RESOLUTION NO. 1 2 3 A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GARRETT EXCAVATING, INC., IN AN 4 AMOUNT NOT TO EXCEED TWO HUNDRED SEVENTY-NINE 5 6 **THOUSAND, FOUR HUNDRED SEVENTY-FIVE AND 92/100 DOLLARS** (\$279,475.92), FOR THE OAKLAND & FRATERNAL CEMETERY 7 STREET AND DRAINAGE IMPROVEMENT PROJECT; AND FOR 8 9 **OTHER PURPOSES.** 10 11 WHEREAS, Bids were solicited for the Oakland & Fraternal Cemetery Improvement Project, Bid No. 12 828, and Resolution No. 15,195 awarded a contract to Noland Construction, Inc. However, Noland 13 Construction, Inc., has since been unwilling to complete the contract under the payment provisions of the 14 bid; and, 15 WHEREAS, InTrench USA, now doing business as Garrett Excavating, Inc., was the second lowest 16 responsive, responsible bid meeting specifications. 17 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY 18 **OF LITTLE ROCK, ARKANSAS:** 19 Section 1. The City Manager is hereby authorized to execute an agreement with Garrett Excavating, 20 Inc., for the Oakland & Fraternal Cemetery Street and Drainage Improvement Project, in an amount not to 21 exceed Two Hundred Seventy-Nine Thousand, Four Hundred Seventy-Five and 92/100 Dollars 22 (\$279,475.92), which is the base bid amount of Two Hundred Thirty-Two Thousand, Eight Hundred 23 Ninety-Six and 60/100 Dollars (\$232,896.60), plus 20% contingencies. 24 Section 2. Funding for this project is from the allocation for City-wide projects of the ³/₈-Cent Capital 25 Improvement Sales and Compensating Use Tax Funds and the Limited Tax General Obligation Capital 26 Improvement Bonds. 27 Section 3. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or 28 word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or 29 adjudication shall not affect the remaining portions of the resolution which shall remain in full force and 30 effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the 31 resolution. 32 Section 4. Repealer. All laws, ordinances, resolutions, or parts of the same, that are inconsistent with

the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

1	ADOPTED: July 21, 2020	
2	ATTEST:	APPROVED:
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4 5	Susan Langley, City Clerk	Frank Scott, Jr., Mayor
6	APPROVED AS TO LEGAL FORM:	
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9	Thomas M. Carpenter, City Attorney	
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