



NOTICE OF DETERMINATION  
for  
EMERGENCY PROCUREMENT

5/10/23

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 and C. of Section 1.4.1.59.

**Description of Emergency Condition(s):**

The City has determined that a toxic chemical has been dumped into the City sewer system and has made its way to the Waste Water Treatment Plant. As a result, the bio organisms used to treat the waste received at the plant and to keep the plant operational are dying as a result of consuming the toxin. This situation has caused the treatment plant to fall out of compliance with E-coli and weekly BOD limits as required by the EPA Region 6 standards.

In order to reverse this environmental hazard, the City of Artesia is supplying the City with sludge material from their treatment plant facility that will be introduced to our facility in order to re-establish the proper biological environment for processing and treating human waste.

In order to accommodate this solution, the City is needing to provide transportation from a trucking company that utilizes a tanker truck, to transport the sludge material to Carlsbad. The cost of this shipment and delivery will be approximately \$3,000. In order to expedite this shipment and not cause any further delay in getting the treatment plant back into an operating condition, the CPO is authorizing utilizing Peak Trucking Company to transport the material without the need for obtaining quotes from other trucking vendors.

A handwritten signature in blue ink, appearing to read "Matthew Fletcher".

Matthew Fletcher, CPO  
City of Carlsbad



Matthew Fletcher <msfletcher@cityofcarlsbadnm.com>

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**Fwd: E-coli and weekly BOD violation**

1 message

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**Ivan Abell** <imabell@cityofcarlsbadnm.com>  
To: "Matthew. Fletcher" <msfletcher@cityofcarlsbadnm.com>

Wed, May 10, 2023 at 10:57 AM

**Thank you,**  
**Ivan M. Abell**  
City of Carlsbad  
Director of Utilities  
575-885-6313 Office  
575-361-2304 Cell

*"Let us speak courteously, deal fairly, and keep ourselves armed and ready."*  
-Theodore Roosevelt - San Francisco May 13, 1903

----- Forwarded message -----  
From: **Mathew Warner** <mewarner@cityofcarlsbadnm.com>  
Date: Wed, May 10, 2023 at 9:54 AM  
Subject: E-coli and weekly BOD violation  
To: <R6\_NPDES\_Reporting@epa.gov>  
Cc: Ivan Abell <imabell@cityofcarlsbadnm.com>

This is to inform region 6 EPA that we have violated our E-coli and weekly BOD limits. WE are starting to see some slight improvements in our process at this time. please reach out to us at the City of Carlsbad WWTP if you have any questions. My number is 575-887-5412. Thank you Matthew Warner WWTP superintendent





**Bill To**

City of Carlsbad  
PO Box 1569  
Carlsbad, NM 88221-1569  
or  
Email to [invoices@cityofcarlsbadnm.com](mailto:invoices@cityofcarlsbadnm.com)  
A/P Phone 575-234-7961

**PHONE**

(575) 887-1191  
**FAX**  
(575) 887-7559

**HOURS**

Monday - Friday  
8:00 a.m. - 5:00 p.m.  
(Mountain Time)  
[www.cityofcarlsbadnm.com](http://www.cityofcarlsbadnm.com)

**Purchase Order**

Fiscal Year 2023

Page: 1 of 1

**THIS NUMBER MUST APPEAR ON ALL INVOICES,  
PACKAGES AND SHIPPING PAPERS.**

Purchase Order #

**22306618**

Delivery must be made within doors of specified destination.

**Vendor**

WEX BANK  
PO BOX 6293  
CAROL STREAM, IL 60197-6293

**Ship To**

Waste Water Treatment Plant  
City of Carlsbad, NM  
45 Tell Tale Lane  
Carlsbad, NM 88220  
Email: [wastewater@cityofcarlsbadnm.com](mailto:wastewater@cityofcarlsbadnm.com)  
Phone: 575-887-5412

| VENDOR PHONE NUMBER | VENDOR FAX NUMBER | REQUISITION NUMBER | DELIVERY REFERENCE  |
|---------------------|-------------------|--------------------|---------------------|
| 800-761-7181        |                   | 12307537           |                     |
| DATE ORDERED        | VENDOR NUMBER     | DATE REQUIRED      | DEPARTMENT/LOCATION |
| 05/10/2023          | 8364              | 05/10/2023         | Waste Water         |
| NOTES               |                   |                    |                     |

emergency trucking to reseed plant

The Above Purchase Order Number Must Appear On All Correspondence - Packing Sheets And Bills Of Lading

| ITEM #     | DESCRIPTION / PART #  | QTY | UOM  | UNIT PRICE | EXTENDED PRICE |
|------------|---|-----|------|------------|----------------|
| 1          | Emergency trucking to reseed plant<br>GL Account: 700-55-7000-701-0000-65050- | 1.0 | EACH | \$3,000.00 | \$3,000.00     |
| GL SUMMARY |   |     |      |            |                |
|            | 700-55-7000-701-0000-65050-   |     |      |            | \$3,000.00     |

PEAK TRUCKING  
622-315-2364

Authorized Signature

Authorized Signature

**CONTINUED ON  
NEXT PAGE**