



STATE OF NEW MEXICO EMERGENCY DETERMINATION FORM

The emergency procurement method (*NMSA 1978, Section 13-1-127*) may only be used when the service, construction or item of tangible personal property procured:

1. is needed immediately to:
 - a. control a serious threat to public health, welfare, safety or property caused by a flood, fire, epidemic, riot, act of terrorism, equipment failure or similar event; or
 - b. plan or prepare for the response to a serious threat to public health, welfare, safety or property caused by a flood, fire, epidemic, riot, act of terrorism, equipment failure or similar event; and
2. cannot be acquired through normal procurement methods.
 - a. The agency entering into an emergency procurement should employ a competitive process to the extent practicable under circumstances.

The purchase or lease of heavy road equipment is not allowed under the emergency procurement statute.

The state purchasing agent or a central purchasing office that makes an emergency procurement shall outline its determination of the basis for the procurement and its selection of the contractor in writing and include the writing in the procurement file. (That writing can be made on this form.) Promptly thereafter:

- the state purchasing agent shall post notice of the procurement on its website; or
- the central purchasing office shall post notice of the procurement on its website, if it maintains one, and shall transmit the notice to the state purchasing agent for posting on the state purchasing agent's website.

NOTE: the state purchasing agent or a central purchasing office that makes an emergency procurement to plan or prepare for the response to a serious threat to public health, welfare, safety or property caused by a flood, fire, epidemic, riot, act of terrorism, equipment failure or similar event shall account for the money spent in making the procurement and report on that accounting to the legislative finance committee and the department of finance and administration within sixty days after the end of the fiscal year in which the procurement was made.

I. Name of Agency:

City of Roswell

Agency Chief Procurement Officer:

Arely Peek

Telephone Number:

575-637-6299

II. Name of Contractor: J&H Services Inc

Address of Contractor: 6616 Gulton CT NE, STE 90
Albuquerque, NM 87109

Amount of prospective contract: 3,003,307.48

Term of prospective contract: 8 months

III. Thoroughly list the services (scope of work), construction or items of tangible personal property being procured: This emergency procurement is for the replacement of the existing lift station on East Hobson Road at the Roswell Industrial Air Center (RIAC). The project includes installation of a new electrical enclosure, lift station equipment, and replacement of damaged sewer pipes to ensure the continued and safe operation of the wastewater system serving the RIAC area.

IV. Provide an explanation for the justification of the procurement including a description of the emergency condition(s) requiring use of emergency procurement and the practicable competition utilized in compliance with *NMSA 1978, Section 13-1-127*.

The existing lift station has suffered significant failures including pump malfunction and pipe corrosion, likely worsened by recent excessive rainfall and flooding. The system has been compromised by grit and debris from inflow and infiltration, as well as corrosive H₂S gas. A sinkhole has formed under the electrical enclosure, creating immediate risk of electrical system failure. Temporary stabilization efforts have resulted in additional collapse of the sewer line. Total failure of the lift station would result in the loss of wastewater service to the entire RIAC, affecting commercial operations and hundreds of residential units. Emergency procurement is necessary to prevent further collapse and health risks.

V. Describe what measures are being taken to minimize the duration and effect of this particular emergency procurement (for example: is the emergency only in place until a competitive process can be completed, etc.)

Emergency procurement is limited to addressing the immediate infrastructure failure. Temporary relocation of electrical components is underway to reduce risk. The procurement covers only the work necessary to restore system functionality and safety. The City will resume standard procurement procedures for any future improvements.

VI. Describe what measures the Agency will take in the future to prevent/mitigate use of an emergency procurement under similar circumstances.

This was an isolated emergency resulting from unforeseen structural failure and flooding. The City will implement increased inspections and invest in long-term infrastructure planning to reduce future emergency risks.

Certified by:

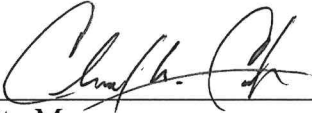
Date: 8/1/2025



Agency Chief Procurement Officer

Agency Approval by:

Date: 8/1/2025



City Manager