ORDINANCE NO. ____________

AN ORDINANCE TO DISPENSE WITH THE REQUIREMENTS OF COMPETITIVE BIDS TO BRING THE CITY GRINDER INTO A WORKING CONDITION; TO DECLARE AN EMERGENCY; AND, FOR OTHER PURPOSES.

WHEREAS, pursuant to the Arkansas Department of Environmental Quality Permit No. 0031-SCYW, the City is required to maintain adequate equipment to handle the waste stream in accordance with the Operating Plan for the compost facility; and,

WHEREAS, an essential piece of equipment is a Grinder which reduces material into a consistent size both for use in compost and mulch creation; and,

WHEREAS, the only Grinder that the City has is no longer operating which means there can be no composting or mulching done as required by the permit, and also means that if it is not repaired as quickly as possible the City could be subject to fines and penalties; and,

WHEREAS, the Public Works Department has requested to dispense with the requirement of competitive bids and to enter into a contract with Independent Rebuild Specialist for the purchase of a new engine to be built and installed on Unit No. 11H020, at a total cost of Seventy Thousand Dollars ($70,000.00); and,

WHEREAS, this purchase will provide for a replacement of a new engine on a Vermeer Grinder at the Landfill; and,

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

Section 1. The Board of Directors finds that it is impractical and unfeasible to enter into a competitive bid process to select a company to install a new engine in the City’s Grinder so the City can be in compliance with Federal and State Environmental Laws and Permits, and therefore waives this requirement.

Section 2. The City Manager is authorized to enter into a contract with Independent Rebuild Specialist for the installation of a new engine to be built and installed on Unit No. 11H020, at a total cost of Seventy Thousand Dollars ($70,000.00).

Section 3. Funds for this purchase are allocated in the Fleet Services-Landfill Maintenance Account.

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 were not originally a part of the
ordinance.

Section 5. 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.

Section 6. Emergency Clause. The City is required by Federal and State Environmental Regulations
to have the capability to compost and mulch certain items in the waste stream at the City Landfill; this
requirement necessitates the use of a Grinder; however, the City’s Grinder is currently not working, and a
new engine needs to be installed as quickly as possible for the City to be able to comply with environmental
laws and regulations; such compliance is essential to the public health, safety, and welfare; an emergency
is, therefore, declared to exist and this ordinance shall be in full force and effect from and after the date of
its passage.

PASSED: September 6, 2016

ATTEST:                      APPROVED:

___________________________________  ____________________________________
Susan Langley, City Clerk        Mark Stodola, Mayor

APPROVED AS TO LEGAL FORM:

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Thomas M. Carpenter, City Attorney