

IN THE SENATE

SENATE BILL NO. 1422

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE STATE PROCUREMENT ACT; AMENDING SECTION 67-9211, IDAHO CODE,
TO REVISE PROVISIONS REGARDING MULTIPLE AWARDS; AND DECLARING AN EMER-
GENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

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

67-9211. MULTIPLE AWARDS. (1) ~~Notwithstanding any provision of this~~
~~chapter to the contrary, the administrator may~~ The director shall make an
award of a contract to two (2) or more bidders to furnish the same or similar
property when more than one (1) contractor is necessary:

(a) To furnish the types of property and quantities required by state
agencies;

(b) To provide expeditious and cost-efficient acquisition of property
for state agencies; or

(c) To enable state agencies to acquire property that is compatible
with property previously acquired.

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

(3) When a contract for property has been awarded to two (2) or more bid-
ders in accordance with this section, a state agency shall make purchases
from the contractor whose ~~terms and conditions regarding price, availabil-~~
~~ity, support services and delivery are most advantageous to the agency.~~ bid,
including without limitation its availability, support services, and deliv-
ery, is most advantageous to the state of Idaho. A state agency may implement
a reasonable process by which to identify the most advantageous bid and ne-
gotiate a contract with such contractor for commonly purchased property and
may purchase such property from that contractor for up to one (1) year before
repeating the identification process.

(4) ~~A multiple award of a contract for property under this section shall~~
~~not be made when a single bidder can reasonably serve the acquisition needs~~
~~of state agencies. A multiple award of a contract shall only be made to the~~
~~number of bidders necessary to serve the acquisition needs of state agen-~~
~~cies.~~ When awarding a contract for property under this section, the direc-
tor shall use vendors certified under a nationally recognized organization,
including but not limited to OMNIA partners or the national association of
state procurement officials. When awarding open contracts, the director may
make multiple awards to provide agencies with a reasonable variety of prop-
erty and vendors.

1 SECTION 2. An emergency existing therefor, which emergency is hereby
2 declared to exist, this act shall be in full force and effect on and after
3 July 1, 2024.