

MINI EXCAVATOR

ORDINANCE NO. 26 -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 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 A MINI HYDRAULIC EXCAVATOR FOR THE WATER SEWER DEPARTMENT IN HELENA-WEST HELENA EFFECTIVE AND EFFICIENT OPERATION OF THE CITY OF HELENA-WEST HELENA; 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 lease purchase of said equipment. 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 lease purchase. The total estimated cost including estimated fees and incidentals, is not to exceed \$115,171.48.
- c) The Mayor is authorized to execute all contracts to secure the purchase for the equipment up to the amount contained in this ordinance. The Contract is through JA Riggs, Caterpillar Financial Services. In addition, the Mayor and City Attorney are authorized to finalize all negotiations relating to execute of the contract.

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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All ordinances or parts of ordinances in conflict herewith are hereby repealed.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: 9-21-21

APPROVED: Kevin A. Smith  
Kevin Smith, Mayor

ATTESTED: Sandi Ramsey  
Sandi Ramsey, City Clerk