



BRAD LITTLE
Governor
D. KEITH REYNOLDS
Director
VALERIE BOLLINGER
Administrator

State of Idaho

Department of Administration
Division of Purchasing

304 N 8th Street, Rm 403 (83702)
P. O. Box 83720
Boise, ID 83720-0075
Telephone (208) 327-7465
Fax: 208-327-7320
<http://purchasing.idaho.gov>

April 8, 2021

Lydia Dawson
Idaho Association of Community Providers
P.O. Box 4703
Boise, ID 83711

VIA EMAIL TRANSMISSION
E-mail to executivedirector@iacp-idaho.com

RE: Communication to potential bidders for Idaho Behavioral Health Plan

Dear Ms. Dawson,

The Idaho Division of Purchasing (DOP) has been informed that you have sent the attached "Bidders Questionnaire" to vendors who may bid on the Idaho Behavioral Health Plan contract in your capacity as Executive Director of the Idaho Association of Community Providers (IACP). I understand that in your communication to those vendors you stated that IACP might endorse vendors to the Department of Health and Welfare based on the responses you receive.

Procurement of the behavioral health plan services to which your communication refers are governed by the State Procurement Act, chapter 92, title 67, Idaho Code. In accordance with the State Procurement Act, the Department of Health and Welfare (DHW) will be selecting a contractor based on a competitive solicitation, issued and administered by and through DOP. The selection of a contractor will be based solely on the evaluation criteria developed by DHW and articulated in the solicitation document, not based on an endorsement by IACP.

Idaho Code section 67-9233 provides a framework for ethics in procurement and applies to state officers, employees, vendors, and "any person acting on behalf of a vendor." It provides that "[i]n any matter relating to state procurement, it is an unethical breach of the public trust to... [a]ttempt to influence a state officer or employee to violate the policy or provisions of this chapter or any other applicable law or rule..." It goes on to state that "[i]n addition to any other administrative, civil or criminal sanction provided by law or rule, a vendor who commits an unethical breach of the public trust, or whose advocate or representative commits an unethical breach of the public trust, may be disqualified pursuant to section [67-9217](#), Idaho Code."

The solicitation and evaluation of proposals for behavioral health plan services will be conducted by DOP and DHW in compliance with the State Procurement Act and based on the evaluation criteria deemed appropriate by DHW. Any attempt by IACP to influence the award of the contract in a manner inconsistent with the State Procurement Act may be a violation of Section 67-9233, which could result in the bidder for whom IACP is advocating being disqualified from bidding.

In the interests of transparency and the integrity of the bidding process, a copy of this letter will be posted on DOP's website and will be included with the solicitation for behavioral health plan services. If you have any questions, please contact me at 208-332-1631.

Best regards,

Valerie Bollinger, J.D., CPPO, CPPB
Administrator
Idaho Division of Purchasing