

ORDINANCE NO. _____

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR INSTALLATION OF AN ANIMAL DETERRENT FENCE SYSTEM FOR THE WESTGATE SUBSTATION; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH A-DEPENDABLE FENCING, INC.; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Ark. Code Ann. § 14-58-303 requires City purchases exceeding the amount of \$20,000 to follow statutory procedures of local advertisement and opening of sealed bids which may only be waived in exceptional situations where bidding is deemed not feasible or practical; and

WHEREAS, the City of North Little Rock (“City”) and Entergy Arkansas, Inc. (“Entergy”), each own a portion of and operate electrical facilities at the Westgate Substation (“Substation”); and

WHEREAS, the current fencing system at the Substation does not deter animals from entering the substation, resulting in an unacceptable number of power outages to North Little Rock Electric Department (“NLRED”) customers whose electric service is provided through the Substation; and

WHEREAS, on this date, the City Council has enacted Ordinance No. ____, waiving bids for purchase of an animal deterrent fence system from Vanquish Fencing, Inc. (“Vanquish”) for its portion of the Substation; and

WHEREAS, Entergy has contracted with A-Dependable Fencing (“A-Dependable”), Vanquish’s preferred installer for Vanquish fencing products, for installation of the fence system for its portion of the Substation; and

WHEREAS, the animal deterrent fence system will only be effective if Entergy and the City coordinate the purchase and installation of the system; and

WHEREAS, A-Dependable has offered to install the fence system for the City’s portion of the substation for a cost of \$58,000.00; and

WHEREAS, it is in the best interest of the City and its residents to waive formal bidding and to contract with A-Dependable to install the fence system from Vanquish.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That formal bidding is hereby waived and the Mayor and City Clerk are hereby authorized to enter into a contract with A-Dependable Fencing for installation of an animal

deterrent fencing system at the Westgate Substation for a total amount of \$58,000.00, with all contracts to be approved by the City Attorney.

SECTION 2: That the sum of \$58,000.00 will be paid by the North Little Rock Electric Department, said amount having been included in its 2019 Budget.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: That it is hereby found and determined that it is in the best interest of the City of North Little Rock to contract with A-Dependable Fencing for installation of said fence system, and is necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

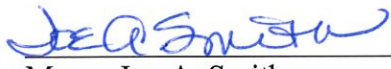
PASSED:

APPROVED:

Mayor Joe A. Smith

SPONSOR:

ATTEST:



Mayor Joe A. Smith *by JAF*


Diane Whitbey, City Clerk

APPROVED AS TO FORM:



Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/ABF

FILED	<u>11:25</u>	A.M.	_____	P.M.
By	<u>A. Fields, City Atty</u>			
DATE	<u>3/19/19</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u></u>			