The emergency procurement method (NMSA 1978, Section 13-1-127) may only be used when there exists a threat to public health, welfare, safety or property requiring procurement under emergency conditions. The existence of the emergency condition creates an immediate and serious need for services, construction or items of tangible personal property that cannot be met through normal procurement methods and the lack of which would seriously threaten:

1. the functioning of government;
2. the preservation or protection of property; or
3. the health or safety of any person.

I. Name of Agency: Gadsden Independent School District

Agency Chief Procurement Officer: Georgina Galvan

Telephone Number: (575) 882-6252

II. Name of Contractor: Hewlett Packard Enterprise

Address of Contractor: 355 Ledgelawn Drive
Conway, AR 72204

Amount of prospective contract: $712,733.60

Term of prospective contract: August 2019 – September 2019

III. Please thoroughly list the services (scope of work), construction or items of tangible personal property of the contract:

HPE will designate a Program Manager and a Project Manager to oversee the project which includes the coordination of resources and communications to effectively manage the District’s Cyber Incident Recovery Project. HPE will assist the Customer with containing and eradicating the current infection by developing a cleaning and sanitizing protocol. Tasks include, but may not be limited to: • Enhancing customer-developed eradication protocols if necessary • Applying necessary operating system and/or application patches • Disabling or removing unnecessary services • Installing Malwarebytes AV software and applying pattern file updates. In addition, to development of a cleaning and sanitizing protocol, sanitization includes removal of Emotet, TrickBot malware and Ryuk ransomware from currently infected devices.
HPE will patch and harden up to 10,000 desktop systems. Work includes development of script(s) to speed the process of patching and hardening. Scripts will accommodate the Windows 7, Windows 8, and Windows 10 operating systems.

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 ransomware virus that attacked the District’s network has infected the District’s operating systems causing a great deal of damage making it impossible to access files necessary to carry out simple day to day operations. With classes beginning on Monday, August 5, 2019, we are unable to resolve this situation timely without requiring services from consultants with the expertise and manpower to encounter this threat. This situation creates a threat to the welfare of students and employees in the District creating an immediate and serious need for services.

V. Please 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.).

The performance period is scheduled for August 5, 2019 - September 29, 2019. The District will provide timely access to Subject Matter Experts (SMEs) with technical, organizational, and operational knowledge of the project and decision making authority to expedite recovery as well as provide remote system access and privileges needed for the work at hand. Once a full recovery is accomplished the District will ensure that proper safeguards are put in place to avoid a reoccurrence.

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

The District will work to implement a multi-layer defense strategy that helps them block attacks and quickly discover any infections in progress, so they can limit the impact on data and operations.

Certified by: 

[Signature] 
Agency Chief Procurement Officer

Date: 08/02/2019

Agency Approval by: 

[Signature] 
Cabinet Secretary/Governmental Entity Head or Designee

Date: 

[Signature]