

ORDINANCE NO. 1065

AN ORDINANCE REPEALING ORDINANCE NO. 1063 AND WAIVING THE REQUIREMENTS OF COMPETITIVE BIDDING WITH RESPECT TO THE REPAIR OF THE PUMP FOR CITY WATER WELL NUMBER THREE.

WHEREAS, the City Council enacted Ordinance No. 1063 on April 6, 1979; and

WHEREAS, it was thereafter discovered that the information upon which Sheldon Knuth, doing business as Knuth Electric and Well Service, had based his written estimate for labor and materials required to repair the pump for City Water Well Number Three was erroneous, through no fault of the said Sheldon Knuth; and

WHEREAS the revised estimated cost to accomplish such repair is substantially more than three thousand five hundred dollars, due to the increased cost of the required materials; and

WHEREAS, the pump for City Water Well Number Three is in urgent need of such repair in order to function properly; and

WHEREAS, the City Council has found that the repair of the pump for City Water Well Number Three constitutes an exceptional situation within the spirit and letter of Act 28 of 1959 of the Acts of Arkansas and that the requirements of competitive bidding with respect to the same would be waived, inasmuch as such procedure is deemed not feasible or practical:

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

Section 1. Ordinance No. 1063 repealed.

Ordinance No. 1063 of the City of Eureka Springs, Arkansas, enacted on April 6, 1979, is hereby repealed.

Section 2. Competitive bidding requirements waived.

Competitive bidding requirements are hereby waived with respect to the presently needed repair of the pump for City Water Well Number Three, and Sheldon Knuth, doing business as Knuth Electric and Well Service, is hereby authorized to commence and complete such repair.

Section 3. Emergency declared.

The City Council has found that this Ordinance is essential to the public health, safety and welfare and should be in full force and effect as soon as the law of the State of Arkansas permits. Accordingly, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect upon its passage, approval and publication according to law.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, WITH SECTION 3 BEING VOTED UPON SEPARATELY, ON THIS 20TH DAY OF APRIL, 1979.

APPROVED:

Marcile Davis
Marcile Davis, Mayor

ATTEST:

Vesta C. Johnson
Vesta Johnson, City Clerk/Treasurer

(SEAL OF THE CITY)