



NOTICE OF DETERMINATION
for
EMERGENCY PROCUREMENT

10/17/23

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 all three conditions under Section 1.4.1.59.

Description of Emergency Condition(s):

The City needs to replace the pump at the primary sewer lift station. The City discovered that the chains needed to hoist the pump out of the bottom of the well have broken loose and the pump is not able to be removed in the normal manner.

Special equipment and man power will be needed to extract the pump from the well, which the City does not possess. The City is able to have the work performed by M & M Excavating in a timely manner. M & M Excavating has the equipment and trained personnel capable of making the necessary repairs as soon as possible.

Given the critical nature of the repair and the importance of addressing the issue as quickly as possible to avoid any further damage to equipment and private property, the City has elected to proceed with the repairs under emergency procurement authorization.

Contract Amount \$ 23,111.49

Matthew Fletcher, CPO

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