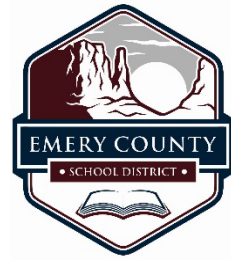


# Emery County School District



## **Policy: DJBB—Procurement: Emergency / Prison Industry Goods**

Date Adopted: 6 August 2025  
Current Review / Revision: 6 August 2025

Notwithstanding any other District policy regarding procurement, the Procurement Official may authorize an emergency procurement without using a standard procurement process if the procurement is necessary to mitigate circumstances that create harm or risk of harm to public health, safety, welfare, or property, including a natural disaster. For purposes of emergency procurement, a “natural disaster” exists when the following are present:

1. Either the president of the United States has declared an emergency or natural disaster in Utah or the governor has declared a state of emergency under Utah Code Title 53, Chapter 2a, Part 2 (Disaster Response and Recovery Act); and
2. One or more of the following has caused widespread damage:
  - a. An explosion;
  - b. Fire;
  - c. A flood;
  - d. A storm;
  - e. A tornado;
  - f. Winds;
  - g. An earthquake;
  - h. Lightning; or
  - i. Other adverse weather event.

Circumstances that may create harm or risk of harm to public health, welfare, safety, or property include:

1. damage to a facility or infrastructure resulting from flood, fire, earthquake, storm, or explosion;
2. failure or imminent failure of a public building, equipment, road, bridge or utility;
3. terrorist activity;
4. epidemics;
5. civil unrest;
6. events that impair the ability of a public entity to function or perform required services;
7. situations that may cause harm or injury to life or property; or
8. other conditions as determined in writing by the Procurement Official.

Emergency procurements are limited to those procurement items necessary to mitigate the emergency.

The District shall ensure that the procurement is made with as much competition as reasonably practicable (through use of phone quotes, Internet quotes, limited invitations to bid, or other selection methods) while avoiding harm, or risk of harm, to the public health, safety, welfare, property, or impairing the ability of a public entity (including the District) to function or perform required services.

The term of a contract entered into for an emergency procurement may be no longer than 30 days, unless the procurement is related to a natural disaster, in which case the term may be up to 60 days. These time limitations do not apply to the emergency procurement of legal services, but a person hired by emergency procurement to provide legal services may not under such contract hire or otherwise provide remuneration to a consultant for services related to any topic that is not directly related to the legal services for which the person was hired.

[Utah Code § 63G-6a-803 \(2021\)](#)

[Utah Admin. Rules R33-8-401 \(May 23, 2022\)](#)

#### **Procurement from Community Rehabilitation Programs—**

The Utah Purchasing from Persons with Disabilities Advisory Board establishes a preferred procurement contract list of goods and services available for purchase from community rehabilitation programs, developing, maintaining, and approving a preferred procurement contract list of goods and services. Unless the fiscal year threshold has been reached as stated below, the District shall purchase goods and services using this preferred procurement contract list if:

- the good or service offered for sale by a community rehabilitation program reasonably conforms to the needs and specifications of the District;
- the community rehabilitation program can supply the good or service within a reasonable time; and
- the price of the good or service is reasonably competitive with the cost of procuring the good or service from another source.

Procurement from this preferred procurement contract list may be done without using a standard procurement process.

The requirement that the District purchase available goods from this preferred procurement contract list does not apply during a particular fiscal year if the Division of Purchasing and General Services determines that the total amount of procurement contracts with community rehabilitation programs has reached \$5 million for that fiscal year.

[Utah Code § 63G-6a-805\(4\), \(7\), \(9\) \(2016\)](#)

#### **Purchase of Prison Industry Goods—**

The District may purchase goods and services from the Utah Correctional Industries Division without following a standard procurement process. The director of Utah Correctional Industries publishes a catalog of goods and services which includes a description and price of each item offered for sale. In determining whether to procure a goods or services from the Correctional Industries Division, the Procurement Official shall consider whether such procurement is in the best interests of the District, including for example (a) whether the good or service meets the reasonable requirements of the District, (b) when the good or service can be supplied by the division, and (c) whether the cost of the good or service, including basic price, transportation costs, and other expenses of acquisition, is competitive with the cost of procuring the item from another source.

[Utah Code § 63G-6a-804 \(2020\)](#)