

**ORDINANCE NO. 2232**

**AN ORDINANCE TO WAIVE COMPETITIVE BIDDING TO PURCHASE ONE (1) LADDER FIRE TRUCK FOR THE EUREKA SPRINGS, ARKANSAS, FIRE DEPARTMENT AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Eureka Springs, Arkansas, (“the City”) is currently in need of one (1) Ladder Fire Truck; and,

**WHEREAS**, the Fire Chief has researched the cost and availability of acquiring a new Ladder Fire Truck that will allow the Fire Department to respond to Fire, EMS, and Rescue calls; and

**WHEREAS**, it is the recommendation of the Fire Chief to purchase one (1) Ladder Fire Truck built by Pierce Manufacturing, Appleton, Wisconsin, as this is the only manufacturer who meets the manufacturing qualifications specified in the FEMA grant terms.

**NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS:**

**Section 1.** The requirement for competitive bidding in the acquisition of the Ladder Fire Truck is and shall hereby be waived to allow the purchase of the unit from Pierce Manufacturing, Appleton, Wisconsin, so as to provide the Fire Department with equipment that cannot be reasonably obtained elsewhere.

**Section 2.** The quote from Pierce Manufacturing in the amount of \$750,000 shall hereby be accepted to allow for a timely purchase without unnecessary delay that could result in loss of use and revenue for the Fire Department.

**Section 3.** All Ordinances and Resolutions, and parts thereof, in conflict with this Ordinance are hereby repealed to the extent of such conflict. In the event any one or more of the provisions contained in this Ordinance shall for any reason be held by a court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.

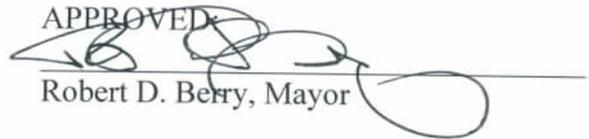
Emergency Clause

**Section 4.** The City Council, upon the recommendation of the Fire Chief of the City of Eureka Springs, Arkansas, finds that because of the deteriorating condition of the existing Fire Truck, it is in the best interests and for the health, welfare and safety of the citizens of Eureka

Springs to purchase this one (1) Ladder Fire Truck for the City; that an emergency is hereby declared to exist and therefore this Ordinance shall go into full force and effect immediately upon its passage.

**PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS 14<sup>TH</sup> DAY OF SEPTEMBER, 2015.**

APPROVED:



Robert D. Berry, Mayor

ATTEST:



Ann Armstrong, City Clerk Treasurer

All present voted "Aye" – Bob Thomas, David Mitchell, Joyce Zeller, Mickey Schneider, and Terry McClung