

EMERGENCY DETERMINATION FORM

The emergency procurement method (NMSA 1978, § 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: Superintendent
Contact Person: Jvanna Hanks
Email Address: jhanks@gmcs.org

II. Name of prospective contractor: Kroll
Address: 55 East 52nd Street
City, State, Zip: New York, NY 10055
Telephone: 212-593-1000
Email Address: Chris.Ballod@kroll.com

Amount of prospective contract: \$250,000 that is covered by insurance coverage

Term of prospective contract: 6 months

III. Services (scope of work), construction or items of tangible property of the contract:

Provide advice regarding a potential data security incident, including incident forensic investigation, breach analysis, and analyze logs for up

to 11,000 endpoints, up to 6 hosts, and for Microsoft Office 365 triage to determine if any resources were compromised.

- IV. Explanation for the justification of the procurement including a description of the practicable competition utilized.

Cyber-security Attack: At approximately 4:22 PM MDST, on 4/9/2023, there was a cyberattack launched against Gallup McKinley County Schools. In consultation with the District's legal counsel and insurance broker, an immediate need was identified to secure additional expert counsel and perform forensic analysis on the breach to determine the full scope of the breach and potential residual hazards to systems operations, technology, and protected information.

The situation has potential severe implications for the performance of the District's business and the safety of District data and operations. The forensic analysis and support in a necessary response, creates a critical timeline.

The District requested assistance from current contracted legal service providers and they do 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. The potential contract was reviewed by District counsel and the firm selected is recommended by the District's insurance provider. All fees are pre-negotiated for the best obtainable rate by the insurance provider.

CERTIFIED BY:

Jvanna Hanks II, Deputy Superintendent of Schools

Date



Katherine Crisler, Chief Procurement Officer

4/13/2023

Date