**ORDINANCE 2020-02**

**ORDINANCE WAIVING REQUIREMENTS**

 **OF COMPETITIVE BIDDING IN EXCEPTIONAL SITUATION REGARDING REPAIRS TO SEWER STATION FACILITIES AND AUTHORIZING THE PURCHASE OF PORTABLESEWER EQUIPMENT ND DECLARING AND EMEGENCY**

WHEREAS, it is immediately necessary to make repairs to the sewer facilities at 913 East Norman Street in order to continue the operation of same; and

WHEREAS, the anticipated expense of making the repairs, including the purchase of portable pumping equipment to make the repairs possible exceeds the purchasing authority of the Mayor and exceeds the amount above which competitive bidding is required by Ark. Code Ann. § 14-58-30; and

WHEREAS, the delay attributable to taking competitive bids for the repair of the services and for the purchase of portable pumping equipment is not acceptable under the circumstances; and

WHEREAS, the City Council finds the need for immediate major repairs, including the purchase of portable pumping equipment, constitutes an exceptional situation where the procedures of competitive bidding for construction services and the purchase of portable pumping equipment is not feasible or practical; and

WHEREAS, Ark. Code Ann. § 14-58-303 authorizes the City Council to waive the requirements of competitive bidding in exceptional situation where the same is deemed not feasible or practical.

BE IT, THEREFORE, ORDAINED;

SECTION 1: The Mayor is authorized to enter such contracts with Diamond Construction Company as are necessary to make immediate repairs to the sewer facilities at 913 East Norman Street;

SECTION 2: The Mayor is authorized to purchase such Portable Pumping Equipment and supplies and accessories as are in his discretion, necessary and proper to make immediate repairs to the sewer facilities at 913 East Norman Street.

SECTION 3: An emergency is declared hereby to exist and this Ordinance being necessary for the health, safety, and wellbeing of the citizens and residents of the City of Hamburg, it shall be in full force and effect immediately.

ADOPTED by a majority of the Hamburg City Council on this July 20, 2020.