



Date of Memo: May 03, 2024
Current Meeting: May 16, 2024
Board Meeting: May 23, 2024

BOARD MEMORANDUM

TO: Indianapolis Public Transportation Corporation (IPTC) Board of Directors
THROUGH: Interim President/CEO Jennifer Pyrz
FROM: Senior Director of Procurement Terri Clay
SUBJECT: Consideration and approval of Resolution No. 2024-02 - Designation of Purchasing Agency and Purchasing Agents

ACTION ITEM A – 3

RECOMMENDATION:

IPTC staff recommends that the Board of Directors adopt Resolution No. 2024-02 designating the Procurement Department as the purchasing agency for IPTC and authorizing the Director of Procurement to designate individuals in the department to act as purchasing agents for IPTC.

BACKGROUND:

IPTC is an Indiana municipal corporation and as such is a political subdivision of the State of Indiana. I.C. §§ 36-9-4-12, 36-1-2-13. As a political subdivision, IPTC is also a “governmental body” as defined in the Indiana public procurement statutes. I.C. § 5-22-2-13. Therefore, IPTC must comply with the public procurement statutes when purchasing goods and services. Those statutes provide that the purchasing agency of a political subdivision is as designated by law or by rule of the governmental body. I.C. § 5-22-4-5(a). The statute further provides that the designated purchasing agency may designate those individuals who may act as purchasing agents for the governmental body. I.C. § 5-22-4-5(b).

DISCUSSION:

The IPTC’s governing statute, Ind. Code 36-9-4, does not designate IPTC’s purchasing agency, but it does charge the Board with the management of IPTC and authorizes the Board to exercise the executive and legislative powers of the corporation. I.C. §§ 36-9-4-2, -14 and -29. Accordingly, the Board should make a designation of a purchasing agency. It is likely that the Board has made such a designation in the past, but a search of the Board’s records has not revealed a written designation. Therefore, staff recommends that the Board make the designation in writing at this time for the record.

ALTERNATIVES:

There are no alternatives because state statute requires that a purchasing agency be designated.

DBE/XBE DECLARATION:

N/A

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

This action will be reviewed by the Finance Committee on May 16, 2024 and will be recommended to the Regular Agenda.