ORDINANCE NO. 2024-01

AN ORDINANCE WAIVING COMPETITIVE BIDDING FOR THE SERVICE OF REPAIRING THE RODEO ARENA LIFT STATION SEWAGE SYSTEM; AUTHORIZING THE MAYOR TO SIGN ALL NECESSARY DOCUMENTS FOR SAID SERVICE; AND DECLARING AN EMERGENCY

WHEREAS, the City of Atkins has determined that the Rodeo Arena lift station sewer system located at 575 NE 14th Street, Atkins, Arkansas is damaged and in need of immediate repairs.

WHEREAS, the requirements of competitive bidding are neither practical nor feasible due to time constraints.

WHEREAS, the City is authorized and empowered under the provisions of A.C.A. § 14-58-303 to waive competitive bidding requirements in situations where such process is not practical or feasible; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATKINS, ARKANSAS:

SECTION 1: The City Council of Atkins hereby finds that an immediate need exists to repair the Rodeo Arena lift station and to waive the state law bid requirement for goods, services or equipment in excess of $35,000.00 and state law bid requirements for contracts for public improvements in excess of $50,000.00.

SECTION 2: The normal procedure followed for goods, services or equipment costing in excess of $35,000.00 and contracts for public improvements in excess of $50,000.00 is to invite competitive bidding in accordance with A.C.A. §14-58-303 and A.C.A. § 22-9-203, respectively. However, the City Council has determined that compliance with A.C.A. § 14-58-303 and § 22-9-203 is not practical or feasible in this situation. The damaged plumbing at this lift station is approximately 40 years old and any further damage could result in severe environmental and health consequences. Inviting competitive bidding would cause unnecessary delays in maintaining the City's sewage system in accordance with governing guidelines.

SECTION 3: The Mayor, or his designees, are hereby authorized to enter into a contract with Van Horn Construction for repairs to the Rodeo Arena lift station. The City hereby approves the expenditure of $124,000.00 for said repairs to be paid out of the sanity sewer bond.

SECTION 4: All ordinances, resolutions, and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: **EMERGENCY CLAUSE**: This ordinance being necessary for the effective operation of the City of Atkins and for the public peace, health, and safety of the citizens of Atkins, an emergency is hereby declared and this ordinance shall become effective immediately upon passage.

PASSED and APPROVED this 16th day of July, 2024.

APPROVED:

ROWDY SWEET, MAYOR

ATTEST:

ANGELA SINGLETON, CITY CLERK

FILED
Angela Singleton, City Clerk
City of Atkins
Date: 7-16-2024

SEAL