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# STATE OF INDIANA

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DEPARTMENT OF LOCAL GOVERNMENT FINANCE



INDIANA GOVERNMENT CENTER NORTH  
100 NORTH SENATE AVENUE N1058(B)  
INDIANAPOLIS, IN 46204  
PHONE (317) 232-3777  
FAX (317) 974-1629

**TO:** County Assessors, Auditors, & Commissioners

**FROM:** Wesley R. Bennett, Commissioner

**RE:** Update to Form Contracts for Assessment Services and Software

**DATE:** May 11, 2021

The Department of Local Government Finance (“Department”) would like to notify county assessors that the Department has updated its form contracts for assessment services. These contracts are now posted on the [Department’s website](#). This memorandum also serves to remind county officials of the process of submitting these contracts to the Department. This memorandum supersedes the October 30, 2019 memorandum from the Department on the same subject matter.

Revisions were made to the following form contracts:

- [State Form 55928](#) – Prescribed Contract for New Construction Review.
- [State Form 55929](#) – Prescribed Contract for Annual Adjustments.
- [State Form 55930](#) – Prescribed Contract for Annual Adjustments and Cyclical Reassessment.
- [State Form 55932](#) – Prescribed Contract for Cyclical Reassessment.

The revisions are as follows. First, references to the 2011 Real Property Assessment Manual and Guidelines were changed to reference the 2021 Real Property Assessment Manual and Guidelines. Second, certain requirements to report data to Legislative Services Agency were removed following House Enrolled Act 1113-2020, specifically sections 5 and 6. Changes were not made to the State Form 55931 – Prescribed Contract for Computer Software, Services, and Equipment as there was no need to update that form. Counties should continue to use the 2019 version of State Form 55931 until further notice.

The form contracts are fillable PDFs. The Department will only accept the fillable PDF state form versions of these contracts; the Department will NOT accept altered, reproduced, or retyped contracts. Counties and contractors shall use the prescribed form contracts. The Department will not entertain claims by a contractor or county that its retyped contract is an exact duplicate of the state form.

As a reminder, before the Department can review a contract, the contract must first be signed by the contractor, assessor, and county commissioners. For a software contract specific to tax & billing services, the auditor may sign in place of the assessor. It is not necessary to cross out “Assessor:” which is hard-coded on the signature page and write “Auditor:”, etc., in its place.

The county shall have the contract, the Work Plan, and any other documentation related to the contract uploaded onto the Gateway Contract Upload “File Transmission” application. A [user guide](#) is available for the Contract Upload “File Transmission” application, and instructions for uploading the local government contract files under the “File Transmission” section. The county is required to upload the contract no later than 3 days after the date the contract is executed. The county assessor will be granted submission rights for the Gateway Contract Upload “File Transmission” application. The assessor may delegate his or her authority to enter contract information to staff and advisors. Submission rights will not be granted to vendors.

Please note that per HEA 1427-2019, the Department is no longer a signatory to any assessment or software contract that will be entered into on or after July 1, 2019. Therefore, any original of a contract signed by the county and vendor submitted to the Department for signature will be returned without comment.

The Department emphasizes that it must review county contracts for assessment services and for software that is certified by the Department.

Also, counties must ensure that they comply with all bidding requirements under state and local law, including IC 5-22. Counties should confer with their attorneys and as needed, the State Board of Accounts, for guidance. Be aware that the form assessment services and software contracts contain the following provisions, respectively: “The County has advertised for bids as required by IC 6-1.1-4-18.5(b) and has fulfilled all other statutory conditions precedent to the employment of a technical advisor[;]” “The County and the Contractor have complied with IC 5-22 in obtaining bids, proposals, or a special procurement, and the purchase of the Contractor’s software, services, and/or equipment is in compliance with Indiana law[.]” If the Department receives a contract signed by the contractor, assessor, and commissioners, the county and contractor are representing to the Department that all applicable bidding obligations have been fulfilled.

In general, counties should seek guidance from their attorneys throughout the contracting process.

Contracts can potentially be amended, but the Department must review any amendment. An amendment cannot be used to perpetually extend a contract or add work unrelated to the underlying contract (i.e., amending a new construction contract to include cyclical reassessment work).

### **Contact Information**

Questions about this memorandum may be sent to Deputy General Counsel David Marusarz at (317) 233-6770 or [dmarusarz@dlgf.in.gov](mailto:dmarusarz@dlgf.in.gov). For questions regarding access to the File Transmission Application, please send an email to [Support@dlgf.in.gov](mailto:Support@dlgf.in.gov).