

STATE OF ARKANSAS
EXECUTIVE DEPARTMENT

PROCLAMATION

EO 23-23

TO ALL TO WHOM THESE PRESENTS COME - GREETINGS:

EXECUTIVE ORDER TO SUSPEND CERTAIN PROCUREMENT REQUIREMENTS FOR THE DURATION OF THE EMERGENCY DECLARED IN EO 23-20, AND PURSUANT TO ARK. CODE ANN. § 12-75-114, AND TO PROVIDE ADDITIONAL FUNDING.

WHEREAS: On March 31, 2023, severe thunderstorms and tornadoes struck Arkansas and continue to cause dangers, hardships, and suffering throughout the state;

WHEREAS: That same day, Executive Order 23-20 was issued pursuant to Ark. Code Ann. §§ 12-75-101, *et. seq.*, declaring a state of emergency in Arkansas, as a result of these storms;

WHEREAS: Great hardship has fallen upon citizens and properties throughout the state;

WHEREAS: Communities in Arkansas are in dire need of assistance from state agencies as they continue to experience the adverse effects of this severe weather event;

WHEREAS: The needs of Arkansas citizens are much greater than originally anticipated;

WHEREAS: The political subdivisions charged with the rehabilitation and recovery efforts require supplemental assistance from the State of Arkansas to recover from these losses;

WHEREAS: These circumstances warrant the temporary suspension of certain regulating statutes to allow state agencies to render aid as quickly and efficiently as possible;

WHEREAS: The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation; and

WHEREAS: Any contracts entered into, including employment or procurement contracts, on behalf of the State of Arkansas must be submitted and reviewed by the Office of the Governor prior to execution of said contract.

NOW, THEREFORE, I, SARAH HUCKABEE SANDERS, acting under the authority vested in me as Governor of the State of Arkansas, and pursuant to Ark.

Code Ann. §§ 12-75-101, et seq., hereby declare that the state of emergency initially declared in EO 23-20 continues to exist, and shall be in effect until such time as the emergency conditions cease to exist and direct the sum of \$3,000,000.00 to be obligated from the Governor's Disaster Response and Recovery Fund to be used at the discretion of the Director of the Arkansas Division of Emergency Management to defray both program and administrative costs.

FURTHERMORE: I hereby invoke the emergency executive powers vested in me under Ark. Code Ann. §§12-75-101 et seq., and order the following:

- (1) The regulating statutes prescribing the procedures for conduct of the Office of State Procurement (OSP), the State Office of Personnel Management (OPM), and the Arkansas Building Authority are hereby suspended as applied to the following agencies for the purpose of rendering maximum assistance in response to this emergency:
 - a. the Arkansas Division of Emergency Management (ADEM);
 - b. the Arkansas Department of Human Services (DHS); and
 - c. the Arkansas Department of Education (ADE).
- (2) The suspension of rules under Section (1) of this Order shall only apply to those agencies specifically listed therein, and all other agencies shall continue to comply with all applicable procedures when dealing with OSP, OPM, and the Building Authority.
- (3) The suspension ordered herein shall be in effect for the duration of this emergency, unless otherwise provided in subsequent executive orders.
- (4) This Order should not be construed in any way to affect any existing agreements between the State of Arkansas and any agency of the federal government.
- (5) Should any part of this Order be deemed invalid or unenforceable, the remainder of its provisions shall remain in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 10th day of April, in the year of our Lord 2023.





Sarah Huckabee Sanders, Governor

Attest:



John Thurston, Secretary of State