

**ORDINANCE NO. 2251**

**AN ORDINANCE TO AUTHORIZE WAIVER OF COMPETITIVE BIDDING FOR CERTAIN TREATMENT PLANT EQUIPMENT REPLACEMENT AND TO AUTHORIZE THE MAYOR AND PUBLIC WORKS DEPARTMENT TO MAKE SAID PURCHASE**

**WHEREAS**, the City Council of Eureka Springs, Arkansas, having been informed of the needs of the Public Works Department regarding the purchase of a fine screen assembly which is a portion of the complete Lakeside Headworks Unit for the Wastewater Treatment Plant; and,

**WHEREAS**, the replacement of this equipment falls under DR-4254, the disaster that was declared in February, 2016; and,

**WHEREAS**, the City of Eureka Springs was awarded \$173,978.74 in disaster funds, with \$78,543.54 specified for Wastewater purposes; and,

**WHEREAS**, the Public Works Department has a guaranteed replacement cost of \$77,760.00 from Lakeside Equipment Corporation, Barlett IL for the equipment, which is not available from any other equipment source.

**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 acquisition of the Fine Screen Assembly with guaranteed replacement cost shall hereby be waived to allow the purchase after finding it cannot be reasonably obtained elsewhere.

**Section 2.** The City Council of the City of Eureka Springs does waive any bidding requirements and authorizes the Mayor and Public Works Department to purchase the fine screen assembly from Lakeside Equipment Corporation, Bartlett IL in the amount of \$77,760.00.

**Section 3.** All Ordinances and Resolutions, and parts thereof, in conflict with this Ordinance are hereby repealed to the extent of such conflict.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.** The City Council, upon the recommendation of the Public Works Department of the City of Eureka Springs, AR finds that because of the immediate need

for the Fine Screen Assembly, it is in the best interests and for the health, welfare and safety of the citizens of Eureka Springs to purchase for the City, as soon as possible; that an emergency is hereby declared to exist and therefore this Ordinance shall go into full force and effect immediately upon its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, AR, THIS 28<sup>th</sup> DAY OF NOVEMBER, 2016.**

**APPROVED:**

  
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Robert D. Berry, Mayor

**ATTEST:**

  
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Ann Armstrong, City Clerk Treasurer

All present voted "Aye" – Mickey Schneider, Terry McClung, Bob Thomas,  
David Mitchell and Kristi Kendrick