

Board Policy 7405: Public Works Contracting and Procurement

Status: Adopted

Original Adopted Date: 05/01/2019 | **Last Revised Date:** 07/14/2025 | **Last Reviewed Date:** 06/17/2025

[RECOMMENDED POLICY: This item addresses practices districts are required to comply with by law, administrative rule, or other guidance, or which are strongly recommended by one of the attorneys we consult on policy matters.]

No contract involving a public works project shall be let to any contractor who is not licensed as required by the laws of this State. Further, the District shall at all times adhere to the bidding requirements for public works contracting and procurement as set out in State law.

Public Works Contractor Licensure Requirements

\$0 to \$50,000	No licensure requirement	IC 54-1903(9)
\$50,000 and above	Licensure required	IC 54-1903(9)

Exemptions from Public Works Contractor Licensure

Less than \$50,000 for construction, alteration, improvement, or repair.	Single project with any number of trades	IC 54-1903(9)
Any construction, alteration, or repair due to an emergency.	Pursuant to the provision of, Chapter 10, Title 46 Idaho Code	IC 54-1903(11)

Public Works Construction Bidding

\$0 to \$100,000	No bidding requirements	IC 67-2803(2)
\$100,000 to \$250,000	Semi-formal bidding: Issue written requests for bids describing the work to at least 3 licensed contractors. Allow 3 days for written response; objections 1 day prior to bid. Keep records for 6 months. <u>Accept low bid, or reject all bids.</u>	IC 67-2805(1)
\$250,000 and above	Formal bidding 2 Options A & B: Category A – Open to all licensed contractors. Publication requirements. Written objections allowed. May request bid security/bond. <u>Accept low bid, or reject all bids.</u> See code for details. (IC 67-2805(2)(a).) Category B – Open to pre-qualified contractors. After pre-qualification is determined, the bidding process is in the same manner as Category A. (IC 67-2805(2)(b).)	IC 67-2805(2)

Legal References

IC § 33-601

Description

School Property - Real and Personal Property – Acquisition, Use or Disposal of the Same

IC § 54-1903

Unlawful to Engage in Public Works Contracting Without License – Exemptions

IC § 67-2801, et seq.

Purchasing by Political Subdivisions

IC § 74-401 et seq.

Ethics in Government

Other References

Idaho State Department of Education [Policies and Procedures Used Template](#)

Description

Cross References

Code

7400

Description

Miscellaneous Procurement Standards

7400

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Entering into Professional Service Contracts

