

ORDINANCE NO 249

AN ORDINANCE WAIVING THE REQUIREMENTS OF COMPETITIVE BIDDING

WHEREAS, Forsgren Construction Company was awarded a contract for the repair of various streets in the City of Barling including, specifically, E Street;

WHEREAS, it has been determined that the location of the public school and condition of the existing sidewalk, curb and gutter demand that a new sidewalk, curb and gutter be constructed, and;

WHEREAS, if the sidewalk, curb and gutter construction is delayed there stands a substantial likelihood of damage to the newly repaired streets and therefore it is imperative that the sidewalk, curb and gutter construction be contemporaneous with the street construction.

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

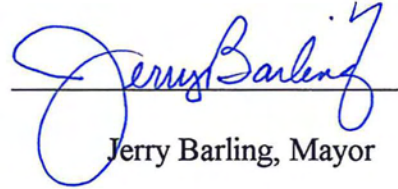
SECTION I The situation set forth hereinabove is exceptional. The use of competitive bidding for the purpose of contracting for the sidewalk, curb and gutter construction on E Street would delay the sidewalk, curb and gutter construction until several weeks after the construction of the street so that the sidewalk, curb and gutter construction would have a substantial risk of causing damage to the newly repaired streets. Thus, the procedure for competitive bidding in this exceptional situation is not feasible or practical.

SECTION II The City Administrator shall negotiate a contract with Forsgren Construction Company for the construction of the sidewalk, curb and gutters on E Street so that the sidewalk, curb and gutter construction is contemporaneous with the street repair.

SECTION III, It being found and determined that by the Board of Directors of the City of Barling, Arkansas, that there is an exceptional situation requiring the waiving of competitive bidding in order to protect the school children attending the public school and other persons utilizing the

current the sidewalk, curb and gutters on E Street and to avoid damage to newly repaired streets such that the Board hereby declares an emergency to exist it being necessary to protect and health and welfare of the citizens of the City of Barling and that this Ordinance should be in full force and effect from and after its passages

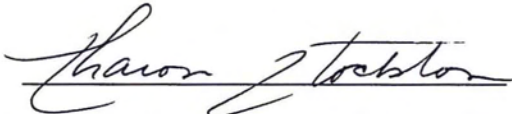
PASSED AND APPROVED this 19th day of August, 1997.



Jerry Barling, Mayor



ATTEST.



Sharon Stockton, City Clerk