

**EMERGENCY PROCUREMENT PROCEDURES**

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**ACRONYM LIST**

CPO	Chief Procurement Official
DED(M)	Deputy Executive Director (External Relations, United Nations Affairs and Management)
DHR	Division for Human Resources
ECRC	Emergency Contract Review Committee
ECS	Emergency Communications System
EPP	Emergency Procurement Procedures
FRR	Financial Regulations and Rules
HRB	Humanitarian Response Branch
ITB	Invitation to Bid
LTA	Long Term Agreement
OIC	Officer in Charge
PSB	Procurement Service Branch
RFP	Request for Proposal
RFQ	Request for Quotation
RMB	Resource Mobilization Branch
UNDSS	United Nations Department of Safety and Security
UNFPA	United Nations Population Fund
UNGM	United Nations Global Market
UNHRD	United Nations Humanitarian Response Depot Network
UNRC	United Nations Resident Coordinator
WFP	World Food Programme

## 1. INTRODUCTION AND DEFINITIONS

### 1.1 Introduction

Emergency procurement at UNFPA must be undertaken in compliance with UNFPA [Financial Regulations and Rules](#) (FRR), UNFPA policy, all procedures outlined in this manual, and any other UNFPA directives and administrative instructions relevant to procurement operations.

These procedures aim to enable a more timely response to urgent need for aid in emergency situations while ensuring compliance with the general procurement principles as stipulated in Regulation 14.7 of the FRR:

- (a) Best value for money considering all relevant factors, including costs and benefits to UNFPA;
- (b) Fairness, integrity and transparency;
- (c) Open and effective international competition; and
- (d) The interest of UNFPA.

The procedures are used in conjunction with other components in the Fast Tracking Policies and Procedures, which offer UNFPA country offices in special situations greater delegation of authority and flexibility in specific programme and operational areas for a time-bound period.

### 1.2 Use of Emergency Procurement Procedures

The use of Emergency Procurement Procedures (EPP) must be approved by the UNFPA Chief Procurement Official (CPO). The Deputy Executive Director (External Relations, United Nations Affairs and Management) (DED (M)) is the CPO of UNFPA and is accountable to the Executive Director for all procurement functions of UNFPA. The EPP may be used in the acute phase of an emergency, regardless of the location (Country Office, Sub-Regional Office, Regional Office or Headquarters), and in certain special situations that warrant a fast track approach. In all other situations, UNFPA standard [Procurement Procedures](#) apply.

An emergency is an urgent situation where clear evidence of an event indicates an imminent threat to human lives or livelihoods, with the resulting dislocation in the life of a community on an exceptional scale. For the EPP to apply, one or more of the following must have occurred:

- a. The affected country declares a state of emergency or humanitarian crisis and calls for international assistance.

- b. The United Nations Resident Coordinator (UNRC)/Humanitarian Coordinator calls for assistance from the United Nations and partners (including non-governmental organizations).
- c. A country that has issued a “Flash Appeal” is subsequently determined to have an acute need for humanitarian aid.
- d. The UNRC or United Nations system alerts for emergencies declares an acute emergency situation.
- e. A security risk is identified to personnel, assets, works, or operations and requires urgent action in order to reduce risk to an acceptable level. Serious security incidents and/or a high likelihood of their occurrence can be a key trigger for the use of EPP. When the United Nations Department of Safety and Security (UNDSS), UNFPA security, or the Head of Office identifies a security issue that threatens the lives of UNFPA personnel, the EPP may be used to mitigate that risk.

Examples of such situations:

- Immediate change of venue when the location of a conference is exposed to serious threat.
- A recent bombing of a hotel in a country requires urgent procurement of blast film.

In such situations, additional security measures/equipment should be considered to enable the programmatic response to an emergency. For example, Emergency Communications System (ECS) equipment may be needed.

