

**RESOLUTION NO. 2025-\_\_\_\_**

**CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS**

**A RESOLUTION TO WAIVE COMPETITIVE BIDDING AND TO RATIFY AND APPROVE THE CITY COUNCIL'S APPROVAL ON SEPTEMBER 19, 2023 OF AN AGREEMENT WITH BANNER FIRE EQUIPMENT, INC FOR THE PURCHASE OF A LADDER TRUCK AND EQUIPMENT FOR THE TONTITOWN FIRE DEPARTMENT AND TO APPROPRIATE FUNDS FOR THE SAME.**

**WHEREAS**, on September 19, 2023, the City Council voted to approve the purchase of one (1) E-One HP75 Aerial, 1500 GPM Hale QMax Pump, and a 500 gallon poly tank mounted on a Spartan Metro Star Custom Chassis equipped with a Cummins L9 450 HP engine per secs for the Tontitown Fire Department for the amount of \$1,334,623.00, which also includes a 7-year aerial maintenance package, ladder truck upfitting, and ladder truck equipment allowance, with funds to be paid from the general fund of the city; and

**WHEREAS**, this ladder truck was subsequently purchased using funds paid from city's the general fund because there was an immediate need by the Tontitown Fire Department to have an operational ladder truck; and

**WHEREAS**, due to an error, the resolution to waive competitive bidding and to approve the purchase of this vehicle was not executed; and

**WHEREAS**, because the proposed purchase in September of 2023 was only valid for a short period of time, and special circumstances existed with the limited availability of fire response vehicles what would delay the delivery of an order of a fire truck for years, the City County has determined that an exceptional circumstance existed which necessitated the waiving of competitive bidding and which made competitive bidding impossible with this transaction; and

**WHEREAS**, the City Council reviewed the proposal from Banner Fire Equipment, Inc. and determined on September 19, 2023 that sufficient funds were available for the purchase; and

**WHEREAS**, the City Council found it is in the best interest to waive competitive bidding and that the best interest and benefit of the community to authorize the Mayor to negotiate and execute an agreement with Banner Fire Department to purchase the above-described fire department apparatus and equipment for the amount of \$1,334,623.00 for the Tontitown Fire Department, and to appropriate funds for the same from the General Fund; and

**WHEREAS**, the City Council desires to acknowledge the approval of the purchase of this ladder truck and to ratify the waiver of competitive bidding and all actions that were taken by the city to complete the purchase.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Tontitown, Arkansas:

**Section 1.** The City Council hereby ratifies the purchase of the above-described ladder truck from Banner Fire Equipment Inc., which was approved by the City Council on September 19, 2023, for the amount of \$1,334,623.00 with funds to be paid from the city's general fund.

**Section 2.** The City Council hereby ratifies that waiver of competitive bidding for the above-described ladder truck and declares that an emergency existed on September 19, 2023 because the ladder truck was available for a short period of time, requiring the City Council to act quickly, and where special circumstances existed at that time in the market that limited the availability of fire response vehicles and where typical order would take years to deliver to the city. The City Council further ratifies there was an immediate need for an operational ladder truck for the Tontitown Fire Department on September 19, 2023.

**Section 2.** The actions of the Mayor and her designees are hereby ratified and authorized by the City Council in connection therewith.

**PASSED AND APPROVED** this \_\_\_ day of \_\_\_\_\_ 2025.

APPROVED:

\_\_\_\_\_  
Angela Russell, Mayor

ATTEST:

\_\_\_\_\_  
Rhonda Ardemagni, City Clerk-Treasurer  
(SEAL)