

**Idaho Department of
Juvenile Corrections
Administrative
Policy/Procedure**

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SUBJECT: PURCHASING AND CONTRACTS

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Policy

The purpose of this policy includes to inform employees regarding the basic statutes, rules, and processes that govern public purchasing and contracts. Understanding these processes will help employees to execute the steps involved in a purchase in an efficient manner, increase cooperation between the Idaho Department of Juvenile Corrections (IDJC) facility locations, programs, and Fiscal Services, and build stronger relationships between the vendor community and the IDJC.

The Idaho statutes that govern purchasing activity, with the exception of purchases in which real property will be constructed or altered, are found in Title 67, Chapter 92, Idaho Code. The state Department of Administration by and through the Division of Purchasing (DOP) has created rules based on state statutes to govern the purchase or procurement of property and services. All purchases shall be made in accordance with IDAPA 38.05.01, Rules of the Division of Purchasing, Department of Administration.

Where real property will be constructed or altered (see "Public works" within Idaho Code Section 67-5710B), the Division of Public Works has certain requirements that must be followed. All purchases of this nature shall be made in accordance with Idaho Code Section 67-5711C.

It is therefore the policy of the IDJC that employees follow the proper procedures to ensure that purchases are made correctly and adhere to Idaho statutes.

Operating Procedures

I. Approving Purchases

- A. Authority to approve purchases is granted to employees by position and division under the following assumptions.
 - 1. The goods or services to be purchased have been approved in the agency's annual budget for the fiscal year in which the expenditure will occur;
 - 2. The funds have been allocated in the applicable expenditure Account code and manager's cost center; and
 - 3. There is sufficient cash in the fund.
- B. Section 67-9205, Idaho Code, charges the Administrator of the DOP with the authority to purchase all state property and to enter into contracts, leases, and rentals. The DOP assists state agencies with purchasing functions.

1. For purchases of information technology products (software and hardware), goods, goods combined with services, and information technology combined with services costing less than \$15,000, all agencies have been granted the authority to purchase such property without formal competitive solicitations, in accordance with good business practices, and in the best interests of the state.
 2. For purchases of services costing less than \$25,000, all agencies have been granted the authority to purchase such property without formal competitive solicitations, in accordance with good business practices, and in the best interests of the state.
 3. The dollar limits above must be viewed as the estimated total spend over a five (5) year period, Department-wide.
 4. The Director has limited delegated purchasing authority, as determined by DOP.
- C. The IDJC may also make certain purchases under Division of Public Works (DPW) requirements, as further identified within this policy.
- D. Only the Director, or the authorized designee of the Director, has the authority to obligate the IDJC in an agreement with another entity including, but not limited to, contracts, leases, rentals, and Memorandums of Understanding (MOU). No contract, lease, rental, MOU, or other agreement is valid without the signature of the Director, or the authorized designee of the Director.
- E. The IDJC Leadership Team identifies needs and authorizes expenditures from their budgets.
1. Budgetary spending authority is granted by the IDJC to specific employees as a responsibility related to their job position. No requisition is valid without the approval (electronic in Luma; signed requisition or email authorization if outside of Luma) of the individual in charge of the cost center being charged.
 2. In the case of therapy services or residential treatment, the IDJC Leadership Team must identify the need and recommend a solution.
 3. IDJC Purchasing then oversees or executes all steps within the acquisition process.
 - a. IDJC Purchasing will research each situation and find the best products or services to satisfy the needs of both the requestor and the IDJC.
 - b. The Purchasing Agent will work through the DOP to satisfy the needs outlined by the IDJC Leadership Team, according to the rules and statutes governing the state of Idaho.
- F. IDJC Purchasing will first consider the reallocation of existing assets before initiating a purchase. All IDJC assets are the property of the IDJC, not of any individual employee, site, or division. After consultation with the appropriate division administrator, IDJC Purchasing has the authority to relocate or surplus an item that is not being used in accordance with applicable state rules.

II. Initiating and Completing a Purchase

The following procedures outline the steps necessary to initiate and complete a purchase.

