

IC 8-24-9

Chapter 9. Procurement

IC 8-24-9-1

Applicable laws

Sec. 1. The district shall comply with IC 5-16-7 (common construction wage), IC 5-22 (public purchasing), IC 36-1-12 (public work projects), and any applicable federal bidding statutes and regulations.

As added by P.L.182-2009(ss), SEC.282.

IC 8-24-9-2

Leases between political subdivisions and the district

Sec. 2. An entity that receives a loan, a grant, or other financial assistance from a district or enters into a lease with a district must comply with applicable federal, state, and local public purchasing and bidding laws and regulations. However, a purchasing agency (as defined in IC 5-22-2-25) of a political subdivision may:

- (1) assign or sell a lease for property to a district; or
- (2) enter into a lease for property with a district;

at any price and under any other terms and conditions as may be determined by the entity and the district. However, before making an assignment or a sale of a lease or entering into a lease under this section that would otherwise be subject to IC 5-22, the political subdivision or its purchasing agent must obtain or cause to be obtained a purchase price for the property to be subject to the lease from the lowest responsible and responsive bidder in accordance with the requirements for the purchase of supplies under IC 5-22.

As added by P.L.182-2009(ss), SEC.282.

IC 8-24-9-3

Minority and women's business enterprise participation goals

Sec. 3. Except where 49 CFR Part 26 applies, the district shall set a goal for participation by minority business enterprises and women's business enterprises. The goals must be consistent with:

- (1) the participation goals established by the counties and municipalities that are members of the district; and
- (2) the goals of delivering the project on time and within the budgeted amount and, insofar as possible, using Indiana businesses for employees, goods, and services.

As added by P.L.182-2009(ss), SEC.282.

IC 8-24-9-4

Eminent domain

Sec. 4. If the district is unable to agree with the owners, lessees, or occupants of any real property selected for the purposes of this article, the district may proceed under IC 32-24-1 to procure the condemnation of the property. The district may not institute a proceeding until it has adopted a resolution that:

- (1) describes the real property sought to be acquired and the

public purposes for which the real property is to be used;
(2) declares that the public interest and necessity require the acquisition by the district of the property involved; and
(3) sets out any other facts that the district considers necessary or pertinent.

The resolution is conclusive evidence of the public necessity of the proposed acquisition.

As added by P.L.182-2009(ss), SEC.282.