STANDARD OPERATING PROCEDURE

SOP Number: Purchasing and AP 23-03

SOP Title: Emergency Purchases and Pressing Need

Effective Date: 3/1/22

Revised Date: 1/9/24

1. PURPOSE

The purpose of this Standard Operating Procedure describes emergency purchases and pressing needs and the use of both.

1. SCOPE

This SOP applies to Western Carolina University employees, departments, and divisions.

1. RESPONSIBILITIES
	1. Chief Purchasing Officer – The Chief Purchasing Officer is responsible for ensuring compliance and biennial review of the policy.
2. DEFINITIONS
	1. Emergency Purchase - An emergency is a situation that endangers lives, property, or causes the immediate discontinuation of a vital program such as those essential for health and safety and which can be rectified only by immediate on-the-spot purchase (or rental) of goods or services.
	2. Pressing Need - A pressing need is one arising from unforeseen causes including, but not limited to, delay by contractors, delay in transportation, breakdown in machinery, or unanticipated volume of work. Lack of reasonable forethought or planning is not justification for a pressing need.
3. SPECIFIC PROCEDURE
	1. In an emergency, representatives from Western Carolina University should negotiate with potential vendors in an effort to acquire the quality of good or service needed at the best possible price, delivery, terms and conditions. A solicitation document requesting or inviting an offer shall be issued, including standard terms and conditions, unless circumstances prohibit their use. When an emergency action is necessary and the expenditure exceeds $250,000, prior verbal approval should be obtained from NC Purchase and Contract, if time permits. Subsequently, whether or not prior approval was possible, an explanation of the emergency purchase shall be reported in writing to P&C if the expenditure is over $250,000. If under $250,000, documentation shall be included in the agency’s procurement file.
	2. When pressing need action is necessary, and the expenditure is $250,000, prior verbal approval shall be obtained from P&C, if time permits. Circumstances demonstrating the pressing need must be described in the request. Subsequently, whether or not such prior approval was possible, if the expenditure is over the agency’s delegation, an explanation of the pressing need purchase shall be reported in writing to P&C. If under the agency’s delegation, documentation shall be included in the agency’s procurement file.

Representatives from Western Carolina University should negotiate with potential vendors in an effort to acquire the quality of good or service needed at the best possible price, delivery, terms and conditions. A solicitation document requesting or inviting an offer shall be issued, including standard language, and terms and conditions, unless circumstances prohibit their use.

1. RESOURCES

North Carolina Procurement Manual: <https://files.nc.gov/ncdoa/documents/files/NC-Procurement-Manual-2022-with-TOC.pdf>

North Carolina Administrative Code

[01 NCAC 05B.1602](http://reports.oah.state.nc.us/ncac/title%2001%20-%20administration/chapter%2005%20-%20purchase%20and%20contract/subchapter%20b/01%20ncac%2005b%20.1602.pdf)