

**STATE OF IDAHO**



**DIVISION OF PURCHASING**

# **VENDOR'S GUIDE**

To Doing Business with the  
State of Idaho

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***NOTE: This Vendor's Guide is for informational purposes only. It is not a legal document and does not take the place of Idaho Code or Division of Purchasing Rules. It is not intended and shall not be construed to create any legal rights or interests of whatever nature in bidders, or to impose legal duties or obligations upon the Division of Purchasing or the State of Idaho. This Vendor's Guide supersedes all previously issued publications.***

Costs associated with this publication are available from the Department of Administration, Division of Purchasing in accordance with *Section 60-202, Idaho Code*.

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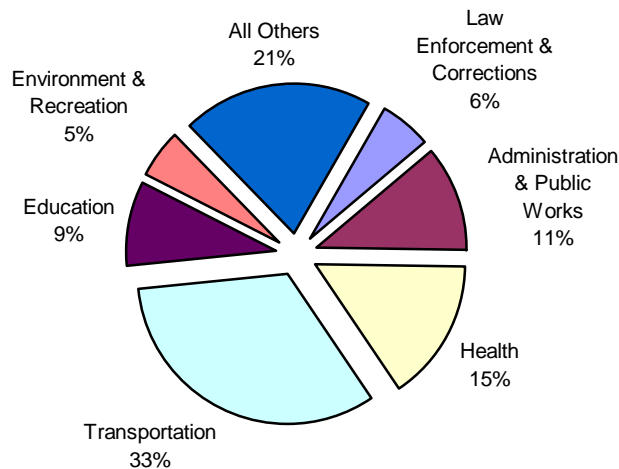
# 1. INTRODUCTION

## Purpose of This Guide

The Department of Administration, Division of Purchasing, has prepared this publication to: (1) acquaint potential suppliers with our purchasing process; (2) serve as a guide for doing business with the State of Idaho; and (3) to promote good relationships between vendors and the State. The State of Idaho is constantly looking for innovative, reliable, and competitive vendors who can demonstrate more efficient and cost effective ways of satisfying the state's requirements.

## Who Buys for the State?

State government is one of the largest consumers of goods and services in the State of Idaho. Every year the State purchases millions of dollars worth of goods, services, and capital equipment. The State is not a single entity. It is made up of many departments, divisions, bureaus, boards, commissions, districts, regional offices, and other authorities. Small purchases are made by these various groups located throughout Idaho. Larger purchases are made by the Department of Administration, Division of Purchasing on behalf of the various agencies. The Division of Purchasing is responsible for the oversight of all state purchasing activities. The following chart shows the categories that make up the largest percentages of the State's total purchases: (All percentages are approximate)



Environment and Recreation includes Fish and Game, Parks and Recreation, Lands, and Water Resources.  
Education includes Universities and Colleges, Vocational Ed., State Library, Historical Society, and Public Television.

Transportation includes Highways, Aeronautics, and Public Transportation.

Health includes Health and Welfare, State Hospitals, Veterans Homes, Environmental Quality, and Public Health Districts.

Administration includes Public Works, Information Technology and Purchasing.

Vendors are encouraged to access the Idaho Purchasing web site ([www.adm.idaho.gov/purchasing](http://www.adm.idaho.gov/purchasing)) where up-to-date information about bidding opportunities, state purchasing personnel, purchasing rules and other purchasing related information is displayed.

## **History of State Purchasing**

Idaho was one of the first states in the west to establish a centralized purchasing program. It began in 1919 as the Bureau of Supplies, under the Department of Public Works, and later became a separate entity under the direction of the Governor's Office. In 1974 the Division of Purchasing, under the Department of Administration, was established. Today, the Division of Purchasing uses an automated purchasing system, utilizes the Internet to distribute purchasing information, and conducts regular training sessions for state purchasing personnel and the vendor community.

## **State Statutes & Purchasing Authority**

State purchasing activity is governed by state statute (*Idaho Code Title 67, Chapter 57*). The statutes may be viewed and printed through the Internet via the Idaho Purchasing Homepage ([www.adm.idaho.gov/purchasing](http://www.adm.idaho.gov/purchasing)). These laws:

- Place authority and responsibility for state purchases in the Department of Administration, Division of Purchasing.
- Permit the Division to delegate authority for some purchases to other state agencies.
- Establish competitive bidding as the preferred method for obtaining goods and services.

This guide addresses only the purchase of products and services relating to the Division of Purchasing activities and does not address building or construction projects under the jurisdiction of the Department of Administration, Division of Public Works or highway construction and maintenance under the jurisdiction of the Idaho Transportation Department. Construction projects are subject to the Idaho Public Works Contractor's Licensing Act (*I.C. 54-1901 through 54-1930*). Information about public works type projects may be obtained by calling the Division of Public Works at (208) 332-1900 or at their web site: <http://www.adm.idaho.gov/pubworks>. Information about transportation projects may be obtained by calling (208) 334-8429 or on their web site at: <http://www.itd.idaho.gov/business/business.htm>.

