

ORDINANCE NO. 188

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING
REQUIREMENTS IN CERTAIN EXCEPTIONAL SITUATIONS

WHEREAS, Ordinance No. 125 of the City of Barling presently governs the requirement of competitive bidding of purchases by the City Administrator;

WHEREAS, A.C.A. Section 14-48-129(b) provides that the requirement of competitive bidding may be waived in exceptional situations where the procedure for said competitive bidding is not feasible;

WHEREAS, it is from time to time in the best interest of the City of Barling to purchase used equipment that is by its nature difficult to compare with new or other used equipment and often requires that a decision to purchase be made in a short period of time;

WHEREAS, the Board of Directors of the City of Barling has determined that competitive bidding is not feasible in the purchase of used equipment, in most instances, and therefore desires to except those purchases from the competitive bidding requirements of Ordinance No. 125;

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF BARLING, ARKANSAS, THAT:

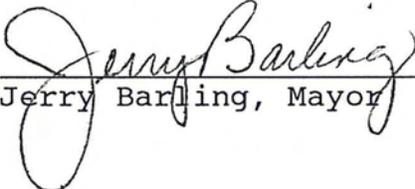
SECTION 1: The City Administrator is hereby authorized to forego the requirements of competitive bidding for the purchase of used equipment wherein it is determined by the City Administrator that: (1) the interest of the City of Barling would be best served, and (2) the competitive bidding requirements are not feasible. In making these determinations, the City Administrator shall, to the extent possible, make an informal comparison of the local market to determine whether other, substantially similar used equipment exists at a comparable cost (recognizing the difficulty in comparing used equipment) and that the cost of the used equipment is lower than that which could be obtained if the equipment was purchased through the competitive bidding process.

SECTION 2: As soon after making any such purchase as is practicable, the City Administrator shall report to the Board of Directors that the purchase has been made and that the competitive bidding requirement was waived stating the reasons for said waiver.

SECTION 3: That part of Ordinance No. 125 in conflict herewith is hereby amended as provided herein.

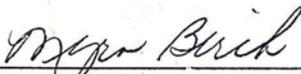
SECTION 4: It being found and determined by the Board of Directors of the City of Barling, Arkansas, that the specific procedures, guidelines and rules regarding the competitive bidding for purchases by the City and its City Administrator are not feasible in certain exceptional situations and that said exceptional situations are such that the best interest and financial well being of the City of Barling is at stake; therefore, the Board of Directors hereby declares an emergency to exist and that this Ordinance should be in full force and effect from and after its passage.

PASSED AND APPROVED this 18 day of April, 1989.



Jerry Barling, Mayor

ATTEST:



Myra Birch, City Clerk