QUICK REFERENCE

Total cost of the good, service or project (see I.B.3 above)	Policy Section to reference
• General purchasing procedures	Section A
• Goods, etc., under \$15,000	Section B
• Services under \$25,000	Section C
• DPW requirements under \$25,000	Section D
• Goods, etc., at least \$15,000 but less than \$150,000 and services at least \$15,000 but less than \$150,000	Section E
• DPW requirements at least \$25,000 but less than \$100,000	Section F
• Goods, IT products, and services \$150,000 or more	Section G
• DPW requirements \$100,000 or more	Section F
• Purchasing services	Section I
• IT purchases	Section J
• Miscellaneous issues	Section K
• State and Federal Taxes	Section L

A. General purchasing procedures

1. Initiating a purchase and obtaining approvals

- a. Identify a specific need and consider various products or services that will address that need. When determining which product or service will best fulfill the need, carefully consider such factors as price, short and long-term value, quality, and customer service. Preliminary approval from the authorizing supervisor must be obtained before proceeding.
- b. Obtain cost estimates from a vendor who provides the specific goods or services selected. Ancillary costs such as shipping or set-up should be included in the estimate. It should be clearly stated to the vendor that price information is being sought and that an order is not being placed at this time. The Purchasing Agent will provide guidance such as any need to purchase under state contracts.
- c. For purchases not made with a state purchasing card (p-card), and not under DPW requirements (see below regarding DPW requirements), enter a request into Luma following the steps in Quick Reference Guides provided by Fiscal Services. The request will go through the required approvals in Luma.

- d. For p-card purchases, it is advisable to obtain written approval to make each purchase and upload that written approval when you reconcile your p-card (approve charges) in Luma.
- e. When real property is altered, such as painting, carpet replacement and electrical work, the purchase of such falls under DPW requirements. For these purchases, coordinate with the Purchasing Agent. At a minimum, the Purchasing Agent will require the completion of the Requisition (DJC-188) form, and the purchase may require a contract.

2. Statewide contracts

- a. Statewide contracts are in place for goods, information technology, and services that are used by the majority of state agencies.
 - i. They include such goods as paper, plastics, some office and janitorial supplies, office equipment, computers, vehicles, and tires, among others.
 - ii. A complete listing of statewide contracts is available on the DOP website.
 - iii. Copies of contracts showing vendor information, specifications, pricing, and terms and conditions or summary information are posted on DOP's website. For details on a specific contract, contact IDJC Purchasing.
- b. Most statewide contracts are mandatory use, meaning that they must be used by agencies purchasing a specific product or service. Section 67-9230 (5), Idaho Code, Prohibitions, says, in part: "No officer or employee shall fail to use an open contract except as provided in this chapter."

Some statewide contracts may be optional use, as designated by DOP, and others have conditions such as delivery area restrictions and minimum quantities that enable an agency to decline participation in the contract when necessary.

3. Receiving

- a. All goods should be inspected for damage upon delivery. Delivery should be refused if a package does not arrive intact. It is the responsibility of the person placing the order to make arrangements with the shipper to provide a replacement or to request credit for returned goods. For purchases through Luma, there are steps to follow for receipt and rejection of goods. Consult with IDJC Purchasing for guidance if necessary.
- b. When an order is completed, the original packing slip or receiving ticket should be signed to acknowledge satisfactory receipt and to approve payment; submit that documentation to Fiscal Services.
- c. All completed requisitions, invoices, packing slips, and other documentation is forwarded to Fiscal Services promptly for payment. The documents must also include the appropriate accounting codes, including

cost center, grant and project numbers, and any other applicable information which may be pertinent to paying the invoice.

4. Payment

- a. Payment may be made either in Luma, via p-card or by direct billing for purchases made under DPW requirements. The IDJC encourages the use of p-cards. Please refer to the Purchasing Card (205) policy/procedure for detailed information. Documentation must be retained and uploaded in Luma during reconciliation (approval).
- b. For new vendors, a completed W-9 form is required to establish a vendor number in Luma before any payments can be processed. A W-9 form requests the Taxpayer ID number, corporate status, and payment address for a vendor and must be signed by the vendor. The W-9 form is available from Fiscal Services or on the Idaho State Controller's Office website (<https://www.sco.idaho.gov/LivePages/scohome.aspx>).

