the emergency involves work performed on-site, the Purchasing Department must have a contractor rate sheet, a "Not to Exceed" quote, an insurance certificate meeting the minimum requirements of Owner's current General Terms and Conditions, and a signed statement from the contractor agreeing to Owner's current General Terms and Conditions

Owner's current General Terms and Conditions are at <http://facultystaff.lamar.edu/financial-matters/purchasing.html>. Owner's current General Terms and Conditions supersede all previous Terms and Conditions.

The competitive bidding process is the foundation of government purchasing. In rare situations though, due to the unique nature of some goods and services, competition may not be possible. It is the responsibility of the Purchasing Office to determine if an emergency designation can be applied.

In order to make this determination, the Purchasing Buyer must understand the unique characteristic(s) of the good or service. This form is designed to assist faculty and staff in communicating the required information to **Purchasing**.

Please answer the questions below as completely as possible. Additional pages may be attached, if more space or additional documentation is needed. Requests should be typed.

GENERAL INFORMATION

Today's Date	
Date and Time of Occurrence	
Beginning Date	
Ending Date	
Estimated Not to Exceed Amount	\$
Requesting Department	

LAMAR CONTACT INFORMATION (Contact person if Purchasing has questions)

Name	
Campus Phone	
Email Address	

VENDOR INFORMATION

Vendor Name	
Vendor Contact	
Phone	
Fax	
Email Address	
Vendor Type	<input type="checkbox"/> Service Provider <input type="checkbox"/> Manufacturer <input type="checkbox"/> Distributor
Not to Exceed Quote attached	<input type="checkbox"/> YES <input type="checkbox"/> NO
Insurance Certificate On File	<input type="checkbox"/> YES <input type="checkbox"/> NO
Acceptance of T&Cs attached	<input type="checkbox"/> YES <input type="checkbox"/> NO
Set Up in BANNER	<input type="checkbox"/> YES <input type="checkbox"/> NO
COOP Vendor	<input type="checkbox"/> YES <input type="checkbox"/> NO
COOP Name & Contract Number	

DESCRIPTION OF EMERGENCY

Describe in detail the good or service to be procured and how it qualifies as an emergency. Include a brief description of the project for which the good or service will be used. Attach additional pages if necessary.

CONFLICT OF INTEREST STATEMENT

I, _____, the undersigned, hereby certify that the following statements are true and correct and that I understand and agree to be bound by the commitments contained herein. I am acting on my own accord and am not acting under duress. I am not currently employed by, nor am I receiving any compensation from, nor have I been the recipient of any present or future economic opportunity, employment, gift, loan, gratuity, special discount, trip, favor, or service in connection with this vendor in return for favorable consideration of this request.

Signature _____
(Primary User)

Date: _____

DEPARTMENT APPROVAL – Dean/Chair/Business Officer/AVP Facilities

By signing below, the department certifies that the information submitted on this form has been reviewed and this purchase has departmental approval. The final determination of sole source approval shall be made by the Purchasing Office.

Signature: _____
(Dean/Department Head/Business Officer/AVP Facilities)

Date: _____

Printed Name: _____
(Dean/Department Head/Business Officer/AVP Facilities)

*Departmental Approver should be senior to the Primary User.

PROCUREMENT APPROVAL – TO BE FILLED OUT BY THE PURCHASING OFFICE

DETERMINATION:

____ Approved

____ Not Approved

Rationale for determination/comments:

Signature: _____
(Buyer)

Date: _____

Signature: _____
(Procurement Management)

Date: _____