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Division of Purchasing

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POLICY DIRECTIVE NO. 19-06 **EFFECTIVE June 14, 2019**

Pursuant to Idaho Division of Purchasing Rule 42.09 (IDAPA 38.05.01.042.09), a determination has been made that competitive solicitation procedures are impractical, disadvantageous and unreasonable when applied to the Department of Commerce ("Department.") Other agencies may apply to the Administrator for extension of this determination to a particular agency, provided the justification is the same:

Social media influencers and content creators to be used for marketing/promoting tourism in Idaho

The conditions applicable to this exemption are as follows:

1. The Department is instructed to use prudent business judgment in exercising the exemption granted under this policy directive, including strict adherence to the state's conflict of interest policies;
2. If the Department payments to a single influencer will exceed \$75,000 over a five (5)-year period, the Department must get prior authorization (or must seek authorization as soon as it is determined that the total payments are likely to exceed this threshold) utilizing the "Request to Utilize a Policy Directive" form on the DOP website;
3. Under no circumstances may a contract issued pursuant to this Policy Directive allow the Department to provide alcohol, reimburse for alcohol purchased, or otherwise cover the cost of alcohol purchased by or for the influencer;
4. The Department must maintain a fully documented file for each contract executed under this Policy Directive, including a reference to or copy of this Policy Directive, and must make such files available for review by the Administrator upon request;
5. The Department must consult with legal counsel to ensure that contract documents are in accordance with Idaho law and sound business practices, in the best interest of the state; and
6. Other Departments may apply to the Administrator for extension of this determination to their agency.

This exemption shall be effective until this Policy Directive is rescinded or replaced.


Administrator