ORDINANCE NO. _____

AN ORDINANCE TO AMEND LITTLE ROCK, ARK., REV. CODE § 2-243 (a)(2)(w) (1988) TO ALLOW GREATER FLEXIBILITY FOR THE PURCHASE OF BROADBAND EQUIPMENT AND SERVICES; AND FOR OTHER PURPOSES.

WHEREAS, the City, in Little Rock, Ark., Ordinance No. 20,148 (August 18, 2009), determined that broadband services could be bid based upon qualifications instead of simply the lowest responsible and responsive price to assure that any equipment the City needed could be easily made a part of the City's broadband and information technology systems; and,

WHEREAS, it is still important to accomplish this objective, but from time to time aspects of a broadband services bid can be subjected to competitive price bidding without the creation of interconnection problems for the City; and,

WHEREAS, when such a bidding package is appropriate, the City Manager can approve that all or part of the bidding package proceed as a price bid, a qualifications bid, or a mixture, after consultation with the relevant department heads about the scope of the immediate project;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Section 1. Little Rock, Ark., Rev. Code § 2-243 (a)(2)(w) (1988), is hereby amended to read as follows:

(w) Broadband services provider, except when the City Manager has authorized that all or part of a bid package for such services, equipment, or material, is to proceed on a bid for the lowest responsible and responsive bidder.

Section 2. ***Severability*****.** In the event any title, section, paragraph, item, sentence, clause, phrase or word of this ordinance is declared or adjudged to be invalid or unconstitutional such declaration or adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the ordinance.

Section 3. ***Repealer*****.** All laws, ordinances, resolutions, and parts of the same that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

PASSED: March 17, 2015

ATTEST: **APPROVED:**

Susan Langley, City Clerk

Mark Stodola, Mayor

APPROVED AS TO LEGAL FORM:

Thomas M. Carpenter, City Attorney

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