ORDINANCE No. 2023 - _____

AN ORDINANCE AUTHORIZING A CONTRACT FOR ADDITIONAL SERVICES WITH THE BOYS' AND GIRLS' CLUB OF BRYANT; WAIVING COMPETITIVE BIDDING; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City Council has previously appropriated funds for recreational activities within the city; and

WHEREAS, The Boys' and Girls' Club of Bryant is an Arkansas nonprofit corporation created for the purpose of providing recreational activities; and

WHEREAS, The Boys' and Girls' Club of Bryant is in a unique position to provide such activities on behalf of the City of Bryant; and

WHEREAS, Ark. Code Ann. §§ 14-47-138 and 14-58-303 provide that the City may, by ordinance, waive the requirements of competitive bidding in exceptional situations where such procedure is found to be not feasible or practicable.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bryant Arkansas:

Section 1. Authority To Execute Contract

The Council hereby approves a contract between the City of Bryant Arkansas and the Boys' and Girls' Club of Bryant in the amount of $50,000 to provide public recreational services, in addition to those enumerated in and provided in consideration for the contract for use of the Bishop Park facilities, for the youth of Bryant during the 2024 calendar year. The Mayor is hereby authorized to enter into a "Contract for Services" with the Boys' and Girls' Club of Bryant, wherein the Club agrees to provide certain recreational activities on behalf of the City of Bryant, Arkansas during 2024, in exchange for, *inter alia*, payment in the amount of $50,000, payable in the manner specified in the Contract attached hereto as Exhibit A.

Section 2. Waiver of Competitive Bidding

Given the variety of services offered by the Boys and Girls Club, the City Council for the City of Bryant Arkansas hereby finds that circumstances exist which constitute an exceptional situation where competitive bidding is not feasible or practical and waives the requirements of formal competitive bidding.

Section 3. Severability

The provisions of this Ordinance are separable and in the event that any section or part hereof shall be held to be invalid, such invalidity shall not affect the remainder of this Ordinance.

Section 4. General Repealer

All ordinances and resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Emergency Clause

The City Council wishes to avoid any interruption to the services provided by the Boys and Girls Club due to late payment by the City and hereby declares an emergency, placing this Ordinance in full force and effect immediately upon its passage and approval.

PASSED and APPROVED this _____ day of_____, 2023.

Approved:

_____
Mayor Rhonda Sanders

Attest:

_____
Mark Smith, City Clerk