

ORDINANCE NO. 090-14

AN ORDINANCE AUTHORIZING A CONTRACT FOR THE RELOCATION OF CERTAIN FACILITIES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, it is necessary that certain facilities of the water system serving the City of Conway, Arkansas, specifically a water tank, with related and appurtenant facilities (the "Tank"), be relocated (including modification of the support structure); and

WHEREAS, relocation of the Tank requires access to the specifications for its original construction and installation, and these specifications are in the possession of the firm which designed and constructed Tank and are not available to the City or its representatives; and

WHEREAS, it is not feasible that the contract for relocation of the Tank be let on the basis of public bidding;

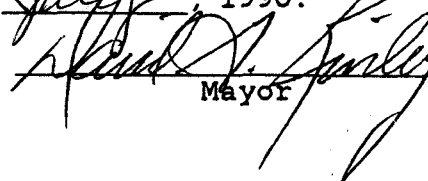
NOW THEREFORE, By It Ordained by the City Council of the City of Conway, Arkansas:

Section 1. As public bidding for the contract for relocation of the Tank (as referred to in the recitals hereinabove) is not feasible or practical, the terms of such contract shall, pursuant to applicable law, including Arkansas Constitution of 1987 Annotated §14-58-303, be determined by negotiation, by the Conway Corporation.

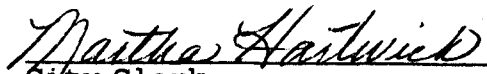
Section 2. All ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. It has been found that the relocation of the Tank is necessary to the progress of related projects and to the adequate provisions of water for the inhabitants of the City. Therefore, an emergency is declared and this Ordinance, being necessary for the preservation of the public peace, health and safety, shall be in effect upon its passage and approval.

ADOPTED this 24<sup>th</sup> day of July, 1990.

  
Mayor

ATTEST :

  
City Clerk

(SEAL)