

IC 5-16-2

Chapter 2. Public Works Bids to be Submitted and Opened at Public Meeting

IC 5-16-2-1

Time for submitting bid; opening bids

Sec. 1. All state officers, administrative boards or agencies acting on behalf of the state or any state institution or state agency, authorized by law to let contracts for public work shall have no authority to require any bidder to submit his bid at any time earlier than the open meeting at which it is to be received. All such meetings for receiving bids shall be open to the public and all bidders shall be entitled to attend. Bids so received shall be opened publicly and read aloud at the time and place designated for the receipt thereof.

(Formerly: Acts 1913, c.228, s.1; Acts 1965, c.317, s.1.) As amended by Acts 1981, P.L.57, SEC.9.

IC 5-16-2-1.4

Rejection of bids or quotes submitted

Sec. 1.4. The political body or officer authorized to let contracts for public works or improvement may, in the reasonable exercise of discretion, reject all bids or quotes submitted.

As added by Acts 1977, P.L.59, SEC.1. Amended by P.L.143-2014, SEC.5.

IC 5-16-2-1.5

Awarding contract; notice to proceed; time limits and failure to meet; elections of successful bidder

Sec. 1.5. (a) Within sixty (60) days from the date on which bids are opened as specified in section 1 of this chapter, the political body or officer authorized to let contracts for public work or improvement shall award that contract and shall provide the successful bidder with written notice to proceed. However, if general obligation bonds are to be sold to finance the construction which is the subject of the bid, ninety (90) days shall be allowed; if revenue bonds are to be issued and approval by the utility regulatory commission obtained, or if special taxing district general obligation or revenue bonds are to be issued and sold to finance the construction, one hundred fifty (150) days shall be allowed. A failure to award and execute the contract and to issue notice to proceed within the time required by this section entitles the successful bidder to either:

- (1) reject the contract and withdraw his bid without prejudice; or
- (2) grant an extension of time to effect award and execution of the contract and notice to proceed at an agreed later date.

(b) If the successful bidder elects to reject the contract and withdraw his bid, notice of that election must be given to the political body or the officer authorized to let the contract in writing within fifteen (15) days of the sixty (60) day expiration date or any extension thereof.

As added by Acts 1977, P.L.59, SEC.2. Amended by Acts 1979, P.L.43, SEC.1; P.L.23-1988, SEC.7.

IC 5-16-2-2

Void contracts

Sec. 2. All contracts for public work by any of the political bodies or officers mentioned in this chapter which are not let in conformity with the provisions of this chapter shall be void.

(Formerly: Acts 1913, c.228, s.2.) As amended by Acts 1977, P.L.59, SEC.3.

IC 5-16-2-3

Supplemental effect of chapter

Sec. 3. This chapter shall be construed as supplemental to the laws in force on April 30, 1913, relating to the letting of contracts for public work and shall not repeal or amend any of such laws except such as are contrary to the provisions of this chapter.

(Formerly: Acts 1913, c.228, s.3.) As amended by P.L.25-1986, SEC.89.