



February 15, 2012

Board of Works
City of Beech Grove
806 Main Street
Beech Grove, IN 46107

RE: Purchase of new ambulance and I.C. § 5-22-10-4

Dear Board:

As you know, on January 30, 2012, one of the fire department's ambulances was involved in an automobile accident. The accident resulted in a complete loss of the use of the ambulance. This leaves the fire department with only one operational ambulance. The fire department's sole operational ambulance was purchased in 2000. The ambulance involved in the crash was purchased in 2006.

I.C. § 5-22-10-4 provides that the City may, under "emergency conditions," forego the usual and customary bidding process and may make a "special purchase" when there exists "a threat to public health, welfare, or safety." I have enclosed a copy of this statute for your reference. Based on the fact that the department only has one operational ambulance, coupled with its age, I believe the requisite "emergency conditions" exist for the City to enter into a special purchase as contemplated in I.C. § 5-22-10-4. Accordingly, it is my recommendation the Board declare the requisite "emergency conditions" as provided in the statute and grant the City permission to enter into a special purchase of a new ambulance as soon as practical.

Very truly yours,



Craig W. Wiley
City Attorney

Enclosure