

the immediate threat and shall not be used to meet long- term requirements.

- E. The procedure used will be selected to assure that the required Goods, Services and/or Construction are procured in time to meet the emergency. Given this constraint such Competition as is practicable shall be obtained. Any acceptable form of quotes and commitments by any means (e.g., written, faxed, electronically transmitted, phoned, etc.) may be used in an emergency Procurement.
- F. As soon as practicable, Mines department shall prepare a written justification, to be approved by the Director of Procurement and Contracting that sets forth the justification for the emergency Procurement. The justification shall include the following:
  - The basis for the emergency Procurement including the date the emergency first became known;
  - A listing of the Goods, Services and/or Construction procured;
  - A description of the efforts made to ensure that Proposals or offers were received from as many potential vendors as possible under the circumstances; and
  - The basis for the selection of the vendor.

#### 4.0 PURCHASE ORDERS & CONTRACTS

- 4.1 **Purchase Orders.** A Purchase Order may be issued to a vendor by Procurement and Contracting as a commitment voucher pursuant to Financial Policies [Section 2.2.3.2](#). Purchase Orders may only be modified by a Change Order issued by Procurement and Contracting. All Purchase Orders control the terms of a transaction, despite the quote terms and conditions.
- 4.2 **Types of Contracts.** Subject to the limitations of this section, any type of Contract that will promote the best interests of Mines may be used; except that the use of a cost plus a percentage of the suppliers cost Contract is prohibited. A Cost-Reimbursement Contract may be used only when a written determination is made that such Contract is likely to be less costly to Mines than any other type of Contract or that it is impracticable to obtain the Goods, Services or Construction required unless the Cost-Reimbursement Contract is used. The minimum requirements for Contract formation and content are contained in [Chapter 3 of the Financial Policies](#).
- 4.3 **Multi-year Contracts.** Procurement and Contracting may enter into multi-year Contracts for Goods and/or Services subject to funding availability. Contracts for periods in excess of five (5) years require the written approval of the Director of Procurement and Contracting.
- 4.4 **Construction Contracts.** State of Colorado form approved Construction Contracts shall be utilized by Mines whenever appropriate.