

ORDINANCE # 7 OF 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 A BOND FOR THE HELENA WEST HELENA REGIONAL LANDFILL FOR THE CITY OF HELENA WEST HELENA AND FOR OTHER RELATED PURPOSES.

WHEREAS, The City of Helena West Helena has an Immediate need for a Bond for the purposes of Closure and Post Closure of cells at the Helena West Helena Regional Landfill for the effective and efficient operation of the City of Helena West Helena Landfill 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 ACA 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 Bond for the Helena West Helena Regional Landfill for the purpose of Closure and Post Closure. Said Bond is in excess of the spending authority of the Mayor. The City has an immediate need for the purchase of said Bond. The City Council has determined that it is necessary to waive competitive bidding and award the bid in accordance with the bid. The Mayor presented the City Council with a bond from Lexon Insurance Company that is to be purchased from Meadors, Adam and Lee, Insurance Company, 100 River Market Avenue, Suite 300, Little Rock, Ar 72201. 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 \$5,588.00 for Bond 1139677 in the amount of \$186,250.00 and \$46,262.00 for Bond 1139676 in the amount of \$1,542,077.00.
- c) The Mayor and City Attorney are authorized to finalize all negotiations relating to execution of this 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All Ordinances or parts of ordinances in conflict herewith are hereby repealed.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 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.

Approved: Kevin A. Smith, Mayor
Attest: Dandi Ramsey, City Clerk
Date: 3/16/2021