B. Procedures for the purchase of information technology products (software and hardware), goods, goods combined with services and information technology products combined with services less than \$15,000 (total spend over a five (5) year period, and Department-wide)

1. Initiating the purchase

- a. IDJC employees must consult with IDJC Purchasing regarding the availability of the good, information technology or service on a state contract (if not known to the employee).
- b. IDJC Purchasing can assist in developing specifications, if needed.
- c. See II.A.1, a through d, above, for additional details regarding purchasing through Luma and p-card purchases.

2. Quoting

- a. IDJC should seek quotes for goods, information technology and services from Idaho vendors whenever possible and shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin. See Idaho Code section 67-9210.
- b. It is recommended that three quotes be obtained before a vendor is selected. If suggestions for vendors are needed, consult with the Purchasing Agent or Buyer.
- c. If the employee does not wish to use the lowest price quoted, they must contact the Purchasing Agent or Buyer to discuss justification for awarding business to another vendor.

3. Receiving and payment procedures

Refer to Sections II.A. 3 and 4.

- C. Procedures for the purchase of services less than \$25,000 (total spend over a five (5) year period, and Department-wide)

Initiating the purchase

1. IDJC employees must consult with IDJC Purchasing regarding the availability of the service on a state contract (if not known to the employee).
2. IDJC Purchasing can assist in developing specifications, if needed.
3. See II.A.1, a through d above for additional details regarding purchasing through Luma and p-card purchases.

- D. Procedures for purchases under DPW requirements where the project value is estimated to be less than \$25,000

Initiating the purchase

1. IDJC Purchasing can assist in developing specifications, if needed.
2. See II.A.1.e, above, for additional details regarding purchasing under DPW requirements.
3. IDJC Purchasing will provide a contract and work on details with IDJC staff and vendor.

- E. Procedures for the purchase of information technology products (software and hardware), goods, goods combined with services and information technology products combined with services at least \$15,000 but less than \$150,000 (viewed over a five (5) year period, and Department-wide) and for the purchase of services at least \$25,000 but less than \$150,000 (total spend over a five (5) year period, and Department-wide).

1. Initiating the purchase

- a. The process for purchases of this kind, where not available on statewide contract, must be conducted by IDJC Purchasing.
- b. Enter a request into Luma following the steps in Quick Reference Guides provided by Fiscal Services. The request will go through the necessary approvals in Luma.
- c. IDJC Purchasing can assist in developing specifications.

2. Quoting

IDJC Purchasing will conduct the quoting process, or, if necessary, will forward to DOP to conduct the quoting process.

3. Receiving and payment procedures

Refer to Sections II. A., 3 and 4. When a service is completed according to the terms in the contract, the employee responsible for the cost center being charged must sign the invoice, indicating approval for payment. The

invoice, and any other relevant documentation must be forwarded to Fiscal Services for payment.

F. Procedures for purchases under DPW requirements where the project value is estimated to be at least \$25,000 but less than \$100,000

1. Initiating the purchase

- a. IDJC Purchasing can assist in developing specifications, if needed.
- b. See II.A.1.e above for additional details regarding purchasing under DPW requirements.
- c. IDJC Purchasing will conduct the informal bid process.
- d. A notice must be placed in a newspaper local to the location where the project will be conducted and the informal bid must be out for bid for at least two (2) weeks after the notice is posted.

2. For purchases under DPW requirements where the project value is estimated to be \$50,000 or more

The company to whom the contract is awarded must have, at the time the bid is submitted and for the duration of the project, a Public Works Contractor's License.

3. Receiving and payment procedures

When the project is completed according to the terms in the contract, the employee responsible for the cost center being charged must sign the invoice, indicating approval for payment. The invoice, and any other relevant documentation must be forwarded to Fiscal Services for payment.

