

ORDINANCE NO.37-2021

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

WHEREAS, THE CITY OF HELENA-WEST HELENA HAS AN IMMEDIATE NEED TO REMOVE DEBRIS FROM CERTAIN PROPERTY FOR THE HEALTH, SAFETY AND WELFARE OF ITS CITIZENS; 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 lease purchase up to two sanitation vehicles for garbage removal. 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 with AR Code. The Mayor is authorized to execute all contracts necessary to complete the transaction. Each automated side loader costs \$339,788.00 and can be financed up to three years with an annual payment of \$93,760.45 and a balloon payment at the end of the lease purchase of \$80,000.00.
- c) The Mayor and City Attorney are authorized to execute all contracts and negotiations to secure financing. The vendor handling the financing is Leasing 2.

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All ordinances or parts of ordinances in conflict herewith are hereby repealed.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

PASSED: 11.2.21

APPROVED: Kevin Smith
Kevin Smith, Mayor

ATTESTED: Sandi Ramsey
Sandi Ramsey, City Clerk