ORDINANCE NO. 2010-04

AN ORDINANCE TO WAIVE BID REQUIREMENTS FOR REPAIR OF A MIDDLE-OF=THE-STREET SEWER COLLAPSE, QUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR SAID PROJECT, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

WHEREAS, A portion of a sewer line on West 3rd Street has collapsed; and

WHEREAS, This sewer line is an old concrete line that lies some 6 to 8 feet below the surface of the street, and has been repaired numerous times; and

WHEREAS, It is the desire of the City to replace this 350 feet of sewer line between two manholes with as little damage to the street as possible.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MULBERRY, ARKANSAS:

SECTION 1. That the City Council has determined that an exceptional situation exists where the advertisement for competitive bidding on material and installation of sewer line is not practical or reasonable.

SECTION 2. That the provisions of City Ordinance 2001-13 and ACA 22-9-203 are hereby waived and the Mayor and Recorder are hereby authorized to enter into an agreement whereby repair to this sewer line is achieved as quickly as possible. All prior actions taken in regard to this project are hereby ratified.

SECTION 3. That funds currently budgeted in the Sewer Improvement Sales Tax Fund will be used for this project. Estimated cost for the project is approximately $28,000.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. If any provision on this ordinance is held invalid or unconstitutional it shall be deemed severable and separable, and the remaining provisions shall remain in full force and effect.

SECTION 6. It is hereby ascertained and declared that in order to facilitate prompt action to this crisis, an emergency is declared to exist. The provisions of this ordinance, being necessary for the protection of public health, shall be in full force and effect from and after their passage and approval.

PASSED AND APPROVED THIS 16TH DAY OF MARCH 2010.

APPROVED: _____
Betty Feller, Mayor

ATTEST: _____
Jerry Dickerson, Recorder-Treasurer