## **Division of Purchasing Mission Statement**

The mission of the Division of Purchasing is to purchase goods and services by securing maximum value for the tax dollar and to provide service to state agencies and the public in a timely and courteous manner through ethical and impartial relations with vendors and state personnel.

## 2. HOW THE STATE OF IDAHO PURCHASES

### Types of Purchases - Purchasing Rules and Procedures

The Division of Purchasing has created rules (IDAPA 38.05.01) to supplement purchasing statutes and has outlined procedures to govern the purchase of property and services. These rules have been reviewed and approved by the State Legislature. The following is a summary of the types of purchases and the rules and procedures used by the state.

#### Small Purchases of Property or Services

Less Than \$5,000.00 For purchases expected to cost less than \$5,000 no competitive bidding is required. However, the purchase is to be in accordance with good business practice and in the best interests of the state.

All agencies have authority to make purchases under \$5,000. Purchases are made with an agency purchase order or by use of a State of Idaho Purchasing Card.

#### More Than \$5,000

#### Less Than \$75,000

Purchases over \$5,000 and under \$75,000 require a minimum of three (3) competitive solicitations from vendors with a significant Idaho economic presence as defined by Idaho Code. Larger agencies may have delegated authority to make purchases, up to a maximum of \$75,000, depending upon their need.

*Idaho Code 67-2349* defines significant Idaho economic presence as: the bidder must have, for a minimum of one year prior to the bid, maintained in Idaho fully staffed office, or fully staffed sales office or divisions, or fully staffed sales outlets, or manufacturing facilities, or warehouses or other necessary related property. Further, if the bidder is a corporation, it must be registered with the office of the Secretary of State and licensed to do business in the State of Idaho.

*See Page 6, Bid Posting and Notifications and Page 7, Accessing Bidding Opportunities on the Internet.*

## **Larger Purchases of Property or Services (Formal Sealed Bidding)**

More Than \$75,000 Purchases over \$75,000 require public notification of the solicitation. Solicitations may be in the form of an Internet posting, e-mail notification, or direct mailing to vendors. Hard copies are also posted at the Division of Purchasing office. These are formal, sealed bids and are conducted by the Division of Purchasing.

*See Page 6, Accessing Bid Posting and Notifications and Page 7, Accessing Bidding Opportunities on the Internet.*

## **Professional and Consultant Services**

Less Than \$75,000 Services of professionals or consultants costing less than \$75,000 and less than one (1) year in duration may be acquired by agencies without competitive bidding in accordance with good business practice and in the best interests of the state. Requirements for professional or consultant services exceeding \$75,000 or one (1) year require that formal, sealed bids be conducted by the Division of Purchasing.

Professional Services are defined as work rendered by an independent contractor whose occupation is the rendering of such services and who has a professional knowledge of some department of learning or science used by its practical application to the affairs of others or in the practice of an art founded on it, including but not limited to accounting and auditing, legal, medical, nursing, education, engineering, actuarial, architecture, veterinarians, and research. The knowledge is founded upon prolonged and specialized intellectual training that enables a particular service to be rendered. The word "professional" implies professed attainments in special knowledge as distinguished from mere skills.

Consultant Services are defined as work, rendered by either individuals or firms who possess specialized knowledge, experience, and expertise to investigate assigned problems or projects and to provide counsel, review, design, development, analysis, or advice in formulating or implementing programs or services or improvements in programs or services, including but not limited to such areas as management, personnel, finance, accounting and planning. The consultant's services, opinions, or recommendations will be performed according to the consultant's

methods without being subject to the control of the agency except as to the result of the work.

## **Information Technology**

The Information Technology Resource Management Council (ITRMC) and its associated Project Team coordinates, manages, and facilitates implementation of the state's long range technology plan. All information technology purchases are made in accordance with ITRMC recommendations, state statutes, and Division of Purchasing Rules.

### Less Than \$5,000

#### Property

Information Technology (IT) property (defined as computer hardware, software, computer related office automation, automated data processing and telecommunications), not available on statewide contracts, costing less than \$5,000 may be acquired as each agency sees fit. IT property exceeding \$5,000 is subject to the competitive bidding process. The State has microcomputer contracts in place to fulfill most needs.

### Less Than \$75,000

#### Services

Information Technology services less than \$75,000 acquired through a service contract not to exceed one (1) year may be acquired as each agency sees fit. Service contracts in excess of \$75,000 or more than one (1) year are subject to competitive bidding.

