

ACEC Indiana

Short List

PUBLISHED FOR ACEC INDIANA MEMBERS

Upcoming Event

Thursday, June 12th

ACEC Indiana
Annual Meeting &
Recognition Awards
featuring
Dave Raymond,
National President, ACEC
Marriott East Hotel, Indpls.
Reservations required

Go to www.acecindiana.org
or call (317) 637-3563

Membership Benefits

Special dues incentive offered for new members only!

Pay 1/3 of dues in Year 1,
2/3 of dues in Year 2, and
full dues starting in Year 3.
Take advantage of the great
programs, benefits and
networking that ACEC
Indiana offers.

SUPERFLEET ACEC Indiana Fueling Program

Save 4¢/gallon (sometimes
6¢/gallon) through ACEC
Indiana on Speedway,
SuperAmerica, and more!

*No set up, annual or
monthly fee

*No charge for cards

*No charge for detailed
reporting

Go to www.acecindiana.org
for more information or
call (317) 637-3563.

Fairness Restored to Indemnification Under INDOT Contracts

ACEC Indiana spearheaded legislation during the 2008 General Assembly to limit a consulting engineering firm's liability under an INDOT contract to its own negligent acts, as opposed to the broader burden of "any act or omission" imposed under the "boilerplate" agreement.

As most of you have heard by now, the bill passed the legislature by wide margins in both the House and Senate, was signed into law by Governor Daniels on March 12, 2008, and became effective immediately. To view the new law, which is IC 8-23-2-12.5, authorized by Senate Enrolled Act 175, go to <http://www.in.gov/legislative/bills/2008/PDF/SE/SE0175.1.pdf>

It was imperative that the legislature address the issue because without this "fix," the contracts would have held an engineering firm responsible for actions by other people that were beyond its control.

According to the major liability insurance companies that work in this arena, this burden was not insurable, so leaving the situation as it was would not only hurt engineering firms, but it would have also left the state of Indiana in a highly vulnerable position.

As a result, Indiana joined 22 other states in passing similar legislation to restore fairness to the business relationship between engineering firms and INDOT regarding indemnification. In fact, Indiana's

law was modeled after Michigan's statute passed in 2004.

After passage of the new law, ACEC Indiana met with officials of INDOT to discuss the next step of updating the boilerplate contract on the indemnification provision so that it complied with SEA 175.

We are aware that INDOT contract language differs, but at a minimum, it should state that it is subject to IC 8-23-2-12.5.

State Representative Terri Austin (D-Anderson) and State Senator Jim Merritt (R-Indianapolis) were instrumental in this effort and ACEC Indiana thanks them.

\$108,000 Awarded in Engineering Scholarships Over Last 8 Years



*Do you like to
play golf?*

*Do you like to
win fabulous
prizes?*

If you answered yes to either of these questions, then you will want to be sure to participate in ACEC Indiana's 9th Annual Scholarship Golf event on June 17th at Maple Creek Golf Course, Indianapolis.

Join your peers for a beautiful round of golf for a good cause! All of the proceeds go towards funding college scholarships for engineering students. Last year, \$18,000 was awarded to five students attending Purdue, Rose Hulman, Tri-State and Valparaiso.

**When: Tuesday, June 17th
Where: Maple Creek Golf Club
Pre-registration required!**

If you are a golfer, start rounding up your four-some...clients, public officials, team members, or just reward deserving members of your firm.

Hole sponsors and prize sponsors are still needed to make this event successful and we are happy to let you know how your company can help. Give us a call (317) 637-3563.



SOMERSET
CPAs

Passionate
about your
success.

We understand your business from the foundation up.

Learn how Somerset can help you move your engineering business to new levels.

Contact **Chris Mayfield, CPA**
Construction & A/E Team
317.472.2200 - 800.469.7206
www.somersetcpas.com

ASSURANCE SERVICES
INDOT OVERHEAD RATE AUDITS
TAX SERVICES
BUSINESS PLANNING
INFORMATION SOLUTIONS