ORDINANCE NO. ________

AN ORDINANCE TO DISPENSE WITH COMPETITIVE BIDS; TO AWARD A DARK FIBER CONNECTION AGREEMENT TO WINDSTREAM COMMUNICATIONS, IN THE AMOUNT OF FOUR HUNDRED TWENTY THOUSAND DOLLARS ($420,000.00); AND FOR OTHER PURPOSES

WHEREAS, the City, pursuant to a franchise agreement with Windstream Communications, has available dark fiber which can provide the necessary ring for telecommunications, services, and information, to the Northwest Patrol Division and the Special Investigation Division of the Little Rock Police Department and the State Data Center West; and,

WHEREAS, only Windstream Communication is authorized to install the lateral connection to Windstream’s Core Fiber Network required to access this dark fiber, and this makes it impractical and unfeasible to submit this agreement to formal competitive bids;

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

Section 1. The Board of Directors hereby authorizes the City Manager to enter into a Fiber Connectivity Agreement with Windstream Communications, in a form approved by the City Attorney, in the amount of Four Hundred Twenty Thousand Dollars ($420,000.00) to connect a fiber-based telecommunications facility for the Northwest Patrol Division and the Special Investigations Division of the Little Rock Police Department and the State Data Center West, pursuant to the City’s franchise agreement with Windstream Communication.

Section 2. Because Windstream Communication is the only telecommunications company with a Little Rock Franchise Agreement that provides for dark fiber that the City can use to create the ring in the required locations, and because only Windstream Communications is authorized to install a connection to its fiber network, the Board declares that it is impractical and unfeasible to submit this matter to the competitive bid process and, therefore, waives competitive bidding.

Section 3. Funds for this purchase are available from the following:

(a) Short Term Financing $360,000.00 325309-F446005
(b) 3/8-Cent Sales Tax Funds 60,000.00 326309-TS30A04

Section 3. Severability. In the event any title, subtitle, section, subsection, subdivision, paragraph, subparagraph, item, sentence, clause, phrase, or work 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 this ordinance.

Section 4. Repealer. All ordinances, resolutions, or parts of the same that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

PASSED: September 6, 2016

ATTEST:  

Susan Langley, City Clerk

APPROVED:  

Mark Stodola, Mayor

APPROVED AS TO LEGAL FORM:

Thomas M. Carpenter, City Attorney