

ORDINANCE NO. 2019-02

AN ORDINANCE TO WAIVE THE REQUIREMENT OF COMPETITIVE BIDDING FOR THE PROCUREMENT OF BREATHING APPARATUSES FOR THE CHEROKEE VILLAGE FIRE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Arkansas Code Annotated §14-58-303 requires competitive bidding for the purchase by the City of supplies, apparatus, equipment, materials, and services the cost of which is in excess of \$20,000; and

WHEREAS, the City has the immediate need to replace the outdated breathing apparatuses used by the firefighters of the City to ensure the ability to respond adequately to emergency situations; and

WHEREAS, the City Council has determined that the breathing apparatuses it procures should be interchangeable with the equipment used by adjacent fire departments and that there is only distributor of such compatible equipment; and

WHEREAS, the City Council has determined that an emergency exists and that placing the matter for bid is not feasible or practical; and

WHEREAS, it has, therefore, been determined by the City Council for the City that competitive bidding, if necessary, is not presently feasible or practical and could unnecessarily harm the City's functional capability to perform its stated goal of providing the best services to its citizens as possible;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City:

1. That it was not feasible or practical to require competitive bidding by the City, as required by law for this limited purpose.
2. That therefore, the requirement of competitive bidding for the purchase of breathing apparatuses for the City's Fire Department from Emergency Vehicle Specialists is hereby waived.
3. That procurement of this equipment for the safety of the citizens is necessary to provide the City's functional capabilities and for the health, safety and welfare of the citizens of the City, an emergency is declared to exist and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CHEROKEE VILLAGE CITY COUNCIL

Date: 8/20/2019

Approved: Russell Stokes, Jr., Russell Stokes, Jr., Mayor

Attest: Deborah Weichinger, Deborah Weichinger, City Clerk