

ORDINANCE NO. 496

AN ORDINANCE REPEALING AND REPLACING ORDINANCE 463; SETTING FORTH SPENDING LIMITATIONS FOR THE CITY ADMINISTRATOR PURSUANT TO ARKANSAS LAW; SETTING BIDDING REQUIREMENTS AND PROCEDURES FOR THE CITY OF BARLING, ARKANSAS; and DECLARING AN EMERGENCY HEREIN

WHEREAS, the spending limitations for the City Administrator are presently set by Ordinance 496; and

WHEREAS, the Board of Directors desire to make certain changes to the present ordinance;

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

SECTION 1: The intent of this Ordinance is to establish spending limits for the City Administrator as provided by A.C.A. §14-48-117(5)(A)(i)-(iii) and A.C.A. §14-48-129.

SECTION 2: Current Ordinance No. 463 is hereby repealed and replaced by the present Ordinance.

SECTION 3: For all sums up to the amount of Ten Thousand Dollars (\$10,000.00), the City Administrator may:

(a) Contract for and purchase, or issue purchase authorizations for, supplies, materials, and equipment for the various offices, departments, and agencies of the city government, and may contract for, or authorize contracts for, services to be rendered to the city or for the construction of municipal improvements;

(b) Approve for payment, out of funds previously appropriated for that purpose, or disapprove any bills, debts, or liabilities asserted as claims against the city;

(c) Sell or exchange any municipal supplies, materials or equipment.

SECTION 4: For all items described in SECTION 3 hereinabove exceeding the sum of Thirty Five Thousand Dollars (\$35,000.00), the City Administrator shall be required to submit said item for competitive bidding. When competitive bidding is required, the City Administrator shall invite competitive bidding by legal advertisement published one time in a local daily newspaper. Bids received pursuant to said advertisement shall be opened not less than fifteen (15) days following the date of invitation to bid. Provided, however, the bidding procedure set forth in this and other ordinances of the City of Barling shall not be exclusive of other state-mandated bidding procedures.


SECTION 5: After receipt of bids as required by SECTION 3, the City Administrator shall transmit to the Board of Directors a tabulation of all bids received thereon and the Board of Directors, by resolution duly passed, shall authorize the purchase or contract to the lowest responsible and responsive bidder; provided, however, the Directors may reject any and all bids.

SECTION 6: For all items described in SECTION 3 hereinabove exceeding the sum of Ten Thousand Dollars (\$10,000.00), or having value exceeding the sum of Ten Thousand Dollars (\$10,000.00), the approval of Board of Directors shall be required. The sole exception shall be that the City Administrator is hereby authorized to pay any utility bill, insurance bill, time sensitive billing by the state or federal governments, or capital expenditures previously appropriated, in excess of Ten Thousand Dollars (\$10,000.00).

SECTION 7: Should any portion of this Ordinance be determined to be unconstitutional or invalid and so declared by a Court of competent jurisdiction, the remaining parts and provisions of this Ordinance shall remain in place.

SECTION 8: The enactment of this Ordinance would ensure the protection of the financial and fiscal welfare of the City of Barling, Arkansas, in providing specific procedures for purchasing and bidding, so that an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage.

PASSED and APPROVED this 28 day of March, 2023.


Greg Murray, Mayor

ATTEST:



Florene Brown, City Clerk

