

Effective 3/28/2016

63G-6a-803 Emergency procurement.

- (1) Notwithstanding any other provision of this chapter, the chief procurement officer or the head of a procurement unit with independent procurement authority may authorize a procurement unit to engage in an emergency procurement without using a standard procurement process if the procurement is necessary to:
- (a) avoid a lapse in a critical government service;
 - (b) mitigate a circumstance that is likely to have a negative impact on public health, safety, welfare, or property; or
 - (c) protect the legal interests of a public entity.
- (2) A procurement unit conducting an emergency procurement under Subsection (1) shall:
- (a) ensure that the procurement is made with as much competition as reasonably practicable while:
 - (i) avoiding a lapse in a critical government service;
 - (ii) avoiding harm, or a risk of harm, to the public health, safety, welfare, or property; or
 - (iii) protecting the legal interests of a public entity; and
 - (b) after the emergency has abated, prepare a written document explaining the emergency condition that necessitated the emergency procurement under Subsection (1).

Amended by Chapter 355, 2016 General Session