

1 **ORDINANCE NO.**

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3 **AN ORDINANCE TO DISPENSE WITH THE REQUIREMENT OF**
4 **COMPETITIVE BIDS AND TO AUTHORIZE THE CITY MANAGER TO**
5 **ENTER INTO AN AGREEMENT WITH GRACE COMMUNICATIONS**
6 **COMPANY, IN THE AMOUNT OF FIVE HUNDRED SEVENTY-TWO**
7 **THOUSAND, ONE HUNDRED FIFTY-FOUR AND 25/100 (\$572,154.25),**
8 **FOR A MAINTENANCE AGREEMENT FOR THE MOTOROLA**
9 **EMERGENCY COMMUNICATIONS SYSTEM; TO DECLARE AN**
10 **EMERGENCY; AND FOR OTHER PURPOSES.**

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12 **WHEREAS,** the Emergency Communications System is a Motorola System, and Grace
13 Communications Company is the only authorized company to work on the proprietary software and testing
14 equipment which makes it impractical and unfeasible to submit this contract to formal competitive
15 selection; and,

16 **WHEREAS,** this agreement is essential to maintain the Emergency Communications System, and
17 needs to be assured of being in place as quickly as possible.

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

20 **Section 1.** The City Manager is authorized to enter into a maintenance agreement with Grace
21 Communications for the Emergency Communications System in an amount not to exceed Five Hundred
22 Seventy-Two Thousand, One Hundred Fifty-Four and 25/100 Dollars (\$572,154.25) without a formal
23 competitive process sine it is unfeasible and impractical to bid because Grace Communications Company
24 is the only authorized entity in the area that can fulfill this agreement.

25 **Section 2.** Funds for the cost of this agreement will come from the 911 Fees that the City collects to
26 help with the Emergency Communications System.

27 **Section 3. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or
28 word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or
29 adjudication shall not affect the remaining portions of the resolution which shall remain in full force and
30 effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the
31 resolution.

32 **Section 5. Repealer.** All laws, ordinances, resolutions, or parts of the same, that are inconsistent with
33 the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

1 **Section 6. *Emergency Clause.*** *The ability to maintain and operate the 800 MHz Emergency*
2 *Communications System, and to have on call qualified technicians to work with the system and the*
3 *proprietary Motorola Software, is essential to the public health, safety and welfare; and emergency is,*
4 *therefore, declared to exist in order to assure that there is no gap with this maintenance agreement, this*
5 *ordinance shall be in full force and effect from and after the date of its passage.*

6 **PASSED: November 7, 2016**

7 **ATTEST:**

APPROVED:

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11 **Susan Langley, City Clerk**

Mark Stodola, Mayor

12 **APPROVED AS TO LEGAL FORM:**

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

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