



Purchasing & Contracts

Teton County does not have a central purchasing department. Each Elected Official, Department Head and appointed Board manages its own procurement of goods and services as approved through adoption of the annual budget. However, the Board has sole legal authority for the approval of any expenditure of county funds and the sale of any county property. All purchases must be made in compliance with Idaho Code and this policy. Public works construction procurement can only take place under direction of the County Engineer. Attachment A, Public Works Contractor License, and Attachment B, Other Procurement Information, contain information provided by the Idaho Public Works Contractor Licensing Bureau. (*“Real property” refers to land and buildings; “personal property” refers to all other types of property.*)

The objective of this policy is to comply with Idaho and Federal laws and provide the citizens of Teton County with the best value for products and services acquired by their government. The Board believes that patronizing local businesses is in the county’s best interest. Whenever permitted by law, goods and services may be purchased from local vendors, provided that the county pays no more than a 10% premium to support local businesses.

Contracts. All contracts, agreements, leases or other documents that legally bind Teton County must be approved as to form and content by the Prosecutor prior to the Commissioner meeting at which the documents are to be formally approved and signed. The Board must have an opportunity to review such documents prior to a regularly scheduled meeting. The Elected Official, Department Head or appointed Board or Committee which requested the contract or agreement is responsible for retaining the original, signed contract. A copy of the signed contract must be submitted to the Clerk, who will archive the document in the county’s digital filing system.

Legal Signature Authority. The Board is the County’s only legal signature authority able to sign contracts of agreements on behalf of the County. Such contracts can only be signed after a formal motion in a public meeting. No other Elected Official, Department Head, or appointed Board may obligate the County without specific prior approval from the Board. However, the Public Works Director is hereby granted approval to approve contracts less than \$5,000, provided the expense is included in a Public Works budget.

Capital Budgets & Purchases Greater than \$1,000. In order to provide consistent, accurate budget information: (1) Single items costing less than \$500 each *may not* be purchased through a capital budget account; and (2) Single items costing more than \$1,000 each and having a useful life of more than two years *must* be purchased through a capital budget account.

The purchase of any single item costing more than \$1,000 requires prior approval by the Board, unless the item is specifically itemized within the current budget and the total cost of the item does not exceed the budgeted amount. *This policy is not intended to apply to routine repair and maintenance of vehicles, equipment or building facilities.*

In general, vehicles must have traveled at least 150,000 miles before being replaced.

Please refer to the Capital Asset policy for additional information about items costing greater than \$5,000 and having a useful life of more than two years.

Purchase & Installation of Computer Equipment and Software. See Administrative Policy entitled “Computers & Information Technology (IT).”

Disposal of County Personal Property. Any personal property no longer necessary for county use must be disposed of by the Board according to Idaho Code 31-808 (public auction) or 31-829 (if Board determines asset has greatest value as a trade-in). Personal property valued at \$250 or less may be sold at

private sale without notice. Personal property with a value greater than \$250 must be sold at a public auction. A notice of such auction must be published at least 10 days prior to the date of auction.

Procuring Services or Personal Property. Idaho Code 67-2806 allows items with a value of \$25,000 or less to be purchased on the open market. Items with a value of \$25,000-\$50,000 may be purchased after a semi-formal procurement process involving the written solicitation of bids from three vendors. The County is not obligated to accept bids submitted by vendors other than those solicited. Items or services valued in excess of \$50,000 can only be purchased after a formal competitive sealed bid process.

However, in order to guarantee the best value for taxpayers, it is Teton County's policy to follow the semi-formal procurement process for the purchase of any item valued in excess of \$5,000, unless the process is modified by a vote of the Board for a specific purchase, prior to the purchase.

Idaho Code 67-2807(1) allows the County to enter into Joint Purchasing agreements (to "piggyback") with the State of Idaho or other political subdivisions.

Procuring Construction Professionals. Architects, engineers, landscape architects, surveyors, and construction managers must be selected based upon qualifications (Idaho Code 67-2320). If fees will total less than \$25,000 the county can use a selection process based on criteria determined by the County. If fees will total over \$25,000, the county must use a formal publication process and selection criteria from Idaho Code 67-2320(2). A construction professional's fee schedule may be requested, but may not be used as a selection criteria. The county may retain the same construction professional for subsequent phases of a project without re-doing the quality based selection process. Construction professionals must possess the appropriate, current license.

Licensed Public Works Contractors. Idaho Code 67-2805 requires the County to hire a licensed public works contractor for any project with a total value greater than \$10,000. This means that if a specific project costs \$10,001 and involves multiple sub-contractors (such as a plumber, electrician and carpenter) every sub-contractor must be a licensed public works contractor.

If there are no licensed public works contractors willing to perform work with a value less than \$50,000, IC 67-2805 provides an alternative procedure.

Public Works Construction Projects. Idaho Code 67-2805 allows public works projects costing less than to \$10,000 to be purchased based on the county's best interest as determined by the Board. Projects greater than \$10,000 but less than \$25,000 may be purchased from a licensed public works contractor based on the county's best interest as determined by the Board. Projects with a value of \$25,000-\$100,000 can be contracted after conducting a semi-formal procurement process involving the written solicitation of bids from three licensed public works contractors. The County is not obligated to accept bids submitted by contractors other than those solicited. The lowest responsive bid must be accepted. Projects valued in excess of \$100,000 require a formal competitive sealed bid process. The lowest responsive bid must be accepted.

All construction or repair of public buildings requires written plans and specifications (Idaho Code 67-2309).

However, in order to guarantee the best value for taxpayers, it is Teton County's policy to follow the semi-formal procurement process for the purchase of any construction valued in excess of \$5,000.

The Teton County Engineer must supervise all public works construction procurement activities, even those undertaken by a Board or Committee appointed by the County Commissioners. For projects requiring a formal competitive sealed bid, the County Engineer will determine whether the County's best interests will be served by pre-qualifying bidders as allowed by state statute.