G. Procedures for the purchase of information technology products (software and hardware), goods and services \$150,000 or more (viewed over a five (5) year period, and Department-wide)

1. Initiating the purchase

- a. The process for purchases of this kind, where not available on statewide contract, must be conducted by IDJC Purchasing.
- b. Enter a request into Luma following the steps in Quick Reference Guides provided by Fiscal Services. The request will go through the necessary approvals in Luma.
- c. IDJC Purchasing can assist in developing specifications.

2. Bidding

IDJC Purchasing will forward the request to DOP to conduct the bidding process.

3. Receiving and payment procedures

Refer to Sections II.A., 3 and 4. When a service is completed according to the terms in the contract, the employee responsible for the cost center being charged must sign the invoice, indicating approval for payment. The invoice, and any other relevant documentation must be forwarded to Fiscal Services for payment.

H. Procedures for purchases under DPW requirements where the project value is estimated to be \$100,000 or more

Employees must work with the IDJC Statewide Administrator of Facility Operations on projects of this nature.

I. Purchasing services (including professional and consultant services)

Purchases of services less than \$150,000

1. Contact the Purchasing Agent to set up any contract for services. Professional services and consultant services, as defined in the DOP rules, costing less than \$150,000 and not exceeding one year, may be acquired by agencies without obtaining competitive quotes, in accordance with good business practice and in the best interests of the state.
 - a. Under no circumstances will these agreements be extended past one year in length, or will the dollar amount exceed \$150,000, unless written approval from DOP has been obtained.
 - b. It is against the law for the IDJC to pay IDJC employees for services. No benefit can be gained by an employee as a result of payment by the IDJC being made to the friends or family of an IDJC employee. See Idaho Code Sections 67-9230.
2. Enter a request into Luma following the steps in Quick Reference Guides provided by Fiscal Services. The request will go through the required approvals in Luma.
3. IDJC Purchasing can assist in developing specifications.
4. Refer to Sections II.A, 3 and 4. When a service is completed according to the terms in the contract, the employee responsible for the cost center being charged must sign the invoice, indicating approval for payment. The invoice, and any other relevant documentation must be forwarded to Fiscal Services for payment.

J. Information Technology (IT) purchases

1. The purchase of any item that connects to the IDJC networks or computer equipment must be pre-approved by the IT department. This includes (but is not limited to) items such as computer hardware and accessories, printers, software, multi-media projectors, peripherals, scanners, digital cameras, and external memory/storage drives. While IT department consultation is required before an IT purchase can be made, these purchases must follow

normal budgetary approval procedures and expenses are allocated by cost center accordingly.

2. All IT purchases require approval by the IDJC IT department to ensure network compatibility and integrity, and adherence with the guidelines of the state Information Technology Authority (ITA). Large projects require the approval of ITA.
3. The DOP may be contacted through the IDJC Purchasing Agent to assist with information technology issues and purchases.
4. Any IT item, whether it has been donated to or purchased by the IDJC, remains the property of the IDJC. No employee, location, or division is the owner of an item. Any IT item can be relocated or considered to be surplus at any time in order to maximize productivity and the efficiency of the network. It is the responsibility of the IT department to configure resources in the most efficient and cost-effective manner.
5. For more information and clarification of IT issues, contact the IT department or refer to the Use of Information Technology (230) policy/procedure.

K. Miscellaneous issues

1. Specifications

- a. Specifications that describe the characteristics of the property being sought may need to be developed for a purchase, in particular for those over \$15,000. Consideration should be given to suitability and to overall cost effectiveness, in addition to acceptability and price.
- b. Specifications, by their nature, set limits and thereby eliminate or restrict items that are outside the boundaries drawn. Specifications should be written to encourage, not discourage, competition consistent with seeking overall economy for the purpose intended. A goal for specifications is to maximize competition. Contact the Purchasing Agent for assistance in developing a specification.

