1	ORDINANCE NO
2	
3	AN ORDINANCE TO DISPENSE WITH THE REQUIREMENT OF
4	COMPETITIVE BIDDING AND AUTHORIZE THE CITY MANAGER TO
5	ENTER INTO A SOLE-SOURCE CONTACT WITH UNITE PRIVATE
6	NETWORKS FOR THE PURCHASE OF EQUIPMENT AND SERVICES
7	FOR THE CITY TO CONNECT TO A FIBER-BASED
8	TELECOMMUNICATIONS NETWORK OWNED BY UNITE PRIVATE
9	NETWORKS AND MADE AVAILABLE TO THE CITY THROUGH A
10	FRANCHISE AGREEMENT; TO DECLARE AN EMERGENCY; AND
11	FOR OTHER PURPOSES.
12	TON OTHER TON OBED.
13	WHEREAS, the City needs fiber-based telecommunications assets in order to meet important public
14	telecommunications goals and improve the availability of services and information for the citizens of
15	Little Rock, and
16	WHEREAS, These fiber laterals connect the Southwest Community Center, Southwest Police Patrol
17	Division, West Central Community Center and the Pankey Police Substation to the City's network, and
18	WHEREAS, Unite Private Networks ("UPN") has a franchise agreement with the City of Little
19	Rock that provides for dark fiber that the City can use to create the required connections for these
20	locations, and
21	WHEREAS, Only UPN is authorized to install a lateral connection to UPN's core fiber network, and
22	WHEREAS, competitive bidding should be waived and the contract awarded to UPN, as the sole-
23	source provider of this equipment and services, because only UPN is authorized to install a lateral
24	connection to UPN's core fiber network.
25	NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY
26	OF LITTLE ROCK, ARKANSAS:
27	Section 1. The Board of Directors finds that competitive bidding should be dispensed with regarding
28	the purchase of equipment and services for the City to connect to a fiber-based telecommunications
29	network owned by UPN, and the contract for such equipment and services should be awarded to UPN as
30	the sole-source provider for this equipment and services because only UPN is authorized to install a
31	lateral connection to UPN's core fiber network.

1 Section 2. The City Manager is hereby authorized to dispense with competitive bidding and to enter 2 into a sole-source contract with UPN for the purchase of equipment and services for the City to connect 3 to a fiber-based telecommunications network owned by UPN in an amount not to exceed Eighty-Seven 4 Thousand, Nine Hundred Forty-Five Dollars (\$87,945.00), plus taxes and fees, for the lateral installation 5 of this service. There will be an annual maintenance fee of Nine Hundred Dollars (\$900.00), with a 3% 6 cost of living increase annually for the life of the City's franchise agreement with UPN, in an amount not 7 to exceed Ten Thousand, Three Hundred Seventeen and 49/100 Dollars (\$10,317.49), plus any 8 applicable taxes and fees, for the ten (10)-year term. 9 Section 3. Funding for the purchase of equipment and services is available from the Information 10 Technology Department's portion of the 3/8-Cent Capital Sales Tax. Funding for the annual maintenance 11 fee is available from the Information Technology Department's Annual Operating Budget 103030-61340. 12 **Section 4.** Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or 13 word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or 14 adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and 15 effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the 16 ordinance. 17 Section 5. Repealer. All ordinances and resolutions, and parts thereof, which are in conflict with 18 any provision of this ordinance are hereby repealed to the extent of such conflict. 19 Section 6. Emergency Clause. The ability to link various City facilities, including but not limited 20 to public safety facilities, by fiber optics is necessary for more efficient communications and the sharing 21 of data, and therefore is essential to the public health, safety and welfare; an emergency is, therefore, 22 declared to exist and this ordinance shall be in full force and effect from and after its passage. 23 **ADOPTED:** September 1, 2015 24 ATTEST: **APPROVED:** 25 26 27 Susan Langley, City Clerk Mark Stodola, Mayor 28 APPROVED AS TO LEGAL FORM: 29 30 31 Thomas M. Carpenter, City Attorney 32 33 // 34 //