



Legislation Text

File #: 2020-0129, **Version:** 1

Consider a resolution invoking exigency/emergency procurement procedures related to the COVID-19 pandemic.

This resolution allows Council to invoke the public exigency/emergency procurement procedures specifically related to COVID-19. Current Federal procurement standards (found at 2 C.F.R. § 200.320(f)(2)) allow the City to noncompetitively procure contracts (i.e., sole sourcing) under certain emergency or exigent circumstances. FEMA defines an emergency or exigent circumstance as unexpected and unusually dangerous situations requiring immediate action or an urgent need for assistance or relief. Emergencies typically involve a threat to life, public health or safety, improved property, or some other form of dangerous situation. Under both an emergency and exigency, using a competitive procurement process would prevent the City from taking immediate action required to address the situation. The use of the emergency/exigency exception is only permissible during the actual emergency or exigent circumstances. Therefore, procurements executed under this declaration are required to be specifically related to the City's COVID-19 response.

This action is recommended to ensure the City complies with all grant reimbursement requirements.