2. Exceptions to obtaining competitive quotes and bids

In the following situations, the requirement to put goods or services out for competition is waived:

- a. Items on state contracts since competition has already been sought by DOP;
- b. Purchases from other government agencies, including the federal government, state agencies, counties, cities, etc. (institutions of higher education are not included in this exception);
- c. Purchases from Idaho Correctional Industries (however, purchases above \$10,000 require approval from the DOP administrator);
- d. Emergency purchases (see Section II.K.4); and,

- e. There may be other circumstances in which obtaining competition is not required. Contact IDJC Purchasing with questions.
3. Splitting invoices or purchases
- a. State agencies are prohibited from efforts to obtain products or services by avoiding the competitive process such as splitting purchases, creating false emergency situations, and non-use of statewide contracts (See Sections 67-5726, 67-9230 and 59-1026, Idaho Code).
 - b. Regarding splitting of purchases, section 59-1026, Idaho Code, states in part that: It is a violation of section 59-1026 for an official of any political subdivision or the state itself to willfully or knowingly split or separate purchases or work projects with the intent of avoiding compliance with procurement or competitive bidding statutes. The public entity violating this section shall be liable for civil penalties not to exceed five thousand (\$5,000) dollars for each offense.
 - c. Regarding statewide contract use, IDJC staff must keep the following in mind:
 - i. If a state contractor can provide an item or service within the contract-required time frame, but IDJC has a legitimate need for a faster delivery time, IDJC may seek a one-time exemption from using the contract from DOP. Contact the Purchasing Agent in these circumstances.
 - ii. If a state contractor cannot provide an item or service within the contract-required time frame, and IDJC has a legitimate need for the contract delivery time to be met, and has adequately planned to make the purchase (so not an unplanned need, and so no artificial exigency has been created), IDJC staff must provide documentation to IDJC Purchasing. If it is an unplanned need, and so an artificial exigency has been created, IDJC may seek a one-time exemption from using the contract from DOP. Contact IDJC Purchasing in these circumstances.
 - iii. If there is a category on a state contract, such as Plumbing (parts and accessories), but the contractor does not stock the item for which IDJC has a legitimate need, IDJC staff must provide documentation to IDJC Purchasing. If the contractor offers an "equivalent" item, but IDJC staff does not think the equivalent will meet IDJC needs, the IDJC staff must contact IDJC Purchasing in this circumstance.
4. Emergency purchases and emergency purchase authority
- a. An emergency condition is a situation that creates a threat to public health, welfare, or safety, as may arise by reason of floods, epidemics, riots, equipment failures, or other similar circumstances. The existence of such condition must create an immediate and serious need for property or services that cannot be met through normal acquisition methods.
 - b. If the need meets II.K.4.a, above, the IDJC may make any necessary purchases, but IDJC staff involved must contact the Purchasing Agent as

soon as possible and provide details. However, only the Director, or the authorized designee of the Director, can obligate the IDJC to a contractual agreement in any situation. The Purchasing Agent will submit an immediate Emergency Purchasing Authorization request, in writing, to the DOP.

- c. Payment with a p-card is preferable in these situations. If the vendor needs to bill the IDJC, contact Fiscal Services.

5. National School Lunch Program (NSLP) provisions

The IDJC participates in the USDA National School Lunch Program, and the procurement of goods and services must be conducted in a way to ensure full and open competition (2 CFR 200.319(2)). IDJC participates in food cooperatives with the school districts for many food purchases. IDJC shall comply with the following requirements for vendors outside of the cooperative, when possible, unless the vendor is on a required statewide contract:

- a. Buy American Provision – per 7 CFR 210.21(d).
- b. Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms – per 2 CFR 200.321. IDJC takes affirmative steps, as outlined in 2 CFR 200.321, to assure that small, minority and women's businesses enterprises and labor surplus firms are used when possible. These steps include:
 - i. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
 - ii. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
 - iii. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
 - iv. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
 - v. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development of Commerce; and
 - vi. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed above.
- c. Ensure objective contractor performance and eliminate unfair competitive advantage by allowing "an equal" product and not specifying name brand -per 2 CFR 200.319(6)
- d. Performing a cost/price analysis prior to all formal procurements – per 2 CFR 200.323(a)

e. Prohibition of the Acquisition of Unnecessary or Duplicative Items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. – Per 2 CFR 200.318(2)(d)

6. Leases and rentals of equipment

Most leases and rentals of equipment are done using a contract provided by the vendor, which can only be signed by the Director. Additionally, if a lease or rental will exceed one (1) year in length, IDJC must obtain approval from the DOP administrator.

