

ORDINANCE NO. 2177

**AN ORDINANCE WAIVING THE REQUIREMENTS OF
COMPETITIVE BIDDING FOR THE PURCHASE OF
ACCOUNTING COMPUTER SOFTWARE**

WHEREAS, the City of Eureka Springs, Arkansas, (City) is desiring to purchase computer software to be used for the purposes of financial accounting for the City; and

WHEREAS, the City's Director of Finance, Lonnie Clark, has reviewed four software packages which are designed for use by government entities for purposes of financial accounting and has chosen the software package designed by BS&A Software to be the most desirable for the City's needs; and

WHEREAS, the City believes that to advertise for bids on a financial software package would not prove feasible or practical due to the unique nature of such software and the scarcity of suppliers in the State of Arkansas and the United States, and that it is beneficial to the City to allow the Finance Director to use his professional expertise and opinion to choose the software which would best serve the interest of the City;

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

1. That pursuant to the provisions of Section 3.04.02 of the Eureka Springs Municipal Code, the Council of said City finds that this, being an exceptional situation in which the procedure for competitive bidding is deemed not feasible or practical, does therefore waive the requirements of competitive bidding so as to allow the Director of Finance to purchase the financial accounting software package designed by BS&A Software at a purchase price of \$107,016. This sum will be paid in three (3) equal annual payments of \$35,672 with no interest being charged. This purchase price includes software modules for General Ledger, Accounts Payable, Cash Receipting, Payroll, Human Resources, Employee Self-Service, Timesheets, Fixed Assets, Purchase Orders, Miscellaneous Receivables, Building Department, Business Licenses and Utility Billing. This purchase price also includes the costs of Data Conversion, Custom Import, Implementation and Project Management, Software Setup/On-Site Implementation, Training and Travel Expenses. Unlimited service and support during the first year with the program is also included in the purchase price. The annual service after the first year for the modules included is \$9,500. The annual service fee cannot increase in any one year by more than the Yearly Consumer Price Index (CPI).
2. That all ordinances or resolutions, and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.
3. That each of the provisions of this ordinance are severable and the decision of any court having jurisdiction as to the validity of any provision shall not affect the remaining provisions.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS 25th DAY OF MARCH, 2013.

ATTEST:


Ann Armstrong, City Clerk/Treasurer

APPROVED:


Morris Pate, Mayor

All voted "Aye" – James DeVito, Mickey Schneider, Joyce Zeller, Terry McClung, David Mitchell, and Dee Purkeypile