

Moved by Luker

Seconded by Loertscher

IN THE HOUSE OF REPRESENTATIVES  
HOUSE AMENDMENT TO H.B. NO. 231

AMENDMENT TO THE BILL

On page 1 of the printed bill, following line 20, insert:

"SECTION 2. That Section 67-2808, Idaho Code, be, and the same is hereby amended to read as follows:

67-2808. EMERGENCY EXPENDITURES -- SOLE SOURCE EXPENDITURES. (1)  
Emergency expenditures.

(a) The governing board of a political subdivision may declare that an emergency exists and that the public interest and necessity demand the immediate expenditure of public money if:

(i) There is a great public calamity, such as an extraordinary fire, flood, storm, epidemic or other disaster;

(ii) It is necessary to do emergency work to prepare for the national or local defense; or

(iii) It is necessary to do emergency work to safeguard life, health or property.

(b) Upon making the declaration of emergency, any sum required in the emergency may be expended without compliance with formal bidding procedures.

(2) Sole source expenditures.

(a) The governing board of a political subdivision may declare that there is only one (1) vendor if there is only one (1) vendor for the public works construction, services or personal property to be acquired. For purposes of this subsection ~~(2)~~, only one (1) vendor shall refer to situations where there is only one (1) source reasonably available and shall include, but not be limited to, the following situations:

(i) Where public works construction, services or personal property is required to respond to a life-threatening situation or a situation which is immediately detrimental to the public welfare or property;

(ii) Where the compatibility of equipment, components, accessories, computer software, replacement parts or service is the paramount consideration;

(iii) Where a sole supplier's item is needed for trial use or testing;

(iv) The purchase of mass-produced movies, videos, books or other copyrighted materials;

(v) The purchase of public works construction, services or personal property for which it is determined there is no functional equivalent;

(vi) The purchase of public utility services;

1 (vii) The purchase of products, merchandise or trademarked goods  
 2 for resale at a political subdivision facility; or  
 3 (viii) Where competitive solicitation is impractical, disadvan-  
 4 tageous or unreasonable under the circumstances.  
 5 (b) Upon making the declaration that there is only one (1) vendor for  
 6 public works construction, services or personal property, unless the  
 7 public works construction, services or personal property is required  
 8 for a life-threatening situation or a situation that is immediately  
 9 detrimental to the public welfare or property, notice of a sole source  
 10 procurement shall be published in the official newspaper of the politi-  
 11 cal subdivision at least fourteen (14) calendar days prior to the award  
 12 of the contract."

13 CORRECTION TO TITLE

14 On page 1, in line 3, following "WORKS" insert: "; AND AMENDING SECTION  
 15 67-2808, IDAHO CODE, TO PROVIDE FOR PUBLIC WORKS CONSTRUCTION, SERVICES OR  
 16 PERSONAL PROPERTY AND TO MAKE A TECHNICAL CORRECTION".