7. When contracts are needed.

a. After a competitive bidding process.

b. When there is significant risk that needs to be addressed through contract terms and conditions, such as when a vendor provides services directly to juveniles, and also when a vendor performs work on site and has the potential for injury on IDJC grounds.

c. When a vendor requests or requires that IDJC sign a vendor-generated document that contains terms and conditions. Contact the Purchasing Agent in each such instance.

d. The Purchasing Agent can provide guidance on when contracts are needed.

L. State and federal taxes

1. All state agencies are exempt from Idaho state sales tax on all but cash purchases. Vendors who request proof of sales tax exempt status may be given an executed copy of Idaho Sales Tax Resale and Exemption Certificate (ST-101) form. For lodging, vendors may be provided the Tax Exemption on Lodging Accommodations (ST-104HM). The vendor should keep this form on file. Idaho sales tax included on invoices by vendors will be deducted when payment is processed. A copy of ST-101 or ST-104HM is available from Fiscal Services.

2. When goods or services are accepted by state of Idaho employees in another state, they are subject to the sales tax laws of that state.

3. State agencies are exempt from federal taxes on telephone, freight, gasoline, oil, and new tires and tubes.

4. State agencies do pay the following taxes:

a. Excise tax on recapped tires, airline tickets, and city/county franchise taxes,

b. Certain property taxes and assessments,

c. Idaho state road tax on gasoline,

- d. Sales taxes in other states, or
- e. Transfer and environmental fees on purchases of bulk petroleum products.

III. Contracts

A. Definitions

1. Contract Administration - Per IDAPA 38.05.01, Rules of the Division of Purchasing, the definition of contract administration is “Actions taken related to changes to contracts, including amendments, renewals, and extensions; receipt, review and retaining of the contract and contract-related documents; and exercise of remedies.”
2. IDJC Contract Administrator – The IDJC staff member responsible for contract administration.
3. Contract Management – Per IDAPA 38.05.01, Rules of the Division of Purchasing, the definition of contract management is “Actions taken to ensure that both the agency and contractor comply with the requirements of the contract. Includes regular monitoring of the contractor’s performance, evaluation of deliverables, invoice review, payment approval, progress tracking, regular status meetings, and management of state-owned property and other resources used in contract performance management.”
4. IDJC Contract Manager - The IDJC staff member responsible for contract management.

B. Contract Administration

1. For statewide (open) contracts and for contracts issued by DOP on behalf of the IDJC, DOP has contract administration responsibility. For contracts issued by IDJC, the Purchasing Agent and the Buyer are the IDJC Contract Administrators.
2. Any need for issuance of IDJC-issued contracts will be conducted by an IDJC Contract Administrator. Only the Director, or designee, may sign contracts.
3. Any need for amendments to contracts, renewals of or extensions of contracts must be in writing and conducted by an IDJC Contract Administrator. Only the Director, or designee, may sign contract amendments, renewals, and extensions on behalf of the IDJC.
4. For statewide (open) contracts and for contracts issued by DOP on behalf of the IDJC, remedies related to less than satisfactory performance of a contractor under a contract must be invoked by DOP, unless delegated by DOP to the IDJC.
5. For contracts issued by the IDJC, remedies related to less than satisfactory performance of a contractor under a contract must be invoked by an IDJC Contract Administrator, unless delegated by an IDJC Contract Administrator to an IDJC Contract Manager.

