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**WHEREAS**, the City of Little Rock, Arkansas (the “City”), a City of the first class, pursuant to Act 1957 of 2005, Ark. Code Ann. § 14-58-303 (c)(1), provides that cities and towns of this state shall have the option to make purchases by participating in a reverse internet auction except for purchases and contracts for construction projects and materials through the approval of an ordinance exercising the option; and,

**WHEREAS**, the Board of Directors finds that the use of reverse internet auctions will result in significant savings in the expenditure of public funds and is therefore in the public interest,

**Section 1.** Little Rock Ark., Rev. Code § 2-242 (1988) is hereby amended to add the following as 2-242(f):

(2) For purposes of this section:

(B)"Reverse Internet Auction Vendor" means an Internet -based entity that hosts a reverse Internet Auction.

(4) The following are required in order to conduct any reverse internet auction:

(A) All bidders shall be provided instructions and individually secured passwords for access to the reverse internet auction by either the City or any reverse internet auction vendor.

1 (B) All reverse internet auctions will be timed and the time shall be part of the reverse internet  
2 auction specifications.

3 (C) All reverse internet auctions shall be held at a specific date and time.

4 (D) The reverse internet auction and bidding process shall be interactive, with each bidder able to  
5 make multiple bids during the allotted time.

6 (E) Each bidder shall be continually notified of their relative position in the bidding process

7 (F) All bidders shall remain anonymous and shall not have access to other bidders or bids.

8 (G) The Board of Directors shall have access to real-time data, including all bids and bid amounts.

9 (5) The Board of Directors may create by additional ordinance reverse internet auction specifications  
10 for the anticipated purchase of specific items or purchase.

11 (6) A fee may be included as part of the bids received during the reverse internet auction and shall be  
12 paid by the winning bidder.

13 (7) For any and all reverse internet auctions, the Board of Directors may refuse all bids made during  
14 the reverse internet auction. The Board of Directors may begin the reverse internet auction process anew  
15 if it is determined it is in the best interest of the City.

16 **Section 2. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or word  
17 of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication  
18 shall not affect the remaining portions of the resolution which shall remain in full force and effect as if the  
19 portion so declared or adjudged invalid or unconstitutional was not originally a part of the resolution.

20 **Section 3. Repealer.** All laws, ordinances, resolutions, or parts of the same, that are inconsistent with  
21 the provisions of the is ordinance, are hereby repealed to the extent of such inconsistency.

22 **PASSED:**

23 **ATTEST:**

**APPROVED:**

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26 **Allison Segars, City Clerk**

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**Frank Scott, Jr., Mayor**

27 **APPROVED AS TO LEGAL FORM:**

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30 **Thomas M. Carpenter, City Attorney**

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