



Idaho Statutes

Idaho Statutes are updated to the website July 1 following the legislative session.

TITLE 67

STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 28

PURCHASING BY POLITICAL SUBDIVISIONS

67-2808. EMERGENCY EXPENDITURES AND 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, 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 that 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;

(vii) The purchase of products, merchandise, or trademarked goods for resale at a political subdivision facility; or

(viii) Where competitive solicitation is impractical, disadvantageous, or unreasonable under the circumstances.

(b) Upon making the declaration that there is only one (1) vendor for public works construction, services, or personal property, unless the public works construction, services, or personal property is required for a life-threatening situation or a situation that is immediately detrimental to the public welfare or property, notice of a sole source procurement shall be published in the official newspaper of the political subdivision at least fourteen (14) calendar days prior to the award of the contract.

(c) A sole source declaration made pursuant to the provisions of this subsection may be made without an emergency declaration under subsection (1) of this section.

History:

[67-2808, added 2005, ch. 213, sec. 37, p. 678; am. 2013, ch. 344, sec. 2, p. 928; am. 2019, ch. 115, sec. 1, p. 440.]

How current is this law?