



IDAHO STATUTE PROCUREMENT/PURCHASING OVERVIEW STATE AGENCY & POLITICAL SUBDIVISIONS

OVERVIEW

This overview contains links to Idaho Statutes that pertain to procurement and purchasing for public entities. This overview is designed to provide you with accurate and authoritative information. However, this does not constitute legal or financial advice. Should you require such advice or other expert assistance, please seek the attention of legal counsel or financial advisors.

IDAHO STATUTES

Procurement in Idaho primarily falls under Title 67. Chapter 28 deals with purchasing made by Political Subdivisions and Chapter 92 deals with State Agencies. This guide is separated into three sections: Political Subdivisions, State Agencies, and Ethics.

ABOUT THE IDAHO PUBLIC PURCHASING ASSOCIATION (IPPA)

IPPA is a Chapter of the National Institute of Governmental Procurement (NIGP). It is a non-profit corporation dedicated to the advancement of the procurement profession through education and cooperative relationships among its members. Our membership includes procurement professionals from federal, state, city, county, school districts, and other political subdivisions.

Our Mission Statement is to promote professionalism in public procurement by providing a forum for shared resources, education, and networking for all members and stakeholders. Resources can be found at: <https://nigp-idaho.org>

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POLITICAL SUBDIVISIONS

TITLE 67 CHAPTER 28 PURCHASING BY POLITICAL SUBDIVISIONS

This section discusses purchases made by Political Subdivisions as defined in 67-2802 (below). Though not a requirement, most Political Subdivisions will create manuals/rules/guidance (guidance) that go into more detail than the statutes. This guidance cannot supersede Idaho Statute; however, guidance can be made more stringent. For example, a Political Subdivision may elect more stringent purchasing thresholds. Additionally, Federal provisions may also place additional requirements on purchases made with federal funding.

For additional information and specific policy details, consult with the public entity's procurement office for more information.

67-2801 LEGISLATIVE INTENT.	67-2802 APPLICABILITY.	67-2803 EXCLUSIONS.
67-2804 WAIVER.	67-2805 PROCUREMENT OF PUBLIC WORKS CONSTRUCTION.	67-2806 PROCURING SERVICES OR PERSONAL PROPERTY.
67-2806A REQUEST FOR PROPOSAL.	67-2807 JOINT PURCHASING AGREEMENTS — NOT-FOR-PROFIT ASSOCIATIONS.	67-2808 EMERGENCY EXPENDITURES — SOLE SOURCE EXPENDITURES.
67-2809 LEGISLATIVE INTENT — PUBLIC WORKS — AGREEMENTS — SAVINGS — SEVERABILITY.		

TITLE 67 CHAPTER 23 MISCELLANEOUS PROVISIONS

This section has miscellaneous provisions that pertain to purchases made by Political Subdivisions.

67-2302 PROMPT PAYMENT FOR GOODS AND SERVICES.	67-2308 CONVEYANCE OF LAND OWNED BY COUNTY TO STATE WHEN STATE BUILDINGS LOCATED THEREON — EFFECT OF DEED.	67-2309 WRITTEN PLANS AND SPECIFICATIONS FOR WORK TO BE MADE BY OFFICIALS — AVAILABILITY.
67-2310 SUBCONTRACTORS TO BE LISTED ON BID OF GENERAL CONTRACTOR — EXCEPTIONS.	67-2311 PURPOSE OF ACT.	67-2312 PUBLIC BUILDINGS SUBJECT TO SAFETY INSPECTION.
67-2313 INSPECTIONS.	67-2314 REPORT OF INSPECTION.	67-2316 DUTY OF AGENCY IN CONTROL OF BUILDINGS.
67-2317 HEARING AND DECISION OF DISPUTED ISSUES.	67-2318 EMERGENCY EXPENDITURES.	67-2319 PURCHASING PRODUCTS OF REHABILITATION FACILITIES.
67-2320 PROFESSIONAL SERVICE CONTRACTS WITH DESIGN PROFESSIONALS, CONSTRUCTION MANAGERS AND PROFESSIONAL LAND SURVEYORS.	67-2321 CHANGE OF NAME OF TAXING DISTRICT — HEARING — ELECTION — EXCEPTIONS.	67-2322 TRANSFER OF PROPERTY BY LOCAL UNIT OF GOVERNMENT TO OTHER GOVERNMENT BODY AUTHORIZED.
67-2323 WRITTEN AGREEMENT BEFORE TRANSFER — PUBLICATION OF NOTICE.	67-2324 TWO-THIRDS VOTE REQUIRED FOR APPROVAL.	67-2325 POWER TO CONVEY UNDER OTHER LAWS NOT LIMITED.
67-2326 JOINT ACTION BY PUBLIC AGENCIES — PURPOSE.	67-2327 DEFINITIONS.	67-2328 JOINT EXERCISE OF POWERS.