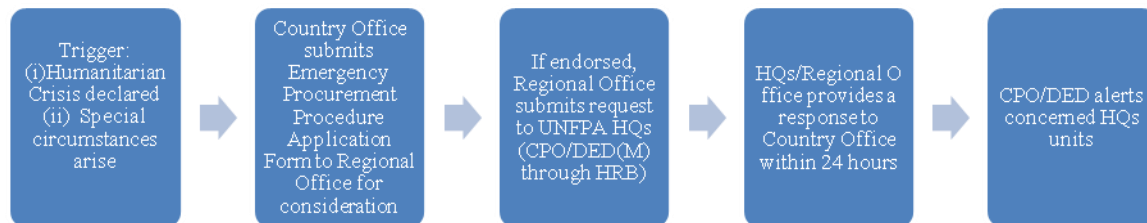
It should be noted that there is a difference between urgencies that require implementation of EPP (i.e. specific CPO authorization is required) and those that can be addressed in accordance with Financial Rule 114.15 (a)(viii) (whereby the CPO or authorized personnel may determine, for a particular procurement activity, that using formal methods of solicitation is not in the best interest of UNFPA and its clients).

Urgencies for which EPP would not be justified can be addressed through for example a reduced solicitation time, and therefore would fall under 114.15(a)(viii), i.e. all instructions/conditions as specified in the normal procurement procedures, such as review thresholds, Delegation of Authority issues, etc, would apply. For more information, please refer to the normal UNFPA [Procurement Procedures](#).

In other words there is a difference between urgent procurement (that fall under 114.15(a)(viii)) and emergency procurement (where specific CPO authorization is required and which results in a less formal approach).

If the CPO has not determined whether a given situation is considered an emergency and therefore has not approved the use of the EPP, business units are not allowed to use EPP. However they can invoke FRR 114.15(a)(viii) if applicable.

### 1.3 Process for obtaining approval to utilize EPP



- The UNFPA Head of Office submits a request, using the form [Approval of Use of Emergency Procurement Procedures](#) to the relevant Regional Director or Officer in Charge (OIC) of the Regional Office, copied to: CPO; Chief Humanitarian Response Branch (HRB); Director of Programme Division; Director of Technical Division; and Chief PSB. For “special situation” ([see 1.2](#)), the relevant head of the Headquarters branch must be copied instead of HRB. A measured assessment must be provided under [Justification of Use of EPP](#) outlining expected gains to be made by applying the EPP against anticipated risks of non-action.
- The request must also specify the scope of the EPP application, detailing how it will be applied: (i) to the entire country programme or restricted to specific UNFPA supported programmes; (ii) across all functional areas or restricted to specific areas. In cases where the application is restricted, all other country operations will continue to use and comply with the standard funding policies and procedures.
- If the Regional Director or OIC supports the request, the Regional Director or OIC will then submit the request to HRB (or other relevant headquarters branch) Chief. If endorsed, the CPO will be requested to approve the use of EPP. The combined processing time by regional offices and headquarters must not exceed 24 hours.
- If the Regional Director, or HRB/relevant headquarters branch Chief does not respond to the request within 24 hours, the country office may submit directly to the CPO for consideration.
- The CPO’s approval will specify the duration of the EPP application, which should not exceed six months. If an extension is required, the country office shall submit an extension request using the same form, at least one week before the original approval has expired. Extensions beyond one full year of application may be approved by the CPO on an exceptional basis only.
- Upon approval of the request, the DED(M) will formally notify all concerned headquarters business unit heads and their focal points by sharing the approved EPP request form. This notification serves as the corporate alert to all concerned headquarters

units that the EPP has been approved and support is to be prioritized and provided in accordance with the turnaround time indicated in the procedures. Division of Human Resources (DHR) will address any capacity requirements of the country office in consultation with the Regional Office, HRB/relevant headquarters branch and PSB. The requesting country office will inform the UNRC/Country Director of the approval of the UNFPA EPP so that the necessary support services are expedited in line with the requirements.

- The CPO, in consultation with the concerned Regional and Country Offices, retains the authority to revoke the EPP at any time. A letter from CPO's office will be sent to the Head of Office, copied to the Regional Office, HRB/relevant headquarters branch Chief and PSB Chief, stating the reason the EPP is being revoked.

## **2. PROCUREMENT PROCESS**

### **2.1 Procurement Planning**

Prior to initiating any procurement process, the emergency response team should complete a needs assessment and produce a procurement plan, including required goods or services. In addition to goods such as emergency reproductive health kits, tents, vehicles, medicine, etc., the plan should outline distribution efforts and logistics required to deliver the goods to final destinations such as warehouses. It should also include resources to match the available budget. The plan should be approved the Head of Office.

