



C.L. "BUTCH" OTTER  
GOVERNOR

November 1, 2018

The Honorable Wendy Horman  
Idaho House of Representatives  
1860 Heather Circle  
Idaho Falls 83406

Dear Rep. Horman,

It has come to my attention that there has been a series of discussions with the executive director of the State Board of Education regarding procurement of a statewide software program to support school districts with teacher evaluations, including training for administrators as required by the career ladder statute in Idaho Code. I am aware that those discussions included attempts to steer the \$1 million appropriation to a provider whose software is already in use by many districts in Idaho.

I know that the possibility of a single source contract with a preferred vendor and the ability to use the statewide Dell contract to award this business to that preferred vendor. Neither of those options complied with State procurement laws, and the Board of Education staff was advised to issue a request for proposals (RFP).

While there were delays as these options were explored as well as in the process of issuing the RFP and reviewing the eight (8) proposals received, a provider was selected. I am aware that it was not your preferred vendor and understand that after a conversation with you on September 13, the Board's executive director asked the Division of Purchasing to cancel the RFP. I know that you had previously suggested to the Executive Director that the Board could revert the \$1 million appropriation for this software and a future appropriation could be redirected and distributed to the districts.

I have instructed the Board to proceed with awarding the contract and addressing any challenges from unsuccessful bidders as required by Idaho Statute. Beyond the legal requirement to award the contract to the successful bidder and potential litigation from cancellation of the RFP, this is important in assuring that there is state-level administration and oversight of the teacher evaluation process.

It is troubling to me that you have been involved in discussions that would circumvent the State's procurement laws. I trust this was inadvertent and that there will be no further dialog that appears to encourage such actions.

As Always – Idaho, "Esto Perpetua"

A handwritten signature in black ink that reads "C.L. 'Butch' Otter".

C.L. "Butch" Otter  
Governor of Idaho

CLO/mlw