<u>67-2329 AGREEMENT FILED WITH SECRETARY OF STATE — CONSTITUTIONALITY — ENFORCEABLE IN COURTS — RECIPROCIITY.</u>	<u>67-2330 APPROVAL OF APPROPRIATE STATE OFFICER OR AGENCY.</u>	<u>67-2331 FUNDS — PROPERTY — PERSONNEL — SERVICES.</u>
<u>67-2332 INTERAGENCY CONTRACTS.</u>	<u>67-2333 POWERS OF AGENCIES NOT INCREASED OR DIMINISHED.</u>	<u>67-2334 “VOLUNTEER” DEFINED.</u>
<u>67-2335 ACCEPTANCE OF VOLUNTEERS — EXPENSES.</u>	<u>67-2336 QUALIFICATIONS OF VOLUNTEERS.</u>	<u>67-2337 EXTRATERRITORIAL AUTHORITY OF PEACE OFFICERS.</u>
<u>67-2338 EXTRATERRITORIAL BENEFITS OF PUBLIC OFFICERS.</u>	<u>67-2339 MUTUAL AID BY STATE AGENCIES.</u>	<u>67-2340 REGULATION OF AUXILIARY CONTAINERS.</u>
<u>67-2348 PREFERENCE FOR IDAHO DOMICILED CONTRACTORS ON PUBLIC WORKS.</u>	<u>67-2349 PREFERENCE FOR IDAHO SUPPLIERS AND RECYCLED PAPER PRODUCTS FOR PURCHASES.</u>	<u>67-2350 SNOW REMOVAL RESPONSIBILITIES.</u>
<u>67-2351 SHORT TITLE.</u>	<u>67-2352 DEFINITIONS.</u>	<u>67-2353 CITY OR COUNTY REQUEST FOR ADVICE.</u>
<u>67-2354 DEPARTMENT RESPONSIBILITIES.</u>	<u>67-2355 CONSIDERATION OF APPLICATION — LOCAL REGULATION.</u>	<u>67-2358 COLLECTION OF PUBLIC DEBTS — FEES.</u>

TITLE 54 CHAPTER 19 PUBLIC WORKS CONTRACTORS

This section discusses purchases made by Political Subdivisions for Public Works projects.

<u>54-1901 LEGISLATIVE INTENT — DEFINITIONS.</u>	<u>54-1902 UNLAWFUL TO ENGAGE IN PUBLIC WORKS CONTRACTING WITHOUT LICENSE — INVESTIGATIONS.</u>	<u>54-1903 EXEMPTIONS.</u>
<u>54-1904 CLASSES OF LICENSES — RIGHTS GRANTED UNDER LICENSES — FEES.</u>	<u>54-1904A FILING OF NOTICES AND INCOME TAX RETURNS — PAYMENT OF INCOME TAXES BY CONTRACTORS.</u>	<u>54-1904B RELIEF FROM BIDS.</u>
<u>54-1904C GROUNDS FOR RELIEF.</u>	<u>54-1904D PROHIBITION AGAINST FURTHER BIDDING.</u>	<u>54-1904E AWARD OF CONTRACT TO SECOND OR NEXT LOWEST BIDDER.</u>
<u>54-1905 PUBLIC WORKS CONTRACTORS LICENSE BOARD CREATED — QUALIFICATIONS OF APPOINTEES — TERM — REMOVALS.</u>	<u>54-1907 DUTIES AND POWERS OF THE BOARD — SEAL.</u>	<u>54-1908 MEETINGS — QUORUM.</u>
<u>54-1910 EXAMINATIONS, QUALIFICATIONS AND APPLICATIONS.</u>	<u>54-1911 FILING, ISSUANCE AND DENIAL OF LICENSES — FEES NOT REFUNDED.</u>	<u>54-1912 EXPIRATION AND RENEWAL OF LICENSES — FEES.</u>
<u>54-1913 RECORDS, LISTS AND INFORMATION.</u>	<u>54-1914 ADMINISTRATIVE ENFORCEMENT PROCEEDINGS.</u>	<u>54-1915 PROCEDURE FOR IMPOSITION OF DISCIPLINE.</u>

