# AN ORDINANCE TO AMEND LITTLE ROCK, ARK., ORDINANCE NO. 21,444 (JULY 5, 2017) TO ALLOW THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BAPTIST HEALTH - OCCUPATIONAL HEALTH IN AN AMOUNT NOT TO EXCEED ONE HUNDRED TWENTYFIVE THOUSAND DOLLARS (\$125,000.00), TO PROVIDE PRE-EMPLOYMENT SCREENINGS, RANDOM DRUG OR ALCOHOL TESTING AND POST-ACCIDENT DRUG OR ALCOHOL TESTING; AND FOR OTHER PURPOSES. 

WHEREAS, in Little Rock, Ark., Ordinance No. 21,444 (July 5, 2017), the Board of Directors authorized a ninety (90)-day contract with Baptist Health-Occupational Health to perform Pre-Employment Screenings for drug or alcohol abuse, and random drug or alcohol screenings for employees in appropriate safety sensitive positions, or post-accident screenings for employees that have been in accidents which involve City vehicles until the matter should be resubmitted for a formal competitive bid process; and,

WHEREAS, since that time it has been determined that a response to Bid No. 17129-C issued on March 22, 2017, of "not applicable" which was deemed disqualifying in fact meant that the cost "not applicable," was contained in the general cost for the service, e.g., the cost to read an electrocardiogram was included in the cost of taking the electrocardiogram; and,

WHEREAS, this means that Baptist Health—Occupational Health was the lowest responsible and responsive bidder to receive this contract; and,

WHEREAS, since a temporary sole-source ordinance was put into place it is easier to amend that ordinance to move forward that it would be to repeal the ordinance and approve a resolution, at least for this one occasion;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Section 1. The City Manager is authorized to enter into an agreement with Baptist Health Occupational Health to conduct pre-employment, appropriate random for safety sensitive employees, and post-accident tests for drugs or alcohol, in an amount not to exceed One Hundred Twenty-Five Thousand Dollars ( $\$ 125,000.00$ ) for a one (1)-year period.

Section 2. Funds for this agreement are available in Account No. 102701.
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Section 3. This contract may be extended for two (2) additional one (1)-year periods by mutual consent of the parties; provided if there is less than a $20 \%$ change in the cost of the agreement for any one (1)-year period, the City Manager may authorize the extension of the agreement if, in doing so, a memorandum of this action is sent to the Mayor and members of the Board of Directors of such action, to the Finance Director, to the Human Resources Director, and to the City Attorney; provided further, that in no event shall such a contract extend past July 31, 2020.

Section 4. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the ordinance.

Section 5. Repealer. All resolutions, bylaws, and other matters inconsistent with this ordinance are hereby repealed to the extent of such inconsistency including, but not limited to, Little Rock, Ark., Ordinance No. 21,444 (July 5, 2017).

## ADOPTED: August 1, 2017

## ATTEST:

## Susan Langley, City Clerk

APPROVED AS TO LEGAL FORM:

## APPROVED:

## Mark Stodola, Mayor

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[^0]:    Thomas M. Carpenter, City Attorney

