

ORDINANCE NO. _____

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR THE REPAIR OF THE LAMAN LIBRARY FOUNTAIN; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Ark. Code Ann. § 14-58-303 requires City purchases exceeding the amount of \$20,000 to follow statutory procedures of local advertisement and opening of sealed bids which may only be waived in exceptional situations where bidding is deemed not feasible or practical; and

WHEREAS, the fountain at Laman Library has not been in working condition for an extended period of time; and

WHEREAS, Hydco, Inc. has examined the fountain and has determined that allowing the equipment vault to hold water caused damage beyond repair to the existing sump pump, as well as valves and electrical components; and

WHEREAS, Hydco, Inc. has offered to replace the damaged components and restore the fountain to working order for approximately \$35,000.00; and

WHEREAS, it is advantageous to the City to accept such offer because it would be more expensive to develop plans, specifications, front end documents, advertise and solicit bids for the repair of the fountain and because other vendors from whom the City has sought estimates have estimated significantly higher costs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That formal bidding is hereby waived in connection with the repair of the fountain at Laman Library and the Mayor and City Clerk are authorized to enter into an agreement with Hydco, Inc. for a total amount not to exceed \$35,000.00, with all contracts/agreements to be reviewed and approved by the City Attorney prior to execution.

SECTION 2: That the sum of Thirty-Five Thousand & 00/100 Dollars (\$35,000.00) is hereby appropriated from Special Appropriations from the General Fund for the cost of the repair of the fountain.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: That it is hereby found and determined that it is in the best interest of the City of North Little Rock to accept the low bid of Hydco, Inc., and is necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Joe A. Smith

SPONSOR:

ATTEST:



Mayor Joe A. Smith *by AF*

Diane Whitbey, City Clerk

APPROVED AS TO FORM:



Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/ABF

FILED <u>11:55</u> A.M. _____ P.M.
By <u>Amy Fields CA</u>
DATE <u>6/9/18</u>
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas
RECEIVED BY 