

Non-Competitive Negotiations for Emergency Purchases

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I. Purpose

The existence of an 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 as state in Kentucky Revised Statute 45A.095.

II. Policy

An emergency purchase or contract is necessitated by an unexpected event where the delay required to adhere to the competitive bid process seriously threatens the operations of the university, jeopardizes the preservation or protection of property, or creates an immediate danger to the public health or safety of any person. These purchases must be handled immediately.

III. Procedures

Purchasing and contracting requirements necessitated by an emergency condition must be explained in writing to include the name of the vendor receiving the contract along with any other price quotations and a written determination for selection of the vendor receiving the contract by the Executive Vice President for Finance and Administration or the Chief Procurement Officer.

- A. The affected department will be required to provide an on-line requisition(s)/shopping cart(s) with appropriate account numbers that can be used in completing all necessary purchase contract(s). The Purchasing Official may negotiate directly for the required needs in bona fide emergencies regardless of the estimated costs; however a good faith effort to contract for the requirements at a competitive price must be made.
- B. The Purchasing Division must maintain a file including all emergency purchases completed as a result of each emergency declaration. The file must include the emergency justification and approval of the emergency declaration by the Executive Vice President for Finance and Administration or the Chief Procurement Officer.