



**Policy Type:** Board

**Category:** Procurement

**Policy Name:** Contracting During an Emergency - Board Policy 5.14

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## **5.14 CONTRACTING DURING AN EMERGENCY**

### **5.14.1 Overview**

This section describes the type of contracting permitted during an emergency, and its limitations.

### **5.14.2 Policy**

It is the policy of the Board that the County's ability to contract during an emergency is not limited while ensuring that the County's actions still comply with applicable laws.

### **5.14.3 Background**

For the purpose of procuring professional and non-professional services, or goods and related services, an emergency is a sudden, generally unexpected occurrence or set of circumstances that demands immediate action, the absence of which would undermine essential County services or cause a significant economic loss to the County. An emergency does not include an urgency that results from an Agency/Department's delay in engaging in a solicitation process to procure services or goods

### **5.14.4 Purpose**



The purpose of Section 5.14 is to establish a policy of the Board that describes the contracting authority during an emergency and the limitations on such authority.

### **5.14.5 Application of Policy**

In an emergency, Agencies/Departments are required to submit a written request with sufficient justification to the Board of Supervisors, Director of Procurement or the County Executive to forego the normal bid solicitation and contracting process for goods and services.

All emergency procurement and contracts that are approved without the benefit of a public meeting must be brought by the County Executive, or the Director of Procurement, if it is not within the Director's authority, to the Board of Supervisors, as soon as practicable, for ratification at a public meeting.

Emergency purchases to repair or replace a public facility shall be made in accordance with County Ordinance Code Section A34-82.

### **5.14.6 Applicable Legal Authority**

The applicable legal authority for this Section includes, but is not limited to the following:

County of Santa Clara Ordinance Code Section A34-82

### **Related Policies**

None.

### **Related Forms and Information**



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None.

### History

Date	Changes Made
3/19/2014	Policy Uploaded. (Kyle Larson)