

ORDINANCE NO. _____

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR THE PURCHASE OF POTHOLE REPAIR MATERIALS FROM MEGA TECHNOLOGIES, LLC; 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 advertisement and opening of sealed bids which may only be waived in exceptional situations where bidding is deemed not feasible or practical; and

WHEREAS, potholes inhibit traffic in and around the City of North Little Rock, Arkansas (the "City") and timely remediation of these potholes is necessary to maintain the orderly flow of traffic; and

WHEREAS, Mega Technologies, LLC has developed a polymer composite overlay designed to accelerate cure time, therefore, allowing immediate traffic flow for a total cost of \$36,380.00; and

WHEREAS, it is advantageous to the City to purchase said materials for pothole repair because of the materials' accelerated cure time rate and Mega Technologies, LLC, is the only company that sells such a product as well as offers a five-year warranty on said materials.

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 the purchase of the polymer composite overlay pothole repair materials from Mega Technologies, LLC for a total amount of \$36,380.00.

SECTION 2: That the sum of Thirty-Six Thousand Three Hundred Eighty & 00/100 Dollars (\$36,380.00) will be paid from the Street Fund, said amount having been included in the 2018 Budget.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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: That it is hereby found and determined that it is in the best interest of the City of North Little Rock to purchase said pothole repair materials from Mega Technologies, LLC, 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:

Mayor Joe A. Smith

SPONSOR:

ATTEST:

Joe A. Smith
Mayor Joe A. Smith *by AF*

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kh

FILED <u>11:30</u> A.M. _____ P.M.
By <u>Amy Fields CA office</u>
DATE <u>7-17-18</u>
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas
RECEIVED BY <u><i>[Signature]</i></u>