

ORDINANCE NO. 8-2020

AN ORDINANCE WAIVING COMPETITIVE BIDDING IN ACCORDANCE WITH ARKANSAS CODE ANNOTATED SECTION 14-58-303 AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PURCHASE CERTAIN PROPERTY FOR THE CITY OF HELENA-WEST HELENA AND FOR OTHER RELATED PURPOSES.

WHEREAS, THE CITY OF HELENA-WEST HELENA HAS AN IMMEDIATE NEED OF THE DOZER IN THE HELENA-WEST HELENA LANDFILL AND THE REPAIR IS NEEDED FOR THE EFFECTIVE AND EFFICIENT OPERATION OF THE CITY OF HELENA-WEST HELENA WATER DEPARTMENT; AND

WHEREAS, TIME IS OF THE ESSENCE AND IT IS NOT FEASIBLE TO ADVERTISE FOR BIDS AT THIS TIME.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF HELENA-WEST HELENA AS FOLLOWS:

SECTION 1 - Waiver of Competitive Bidding:

- a) Pursuant to Arkansas Code Annotated Section 14-58-303, the City of Helena-West Helena City Council makes the finding that exceptional circumstances exist and the bidding procedure is not feasible at this time.
- b) The City Council waives competitive bidding relating to the purchase of a Caterpillar D6 Dozer. The stock number for the dozer is D6 20A LBG TTT CFG3 with a serial number of 464-5809. The purchase of the product is through J.A. Riggs Tractor Company, 9125 Interstate 40, Little Rock AR 72203.
- c) The equipment is to be purchased via a short-term loan for 72 months. The payments for the loan are in equal amounts of \$6,114.68. The total amount financed is \$399,331.49.
- d) The Mayor is authorized to execute all contracts necessary to complete the project. The total estimated cost of the project, including estimated fees and incidentals, is approximately \$399,331.49 for the expenditures.
- e) The Mayor is authorized to execute all contracts to secure the repairs to the purchase of the dozer. In addition, the Mayor and City Attorney are authorized to finalize all negotiations relating to execute of the contract.

SECTION 2-Severability:

If, for any reason, any portion of this ordinance is held to be invalid, such invalidity shall in no way affect the remaining portions thereof, which are valid, but such valid portions shall be and remain in full force and effect.

SECTION 3 - Repealer:

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4 - Emergency Enactment:

This Ordinance being necessary to promote the health, safety, peace, and general welfare of the citizens of Helena-West Helena, Arkansas, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately. The particular emergency is that the landfill equipment has failed and daily operations are required to keep the landfill open. In addition, the city must maintain its road for ingress and egress. Without the road, the city will lose vital tonnage necessary for the effective operation.

PASSED: April 7, 2020

APPROVED: Kevin A Smith  
Kevin Smith, Mayor

ATTESTED: Sandi Ramsey  
Sandi Ramsey, City Clerk