## **Statewide and Single Agency Contracts**

The Division of Purchasing develops statewide contracts (SBPO's) commonly used items and services used by multiple agencies and specific item or service contracts for single agency use. Statewide contracts are generally bid and awarded by zones or areas (see maps, page 18). Purchases from contracts by agencies do not require any further bidding and do not have a dollar limitation unless specially mentioned in the contract. Agencies simply issue release orders against statewide contracts.

## **Emergency Purchases**

The Division of Purchasing, after determining that an emergency exists, may authorize the purchase of property or services by any reasonable means, with any available specification, without regard to the competitive bid provisions of purchasing rules.

## **Exceptions to Bidding**

Purchases from sole sources, the federal government, rehabilitation agencies, Correctional Industries, and purchases less than the bid limits described above are

exempt from informal or formal bidding procedures. The Division of Purchasing reserves the authority to determine if an item or service meets the qualifications to be exempt from bidding.

The complete *Division of Purchasing Rules* may be viewed or printed from the Idaho Purchasing Homepage web site ([www.adm.idaho.gov/purchasing](http://www.adm.idaho.gov/purchasing)).

### **3. THE VENDOR REGISTRATION AND BID NOTIFICATION SYSTEM**

#### **Bid Posting and Notification**

The Idaho Division of Purchasing posts business opportunities on the Internet utilizing a third party contractor, Secure Internet Commerce Network (SicommNet). Some state agencies are also using this system and its use is expanding. Use of this Internet-based system allows vendors to respond to solicitations online or download non-interactive bids or proposals. Vendors may search for business opportunities or receive e-mail notifications of opportunities in selected commodity classifications.

#### **Vendor Internet Registration**

The State of Idaho does not require that a vendor be registered with the State in order to do business. However, since solicitations are posted on the Internet to the <http://ipro.sicomm.net/IPRO/> system, vendors are encouraged to register and profile their company.

There is **no charge** to register, profile your company, search, view, and respond to Idaho solicitations. However, other states, cities, and counties are also using this system across the nation and some transaction or registration fees may apply to use the system for entities other than Idaho. Idaho has instituted a “collect and remit” Administrative Fee of 1.25% for certain awards. The successful vendor collects the Administrative Fee from the contracting state agency, and remits it to Idaho’s eProcurement Provider, <http://ipro.sicomm.net/IPRO/>. A more detailed explanation of the SicommNet system is provided on its website, [www.sicomm.net](http://www.sicomm.net), and in the SicommNet Online Service Agreement (SOSA). Additional information regarding the Administrative Fee is available at [www.adm.idaho.gov/purchasing/](http://www.adm.idaho.gov/purchasing/).

To register go to:  
<http://ipro.sicomm.net/IPRO/>  
Click on **Vendor Registration**  
Follow on-line Instructions  
For Help call **800-575-9955**

#### **No Internet Access**

For those vendors without Internet access, paper copies of all formal, sealed Invitations to Bid and Requests for Proposals are always available and may be viewed at the Idaho Division of Purchasing Office, located in the Len B. Jordan Building, 650 W. State St. – Room B-15, Boise, ID 83720 during normal business hours (8-5, M-F). Smaller purchases (Request for Quotations) are generally processed by individual state agencies and copies are not available through the Division of Purchasing office.

The Idaho Dept. of Commerce, Idaho Business Network (IBN) offers a bid-matching service for Idaho businesses. IBN will search bidding opportunities on the Internet from federal, state, and local agencies as well as from local large corporations and notify their members by e-mail or fax, of the bid. All states have similar programs. For more information contact the Idaho Business Network at 208-334-2470 or 1-800-842-5858 or see their web site at: <http://idahoworks.com/ibn>.

## More Information

Additional information about Idaho’s use of the IPRO.sicomm.net system is available on the purchasing website at: <http://www.adm.idaho.gov/purchasing/epurchasinginfo.htm>

## Accessing Bidding Opportunities on the Internet

After your registration is complete you are ready to access bidding opportunities. Follow these steps to view, respond to or download bids, quotes, or proposals:

