O-20-116

**ORDINANCE NO. _____**

**AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR THE PURCHASE OF A SWITCHGEAR FROM FEDERAL PACIFIC FOR THE JUSTICE BUILDING; 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 City of North Little Rock (the "City") is currently constructing a new Justice Building that will require a switchgear, which is used to protect power systems from overloads; and

WHEREAS, Federal Pacific, a manufacturer of products used in the generation, transmission, distribution and control of electricity, sells and installs custom switchgears for $25,000 with freight, which is a lower cost than other comparable manufacturers, and can complete installation between 8 to 10 weeks, shorter than other comparable manufacturers; and

WHEREAS, Federal Pacific is a major manufacturer of switchgears and its switchgears have been used by other municipalities in Arkansas with good results; and

WHEREAS, switchgear installation will be the longest lead time of all equipment installed by the Electric Department and the Electric Department has determined that waiving bids is necessary to keep the Justice Building construction project on schedule.

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 purchase of a switchgear from Federal Pacific for a total amount of Twenty Five Thousand & 00/100 Dollars ($25,000.00), plus tax.

SECTION 2: That the cost of the switchgear is included in and shall be paid from the 2020 Electric Department Budget.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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 purchase a custom switchgear from Federal Pacific, 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:

Mayor Joe A. Smith

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

FILED 10:50 A.M. _____ P.M.
By Amy Fields, CA
DATE 2-18-20

**Diane Whitbey, City Clerk and Collector**
**North Little Rock, Arkansas**

RECEIVED BY