### **2.2 Sourcing**

Firstly, UNFPA staff must establish whether the products or services required are available from suppliers holding a Long Term Agreement (LTA) with UNFPA or with other United Nations agencies. These agreements can be found on the United Nations Global Market (UNGM) at [www.ungm.org](http://www.ungm.org). If a valid LTA exists and goods can be delivered within the required lead time, then purchase orders can be issued directly based on the applicable LTA, and without conducting further bidding. UNFPA staff should utilize LTAs as the first procurement option whenever possible.

United Nations Humanitarian Response Depot Network (UNHRD) (<http://www.unhrd.org>) should also be utilized to source and distribute emergency commodities. UNHRD is managed by the World Food Programme (WFP) and has five warehouses strategically located in Ghana, Panama, Italy, United Arab Emirates and Malaysia to respond to emergencies.

### **2.3 Procurement Methods**

When the use of EPP has been endorsed by the CPO, the procurement process shall proceed as follows:

### **2.3.1 Procurements valued below USD 5,000**

Procurements valued below USD 5,000 per solicitation (note: splitting solicitations for the purpose of bypassing the required approval process, such as avoiding review by the ECRC, is considered a violation of the procurement rules and is likely to result in disciplinary actions) have no specific requirements concerning sourcing other than seeking three quotations whenever possible and accepting the cheapest offer if circumstances allow.

### **2.3.2 Procurements valued between USD 5,000 – USD 249,999**

Procurements valued between USD 5,000 to USD 249,999 per solicitation (see note in Section [2.3.1](#)) require a Request for Quotation (RFQ) that should be detailed enough to enable UNFPA to receive an accurate quotation that provides best value for money. The standard [Emergency RFQ Template](#) shall be used to source quotations. To conduct the RFQ process, UNFPA staff must ensure the following:

- a. At least three offers or supplier quotations are sought to ensure competition. In order to achieve this, a sufficiently large number of potential suppliers should be invited to participate. If this is not possible, the reasons for this non-competitive situation must be documented in writing.
- b. The solicitation process must be open for at least 48 hours to allow bidders adequate response time;
- c. The quotations may be obtained by phone, email, fax or visiting vendors but all offers need to be documented;
- d. If the office is already using a secure email address to receive bids, the secure email address must be used to receive quotations above USD 50,000;
- e. The evaluation process must be transparent and fair. The offers must be reviewed by at least two UNFPA staff, preferably three, including at least one professional staff. This will constitute the evaluation committee;
- f. Award the contract or purchase order to the lowest priced offer that is substantially responsive to the requirements of the RFQ. If the contract is not awarded to the lowest evaluated bidder, the reasons for this must be documented in writing.

When a purchase order is placed with an LTA supplier who is asked to cover freight, comparative quotations for freight should be obtained if the value of the freight quotation is above USD 100,000. The buyer should compare the supplier's offer for freight with freight LTA offers and choose the lowest freight option.

### **2.3.3 Procurements valued above USD 250,000**

Procurements valued above USD 250,000 per solicitation (see note in Section [2.3.1](#)) require an Invitation to Bid (ITB) or Request for Proposal (RFP). The ITB/RFP must be detailed enough to enable suppliers to give an informative quote. All requirements must be communicated clearly and identically to all suppliers, in writing, along with the methods that will be used to evaluate the bids. The option to make split orders must be clearly stated in the solicitation documents.

Please refer to regular UNFPA [Procurement Procedures](#) for an understanding of when to apply ITB or RFP. The standard [Emergency ITB Template](#) or [Emergency RFP Template](#) should be used to solicit bids or proposals. Both the ITB or RFP and the contract award results should be published on UNGM ([www.ungm.org](http://www.ungm.org)) if internet access is available. In the situation where internet connectivity is low or absent, all efforts must be made to disseminate the ITB or RFP as widely as possible, including contacting PSB focal points or the Regional Office to upload the documents on UNGM.

When executing an ITB or RFP, staff entrusted to carry out procurement functions must ensure that:

- a. The solicitation remains open for at least five calendar days;
- b. Offers are submitted in a sealed envelope received at the physical address of the office or via a secured email address or secured fax number;
- c. Bids are opened by a local bid committee consisting of at least two, preferably three, persons (other United Nations agency staff are encouraged to be members of the committee);
- d. Bid evaluation is conducted in accordance with current UNFPA [Procurement Procedures](#);
- e. A bid evaluation report is completed and filed;
- f. Confidentiality is maintained during the process.

## 2.4 Evaluation

Offers received based on an RFQ or RFP/ITB should be assessed against the written requirements stated in the solicitation document. Delivery time should be considered when determining which offer provides best value for money.

