

ORDINANCE NO. 1924

AN ORDINANCE OF THE CITY OF EUREKA SPRINGS, ARKANSAS

WAIVING THE REQUIREMENTS OF COMPETITIVE BIDDING AS RELATES

TO THE PURCHASE OF SPORTS FIELDS AND FACILITY LIGHTING

WHEREAS, the City of Eureka Springs, Arkansas, is desiring to purchase sports fields and *facility lighting fixtures, poles and labor services and equipment rental necessary to install the same*; and

WHEREAS, after research and inquiry, including putting the project out for advertised bids once and rejecting all bids based on total cost of the project, as bid, the Director of the Parks & Recreation Commission of the City of Eureka Springs has determined that said property, labor and equipment will cost the city substantially **less** if purchased in discrete units under separate contracts rather than advertised for bid under a single contract; and

WHEREAS, discreet units of the project require different kinds of products and special expertise that would have to be subcontracted by primary contractor under the competitive bidding process, thereby raising the total cost of the project; and

WHEREAS, the City Council has found that exceptional circumstances exist, in that the lowest responsible and responsive bid after completion of a sealed bid process was greater than \$200,000, and that the project can be completed for under \$100,000 if it is divided into discreet purchases, units and contracts; and

WHEREAS, the season for construction and installation of said sports fields and facilities *lighting will end with the summer dry season due to damage that will result to the sports fields turf and grading during installation of said lighting fixtures under wet and saturated conditions on those fields and that further advertised bidding processes would set the project back a year*, and

WHEREAS, the City Council has further found that exceptional circumstances exist which render the competitive bidding process to not be practical or feasible in this instance: NOW, THEREFORE

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

Section 1. That pursuant to state law and the provisions of Section 2-222(d) of the Eureka Springs Municipal Code, the City Council hereby waives the requirements of competitive bidding for purchase and installation of sports and facilities lighting at Leatherwood Fields, Eureka Springs' Municipal Ball Park.

Section 2. *That all ordinances or resolutions or orders and parts thereof, in conflict with this ordinance are hereby repealed to the extent of such context.*