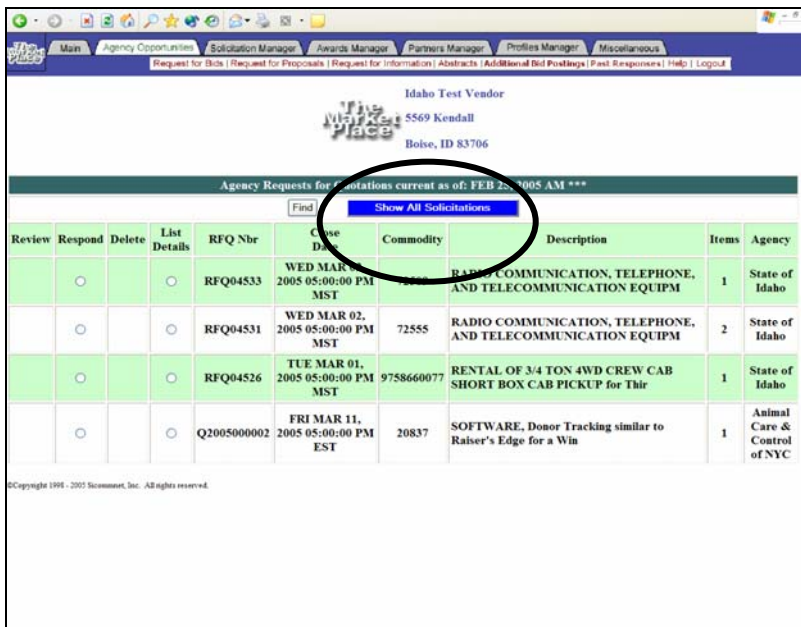
- a. Go to: <http://ipro.sicomm.net/IPRO/>
- b. Enter your User ID and Password Click on “IPRO vendor login”



- c. Click on Agency Opportunities on the Tab menu. A sub-menu will appear with the options; Request for Quotation, Request for Bid, Request for Proposal, or Request for Information. Click on one of these options.



- d. Solicitations are filtered and displayed according to your selected commodity codes. To see all solicitations available, (those that are not in your commodity code) click on the Show All Solicitations button.



- e. Solicitations can either be just viewed, or viewed and responded to. To see all the information available, click on the Respond radial button. NOTE:

Some Request for Proposals cannot be responded to on-line. Click on the View button to access these.

Idaho Test Vendor  
5569 Kendall  
Boise, ID 83706

Agency Requests for Quotations current as of: FEB 25, 2005 AM \*\*\*

Review	Respond	Delete	List Details	RFQ Nbr	Close Date	Commodity	Description	Items	Agency
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	RFQ04533	WED MAR 02, 2005 05:00:00 PM MST	72509	RADIO COMMUNICATION, TELEPHONE, AND TELECOMMUNICATION EQUIPM	1	State of Idaho
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	RFQ04531	WED MAR 02, 2005 05:00:00 PM MST	72555	RADIO COMMUNICATION, TELEPHONE, AND TELECOMMUNICATION EQUIPM	2	State of Idaho
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	RFQ04526	TUE MAR 01, 2005 05:00:00 PM MST	9758660077	RENTAL OF 3/4 TON 4WD CREW CAB SHORT BOX CAB PICKUP for Thir	1	State of Idaho
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Q2005000002	FRI MAR 11, 2005 05:00:00 PM EST	20837	SOFTWARE, Donor Tracking similar to Raiser's Edge for a Win	1	Animal Care & Control of NYC

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- f. Scroll down to see information about terms and conditions, special instructions, etc. Look for any attachments that need to be opened and viewed or downloaded. Attachments can be found as linked files in the header area or near the item description. Click on the radial button or underlined file name to open the attachment.

State of Idaho A00000000011  
Idaho Division of Purchasing  
5569 Kendall  
PO Box 83720  
Boise ID, 83720-0075

### Invitation to Bid

Fri Feb 25, 10:29:21 A.M. MST 2005  
HH:MM:SS adjusted to system server hh:mm:ss

RFB Nbr: ITB02302      Requestion Nbr: REQ06563  
Reference Number: 2005-066      Document Nbr: PREQ9093

RFB Date of Issue: FRI FEB 11, 2005 09:41:29 AM MST      RFB CLOSING (Due) Date: THU MAR 03, 2005 05:00:00 PM MST  
IN: 6 Days 6 Hours 30 minutes 36 seconds

Required Delivery Date: 03/30/2005

Freight: Freight / Handling Included in Price      FOB:      Destination

Delivery Point: IDPR  
Name 1: Idaho Dept of Parks & Recreation      Address 1: 5657 Warm Springs Avenue  
Name 2:      Address 2:  
Name 3:      City, State & Zip: Boise, ID 83706

Contact Person: JIM RICE  
Phone Nbr: 208 334 4199      Fax Nbr: 208 334 3741  
Email: [jrice@idpr.state.id.us](mailto:jrice@idpr.state.id.us)

Buyer: PEARL SMITH

Buyer: PEARL SMITH  
 Phone Nbr: 208-327-7116  
 Email: pearl.smith@adm.idaho.gov  
 Fax Nbr: 208-327-7320

RFB FILE ATTACHMENTS  
 2 file(s) found.

