

Conway  
R20831

ORDINANCE NO. 0-99-86

AN ORDINANCE WAIVING BIDS AND AUTHORIZING THE MAYOR TO ENTER INTO AN ASSIGNMENT, LEASE AND MANAGEMENT AGREEMENT REGARDING THE CONWAY MUNICIPAL AIRPORT; REPEALING ANY ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Arkansas Code Annotated §14-58-303 allows waiving of competitive bidding in exceptional situations where such procedure is deemed not feasible or practical; and

WHEREAS, there are many items necessary for the City's use where competitive bidding is deemed not feasible or practical; and

WHEREAS, Acxiom Transportation Services, Inc. ("ATS") and the City of Conway entered into lease and management agreements in 1989 which provided for the lease and management of the municipal airport; and

WHEREAS, said lease agreement provided for its assignment upon the City Council's written approval; and

WHEREAS, ATS has sought to assign its interests and obligations to Cope's Aircraft Services, Inc. ("CASI"); and

WHEREAS, it is hereby found and determined that it would not be feasible or practical to conduct competitive bidding for the assignment of such rights and obligations; and

WHEREAS, the City Council desires to waive bids and authorize the Mayor to enter into such agreements which will facilitate this assignment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

**Section 1.** Competitive bidding is hereby waived pursuant to A.C.A. § 14-58-303 for the approval of the assignment by ATS of its

rights and obligations to CASI. Competitive bidding is being waived for the reason that competitive bidding of these services would not be feasible or practical in that this action is to facilitate the assignment of rights and obligations previously set out in original agreements entered into on August 15, 1989.

**Section 2.** That any ordinances in conflict herewith are hereby repealed to the extent of that conflict.

**Section 3.** That this ordinance is necessary for the protection of the peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

PASSED AND APPROVED this 14 day of September, 1999.

APPROVED:

  
Tab Townsell  
MAYOR TAB TOWNSELL

ATTEST:

Michael O. Garrett  
MICHAEL O. GARRETT, CITY CLERK