

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

DECLARATION OF EMERGENCY PURCHASES

PURSUANT TO NMSA 1978, § 13-1-127

STATE OF NEW MEXICO EXECUTIVE ORDERS 2026-073 THROUGH 2026-077

Emergency: Heavy Flooding and Flood-Related Conditions

I. DECLARATION OF EMERGENCY

WHEREAS, the Middle Rio Grande Conservancy District (“MRGCD”) has experienced significant and/or ongoing flooding resulting from severe weather and heavy rainfall; and

WHEREAS, the flooding has created an immediate and serious threat to public health, welfare, safety, property, infrastructure, and the continued operation of MRGCD facilities and services; and

WHEREAS, the flooding and resulting conditions have created an immediate need for goods, materials, supplies, services, construction, repairs, labor, and other resources necessary to respond to and mitigate the emergency; and

WHEREAS, certain goods, services, construction, and items of tangible personal property necessary to address the emergency cannot be acquired through MRGCD's normal procurement methods within the time necessary to adequately respond to the emergency;

NOW, THEREFORE, pursuant to NMSA 1978, § 13-1-127, the Middle Rio Grande Conservancy District hereby declares that an emergency condition exists and authorizes emergency purchases necessary to address, respond to, mitigate, repair, and recover from the flooding and flood-related conditions.

II. SCOPE OF EMERGENCY PURCHASES

Emergency purchases authorized under this Declaration may include, but are not limited to, services, construction, materials, supplies, equipment, labor, transportation, repairs, rentals, and other tangible personal property or services reasonably necessary to address the emergency conditions.

Such purchases may include goods and services necessary for flood response and control, protection of public health and safety, protection and repair of MRGCD infrastructure and facilities, emergency repairs and stabilization, drainage and water management, erosion and flood

damage mitigation, debris and sediment removal, restoration of essential operations, emergency construction and repair, transportation, hauling, fuel, and other related needs.

This Declaration is intended to provide MRGCD with sufficient flexibility to respond to changing conditions and unforeseen needs resulting from the flooding.

III. PROCUREMENT REQUIREMENTS

Emergency purchases shall be made in accordance with NMSA 1978, § 13-1-127, applicable New Mexico procurement rules, and MRGCD procurement policies and procedures.

To the extent practicable under the circumstances, MRGCD shall employ a competitive process and shall use due diligence in determining the basis for the emergency procurement and in selecting a contractor or vendor.

The basis for each emergency procurement and the selection of the contractor or vendor shall be documented in the procurement file as required by applicable law.

IV. LIMITATION

Emergency procurement authority granted under this Declaration shall be limited to goods, services, construction, and tangible personal property reasonably necessary to address the emergency conditions described herein.

Pursuant to NMSA 1978, § 13-1-127, emergency procurement shall not include the purchase or lease of heavy road equipment.

V. EFFECTIVE PERIOD

This Declaration shall become effective on September 24, 2026 and shall remain in effect for the period reasonably necessary to address the emergency conditions resulting from the flooding, unless earlier terminated by MRGCD.

Emergency procurement authority shall cease when the emergency condition has ended or when MRGCD determines that emergency procurement is no longer necessary.

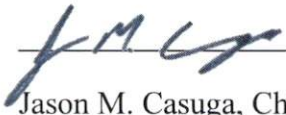
VI. DECLARATION AND AUTHORIZATION

Based upon the conditions described above, the undersigned determines that an emergency condition exists within the meaning of NMSA 1978, § 13-1-127, and that immediate procurement is necessary to protect public health, welfare, safety, property, infrastructure, and the continued operation of the Middle Rio Grande Conservancy District.

DECLARED this 24th day of September 2026.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

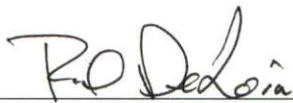
By:



Jason M. Casuga, Chief Engineer/CEO

Date: 9/24/2026

By:



Richard DeLoia, Chief Procurement Officer

Date: 9/24/2026