Except for EPP specificities mentioned in [Section 2.3](#) regarding the evaluation process, the evaluation of the bids should be conducted in accordance with the principles and methods outlined in the current UNFPA [Procurement Procedures](#) and [Financial Regulations and Rules](#).



## 2.5 Contract Award

The Request for [Contract Award Form](#) must be filled out to obtain approval from the designated procurement authority if the contract value is more than USD 5,000 but below the thresholds that require ECRC review (see Sections [2.5.4](#) and [2.5.5](#) below).

### 2.5.1 Contract less than USD 5,000

No Atlas purchase order needs to be issued for procurements under USD 5,000. Budget owner of the contract approves the payment.

### 2.5.2 Contract between USD 5,000 and USD 99,999

Contract falling in the range of USD 5,000 – USD 99,999 shall be awarded by the Head of Office or personnel with the equivalent approval authority.

### 2.5.3 Contract between USD 100,000 and USD 499,999

Contract falling in the range of USD 100,000 – USD 499,999 shall be awarded by the Head of Office as well as the Chief of PSB. Only after the award has been provided by both authorities can the contract be approved in Atlas, by the officer with authorized procurement approval authority, and then issued. When there is a disagreement between the Head of Office and the Chief of PSB, the case shall be referred to the ECRC for final decision by the CPO.

### 2.5.4 Contract above USD 500,000

Contract valued above USD 500,000 shall be awarded by the CPO following advice from the UNFPA ECRC or the emergency contract review committee of another United Nations organization. Pursuant to FRR114.11(b)(ii), the CPO has to establish first that the emergency contract review committee of another United Nations entity may render written advice to the CPO.

### 2.5.5 Other Situations

In addition, if a procurement falls into either category listed below, the contract will be awarded by the CPO following advice from the ECRC or emergency contracts review committee of another United Nations organization.

- a. any contract or series of contracts with a cumulative commitment to pay more than USD 500,000 to a single contractor within a period of 3 months from the date of placing the first order under EPP;
- b. any proposal to modify a contract previously approved by the CPO that would result in an increase of more than 20% or USD 100,000, whichever is less, within 3 months of its first approval;

- c. The cumulated contract value through regular procurement procedures to a same contractor during the same period of time must be excluded for the purpose of calculating the cumulated contract value under ECRC procedures.

## 2.6 Emergency Procurement Process – Summary table

Threshold (USD):	Method:	Award:	Special notes:
0 – 4,999	Shopping	Country Office budget owner	If possible three quotations should be collected.
5,000 – 99,999	Request for Quotation	Head of Office	If the office is already using a secure email address to receive bids, the secure email address should be used to receive quotations above USD 50,000
100,000 – 249,999		Head of Office together with Chief PSB. CPO if there is a disagreement between the Head of Office and Chief PSB	
250,000 – 499,999	Invitation to Bid/Request for Proposal	Head of Office together with Chief PSB	<ul style="list-style-type: none"> <li>- When the cumulative value of a series of contracts amounts to more than USD 500,000 to a single contractor within a period of three months from the date of placing the first order under EPP, then the contract that brings the cumulative amount above USD 500,000 has to be awarded by the CPO following advice from the ECRC;</li> <li>- Proposals to modify a contract previously approved by the CPO that would result in an increase of more than 20% or USD 100,000, whichever is less, within three months of its first approval must be awarded by the CPO after ECRC review or review by emergency contracts review committee of another United Nations Organization.</li> </ul>
500,000 & above		CPO	

## 3. EMERGENCY CONTRACTS REVIEW COMMITTEE (ECRC)

### 3.1 Scope of Authority of ECRC

The ECRC is the body responsible for reviewing and formulating recommendations to the CPO when the EPP involves:

- a. A commitment to pay a single contractor more than USD 500,000 for supplies or services;

- b. A proposal to modify a contract awarded by the CPO that would result in an increase of more than 20% or USD 100,000, whichever is less;
- c. A series of contracts that involve a cumulative commitment to pay more than USD 500,000 to a single contractor within a period of three months from the date of placing the first order under EPP.

### 3.2 ECRC Composition, Quorum and Decisions

The ECRC is composed of the chairperson and *at minimum* one member of the headquarters CRC. The Secretary of the ECRC is the Secretary of the headquarters CRC. The ECRC meeting requires a quorum of a chairperson and one member. When the CRC Chair is not available and no alternate CRC Chair can replace him or her, a CRC member may act as Chair of the ECRC.

