

ORDINANCE NO. 2018-07-796

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

**AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AS IT RELATES TO PROVIDING BORING AND PIPING TO EXTEND A WATERLINE ACROSS HIGHWAY 412 IN THE CITY OF TONTITOWN, ARKANSAS.**

**WHEREAS**, a commercial developer presented construction plans to the City of Tontitown, Arkansas and received approval based upon information that a 6" waterline existed along the front of the property; and

**WHEREAS**, upon excavation of the waterline, it was made known that the information provided by the City of Tontitown was inaccurate and the waterline was only 3"; and

**WHEREAS**, they City Council finds it to be in the best interests of the City of Tontitown to waive competitive bidding and participate in a project whereby the boring can provide a necessary expansion of the water system across Highway 412.

**WHEREAS**, the City Council agrees that it is in the best interest of the City of Tontitown and its citizens to provide funding in the amount of \$49,250.00 for a highway bore and piping for a waterline extension as it will allow increased capacity of the City of Tontitown water system.

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Tontitown, Arkansas;

**Section 1.** That pursuant to state law and applicable city ordinances, the City Council hereby waives the requirements of competitive bidding to participate in a project whereby the boring can provide a necessary expansion of the water system across Highway 412.


**Section 2.** That all ordinances or resolutions or orders, and parts thereof, in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 3.** That in the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

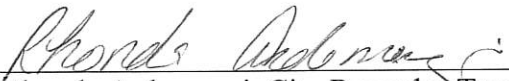
**Section 4.** Emergency Clause: The City Council for the City of Tontitown, Arkansas, has determined that it is essential that the expansion of the of the water system across Highway 412 take place without delay, in order to increase capacity of the water system and to best serve the citizens of Tontitown Therefore, it is declared that an emergency exists and that this ordinance, being necessary for immediate service, shall be in force and take effect immediately from and after its passage, approval, and publication.

**PASSED** and **APPROVED** this 3<sup>RD</sup> day of July, 2018.

**APPROVED:**

  
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Paul Colvin, Jr., Mayor

**ATTEST:**

  
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Rhonda Ardemagni, City Recorder-Treasurer  
(SEAL)