Do additional rules apply when sole-sourcing during emergency and exigent circumstances?

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Yes. Sole-sourcing may be allowed for non-state entities during emergency or exigent circumstances, but they must still follow federal procurement regulations:

1. Contracts must include the required contract clauses.
2. Contract must include the federal bonding requirements if the contract is for construction or facility improvement.
3. Contract must be awarded to a responsible contractor.
4. Non-state applicant must complete a cost or price analysis to determine that the cost or price of the contract is fair and reasonable.
5. Contract must not be a cost-plus-percentage-of-cost contract type.
6. When using a time-and-materials contract, non-state applicants must comply with the applicable rules.
7. Document any known conflicts of interest and any efforts that were made to identify possible conflicts of interest before the sole-sourced contract was awarded.

(Source: FEMA: An Exception to the Rules During Emergency or Exigent Circumstances)

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