- signaturepageTB\_RFP.doc
- traildozerspec.doc

SPECIAL INSTRUCTIONS

STANDARD TERMS AND CONDITIONS: The State's Conditions & Instructions to Vendors are hereby incorporated by reference into this solicitation as if set forth herein in their entirety, and are located on the Internet at [www2.state.id.us/adm/purchasing](http://www2.state.id.us/adm/purchasing). If you do not have internet access, you may contact the Div. of Purchasing at 208-327-7465 to obtain a copy. The Conditions & Instructions to Vendors shall apply to this solicitation and the State of Idaho Standard Contract Terms & Conditions shall apply to any contract resulting from this solicitation. Failure by any submitting vendor to obtain a copy of such shall in no way constitute or be deemed a waiver by the State of either document, or any part of them. No liability will be assumed by the Division of Purchasing for a submitting vendor's failure to consider the Terms & Conditions in its response to the solicitation.

1: The undersigned hereby offers to sell to the State of Idaho the specified property and/or services, if this quotation, bid, or proposal (response) is accepted within a reasonable time from the date of closing, at the price shown in our response and under all the terms and conditions contained in, or incorporated by reference into the State of Idaho's solicitation.

2: Submission of a response to the State of Idaho constitutes and shall be deemed an offer to sell to the State of Idaho the specified property and/or services at the price shown in the response and under the State's Terms and Conditions.

As the undersigned, I also certify I am authorized to sign this response for the submitting vendor and the response is made without connection with any person, firm, or corporation making a response for the same goods and/or services and is in all respects fair and without collusion or fraud.

3: Additional instructions/provisions are attached which apply to this Solicitation.

4: PUBLIC AGENCY CLAUSE: Contract prices shall be extended to other "Public Agencies" as defined in Section #67-2327 of the Idaho Code, which reads: "Public Agency" means any city or political subdivision of this state, including, but not limited to counties; school districts; highway districts; port authorities; instrumentalities of counties; cities or any political subdivision created under the laws of the State of Idaho. It will be the responsibility of the Public Agency to independently contract with the vendor and/or comply with any other

- g. To respond on-line, scroll down to the bottom where a price can be entered. There is also a comment field for you to add additional information about your response.
- h. Click on the Submit Response button. You will receive an on-line confirmation that your response has been received and a summary of your response. You will also get an e-mail confirmation.
- i. You may change your response by simply entering a new one. The system will override the first response and only save the second one.

Quantity: 1 Unit of Measure: EACH Commodity Code: 070-22--

Description:  
 OFF ROAD VEHICLE, TRAIL DOZER

Item 001 Response

Recycle Status: [dropdown]

Unit Price in US DOLLARS and CENTS: \$ [input]

Comments: [text area]

Upload / Manage already uploaded File(s): [radio] Number of Current Attachments: 0

Optionally, please supply:

Retail Price: [input]  
 Manufacturer Name: [input]  
 Manufacturer ID: [input]  
 For Item 1  
 Manufacturer Part Nbr: [input]  
 Manufacturer URL: [input]  
 Item Identification ID: [input]

You will receive an on-screen and an email confirmation of your response.  
 If you do not receive these confirmations, please contact the Sicommet Help Desk  
 at 800.575.9955 option 2 or email to: [support@slcomm.net](mailto:support@slcomm.net)

Back Print Submit Response

## **4. BIDDING INFORMATION & GUIDELINES**

### **Types of Solicitations**

The State uses three (3) different types of bid solicitations:

- Request for Quotation (RFQ) - The document form, and/or other method used when purchases are solicited in accordance with small purchase procedures, or emergency purchase procedures as authorized by the Administrator of the Division of Purchasing. The request and the quotation in response may either be electronic, written, facsimile, or oral as specified by the buyer.
- Invitation to Bid (ITB) - All documents, whether attached or incorporated by reference, utilized for soliciting formal sealed bids. Invitations to Bid are publicly opened at a specified date and time.
- Request for Proposal (RFP) - All documents, whether attached or incorporated by reference, utilized for soliciting competitive proposals is generally utilized in the acquisition of services or complex purchases. Request for Proposals are publicly opened at a specified date and time.

### **How To Receive Quote/Bid/Proposal Solicitations**

Informal Requests for Quotations (RFQ) are issued by the Division of Purchasing or by state agencies with delegated authority. RFQs are sent directly to vendors supplying the commodity required either by fax, mail, personal visit, telephone call, or posted on the Internet. Vendors should contact the purchasing personnel at state agencies with delegated authority directly. The Division of Purchasing is not notified of RFQs issued by agencies within their delegated authority. A list of agency purchasing personnel is available on the Internet at the Idaho Purchasing Homepage.

