



## Legislation Text

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**File #:** ORD-05:200, **Version:** 1

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AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE OUTSOURCING FOR THE CONSTRUCTION OF SOUTH MATTHEWS AVENUE

WHEREAS, the City of Jonesboro agreed in 2004 to participate in the construction of South Matthews Avenue across Turtle Creek on the north side of The Mall at Turtle Creek and did appropriate \$50,000 in the 2005 budget for said construction, AND

WHEREAS, a change in the design of South Matthews Avenue was required due to utility locations which has created the need to coordinate the construction to coincide with the site contractor's installation of the drainage structures under South Matthews Avenue, AND

WHEREAS, a secondary access is needed in a timely manner for the uninterrupted development of the mall properties, AND

WHEREAS, in order to expedite the street construction, Turtle Creek Partners, LLC, developers of the Mall at Turtle Creek, have agreed to utilize their site contractor to build the City of Jonesboro's portion of South Matthews Avenue.

NOW THEREFORE, BE IT ORDAINED, by the City Council for the City of Jonesboro that:

SECTION 1: The City Council in accordance with the terms of A.C.A. Section 14.58.302 hereby waives the requirement of competitive bidding and directs the Purchasing Agent to secure said construction services through Turtle Creek Partners, LLC.

SECTION 2: Payment for said services in the amount of \$50,000 shall be made directly to Turtle Creek Partners, LLC, and the Finance Director is hereby directed to make such payment from account #7-100-139.

SECTION 3: It is further found that there is an immediate need to acquire these services and therefore an emergency is declared to exist and this ordinance being necessary for the preservation of the public peace, health, and safety shall take effect from and after its passage and approval.

PASSED AND ADOPTED this 16<sup>TH</sup> day of August, 2005.