



## DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES OFFICE OF STATE PROCUREMENT

### OSP Procedures Emergency Procurement

The State of Arkansas seeks to promote increased economy in state procurement by fostering fair and open competition. Arkansas favors competitive procurement where practicable; however, situations may exist that will endanger human life or health, state property, or the functional capability of a state agency, making the application of all requirements of competitive solicitations contrary to the public interest. In such instances, state agencies may effectuate an Emergency Procurement pursuant to Arkansas Code Annotated § 19-11-233.

The State Procurement Director or the head of a procurement agency may make or authorize others to make emergency procurements as defined by Arkansas Code Annotated § 19-11-204(4). All non-critical emergency procurements must be approved in advance. Where time or circumstance does not permit prior approval, approval must be obtained at the earliest practicable date.

Agencies identifying a need for an Emergency Procurement will:

1. Receive at least three competitive bids and create a quotation abstract (bid tabulation) that includes:
  - a. Names of the vendors contacted
  - b. Date and time each vendor was contacted
  - c. Method used for contacting each vendor
  - d. Quoted bid obtained from each contacted vendor
2. Save the completed quotation abstract as *Quotation Abstract*.
3. Create a purchase order for the vendor submitting the lowest bid.
  - a. Save an unreleased printed version as *Purchase Order*.
4. Complete the [Emergency Procurement Justification Form](#) located on the Forms and Reporting page of the OSP website.
  - a. Save the completed form as *Emergency Procurement Request–Department/Agency Name*.
5. Submit an email to the OSP review mailbox at [osp.review@arkansas.gov](mailto:osp.review@arkansas.gov) or to the head of the procurement agency for determination that includes:
  - a. Email subject line: *Emergency Procurement Request–Department/Agency Name*
  - b. The following attachments:
    - i. Completed *Emergency Procurement Justification Form*, named *Emergency Procurement Request–Department/Agency Name*
    - ii. Quotation abstract saved as *Quotation Abstract*

iii. Purchase order saved as *Purchase Order*

6. Upon receiving approval for the Emergency Procurement, AASIS-using agencies will:
  - a. Name the signed approval document *Emergency Procurement Approval* and save to the contract file.
7. Attach the signed approval document and a copy of the quotation abstract to the purchasing document, and code the purchasing document *EM* in the *Our Reference* field to route the purchase to the OSP for release.
8. State law requires that qualifying contracts for services include Performance Standards for measuring the overall quality of services provided that a Contractor shall meet in order to avoid assessment of damages.
9. The Emergency Procurement method does not excuse non-compliance with any other applicable laws subjecting particular types of contracts to prior review. All services contracts must be presented for legislative review as required under Arkansas Code Annotated § 19-11-265.