

## ORDINANCE 15.. 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 95 GALLON BAR CARTS FOR HOUSEHOLD GARBAGE RECEPTACLES FOR THE CITY OF HELENA WEST HELENA AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City of Helena West Helena has an immediate need for garbage cart receptacles for effective and efficient operation of the City; and

WHEREAS, time is of the essence and it is not feasible to advertise for bids.

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

### Section 1 – Waiver of Competitive Bidding:

Pursuant to AR 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.

The City Council waives competitive bidding relating to the purchase of Four Hundred (400) USD95B 95 Gallon Bar Carts with 12” plastic wheels, black body and lids. The Mayor is authorized to execute all contracts necessary to complete the purchase. The total estimated cost of the order, including estimated fees and incidentals, should not to exceed \$28,152.00. Breakdown of cost is as follows: Carts are \$21,600.00 (\$54.00 each due to quantity ordered); freight estimated at \$6,552.00 based on current rates, sales tax will be added at time of shipment. These carts will be held at the location of the vendor and shipped to the City as requested in that the City does not have adequate storage space for four hundred carts. The City will only be billed when carts are shipped.

This contract is with Schaefer Systems, 1002 Westlake Drive, Charlotte, North Carolina 28273. The City has used this vendor for carts in excess of fifteen years.

### 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 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All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 immediate need to purchase these carts due to the needs of citizens. 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: May 18, 2021

Approved: *Karin A. Smith*, Mayor

Attest: *Dandrea Ramsey*, City Clerk