

Chapter highlights

Purpose: This chapter defines emergency IT procurements and outlines emergency procurement policies.

Key points:

- Any agency can make emergency procurements when an urgent situation arises, and the particular IT need cannot be met through normal procurement methods. The agency head must approve the emergency procurement in writing.
- An emergency is a serious or urgent situation requiring immediate action to protect persons or property. An emergency can be a threat to public health, welfare or safety caused by floods, epidemics, riots, equipment failure, fire loss or such other reason.
- The agency is required to first search VITA's statewide contracts to determine if existing sources are available to fulfill the emergency procurement, since these contracts have been competed and negotiated.

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17.0 Introduction

This chapter covers policies for the procurement of IT goods and services in an emergency situation. An emergency is a serious or urgent situation requiring immediate action to protect persons or property. An emergency can be a threat to public health, welfare or safety caused by floods, epidemics, riots, equipment failure, fire loss or such other reason. The existence of such conditions creates an immediate and serious need for supplies or services that cannot be met through normal procurement methods and schedules. Further, the lack of these supplies or services could seriously threaten government functioning, property preservation and/or the protection, health or safety of any person. Emergency procurements shall be limited to those supplies, services or items necessary to meet the emergency. The potential loss of funds by an agency at the end of a fiscal year is not an emergency.

17.1 Competition requirements in emergency IT procurements

Agencies should solicit as much competition as practical for emergency procurements; however, emergency procurements may be conducted without competition. The agency is required to first search VITA's statewide contracts at: <https://vita.cobblestonesystems.com/public/> to determine if existing sources are available to fulfill the emergency procurement, since these contracts have been competed and negotiated.

17.2 Emergency IT procurement requirements

The requirements for a public body to conduct an emergency procurement are detailed in § 2.2-4303(F) of the *Code of Virginia*.

17.3 Documentation for the emergency IT procurement file

The procurement file should include the following documentation:

- Copy of the Emergency Procurement Notification Form located in [Appendix 17.3](#) of this chapter, with Agency Head or designee signature.

- Supporting documentation for:
 - o the basis for the emergency
 - o steps taken to ensure as much competition as practicable was taken
 - o an explanation of why a particular supplier was selected
- Written quote from the selected supplier.
- Purchase order and/or executed contract.
- Copy of the posted eVA notice stating that the contract is being awarded on an emergency basis, identifying that which is being procured, the contractor selected and the date of contract award.

The form and copies of all documentation supporting the emergency procurement award for IT goods and services should be forwarded to VITA at scminfo@vita.virginia.gov within five days of the contract award.

