

ORDINANCE NO. 2023-_____

**AN ORDINANCE TO WAIVE COMPETITIVE BIDDING FOR THE PAVING
OR PICKETT RIDGE ROAD**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE
GROVE, ARKANSAS, THAT:**

Section One: Competitive Bidding Waived. Pursuant to A.C.A. § 14-58-303(b)(2)(B), the City Council hereby declares that competitive bidding in the contracting for the overlay paving of Pickett Ridge Road is neither feasible nor practical because ArDOT has a paving contractor already on-site paving Highway 170 and the City can utilize this existing paving contractor to pave the road without incurring mobilization and transportation costs. Additionally, the price quoted by the contractor is significantly below the rate being charged for recent stand-alone paving contracts.

Section Two: Purchase Authorized. The Mayor and Clerk are hereby authorized to enter into a contract with APAC-Central, Inc. for a price of \$65,450.00.

Section Three: Effective Date. This Ordinance shall become effective from its date of passage pursuant to A.C.A. §14-55-203(c)(2) as it is not of a general or permanent nature.

Section Four: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

Section Five: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Six: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that

portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 21st day of August 2023.

David Faulk, Mayor

(Attest)

Christine Kelly, Clerk

SUBCONTRACT PROPOSAL



APAC-Central, Inc.

755 E. Millsap Rd., P.O. Box 9208

Fayetteville, AR 72703

Contact: Doug Luetjen

Phone: 479-652-9840

Email: DOUG.LUETJEN@APAC.COM

Quote To: City of Prairie Grove
975 E. Douglas Street
Prairie Grove, AR 72753
Phone: 479-871-1697
Email:
Attn: Larry Oelrich

Job Name: Pickett Ridge Rd, Prairie Grove
Job Location: Prairie Grove, AR
Bid Date: 7/19/2023

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
10	3" Type II Surface Course	550.00	TON	119.00	65,450.00
GRAND TOTAL					\$65,450.00

NOTES:

Terms and Conditions - Subcontract Quotation

For purposes of this quote - the term APAC will refer to APAC-Central, Inc., and the term Contractor will refer to the recipient of this quote.

The contractor shall provide/share a survey model to subcontractor, if available, to ensure construction accuracy. APAC will not be liable for ANY elevation discrepancies due to the provided survey model.

The contractor shall provide access to onsite water to subcontractor, where construction activities require.

APAC will not quote the above items singularly, all items are to be considered as one quote for purposes of contracting with APAC.

Unless a lump sum price is to be paid for the foregoing work and is clearly so stated, it is understood and agreed that the quantities referred to above are estimates only and that payment shall be made at the stated unit prices for the actual quantities of work performed by APAC as determined upon completion of the work.

Contractor and/or Owner must meet APAC's credit conditions prior to APAC mobilizing on the project. If Contractor was required to provide performance and payment bonds to Owner, Contractor will provide copy of Payment bond to APAC as credit security.

APAC requires a minimum of two (2) weeks notice prior to mobilizing on the project. APAC will complete the quoted work on a mutually agreed schedule, and will not be liable for any liquidated damages resulting from conditions beyond APAC's control.

APAC reserves the right to approve subgrade and/or aggregate base as satisfactory prior to mobilizing on the project. If additional work is required to regrade subgrade and/or aggregate base, including any removal and replacement of materials, APAC will charge the Contractor for the additional work and material.

APAC will mobilize on the project one (1) time. Additional mobilizations will be charged to the Contractor at \$3,500 each.

Maintenance of Traffic only includes work required for APAC's operations. Contractor is responsible for any additional Construction Traffic Control required by contract.

Testing for APAC's items of work is included in this quote.

Performance and payment bond is included and will only be provided to the Contractor.

Striping, signage, pavement markings, surveying, staking, layout are not included in this quote.

All proposed construction materials and methods of placement will meet the Arkansas Highway Department Standard Specifications, latest edition, as revised. APAC reserves all rights to make asphalt mix substitutions as allowed by the Specifications.

Contractor and/or Owner agrees to release all incentive pay which pertains to APAC's scope of work.

APAC reserves the right to review and amend the contract or subcontract agreement.

This proposal expires thirty (30) days from the date hereof without a signed contract or purchase order, but may be accepted at a later date, at the sole option of APAC.

Thank you for the opportunity to quote this project. If you have any questions, please call me at your convenience.

Sincerely,

Doug Luetjen
Operations Manager

Accepted this date of _____, 2023.

By: _____

Title: _____