To formulate its recommendations, the ECRC will be guided by the applicable provisions of this document, as well as Financial Regulation 14.7 of the FRR, UNFPA [Procurement Procedures](#) and other relevant procedures and policies of UNFPA.

The ECRC should formulate its recommendation for approval or rejection to CPO within 24 hours of receipt of a submission. If the ECRC cannot be convened, on the advice of the chairperson, the meeting will be conducted by email circulation. Whenever the chairperson and the member dissent, the ECRC will base its recommendations on the decision of the chairperson; however the ECRC recommendations to the CPO will indicate any dissent and the reason for such dissention.

Within 24 hours after the ECRC provides its advice to the CPO, the CPO, on behalf of the Executive Director, will provide the award decision.

### 3.3 ECRC Submission

A request for ECRC review must be completed by filling in the [Emergency CRC Submission Form](#) or by submitting the case on-line at: <https://www.myunfpa.org/Apps/CRC/app/index.cfm>. In addition to the usual information to be provided, the ECRC request shall contain the following confirmation from the procurement personnel:

1. That they have no vested interest in the supplier recommended for award. If a conflict of interest exists, this must be specifically disclosed at this stage, in addition to the normal requirement to disclose any potential conflict of interest at any time during the procurement process.

2. That the recommended contract award represents the best possible solution available according to information available at the time of recommendation of the award.

### **3.4 Ex Post Facto Contracts**

Contracts with the above specifications that were entered into without prior ECRC review constitute a violation of the EPP and the underlying FRR. Such contracts must be submitted to the ECRC for an *ex post facto* (retroactive) review without delay. Ex post facto submissions are regularly reviewed by auditors.

## **4. PURCHASE ORDERS AND PAYMENT**

- a) Non-Atlas purchase orders are allowed provided there is no access to Atlas due to destruction of infrastructures. It is the Head of Office's responsibility to ensure that all commitments issued to vendors under the use of EPP are entered in Atlas as soon as conditions allow.
- b) In cases where normal commercial practice or the interests of UNFPA so require, advance payment that is in line with the relevant administrative instruction for advance payment can be made. See UNFPA [Procurement Procedures](#).

## **5. DOCUMENTATION AND FILING**

The use of EPP allows more flexibility in the procurement process than standard UNFPA procedures. This increases the responsibility of staff at all levels to ensure and document that proper procedures have been followed. Evidence of compliance with all steps of the EPP must be kept in the procurement file. This documentation ensures that the decisions made when selecting the supplier and awarding the contract are justified and provide a basis for dispute resolution. It also helps to maintain institutional memory and lessons learnt.

The procurement file must contain:

- a) Approval for the Use of the Emergency Procurement Procedure
- b) Note to the file approved by Head of Office justifying the mode of competition (e.g., why local procurement is preferred);
- c) The number and choice of suppliers requested to quote. Explain and justify if fewer than three;

- d) RFQ or ITB document;
- e) Any exception to the use of formal methods of solicitation applied with reference to [FRR 114.15](#);
- f) Proposals/Bids received;
- g) Summary of the evaluation of products, prices, terms and conditions of the various offers;
- h) Additional vendor assessment in case advanced payment is required;
- i) ECRC submission;
- j) Signed minutes of ECRC recommendation;
- k) Note to the file of any contract negotiations conducted;
- l) Decision of CPO;
- m) Contract;
- n) Amendments to contracts, if applicable;
- o) Purchase Orders issued in Atlas or/and non-Atlas Purchase Orders;
- p) Documents related to contract administration;
- q) Amendments to contracts, if applicable;

## **6. SUPPLEMENTARY APPLICABILITY OF THE PROCUREMENT PROCEDURES**

These Emergency Procurement Procedures complement areas of the regular procurement process and therefore are also subject to UNFPA Procurement Procedures. Any aspect of the procurement process not covered by the EPP is covered by the regular procurement procedures.

## **7. IN-KIND DONATIONS**

In many emergency settings, country offices are offered in-kind donations. Please refer to [UNFPA In Kind Goods and Services Contribution Policy](#) and consult the Resource Mobilization Branch (RMB) before accepting such in-kind donations.

## **8. EPP WORKFLOW CHART**

