

**ALBUQUERQUE PUBLIC SCHOOLS
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;
2. the preservation or protection of property; or
3. the health or safety of any person.

I. Name of Department or School: Technology _____
 Contact Person: Richard Bowman
 Telephone No.: 880-63741 _____ Fax No.: _____
 E-Mail Address: richard.bowman@aps.edu _____

II. Name of prospective contractor: Mullen Coughlin LLC _____
 Address: 426 W Lancaster Avenue, Suite 200
 City, State, ZIP Code Devon, PA 13333
 Telephone No.: 267-930-4791 Fax No: 267-930-4771
 Email Address: jmullen@mullen.law

Amount of prospective contract: up to \$50,000

Term of prospective contract: 6 months

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

Investigate, provide legal advice, and otherwise assist with response to a potential data security incident.

IV. Provide an explanation for the justification of the procurement including a description of the practicable competition utilized.

This procurement is necessary to maintain the functioning of government and provide for the preservation and protection of property. Albuquerque Public Schools has been hit by a cyberattack that has caused damage to multiple computing resources. As a result of the damage to these particular computing resources, the schools are unable to function, and it is necessary to retain assistance to preserve and protect the remainder of the computer resources, recover the damaged resources, and restore proper functioning of the school system.

Technology has requested assistance from another law firm, but the other law firms did not have the level of expertise or close and present partnership with a digital investigation and cyber forensics firm necessary in the time frame required. This firm also comes recommended by another governmental entity that has also experienced a similar emergency.

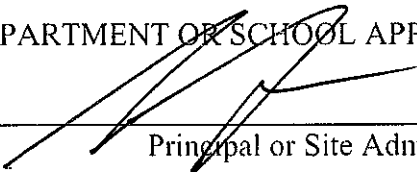
CERTIFIED BY



Requestor

1/13/22
Date


DEPARTMENT OR SCHOOL APPROVAL



Principal or Site Administrator

1/13/22
Date

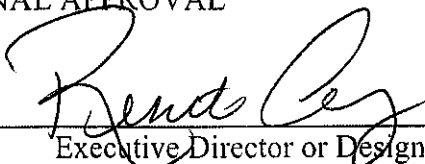
APPROVED



Buyer

1/19/22
Date

FINAL APPROVAL



Executive Director or Designee

1/14/2022
Date