

ORDINANCE #1533

AN ORDINANCE WAIVING THE COMPETITIVE BIDDING REQUIREMENTS FOR THE REMOVAL, TRANSPORTATION, AND COMPOSTING OF MUNICIPAL SLUDGE FROM THE DIGESTER AT THE EUREKA SPRINGS WASTEWATER TREATMENT PLANT

Section 1: Competitive Bidding Requirements Waived:

On June 2, 1993, Mr. Jamie Huens, Arkansas Department Of Pollution Control and Ecology Inspector, inspected the Eureka Springs Wastewater Treatment Plant and found that the Digester was not functioning properly. His findings indicate that the Digester is returning sludge to the Plant's headworks, rather than returning separated, clear water to the headworks. Mr. Huens ordered that the Digester be pumped and cleaned immediately in order to avoid surpassing NPDES Permit limits and incurring possible fines. Therefore, competitive bidding is not feasible or practical.

Section 2: Contract Authorized:

The Mayor and the Clerk/Treasurer are hereby authorized and directed to contract with Thone Brothers of Russellville, Arkansas, the only available providers of such services, for: (1) draining/pumping sludge from the Digester; (2) transporting the sludge to the Thone Brother's State-approved composting facility at Maysville, Arkansas; and (3) composting the sludge in accordance with State regulations.

The Digester has a capacity of 79,000 gallons; and the contract prices are: (1) 4 cents per gallon for transportation; and (2) 10 cents per gallon for composting. Therefore, the total costs shall not exceed \$11,060 (79,000 x .14).

Section 3: Emergency Declared:

The City Council finds that an emergency exists as a result of the current dysfunctional condition of the Digester, the potential for surpassing NPDES Permit limits, and the ADPC&E order issued on June 2, 1993. Because the Digester must be drained and cleaned immediately in order to protect the public health and welfare, an emergency is hereby declared to exist; and Ordinance 1533 shall be in effect immediately upon passage.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS 8TH DAY OF JUNE, 1993.

APPROVED:



Randy Wolfenbarger, Mayor

ATTEST:



Joanta S. Deane
City Clerk/Treasurer