Formal Invitations to Bid (ITB) and Requests for Proposals (RFP) are issued by the Division of Purchasing and a few selected state agencies. They are posted on the Internet and/or distributed to vendors who have indicated that they can provide the commodity being requested. Hard copies of formal solicitations issued by the Division of Purchasing are also posted at the Division of Purchasing office.

### **State of Idaho Standard Contract Terms and Conditions, Special Terms and Conditions for Customized Software and Related Services, and Solicitation Instructions to Vendors**

The following State of Idaho Standard Contract Terms and Conditions and Solicitation Instructions to Vendors are incorporated by reference into every solicitation. Where appropriate, Special Terms and Conditions for Customized Software and Related

Services are included. Other special terms and conditions may be included in select solicitations.

The most current version is always posted on the Division of Purchasing web site. Check the web site at: <http://www.adm.idaho.gov/purchasing>.

Failure by any submitting vendor to obtain a copy of such from the Internet or from the Division of Purchasing shall in no way constitute or be deemed a waiver by the State of either the Solicitation Instructions to Vendors or the State of Idaho Standard Contract Terms and Conditions, or any part of them.

No liability will be assumed by the Division of Purchasing for a submitting vendor's failure to obtain the Terms and Conditions in a timely manner for use in the submitting of a vendor's response to a solicitation or any other failure by the submitting vendor to consider the Terms and Conditions in its response to the solicitation.

### **The Three Important Documents to Review and Understand:**

#### **1. SOICITATION INSTRUCTIONS TO VENDORS**

This document covers definitions, award methodologies, responsibilities of both parties, instructions on how respond to bids and proposals, pricing and other helpful information.

Please download a copy of the Solicitation Instructions to Vendors at: [http://www.adm.idaho.gov/purchasing/TCs/SolicitationInstructions\(rev10-01-2009\).pdf](http://www.adm.idaho.gov/purchasing/TCs/SolicitationInstructions(rev10-01-2009).pdf)

#### **2. STATE OF IDAHO STANDARD CONTRACT TERMS AND CONDITIONS**

This document will cover contract terms and conditions that apply to bids, renewal options, changes/modifications, shipping and delivery, installation and acceptance, risk, licensing and certifications etc.

Please download a copy of the State of Idaho Standard Contract Terms and Conditions at: [http://www.adm.idaho.gov/purchasing/TCs/StandardTC\(rev10-01-09\).pdf](http://www.adm.idaho.gov/purchasing/TCs/StandardTC(rev10-01-09).pdf)

#### **3. STATE OF IDAHO SPECIAL TERMS AND CONDITIONS FOR CUSTOMIZED SOFTWARE AND RELATED SERVICES**

This document will cover special terms and conditions related to customized software and services such as licensing, software warranties and ownership of materials and information.

Please download a copy of the State of Idaho Special Terms and Conditions for Customized Software and Related Services at: [http://www.adm.idaho.gov/purchasing/TCs/SpecialTCforCustomizedSoftware\(rev11-14-05\).pdf](http://www.adm.idaho.gov/purchasing/TCs/SpecialTCforCustomizedSoftware(rev11-14-05).pdf)

## **5. GENERAL INFORMATION**

### **Appointments with Purchasing Officers and Agency Personnel**

Purchasing Officers and agency personnel operate under substantial work loads. Making prior appointments will help us give your presentations or discussions our undivided attention.

Although every effort will be made to accommodate vendor's representatives who arrive unannounced, we cannot assure prompt attention. To avoid unnecessary delays, please make appointments in advance.

### **State Not A Reseller**

Unless otherwise noted in the bidding documents, all purchases made pursuant to solicitations are for the internal use of government only and will not be resold to the general public at retail. Upon request, the Division of Purchasing will issue a certification to this effect.

### **Contracts or Blanket Purchase Orders**

The State develops, bids, and awards written Purchase Order Documents in the form of term contracts, indefinite delivery/indefinite quantity contracts, leases, price agreements, maintenance agreements, or other acquisition agreements whose subject matter involves multiple payments or deliveries. These Purchase Order Documents also includes any amendments or change orders. Purchase Order Documents may be issued for use by a single agency, or by all agencies, including other public agencies (political subdivisions) of the State.

Bid solicitations normally include an estimated quantity or need, delivery information, and terms and conditions. The award of a contract does NOT authorize shipment of goods. Shipment of goods is only authorized after receipt of a completed release purchase order or other purchasing authorization issued by the individual agency.

A complete list of current statewide contracts is available for viewing at:  
<http://www.adm.idaho.gov/purchasing/stwidecntcs.html>

### **Substitutions after Contract Award**

Substitution is defined as shipment of an item that does not conform to the purchase order specifications. Substitutions require the prior written approval of the Division of Purchasing and if granted will be only for exceptional circumstances. Any supplies

delivered that do not meet specifications will be returned to the vendor at the vendor's expense.

