

IC 5-22-18

Chapter 18. Other Procedures Governing Purchasing

IC 5-22-18-1

Public notice

Sec. 1. (a) Whenever public notice is required by this article, notice shall be given by publication in the manner prescribed by IC 5-3-1.

(b) The purchasing agent may give notice other than as required in IC 5-3-1 that the purchasing agent considers will increase competition.

(c) The purchasing agent shall schedule all notices given under this section to provide a reasonable amount of time for preparation and submission of responses after notification. The period between:

(1) the last publication, mailing, or posting of notices required by this section; and

(2) the final date set for submitting offers;

must be at least seven (7) calendar days.

As added by P.L.49-1997, SEC.1.

IC 5-22-18-2

Cancellation of solicitation; rejection of offer

Sec. 2. (a) When the purchasing agent determines it is in the best interests of the governmental body:

(1) a solicitation may be canceled; or

(2) offers may be rejected;

in whole or in part as specified in the solicitation.

(b) The reasons for a cancellation of a solicitation or rejection of offers must be made a part of the contract file.

As added by P.L.49-1997, SEC.1.

IC 5-22-18-3

Offers opened after time stated in solicitation

Sec. 3. Notwithstanding any other law, offers may be opened after the time stated in the solicitation if both of the following apply:

(1) The governmental body makes a written determination that it is in the best interest of the governmental body to delay the opening.

(2) The day, time, and place of the rescheduled opening is announced at the day, time, and place of the originally scheduled opening.

As added by P.L.49-1997, SEC.1.

IC 5-22-18-4

Contract and purchasing records; protection of documents

Sec. 4. (a) Except as provided in this section or by another law, contract and purchasing records are public records subject to public inspection under IC 5-14-3.

(b) A governmental body may establish policies or adopt rules for the protection of documents submitted to the governmental body in

response to a solicitation.

(c) Policies or rules may provide procedures for the following:

- (1) Protection of offers before opening to prevent disclosure of contents.
- (2) Afford unobstructed evaluation of offers and award of contracts by the purchasing agent after opening.
- (3) Protection of offers from tampering before and after opening.

As added by P.L.49-1997, SEC.1.

IC 5-22-18-5

Purchase order or lease made public record by political subdivisions

Sec. 5. (a) This section applies only to a political subdivision.

(b) Within thirty (30) days after the acceptance of an offer, the purchasing agent shall deliver in person or by first class mail to the successful offeror the original of each purchase order or lease, retain a copy for the purchasing agent's records, and file a copy for public record and inspection as follows:

- (1) When a purchase or lease is made for a county or municipality, the copy of the purchase order or lease must be filed with the fiscal officer of the unit.
- (2) When a purchase or lease is made for a township, the copy of the purchase order or lease must be filed with the fiscal officer of the county.
- (3) When a purchase or lease is made for a school corporation or a quasi-public corporation, the copy of the purchase order or lease must be filed with the records of the corporation.

As added by P.L.7-1998, SEC.10.