54-1916 JUDICIAL REVIEW — APPEALS PROCEDURE.	54-1917 RENEWAL OF SUSPENDED OR REVOKED LICENSE.	54-1918 SUBPOENAS AND PROCESS.
54-1919 REVOCATION BY COURT.	54-1920 PENALTIES — INJUNCTION.	54-1920A ENFORCEMENT.
54-1921 PUBLIC WORKS CONTRACTORS LICENSE FUND — APPROPRIATION.	54-1922 ACT SUPERIOR TO ALL LAWS IN CONFLICT.	54-1923 TITLE.
54-1924 SEPARABILITY.	54-1925 PUBLIC CONTRACTS BOND ACT — SHORT TITLE.	54-1926 PERFORMANCE AND PAYMENT BONDS REQUIRED OF CONTRACTORS FOR PUBLIC BUILDINGS AND PUBLIC WORKS OF THE STATE, POLITICAL SUBDIVISIONS AND OTHER PUBLIC INSTRUMENTALITIES — REQUIREMENTS FOR BONDS — GOVERNMENTAL OBLIGATIONS.
54-1926A USE OF GOVERNMENT OBLIGATIONS INSTEAD OF SURETY BONDS.	54-1927 CLAIMS FOR LABOR OR MATERIAL FURNISHED OR EQUIPMENT SUPPLIED — SUIT ON CONTRACTOR’S PAYMENT BOND — PROCEDURE — LIMITATION.	54-1928 LIABILITY OF PUBLIC BODY FOR FAILURE TO OBTAIN PAYMENT BOND.
54-1929 ATTORNEY’S FEES ALLOWED.	54-1930 MEANING OF TERMS USED IN ACT.	

MISCELLANEOUS

Miscellaneous statutes.

54-1218 PUBLIC WORKS.		
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STATE AGENCIES

TITLE 67 CHAPTER 92 STATE PROCUREMENT ACT

This section discusses purchases made by State Entities as defined in 67-9203 (below). The Idaho Administrative Code (IDAPA) is a compilation of all final and temporary rules affecting the citizens of Idaho that have been promulgated and adopted in accordance with the requirements of the Idaho Administrative Procedure Act. Current purchasing rules are found at: IDAPA 38.05.01 et seq. <https://adminrules.idaho.gov/rules/current/38/380501.pdf>

67-9201 SHORT TITLE.	67-9202 DECLARATION OF POLICY.	67-9203 DEFINITIONS.
67-9204 DIVISION OF PURCHASING — ADMINISTRATOR.	67-9205 POWERS AND DUTIES OF THE ADMINISTRATOR.	67-9206 DELEGATION OF AUTHORITY.
67-9207 PROCUREMENT TRAINING.	67-9208 SOLICITATIONS.	67-9209 BIDS.
67-9210 AWARD OF CONTRACT.	67-9211 MULTIPLE AWARDS.	67-9212 CONTRACTS SHALL BE IN WRITING.

67-9213 CONTRACTS IN VIOLATION OF PROVISIONS OF THE ACT.	67-9214 ACCEPTANCE OF PROPERTY.	67-9215 PRESERVATION AND DISCLOSURE OF RECORDS — EXCEPTION.
67-9216 OPEN CONTRACTS.	67-9217 DISQUALIFICATION OF VENDORS.	67-9218 PAYMENT OF CONTRACTORS.
67-9219 CONTRACT OVERSIGHT.	67-9220 INVENTORIES.	67-9221 NONCOMPETITIVE AND EMERGENCY PROCUREMENTS.
67-9222 NONOWNED PROPERTY.	67-9223 EXCHANGE OF STATE PROPERTY.	67-9224 COOPERATIVE AND GROUP DISCOUNT PURCHASING.
67-9225 PROCUREMENT BY STATE INSTITUTIONS OF HIGHER EDUCATION.	67-9226 DISCOUNTS.	67-9227 CONTRACTS WITH FEDERAL GOVERNMENT EXEMPT FROM CERTAIN PROVISIONS.
67-9228 ACQUISITION OF PROPERTY — GENERAL SERVICES ADMINISTRATION FEDERAL SUPPLY SCHEDULE CONTRACTS.	67-9229 APPLICATION OF ADMINISTRATIVE PROCEDURE ACT.	67-9230 PROHIBITIONS.
67-9231 PENALTIES.	67-9232 CHALLENGES AND APPEALS.	67-9234 SEVERABILITY.

ETHICS

POLITICAL SUBDIVISIONS

Political Subdivisions adhere to the National Institute of Government Procurement Code of Ethics found at: <https://www.nigp.org/home/about-nigp/code-of-ethics>

59-1026 WILLFUL AND KNOWING AVOIDANCE OF COMPETITIVE BIDDING AND PROCUREMENT STATUTES — CIVIL PENALTIES.	Idaho Statute Title 18 Crimes and Punishments	Idaho Statute Title 74 Transparent and Ethical Government
74-501 OFFICERS NOT TO BE INTERESTED IN CONTRACTS.		

STATE AGENCIES

State agencies follow [Idaho Statute 67-9233 Ethics in Procurement.](#)