## **Gift Policy**

It is the policy of the Division of Purchasing that no individual employee may accept any token of appreciation, no matter how insignificant. This includes lunches, dinners, or other traditional gratuities. We will appreciate you informing the employees of your company of this restriction.

## **Definition of an Idaho Vendor**

An Idaho vendor is defined as one who is “domiciled” in Idaho or is said to have a “significant Idaho economic presence.”

Domiciled means where a corporation is chartered or incorporated or where a sole proprietor or partnership is located or has its permanent headquarters. Bidders domiciled in states other than Idaho who have a "significant Idaho economic presence" for one year preceding the bid date, may be considered an Idaho domiciled bidder. Significant Idaho Economic Presence is a phrase defined in Idaho Statute 67-2349 that means a vendor is considered “domiciled” if they have maintained a staffed office, sales office, sales outlet, manufacturing facility, or warehouse or other necessary related property for at least one (1) year and, if a corporation, be registered and licensed to do business in the state of Idaho with the office of the secretary of state.

## **Reciprocal Preference Law**

Some states and countries provide a preference for vendors within their borders and add a percentage to bids received from vendors outside of their states. When an outside state applies a preference to its in-state vendors, the State of Idaho responds (reciprocates) in like manner by adding the same percentage to bids received from vendors who are “domiciled” in those states or countries. This applies to the purchases of materials, supplies, equipment, services, and public works projects. *Idaho Code 67-2348* and *67-2349* apply to any department, division, bureau or agency thereof, city, county, school district, irrigation district, drainage district, sewer district, highway district, good road district, fire district, flood district, or other public body that solicits competitive bids. The law is applicable to any purchase that is bid, regardless of the dollar amount, and is not limited to the United States. It is not applicable to purchases that are not competitively bid, such as: small purchases under \$5,000, sole source purchases, emergency purchases, and other purchases that are exempt from bidding

In determining the lowest responsible bidder, a percentage increase is added to each out-of-state bidder’s bid price, which is equal to the percent of preference given to local bidders in the bidder’s home state. That is, if the low bidder is from a state that grants a 10 percent preference to its own in-state bidders, the Idaho agency must add 10 percent to that bidder’s

price when evaluating the bid. It is only applied to bid evaluations when comparing bids from Idaho “domiciled” vendors with bids from out-of-state vendors with a preference in their state. The percentage is not applied when comparing one out-of-state bid with another out-of-state bid. In no instance is the increase (penalty percentage) actually paid to a vendor whose bid is accepted. The percentage is used for evaluation and award purposes only.

## **Printing Preference**

Two (2) Idaho statutes in *Idaho Code* allow for a printing preference, *60-101 and 60-103*. Originally enacted in 1903, this section of code provides for a 10% preference for printing done in Idaho (with the exception of printing of state laws). For bids or quotations for printing being produced outside of the State of Idaho, 10% additional cost is added to the bid for evaluation purposes only. It applies to all aspects of a printing project; printing, engraving, binding, and stationery work. If any portion of a printing project is performed outside of the state, then the printing preference is applied. This section of code applies to all public agencies: state, county, city, local, school districts, etc., and has no minimum or maximum dollar limitations associated with it.

## **Small, Minority, or Disadvantaged Businesses Preferences**

There are no preferences, quotas or goals for purchasing from small, minority, or disadvantaged businesses in Idaho Code. The Division of Purchasing does not collect or track this type of information. However, several state agencies (Transportation, Environmental Quality, Water Resources, etc.) receive federal money that has, as a condition, the use of small, minority, or disadvantaged business enterprises. The Idaho Department of Transportation has a program called the Disadvantaged Business Enterprises Supportive Services Program (DBE) that certifies small businesses for work on federally funded transportation projects. For information on the DBE contact the Idaho Department of Transportation DBE coordinator at 208-334-8567.

## **Tie Bid Preferences**

In cases where a tie bid occurs, *Idaho Code 67-5718 (5)* gives preference to Idaho products and Idaho vendors (as defined in I.C. 67-2349). *See also IDAPA 38-05.01.*

## **Public Records Policy**

- **Public Records.** All records of purchases and of the Division of Purchasing (unless otherwise exempt) are open and accessible to the public during the regular office hours of the Division. Requests for inspection of records must be reasonable, contain sufficient information for retrieval, and must not interfere with the orderly operation of the Division. Requests for manual or electronic copies must be made in writing, identifying the requested records with particularity. Purchase records do not include the identity of prospective bidders prior to bid opening where such disclosure might negate the

competitive bid process or provide a vendor an unfair competitive advantage. Individual purchase records are not available until after award with the exception of the public opening and examination procedures.

