

Prepared by:
Deldre L. Luker
Pottsville City Attorney
312 W. Main St.
Russellville, AR 72801
Sponsor: PFD

ORDINANCE NO. 2019-3

AN ORDINANCE WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF REPLACING SELF-CONTAINED BREATHING APPARATUS UNITS; AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN ALL NECESSARY DOCUMENTS FOR THE PURCHASE OF THE SELF-CONTAINED BREATHING APPARATUS UNITS; AND, FOR OTHER PURPOSES

WHEREAS, the City Council has determined that there is an immediate need for the purchase of self-contained breathing apparatus units for the Pottsville Fire Department.

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

SECTION 1: The City Council of Pottsville, Arkansas hereby finds that an immediate need exists to purchase self-contained breathing apparatus units for the Pottsville Fire Department and to waive the state law bid requirement for goods, services, or equipment in excess of \$20,000.00.

SECTION 2: The normal procedure followed for goods, services, or equipment costing in excess of \$20,000.00 is to invite competitive bidding in accordance with A.C.A. § 14-58-303. However, the City Council has determined that compliance with A.C.A. § 14-58-303 is not practical or feasible in this situation because the cost of the self-contained breathing apparatus units is estimated to be in the range of \$100,000.00 to \$110,000.00 for approximately 16 self-contained breathing apparatus units and 2 RIT units, or more units if more can be purchased in the range of \$100,000.00 to \$110,000.00; the new equipment needs to be compatible with the fire department's existing equipment; and, there is only one company in the state of Arkansas that sells compatible self-contained breathing apparatus units.

SECTION 3: The immediate need to purchase self-contained breathing apparatus units for the Pottsville Fire Department is substantial in order protect the health, safety, and welfare of the public by providing firefighters with a mechanism to obtain breathable air in an atmosphere that is dangerous to their life and health while they are duty for the benefit to the public. The City Council has determined that an emergency exists and that it is not practical or feasible to delay in order to invite competitive bidding because of the current need to purchase new self-contained breathing apparatus units for the Pottsville Fire Department. Therefore,

Prepared by:
Deidre L. Luker
Pottsville City Attorney
312 W. Main St.
Russellville, AR 72801
Sponsor: PFD

the City Council waives the requirements of competitive biddings to purchase the self-contained breathing apparatus units. This waiver is in accordance with A.C.A. § 14-58-303(b)(2)(B).

SECTION 4: The Mayor and City Clerk are hereby authorized to sign all necessary documents to purchase the new self-contained breathing apparatus units for the Pottsville Fire Department.

SECTION 5: Emergency Clause. The City Council of the City of Pottsville, Arkansas has determined that this Ordinance is necessary to protect the health, safety, and welfare of the citizens of Pottsville, Arkansas; and, therefore, an emergency is declared to exist and this Ordinance shall be in full force and effect upon its passage.

IT IS SO ORDAINED on this 28th day of January 2019.



RANDY TANKERSLEY, MAYOR

ATTEST:

I, Holly Fowler, City Clerk of Pottsville, Arkansas, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2019-3, passed by the Pottsville City Council on the 28th day of January 2019.



HOLLY FOWLER

