O-21- 13

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 9287, WHICH WAIVED FORMAL BIDDING REQUIREMENTS AND AUTHORIZED THE PURCHASE OF PAYMENTWORKS SUBSCRIPTION, A SOLE SOURCE VENDOR; 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, on September 28, 2020, the North Little Rock City Council adopted Ordinance No. 9287, waiving bids for the cost of a subscription in the amount of $45,000.00 to PaymentWorks, a sole source vendor that provides on-going verification of vendors' information to include banking information, increases security and fraud prevention, actively engages with vendors once identified, and allows information sharing across institutions for better security; and

WHEREAS, Ordinance No. 9287 provided that the cost of the subscription would be paid from the Finance Department's 2020 Budget, to be reimbursed through Coronavirus Aid, Relief, and Economic Security (CARES) funding; and

WHEREAS, the City was unable to obtain reimbursement for the subscription cost through CARES funding, and the cost of the subscription was included in the IT Department's 2021 budget; and

WHEREAS, it is in the best interest of the City that Ordinance No. 9287 be amended to provide that the cost of the PaymentWorks subscription be paid from the IT Department's 2021 budget.

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

SECTION 1: That Section 2 of Ordinance No. 9287 is hereby amended as follows:

Editor's Note: Edited text is denoted as follows: Deleted text by ~~strikethrough;~~ added text by underline.

SECTION 2: That the cost of the subscription in the amount of $45,000.00 shall be paid from the IT Department's 2021 Budget ~~Finance Department's 2020 Budget, to be reimbursed through CARES funding~~.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: 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 pay for the previously purchased PaymentWorks subscription from the IT Department's 2021 budget, 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 Terry C. Hartwick

SPONSOR:

Mayor Terry C. Hartwick

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/ABF

FILED 9:15 A.M. ___ P.M.
By City Atty Amy Fields
DATE 2-2-21

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

RECEIVED BY K. Thomas