

# Bidding & Procurement Basics



# Why is Public Purchasing Different?

67-2801. LEGISLATIVE INTENT. Efficient and cost-effective procurement of goods, services and public works construction is an important aspect of local government operations. Local public agencies should endeavor to buy goods, services and public works construction by way of a publicly accountable process that respects the shared goals of economy and quality. Political subdivisions of the state shall endeavor to purchase goods and services from vendors with a significant Idaho economic presence.



# Delegation of Purchasing Authority

- The BOCC may delegate purchasing authority to another elected official or county employee ([§31-602](#))

# Procurement of Public Works Construction

- No bid required if procurement is less than \$50k
  - Informal bid process is required for procurement between \$50k and \$200k
    - Solicit three bids and select the lowest
    - If impractical to secure 3 bids, county may accept less than 3 bids
    - If no bids, county may select a contractor without further bidding
    - Can reject bids and start over
  - Formal bid process is required for procurement above \$200k
    - Category A: sealed open bid process, must select lowest bid
    - Category B: includes two steps, a prequalification of bidders followed by a sealed bid process, must select the lowest bid
    - Can reject bids and start over
- If no bids, county may select a contractor without further bidding

# Procurement of Personal Property

- No bid required if purchase price is less than \$50k
- Informal bid process is required for procurement between \$50k and \$100k
  - Solicit three bids and select the lowest
  - If impractical to secure 3 bids, county may accept less than 3 bids
  - If no bids, county may proceed with purchase without further bidding
  - Can reject bids and start over
- Formal bid process is required for procurement of personal property above \$100k
  - Receive three sealed open bids and select the lowest
  - Can reject bids and start over
  - If no bids, county may select a contractor without further bidding

# Qualified Based Selection (QBS)

- QBS used for procurement of professional design services (engineering, architecture, etc.)
- Selection of design professionals is based on qualifications, not cost
- Cannot ask for price (price negotiated after selection)
- May establish a preapproved list

# Request for Proposal

- May be used in lieu of traditional bidding and procurement
- At a minimum, an RFP shall state:
  1. The instructions of the process;
  2. The scope of work for the goods or services contemplated;;
  3. The selection criteria;
  4. The contract terms; and The scoring methodology applying relative weights to factors considered.

# Cooperative Purchasing

- Bidding and procurement not required if goods and services are cooperatively purchased
  - “Piggyback” off bids from State of Idaho or other local government entities
  - Purchase through an association which follows bidding and procurement laws



# Emergency and Sole Source Purchasing

- Emergency procurements may be made without bidding if the BOCC declares emergency to safeguard life, health, or property
- Sole source purchasing occurs when only one vendor is able to provide the good or service
  - Compatibility of accessories, equipment, software, or parts
  - There is no functional equivalent to what is being purchased
  - In the event competitive bidding is impractical, disadvantageous, or unreasonable

# Bidding & Procurement Best Practices

- Review and update policies
- Delegate where appropriate (if allowed in policy)
- Perform a legal risk review of procurement process, documents, and other materials
- Be fair and consistent