



**STATE OF NEW MEXICO  
EMERGENCY DETERMINATION FORM**

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;  
There would be a time lapse in operations when supplies are not available to sanitize work spaces or buildings due to the Covid-19 outbreak. This Biomist Power Sanitizing system is the first practical method for sanitizing equipment and facilities. It will sanitize our county courthouse, county facilities in order to be able to function in a safe environment.
2. the preservation or protection of property;  
The usage of this equipment will assist us to continue to operate our facilities in a safe and functioning way. Equipment would not have to be replaced after one usage.
3. the health or safety of any person.  
Public safety and county facilities is an essential part of operations. This machine will also be available to sanitized local hospitals and assisted living centers when needed.

I. Name of Agency: LEA COUNTY EMERGENCY MANAGEMENT

Agency Chief Procurement Officer: CHIP LOW

Telephone Number: 575-396-8521

II. Name of Contractor: BIOMIST, INC.

Address of Contractor: 573 NORTH WOLF ROAD, WHEELING, IL 60090

Amount of prospective contract: \$32,883.00

Term of prospective contract: Full payment upon delivery.

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

2-SS20 POWER SANITIZING SYSTEM (INCLUDES ONE CO2 CYLINDER)

ACCESSORIES

6-BIOMIST CO2 CYLINDER  
2-50' HIGH PRESSURE CO2 HOSE  
5" CASTER (SET OF 4)  
BIOMIST EXTENSION GUN (23IN, SIPHON)

CHEMICAL SOLUTION

2-BIOMIST SOLUTION FORMULA D2 (CASE OF 12-30oz BOTTLES)  
2-BIOMIST SOLUTION FORMULA D2 (5 GALLON TOTE)  
BIOMIST SOLUTION FORMULA D2 (50 GALLON DRUM)  
DRUM PUMP

OTHER

1-INCLUDES 1 YEAR WARRANTY  
1-ON-SITE TRAINING  
SHIPPING & HANDLING

- 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.

Due to COVID-19 we need this equipment and solution to disinfect all locations for first responders and essential equipment that is exposed to continue to work effectively during this time.

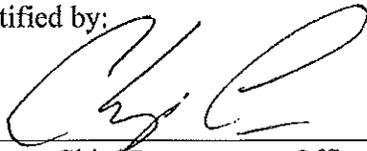
- V. Please describe what measures are being taken to minimize the duration and effect of this particular emergency procurement (for example: is the emergency only in place until a competitive process can be completed, etc.).

Biomist equipment and solution will only be utilized when absolutely necessary.

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

We will maintain and upkeep of the Biomist equipment and keep adequate stock of the solution as needed.

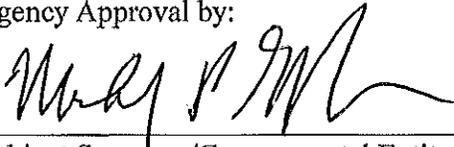
Certified by:



Agency Chief Procurement Officer

Date: 4/16/2020

Agency Approval by:



Cabinet Secretary/Governmental Entity Head or Designee

Date: 4/16/2020