

ORDINANCE No. 2011 - 14

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING TO REPLACE A SEWER LINE ON GRIFFIS DRIVE PROJECT AND FOR OTHER PURPOSES

WHEREAS, in order to accommodate a new elementary school, the Bryant School District needs to tie into a particular City sewer line which is already at maximum capacity;

WHEREAS, if the project is competitively bid, the project will not begin before the anticipated annual wet season, which will further prolong the start date until next year;

WHEREAS, the School District cannot wait until next year to tie into the sewer line; and

WHEREAS, the City can obtain the services and equipment necessary to quickly replace said pipe in a safe and timely manner by using the closest qualified Arkansas company with the lowest bid.

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

Section 1. Waiver of Competitive Bidding

Given that the School District needs to tie into a sewer line which is already at maximum capacity at Griffis Drive and that the replacement of said line requires implementation of the "pipeburst" technique and that Heller Company, one of a limited number of local companies demonstrably qualified to use this technique, has provided the lowest bid, the City hereby waives competitive bidding.

Section 2. Authority To Execute Documents

The Council hereby authorizes the Mayor, City Clerk, and Finance Director to execute any documents necessary to approve services and purchase said equipment.

Section 3. Emergency Clause

The City Council, having found that an immediate need has arisen to quickly and properly replace the pipe in question to ensure the welfare and safety of our citizens, hereby declares an emergency, and this Ordinance shall be in full force and effect after its passage and approval.

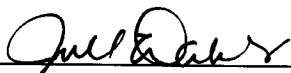
Section 4. General Repealer

All ordinances, resolutions, and parts thereof in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 5. Severability

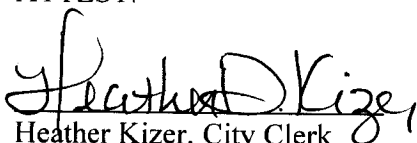
Should any section, clause, or phrase of this ordinance be declared by the courts to be invalid, that validity shall not affect the other provisions of this Ordinance which shall be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

PASSED AND APPROVED this 28 day of July, 2011.



Mayor Jill Dabbs

ATTEST:


Heather Kizer, City Clerk