Only the contents of Invitations to Bid are available for public examination at the public bid opening. Bidders are encouraged to attend the public bid opening on the day and the time specified for all sealed bids.

For Request for Proposals, only the names of those submitting proposals will be disclosed at the public bid opening. No public examinations of proposals submitted in response to a Request for Proposals are allowed until after the award.

A limited exemption for proprietary information or trade secrets exists in the Idaho Public Records Law (*I.C. 9-338*).

## **Purchases for Private Use**

Idaho law prohibits employees or officials of the State to purchase, directly or indirectly, materials, equipment or supplies for personal or individual ownership or through utilization of State Contracts or influence upon a vendor.

## **Listing of Job Openings**

The Division of Purchasing strongly encourages all vendors doing business with the state to join in a partnership with the State of Idaho in the hiring of qualified veterans by listing all suitable job openings with their nearest Job Service office.

## **Anti-Discrimination/Equal Employment Opportunity**

All State of Idaho contracts bind the Contractor to the terms and conditions of Section 601, Title VI, Civil Rights Act of 1964 in that "No person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance." In addition, "No other wise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance" (Section 504 of the Rehabilitation Act of 1973). Furthermore, for contracts involving Federal funds, the applicable provisions and requirements of Executive Order 11246 as amended, Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, Section 701 of Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967 (ADEA), 29 USC Sections 621 et. seq., the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, U.S. Department of Interior regulations at 43 CFR Part 17, and the Americans with Disabilities Act of 1990 are also incorporated into contracts issued by the state. The Contractor must include these

requirements in every subcontract relating to purchases by the State to insure that subcontractors and vendors are bound by this provision.

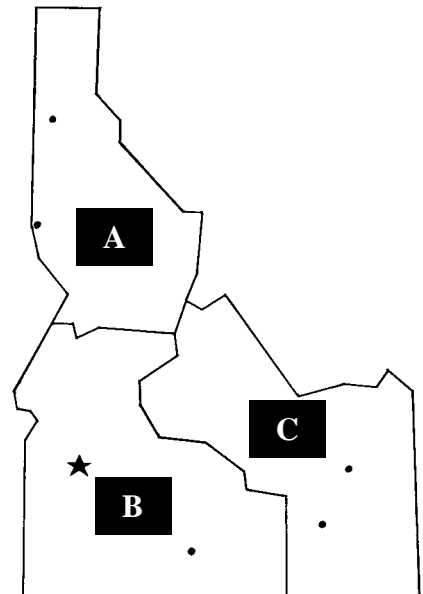
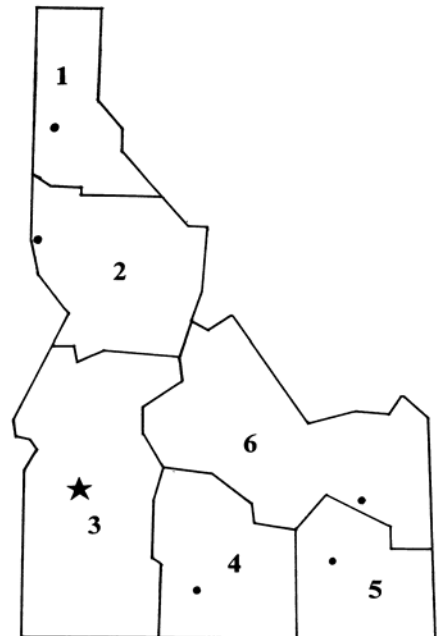
## 6. ZONE - AREA MAPS

Most statewide contracts (SBPO's) are bid and awarded by Zones (6) or Areas (3) of the state. Bidders may submit bids and be awarded any number or all zones or areas. The bidding specifications will include detailed information regarding zones, areas, and delivery requirements. Zone and Area maps are also available at the Idaho Purchasing Homepage web site.

### Zones

List of Counties per Zone:

<u>Zone 1</u>	<u>Zone 2</u>	<u>Zone 3</u>	
Benewah	Clearwater	Ada	Gem
Bonner	Idaho	Adams	Owyhee
Boundary	Latah	Boise	Payette
Kootenai	Lewis	Canyon	Valley
Shoshone	Nez Perce	Elmore	Washington
<u>Zone 4</u>	<u>Zone 5</u>	<u>Zone 6</u>	
Blaine	Bannock	Bonneville	
Camas	Bear Lake	Butte	
Cassia	Bingham	Clark	
Gooding	Caribou	Custer	
Jerome	Franklin	Fremont	
Lincoln	Oneida	Jefferson	
Minidoka	Power	Lemhi	
Twin Falls		Madison	
		Teton	



### Areas

#### Area A

Combination of Zones 1 & 2

#### Area B

Combination of Zones 3 & 4

#### Area C

Combination of Zones 5 & 6