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# STATE OF INDIANA

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DEPARTMENT OF LOCAL GOVERNMENT FINANCE



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**TO: Political Subdivisions**

**FROM: James Johnson, Data Analysis Division Director**

**SUBJECT: Local Government Contract Submission Procedures**

**DATE: July 16, 2019**

The Department of Local Government Finance (“Department”) is issuing this memorandum to all political subdivisions as a reminder for the submission of local government contracts to the Department via Gateway File Transmission.

## **SEA 327-2016 and HEA 1427-2019**

On March 23, 2016, Governor Pence signed into law Senate Enrolled Act 327 (“SEA 327-2016”), which introduced IC 5-14-3.8-3.5 concerning contract reporting. On May 5, 2019, Governor Holcomb signed into law House Enrolled Act 1427 (“HEA 1427-2019”), which made a further update to IC 5-14-3.8-3.5, regarding which entities are required to report information via the Gateway File Transmission application. This update became effective July 1, 2019.

IC 5-14-3.8-3.5 requires each political subdivision to upload to Gateway, a digital copy of a contract entered into after June 30, 2016, if the total cost of the contract to the political subdivision exceeds \$50,000 during the term of the contract. A political subdivision for purposes of this reporting requirement refers to a taxing unit as defined in IC 6-1.1-1-21. Namely, a taxing unit means an entity which has the power to impose ad valorem property taxes. Therefore, an entity that does not have the power to impose ad valorem property taxes is not required to upload a contract.

Political subdivisions are required to upload each contract only once. Political subdivisions are not required to upload employment contracts. For collective bargaining agreements, a political subdivision shall upload a copy of the collective bargaining agreement and a copy of a blank or sample individual employment contract. Additionally, the Department encourages political subdivisions to upload any amendments or addendums to contracts that they have previously uploaded; the Gateway File Transmission application – detailed below – allows for this functionality without overwriting the originally uploaded document.

Political subdivisions are required to upload the contract not later than 60 days after the date the contract is executed. If a political subdivision determines or realizes that a contract originally expected not to exceed \$50,000 will in fact exceed that amount, it is required to upload the contract within 60 days following its determination or realization.

Political subdivisions may redact or obscure signatures on contracts.

Please note that IC 5-14-3.8-3.5 does not define “contract” for purposes of the upload process. Therefore, the Department recommends conferring with local counsel on whether a document is a “contract” that should be uploaded.

### **Gateway File Transmission**

The Gateway File Transmission application serves to collect stand-alone reporting requirements from local units of government.

In an effort to build an effective public search tool for local government contracts, the Department has included several fields in the contracts upload tool. While there are only two fields that are required to be completed in order to allow for submission of the upload, the Department encourages local officials to complete as many fields as possible to allow for a user-friendly tool both for the local government and the public.

Required fields are:

- Category (options include Personal Services, Supplies, Services & Charges, Capital Outlays, Township Assistance, and Debt Service)
- Vendor Name

Optional fields are:

- Estimated Total Cost
- Contract Signature Date
- Contract End Date
- Purpose

Political subdivisions are also required to upload at least one file associated with each contract that contains an electronic copy of the contract. The Department will accept these files in various formats, including PDF, digital image formats, and Microsoft Word documents. A political subdivision may upload multiple files for each contract.

Because the contracts upload requirement is an ongoing responsibility, the Gateway contracts upload tool does not have a formal submission function. A fiscal officer may delegate rights to enter contract information to staff and advisors. Even if a fiscal officer decides to delegate contract uploading rights to another individual, the Department strongly encourages the fiscal officer to track the political subdivision’s compliance with IC 5-14-3.8-3.5.

A user guide for the Gateway File Transmission application, and instructions for uploading the local government contract files, is posted to <https://gateway.ifionline.org/help.aspx>.

Questions regarding these instructions may be directed to the Department’s Gateway support team at (317) 234-4480 or [gateway@dlgf.in.gov](mailto:gateway@dlgf.in.gov).