1   **ORDINANCE NO. _____**

2

3   **AN ORDINANCE TO DECLARE IT IMPRACTICAL AND UNFEASIBLE**

4   **TO BID; TO AUTHORIZE TO AUTHORIZE THE CITY MANAGER TO**

5   **ENTER INTO A CONTRACT WITH UNITED PRIVATE NETWORK, IN**

6   **AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY-FIVE**

7   **THOUSAND, SIX HUNDRED THIRTY-FIVE DOLLARS ($135,635.00),**

8   **PLUS APPLICABLE TAXES AND FEES, FOR THE PURCHASE OF**

9   **EQUIPMENT AND SERVICE TO CONNECT TO FIBER-BASED**

10   **TELECOMMUNICATIONS NETWORK FOR THE EAST LITTLE ROCK**

11   **COMMUNITY CENTER; AND FOR OTHER PURPOSES.**

12

13   **WHEREAS,** the Information Technology Department has a need to enter into a Sole-Source Contract

14 with United Private Network for the purchase of equipment and service to connect to a Fiber-Based

15 Telecommunications Network; and,

16   **WHEREAS,** the City needs fiber-based communications assets to meet important public

17 telecommunications goals and improve the availability of services and information for the citizens of Little

18 Rock; and,

19   **WHEREAS,** the fiber lateral will connect the East Little Rock Community Center, the Senior Center

20 and the Maintenance Shop to the City's Network; and,

21   **WHEREAS,** the United Private Network has a Franchise Agreement that provides for dark fiber the

22 City can use to create the required connection for these locations; and,

23   **WHEREAS,** United Private Network is the only company authorized to install a lateral connection to

24 their Core Fiber Network; and,

25   **WHEREAS,** the total cost for this service is One Hundred Thirty-Five Thousand, Six Hundred Thirty-

26 Five Dollars ($135,635.00), plus applicable taxes and fees, with an additional annual cost of Nine Hundred

27 Dollars ($900.00), per year, plus applicable taxes and fees, for the (3) three circuits connecting the East

28 Little Rock Community Center, the Senior Center and the Maintenance Shop to the City's Network; and,

29   **WHEREAS,** Funding for this contract is available in the East Little Rock Community Center

30 Broadband ARPA Account No. 270459-G0601AR45A.

31   **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY**

32 **OF LITTLE ROCK, ARKANSAS:**

1   **Section 1.** The City Manager is authorized enter into a Sole-Source Contract with United Private

2 Network for the purchase of equipment and service to connect to a Fiber-Based Telecommunications

3 Network for the (3) three circuits connecting the East Little Rock Community Center, the Senior Center

4 and the Maintenance Shop to the City's Network.

5   **Section 2.** The total cost for this service is One Hundred Thirty-Five Thousand, Six Hundred Thirty-

6 Five Dollars ($135,635.00), plus applicable taxes and fees, with an additional annual cost of Nine Hundred

7 Dollars ($900.00), per year, plus applicable taxes and fees, with funds available from the East Little Rock

8 Community Center Broadband ARPA Account No. 270459-G0601AR45A.

9   **Section 3.** Because United Private Network is the only company authorized to install a lateral

10 connection to their Core Fiber Network, the Board of Directors declares it is impractical and unfeasible to

11 submit this purchase to competitive bids.

12   **Section 4.** *Severability.* In the event any title, section, paragraph, item, sentence, clause, phrase, or

13 word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or

14 adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and

15 effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the

16 ordinance.

17   **Section 5.** *Repealer.* All laws, ordinances, resolutions, or parts of the same, that are inconsistent with

18 the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

19 **PASSED: August 1, 2023**

20 **ATTEST:**   **APPROVED:**

21

22 _____   _____

23 **Susan Langley, City Clerk**   **Frank Scott, Jr., Mayor**

24 **APPROVED AS TO LEGAL FORM:**

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26 _____

27 **Thomas M. Carpenter, City Attorney**

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