1	ORDINANCE NO			
2				
3	AN ORDINANCE TO DECLARE IT IMPRACTICAL AND UNFEASIBLE			
4	TO BID; TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A			
5	SOLE-SOURCE CONTRACT WITH MASSMAN CONSTRUCTION			
6	COMPANY, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED			
7	FIVE MILLION SEVEN HUNDRED TWENTY-FIVE THOUSAND,			
8	DOLLARS (\$5,725,000.00), FOR THE DEMOLITION AND			
9	REPLACEMENT OF THE CLINTON PRESIDENTIAL PEDESTRIAN			
10	PARK BRIDGE PROTECTION CELL; TO DECLARE AN EMERGENCY;			
11	AND FOR OTHER PURPOSES.			
12				
13	WHEREAS, on September 10, 2021, a barge being towed by M/V Keiffer E. Bailey struck the			
14	protection cell of the Clinton Pedestrian Bridge; and,			
15	WHEREAS, the City of Little Rock ("City") filed a Complaint on September 7, 2023, seeking damages			
16	for the cost of replacement of the protection cell and other monetary damages; and,			
17	WHEREAS, on October 29, 2024 the City received a letter from the United States Coast Guard stating			
18	that if the City did not make immediate arrangements for the protection cell to be repaired or replaced the			
19	City could incur civil penalties of not more than thirty-five thousand five hundred sixteen dollars			
20	(\$35,516.00) per day for violation of 33 U.S.C. 502(b) (proper repair requirement) attached hereto as			
21	Exhibit A; and,			
22	WHEREAS, on February 21, 2025, the City of Little executed a contract with Massman Construction			
23	Company in the amount of Forty-Nine Thousand Five Hundred Dollars (\$49,500.00) for the Initial Phase			
24	1 Preconstruction Services; and			
25	WHEREAS, the Board of Directors passed Little Rock, Ark. Ordinance No. 22,645 (August 5, 2025)			
26	("LRO No. 22,645"), authorizing the issuance of a promissory note to provide short-term financing under			
27	Amendment No. 78 to the Arkansas Constitution for the replacement of the Clinton Presidential Park Bridge			
28	protection cell in the amount of Six Million, Five Hundred Thousand Dollars (6,500,000.00); and			
29	WHEREAS, the Board of Directors also adopted Little Rock Resolution No. 16,779 (August 5, 2025)			
30	("LRR No. 16,779") to authorize the City Manager to enter a contract with HNTB Corporation in an amount			
31	not to exceed Seven Hundred Twelve Thousand, Four Hundred Forty-One Dollars (\$712,441,000.00) to			
32	provide engineering and design services including permitting for the Clinton Presidential Park Bridge			
33	protection cell; and			

WHEREAS, it has now become necessary to begin Phase 2 of the construction services to avoid any potential penalties from the United States Coast Guard and to protect the integrity of the Clinton Presidential Pedestrian Bridge including maintaining the public health and safety of maritime traffic navigating through the highly restrictive navigation channel; and

WHEREAS, the total contract amount is not to exceed five million seven hundred twenty-five thousand dollars (\$5,725,000.00) for the demolition and replacement of the Clinton Pedestrian Bridge protection cell; and

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

Section 1. The City Manager is hereby authorized to execute a contract with Massman Construction Company for the demolition and replacement of the protection cell for the Clinton Presidential Pedestrian Bridge, in a total contract amount not to exceed five million seven hundred twenty-five thousand dollars (5,725,000.00).

Section 2. Funds for this purchase are allocated in the 2025 Public Works Special Project Fund Account No. 325409-F40C634.

Section 3. *Severability*. In the event any title, paragraph, item, sentence, clause, phrase, or word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the resolution 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 resolution.

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

Section 5. *Emergency Clause.* It is hereby found and determined by the Board of Directors of the City of Little Rock that the immediate replacement of the protection cell is necessary to protect the general health, safety and welfare of maritime navigation and is necessary to protect the Clinton Presidential pedestrian bridge from further damage. Therefore, an emergency is hereby declared to exist, and this Ordinance, being necessary for the preservation of the public peace, health, safety, and welfare shall be in full force and effect immediately upon passage and approval by the Board of Directors.

PASSED: November 18, 2025

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1	ATTEST:	APPROVED:	
2 3			
4	Allison Segars, City Clerk	Frank Scott, Jr., Mayor	
5	APPROVED AS TO LEGAL FORM:		
6			
7 8	Thomas M. Carpenter, City Attorney		
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