

**ORDINANCE No. 2211**

**AN ORDINANCE TO WAIVE COMPETITIVE BIDDING FOR CONSTRUCTION OF A NEW SHOP BUILDING FOR THE EUREKA SPRINGS, ARKANSAS, PUBLIC WORKS DEPARTMENT**

**WHEREAS**, the City of Eureka Springs, Arkansas (“the City”) is currently in need of a new shop building; and

**WHEREAS**, the Mayor and Director of Finance have researched the cost and availability of constructing a new shop building that will allow the Public Works Department to repair vehicles and equipment of the Public Works Department, store equipment, materials and supplies; and

**WHEREAS**, Floyd’s Sales and Construction of Berryville, Arkansas, has submitted its proposal to construct the new shop building with pad at a cost of \$90,000 with plumbing, electrical and other remaining components comprising a balance of \$35,000; and

**WHEREAS**, because of serious need to protect the materials and equipment of the Public Works Department, both to complete critical tasks currently ongoing and to prepare for the coming seasons, and a prolonged search for the exact blend of experience, quality and cost effectiveness to complete this project would put the completion of current projects, and especially the ability to plan and equip for the oncoming seasonal needs of the streets and public by-ways of the City of Eureka Springs in danger

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

**Section 1.** The requirements for competitive bidding in the cost of the new shop building at a cost of approximately \$125,000, which includes the cost of the pad, building, plumbing and electricity and other components, shall hereby be waived.

**Section 2.** The City Council for the City of Eureka Springs, Arkansas, shall fund this project with 70% Street Funds and 30% General Capital funds.

**Section 3.** All Ordinances and Resolutions and parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict. In the event any one or more of the provisions contained in this Ordinance shall for any reason be held by a court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.

**EMERGENCY CLAUSE**

**Section 4.** As the need to construct the new shop building is immediate and necessary to protect the public health, safety and welfare of the City of Eureka Springs, Arkansas, an emergency is hereby declared to exist, and this Ordinance shall take full force and effect from and after its passage and approval.

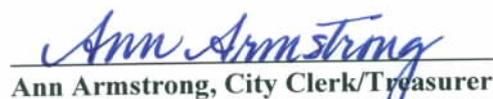
**PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS 12<sup>TH</sup> DAY OF MAY, 2014**

**APPROVED:**



**Morris Pate, Mayor**

**ATTEST:**



**Ann Armstrong, City Clerk/Treasurer**

All present voted “Aye” – James DeVito, Joyce Zeller, Terry McClung, David Mitchell, Dee Purkeypille, and Mickey Schneider