**7.5 Emergency Purchases**

The Illinois Procurement Code defines an emergency as a situation involving public health, public safety, or cases where immediate expenditure of funds in excess of the competitive bid threshold is necessary for repairs to State property to protect against further loss or damage, to prevent or minimize serious disruption in State services, or to ensure the integrity of State records. Emergency conditions may result from fires, explosions, adverse weather conditions, or epidemic conditions. They may also result from untimely breakdown, damage, or loss of equipment or services vital to the maintenance of health or safety standards. In such situations, the Illinois Procurement Code provides that the competitive selection process is not required. Emergency purchases are limited to 90 calendar days in length unless authorized by the Chief Procurement Officer (30 ILCS 500/20-30).

For purposes of an emergency contract, an emergency contract is deemed awarded on the earliest of (i) the date a university communicates to a vendor when to start work, (ii) the date of publication on the Illinois Procurement Bulletin identifying the selected vendor of the required supplies or services, or (iii) the date the contract is signed by both parties. Documentation of the contract award date shall be part of the procurement file.

Purchasing procedures, including bidding requirements and the need to have a contract in place before goods or services are received, may be waived in emergency cases where it becomes important for a transaction to be completed within a certain time. Effort is made to accelerate or modify normal procedures to accommodate an emergency rather than to eliminate a procedure. Examples of such efforts include requesting quotations verbally or by email or facsimile machine. The Purchasing and Contracts Management offices and the System Purchasing and Support Services office should be contacted as soon as a department determines that an emergency purchasing situation exists. If the emergency purchase exceeds the dollar threshold at which the Board of Trustees’ approval is required, the transaction will require Board of Trustees’ approval.

The president, after consulting with each member of the executive committee of the Board who can reasonably be contacted, may approve emergency transactions in excess of the Board limit on behalf of the Board of Trustees and report the same promptly to the Board. If the amount of the emergency transaction exceeds such dollar amounts as the Board of Trustees may specify from time to time the president must consult with all Board members who can reasonably be contacted before approving the emergency action.

The Purchasing and Contracts Management offices and the System Purchasing and Support Services office are responsible for preparing all statements that must be filed with the Auditor General of the State of Illinois for submission by the Chief Procurement Officer for Higher Education (CPO). These must be filed no later than five calendar days after the contract is awarded.

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