

**AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR ADDITIONAL WORK NEEDED ON THE STORM DRAIN REPLACEMENT PROJECT ON GLENMERE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; APPROPRIATING FUNDS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, Ark. Code Ann. § 14-58-303 requires City purchases exceeding the amount of \$20,000 to follow statutory procedures of local government advertisement and opening of sealed bids which may only be waived in exceptional situations where bidding is deemed not feasible or practical; and

WHEREAS, Ordinance No. 8919, adopted June 12, 2017, waived formal bidding requirements for a Storm Drain Replacement Project in the 4299 Block of Glenmere Road due to the fact that a large sink hole had developed along the pipeline after a severe storm event, revealing significant rust deterioration and indicating that the rest of the pipe was in a similar condition, and affecting drainage in the area, as well as an adjacent sewer line; and

WHEREAS, the office of the City Engineer obtained quotes, and T. D. Sims Company of Jacksonville, AR was selected to perform the work with its low bid of \$24,590.20; and

WHEREAS, T. D. Sims Company, Inc. commenced work on the project and, upon excavation into the damaged area, has discovered that the damage is much more serious and widespread than originally thought, requiring significantly greater repairs, as well as replacement work, than originally believed to be needed; and

WHEREAS, with the high probability of damages continuing to increase in the area, it is imperative that work continue on the project without interruption; therefore, the City Engineer has inspected the area and conferred with T. D. Sims Company concerning the additional work required to completely repair the project area; and

WHEREAS, based on his review of the project site, the City Engineer believes that the additional work required will cost up to an additional \$75,000.00 (see quote for additional work attached hereto as Exhibit "A"); and

WHEREAS, it is in the best interests of the City and its residents that work on the Glenmere Road Storm Drain Replacement Project continue, including the additional work required, with T. D. Sims Company, Inc. as the contractor.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That formal bidding is hereby waived in connection with additional work on a Storm Drain Replacement Project located in the back of premises at 4216, 4210 and 4200 Glenmere Road in the City of North Little Rock (said work being *in addition to*

work authorized by Ordinance No. 8919 adopted June 12, 2017 and as outlined in Exhibit "A" attached hereto), and T. D. Sims Company, Inc. is authorized to perform the additional work described herein.

SECTION 2: That an amount up to Seventy-five Thousand & 00/100 Dollars (\$75,000.00) is hereby appropriated as follows: \$25,000.00 from Ward I Drainage Funds and \$50,000.00 from Street Department Funds.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: It is hereby found and determined that delaying work on the subject storm drain project could contribute to major damage to adjacent residential properties generating further additional costs to remedy the problem; that the adoption of this Ordinance is immediately necessary to insure the proper and orderly growth of the City of North Little Rock, Arkansas and is necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

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Mayor Joe A. Smith

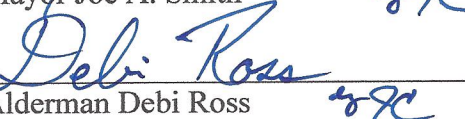
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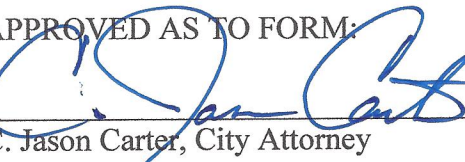
  
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Mayor Joe A. Smith

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Diane Whitbey, City Clerk

  
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Alderman Debi Ross

APPROVED AS TO FORM:

  
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C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

## **EXHIBIT "A"**

Itemization and cost estimate of additional work required for project.

Not available at time of sending out Special Call.