

SOUTH DAKOTA PROCUREMENT CODE

Fiscal Year End: June 30

1. **Pre-qualifications:** None
 - a. 5-23-10.1 → Repealed
2. **Auto-drop:** None.
3. **Life Cycle Costing (LCC):** Allowed if mentioned in the IFB
 - a. **SDS 5-18A-5** → The contract shall be awarded within thirty days of the bid opening by written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids. The purchasing agency may reject any and all bids and re-advertise for bids if none of the bids are satisfactory, or if the purchasing agency believes an agreement has been entered into by the bidders to prevent competition. If the low bidder is not responsible or the bid is not made in accordance with the requirements of this chapter and chapters 5-18B, 5-18C, and 5-18D or the low bid is withdrawn as authorized by this section, the bid of the next lowest responsible and responsive bidder may be accepted
4. **Piggybacking:** Allowed.
 - a. **SDS 5-18A-37** → Any purchasing agency may enter into agreements with purchasing agents in this or any other state or the United States government under which any of the parties may agree to participate in, administer, sponsor, or conduct purchasing transactions under a joint agreement or contract for the purchase of supplies or contractual services. A purchasing agency may cooperate with purchasing agencies and other interested parties in any other state or the United States government to develop uniform purchasing specifications on a regional or national level to facilitate cooperative interstate purchasing transactions.
5. **Recycle Preferences:** 5% price preference to recycled or starch-based materials
 - a. **SD Stat. 5-23-45** → A purchasing agency may give preference to the purchase of supplies manufactured from recycled or biobased materials if the bids are within five percent of the lowest bid offering nonrecycled or nonbiobased materials.
6. **Minority/Small/Disadvantaged Business Enterprise preferences:** None.
7. **Cooperative Purchasing**

National IPA

The City of Tucson, AZ has awarded a national cooperative purchasing agreement available to agencies through National Intergovernmental Purchasing Alliance (National IPA). Visit the National IPA website for state specific information
<http://www.nationalipa.org/statutes.html>

National Joint Powers Alliance (NJPA)

NJPA currently supports over 100 national contracts for products and services that are available to local governmental agencies and other not for profit entities. Additional information can be found by visiting NJPA's State Procurement Resources web site.

<http://www.njpacoop.org/national-cooperative-contract-solutions/legal-authority/>

***** SD Statutes (title 5):**

<http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&Statute=5>