

## **202-09 SOLE SOURCE AND EMERGENCY PROCUREMENT–PROCEDURE**

### **1. PURPOSE**

Establish procedure for sole source and emergency procurements.

### **2. PROCEDURE**

#### **Definitions**

*Sole Source:* An acquisition where, after a search, only one supplier is determined to be reasonably available for the required product, service or construction item.

*Emergency:* A threat to public health, welfare, or safety that threatens the functioning of government, the protection of property or the health or safety of people.

#### **1. Sole Source Procurement**

- a. The Purchasing Department may award a contract for a material, service, or construction item if it is determined that there is only one source for the required material, service, or construction item. Proper documentation will be filed, Pursuant to A.R.S. § 41-2536.
- b. Sole source procurement will be avoided, except when no reasonable alternative exists. The Purchasing Department will require documentation from the requisitioning unit to justify why the technical characteristic(s) inherent in an item justifies preference over another brand that has similar qualities.
- c. Final responsibility in determining whether an item is a proprietary item, and may be purchased from a sole source, rests with the Director for Purchasing and Auxiliary Services.

#### **2. Emergency Procurement**

- a. The Purchasing Department may make, or authorize others to make, emergency purchases. Generally, emergency order procedures will not be used unless the savings realized by normal procurement practices would be offset by a corresponding or greater loss to the department as a result of the delay, Pursuant to A.R.S. § 41-2537.
- b. Failure to anticipate a need is not of itself considered a bona fide emergency.
- c. To initiate an emergency requisition, the authorized person must submit an approved requisition, either in written form or through the BANNER financial system, to the Purchasing Department. The Purchasing Department will require documentation from the requisitioning unit, approved by the department head, justifying the need for any emergency purchase.

### **3. BACKGROUND**

1. References: A.R.S. § 41-2536, 41-2537
2. Revision history: 10/25/2019 (new)
3. Legal review: none (the contents of this procedure are substantially from state laws and procurement codes)
4. Sponsor: Purchasing and Auxiliary Services

Adopted by Executive Leadership Council: 10/25/2019

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