6. Close out activities (see section III.C.) for expired or terminated contracts issued by IDJC will be completed jointly by an IDJC Contract Administrator and an IDJC Contract Manager.
7. IDJC Contract Administrators have the responsibilities identified in the IDAPA 38.05.01 definition, above. Those responsibilities and any additional responsibilities will be identified for each contract in the Contract Manager and IDJC Contract Administrator Roles and Responsibilities Agreement (DJC-189) form, which will also set forth IDJC Contract Manager responsibilities for the contract. Both the IDJC Contract Administrator and the IDJC Contract Manager will sign the DJC-189 agreement before the contract is awarded, and, at a minimum, a copy will remain on-file with the IDJC Contract Administrator. The IDJC Contract Administrator and IDJC Contract Manager may elect, at their discretion, to sign a single DJC-189 agreement that covers multiple contracts.
8. IDJC staff must not release contract documents, contract related documents, solicitation documents and solicitation related documents to any party outside of the IDJC.

The exception is authorized release of public records pursuant to the Public Records (901) policy/procedure. DOP handles public records requests related to statewide (open) contracts and for contracts issued by DOP on behalf of the IDJC.

C. Contract management

1. For statewide (open) contracts and for contracts issued by DOP on behalf of IDJC, DOP may retain some responsibility for contract management, and will advise IDJC, if so.
2. For each contract issued by the IDJC, the IDJC Contract Manager will be the person that worked with IDJC Purchasing in developing the contract, unless otherwise directed by IDJC leadership.
3. IDJC Contract Managers have the responsibilities identified in the IDAPA 38.05.01 definition above. Those responsibilities and any additional responsibilities will be identified for each contract in the DJC-189 agreement, which will also set forth IDJC Contract Administrator responsibilities for the contract. Both the IDJC Contract Manager and the IDJC Contract Administrator will sign the DJC-189 agreement before the contract is awarded, and, at a minimum, a copy will remain on-file with the IDJC Contract Administrator. The IDJC Contract Administrator and IDJC Contract Manager may elect, at their discretion, to sign a single DJC-189 agreement that covers multiple contracts.

D. Contract close out activities

1. The IDJC Contract Manager must ensure the following occurs timely after expiration or termination of an IDJC contract (whether issued by DOP or by IDJC):
 - a. All goods and services ordered under the contract have been received.

- b. All goods and services ordered under the contract have been paid for.
 - c. All contractor-owned property has been returned to or picked up by the contractor.
 - d. All IDJC-owned property that the contractor has used under the contract has been returned by the contractor to the IDJC.
 - e. There are no disputes with the contractor that are still unresolved.
2. The IDJC Contract Manager must provide a signed Contract Close Out (DJC-190) form to the IDJC Contract Administrator confirming all of the above. The IDJC Contract Administrator will sign the DJC-190 form confirming receipt, provide a copy back to the IDJC Contract Manager, and file the fully signed DJC-190 form with other documentation relating to the contract. The IDJC Contract Administrator and IDJC Contract Manager may elect, at their discretion, to sign a single DJC-190 form that covers multiple contracts.
 3. The IDJC Contract Administrator performs any necessary contract close out activities in Luma.

References:

Glossary of Terms and Acronyms
Sections 67-9201 through 67-9234, Idaho Code
Section 67-5710B, Idaho Code
Section 67-5711C, Idaho Code
Section 59-1026, Idaho Code
IDAPA 38.05.01
IDAPA 38.05.02
Juvenile Corrections Act (Title 20, Chapter 5)
Idaho Division of Purchasing website (<https://purchasing.idaho.gov/>)

Desk Manual(s):

None

Related Policies:

Use and Care of State Vehicles (105)
Travel (200)
Purchasing Card (205)
Use of Information Technology (230)
Fixed Asset Inventory (252)
Ethics and Standards of Conduct (324)
Referral for Clinical Services (419)
Public Records (901)

Related Forms:

Requisition (DJC-188)
Idaho Sales Tax Resale or Exemption Certificate (ST-101, Id Tax Commission)
Tax Exemption on Lodging Accommodations (ST-104HM, Id Tax Commission)
W-9 Tax Identification
Contract Manager and IDJC Contract Administrator Roles and Responsibilities Agreement (DJC-189)
Contract Close Out (DJC-190)