NOTICE OF DETERMINATION
for
EMERGENCY PROCUREMENT

7/27/21

The City is making the determination to proceed with this purchase as an Emergency Procurement as defined in (Section 1.4.1.58-64) of the New Mexico State Procurement Code.

1.4.1.59 DEFINITION OF EMERGENCY CONDITIONS: An emergency condition is a situation which creates a threat to public health, welfare, safety or property such as may arise by reason of floods, epidemics, riots, equipment failures or similar events. The existence of the emergency condition creates an immediate and serious need for services, construction or items of tangible personal property that cannot be met through normal procurement methods and the lack of which would seriously threaten:

A. the functioning of government;
B. the preservation or protection of property; or
C. the health or safety of any person.

The CPO opinion is that the emergency procurement is justified by meeting condition A. of Section 1.4.1.59.

Description of Emergency Condition(s):

On July 12, 2021 a large truck struck a utility line about a block from City Hall and knocked down 5 utility poles that caused a power outage at City Hall, destroyed phone lines, and also damaged fiber optic data cables that feed numerous City buildings throughout the City. The line was severely stretched and damaged. The cables were re-connected, temporarily restoring function, but the cables need to be replaced as soon as possible before the line degrades further due to exposure to the outdoor elements. If these cables cease to function it will impact the City's network and a total of 13 City departments, including Police, Fire and Waste Water Treatment Plant as well as administrative functions such as email and purchasing, since internet is required for these functions.

Stellar Inc., was the original installer of the fiber optic cables. Since Stellar is the only local company that is able to perform this service and due to the urgent need for repairs in order to prevent a catastrophic data failure, the City of Carlsbad is electing to proceed under the Emergency Procurement determination allowed under the New Mexico Procurement Code.

The Chief Procurement Officer looked into alternate means of procurement, including possible contracts with CES or State of New Mexico Pricing Agreements. However, this was not an option, because the vendor did not have any existing cooperative contracts for this service.

Purchase Amount $ 15,630.00
PO # 22201025

Matthew Fletcher, CPO
City of Carlsbad

CARLSBAD

Matthew Fletcher <msfletcher@cityofcarlsbadnm.com>

PO 22201025

Fiber Requisition

1 message

Wayne Hatfield <wrhatfield@cityofcarlsbadnm.com> Tue, Jul 27, 2021 at 11:38 AM
To: Matthew Fletcher <msfletcher@cityofcarlsbadnm.com>

Mr. Fletcher,
As you know our fiber Optic link that feeds the City network for internal and external internet was compromised on July 12 when a semi truck pulled down 5 poles in the alleyway behind city hall. That line was severely stretched and has a lot of physical damage. Currently it is working but will degrade quickly. That line feeds the buildings below for communication of all city systems.

Police Department
Water Department
Public works Department (entire yard)
Air Port,
San Jose senior center
Transit offices
North Mesa senior Center
Fire station 2, 3, 5, 6, and 7
Cavern Theatre
Gof Barn
Heritage Park
Veteran's park
Waste Water Treatment Plant

Thanks,
Wayne!