



Policies and Procedures

SECTION: Financial (Purchasing)	POLICY # FIN 02	PAGE 1 of 2
TITLE: Exigency Policy	EFFECTIVE DATE: 11/1/2024	
SUPERCEDES: FIN 03 Exigency Policy		Dated: March 2021

DISTRIBUTION: CareerSource North Central Florida (CSNCFL) Staff and Subrecipients

PURPOSE:

This policy shall be utilized when procurement or award of contract is infeasible under sealed bids or competitive proposals due to an exigency.

POLICY:

Definition of Exigency

Exigency means a demonstrably bona fide, imminent crisis which threatens the viability of the delivery of workforce services as a whole, or one or more of its programs, departments, or other distinct units, and which cannot be alleviated by means other than a reduction or change in the service provider(s). A state of exigency shall exist only upon Board declaration.

The public exigency or emergency for the required goods or services will not permit a delay resulting from competitive solicitation such as a natural disaster, hurricane, earthquake, volcano, or riot. Poor planning or time constraints are not to be considered a factor if the award recipient has not sought competitive bids in a timely manner.

Board Declaration of Exigency

1. The Executive Committee will meet at which exigency shall be discussed.
2. The Chairman of the Board shall discuss the possible imminence of Board declaration of exigency with the Executive Committee.

3. The Executive Committee either concurs with the Chairman of the Board's decision on exigency or justifies its opposing views. If the latter is the case, the Chairman will present the position of the opposing views to the full Board, in which the full Board will vote to declare the exigency.

Should the Board declare exigency, the noncompetitive procurement procedure shall be in accordance with the CSNCFL procurement policy and related federal and/or state regulation.

Noncompetitive Procurement

The noncompetitive procurement policy shall adhere to regulations identified in 20 CFR 667.200; 29 CFR 97.36 (d)(4); and 2 CFR 200.320 (c):

There are specific circumstances in which noncompetitive procurement can be used. Noncompetitive procurement can only be awarded if one or more of the following circumstances apply:

- (1) The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold;
- (2) The item is available only from a single source;
- (3) The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;
- (4) The Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non-Federal entity; or
- (5) After solicitation of a number of sources, competition is determined inadequate.

OFFICIAL SIGNATURE

PHYLLIS MARTY
Chief Executive Officer