

ORDINANCE NO. _____

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR REMEDIATION OF SINK HOLES AT THE BURNS PARK ADA PLAYGROUND; 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 advertisement and opening of sealed bids which may only be waived in exceptional situations where bidding is deemed not feasible or practical; and

WHEREAS, unexpected sink holes have inhibited the completion of an ADA-accessible playground at Burns Park; and

WHEREAS, the timely remediation of these sink holes is necessary to complete the overall project within appropriated funds and to provide persons with disabilities a facility that will enhance their recreational experience at Burns Park; and

WHEREAS, much of the work to remediate the sink holes will be performed by City staff, but overall project costs are expected to exceed \$20,000.

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 remediation of sink holes at the Burns Park ADA Playground.

SECTION 2: That the total cost of remediation work contemplated by this ordinance shall be derived from funds previously appropriated for that purpose.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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 repairs to the ADA playground are important to the use and enjoyment of facilities by persons with disabilities and being 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 ABF

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter

C. Jason Carter, City Attorney

by ABF

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED 11:40 AM P.M.

By

J. Carter, City Atty

DATE

7/18/17

Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED BY

B. Taylor