

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 167

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO STATE PROCUREMENT; AMENDING SECTION 67-9211, IDAHO CODE, TO RE-
2 VISE PROVISIONS REGARDING MULTIPLE AWARDS AND TO MAKE A TECHNICAL COR-
3 RECTION.
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 67-9211, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 67-9211. MULTIPLE AWARDS. (1) Notwithstanding any provision of this
9 chapter to the contrary, the administrator may make an award of a contract
10 to two (2) or more bidders ~~to furnish the same or similar property when more~~
11 ~~than one (1) contractor is necessary~~ under a single solicitation if a multi-
12 ple award would:

13 (a) ~~To~~ More effectively furnish the types of property and quantities
14 required by state agencies based on immediacy of need, geographic loca-
15 tion or other factors;

16 (b) ~~To provide~~ Promote the expeditious and cost-efficient acquisition
17 of property for state agencies; ~~or~~

18 (c) ~~To e~~Enable state agencies to acquire property that is compatible
19 with property previously acquired;

20 (d) Enable contracts to be awarded on a regional basis; or

21 (e) In some other manner serve the best interest of the state.

22 (2) No award of a contract to multiple bidders shall be made under this
23 section unless the administrator makes a written determination showing
24 that multiple awards satisfy one (1) or more of the criteria set forth in
25 subsection (1) of this section.

26 (3) When a contract for property has been awarded under a single solici-
27 itation to two (2) or more bidders in accordance with this section, a state
28 agency shall make purchases from the contractor awarded in its region whose
29 property meets the agency's functional and business requirements and whose
30 terms and conditions regarding price, availability, support services and
31 delivery are most advantageous to the agency.

32 (4) A multiple award of a contract for property under this section shall
33 not be made when a single bidder can reasonably serve the acquisition needs
34 of state agencies. A multiple award of a contract shall ~~only~~ only be made
35 to the number of bidders necessary to serve the acquisition needs of state agen-
36 cies.