

ORDINANCE NO. 10-2021

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 PROPERTY FOR THE CITY OF HELENA-WEST HELENA AND FOR OTHER RELATED PURPOSES.

WHEREAS, THE CITY OF HELENA-WEST HELENA HAS AN IMMEDIATE NEED FOR THE PURCHASE OF A DUMP TRUCK 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 a Riggs CAT Dump Truck for the Helena-West Helena Public Works Department. The City of Helena-West Helena Arkansas City Council has determined that it is necessary to waive competitive bidding and award the bid in accordance a 60 month lease purchase agreement. 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 \$425,000.
- c) The Mayor is authorized to execute all contracts to secure the purchase of the equipment up to the amount contained in this ordinance. The Contract is with Riggs Catt, 9125 Interstate 30, Little Rock, Arkansas 72203. 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All ordinances or parts of ordinances in conflict herewith are hereby repealed.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:

The City is in the immediate need to repair this equipment because the landfill requires that waste be covered every day and it is a violation of the state law to allow waste to remain uncovered for one day. The city will face potential violations of State law. The landfill must operate properly without violate of law. 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.

PASSED: June 15, 2021

APPROVED: Kevin A. Smith  
Kevin Smith, Mayor

ATTESTED: Sandi Ramsey  
Sandi Ramsey, City Clerk