

ORDINANCE NO. 18-2020

AN ORDINANCE WAIVING COMPETITIVE BIDDING IN ACCORDANCE WITH ARKANSAS CODE ANNOTATED SECTION 14-58-303 AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO REPAIR 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 FOR THE REPAIR OF SEWER LINES NEAR TEXAS EASTERN 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 repair of a sewer line near Texas Eastern by EITHER Reece Construction Company or Triple G Excavating for the Helena-West Helena Water 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 with the grant. 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 \$40,000.
- c) The Mayor is authorized to execute all contracts to secure the repairs to the equipment up to the amount contained in this ordinance. 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All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 it require to the sewer main has begun to spill waste onto the ground near Texas Eastern. The sewer main is in need of immediate repair to prevent the further spilling of sewage onto the ground, and waste causing health issues. 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: November 10, 2020

APPROVED:   
Kevin Smith, Mayor

ATTESTED:   
Sandi Ramsey, City Clerk