



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 2/12/2026

File ID: TMP-6513

Department: Finance

Subject:

Type of Action: Approval/Action

Resolution authorizing the Mayor to execute a contract modification agreement to modify the Aerial and Underground Fiber & Conduit Construction contract awarded to Southeast Utilities of Georgia, LLC pursuant to Resolution No. 26-49.

Resolution No.

Finance Information:

Account Number: Varies

City Cost Amount: Varies

Total Cost: \$ Varies

Special Circumstances:

Grant Funded: \$ N/A

Grant Title - CFDA or granting Agency: N/A

Resolution #: N/A

Location: (list below)

Address: N/A

District: District 1 District 2 District 3 District 4 District 5

Additional Comments:

Due to an oversight during the preparation of the specifications for the bid solicitation of this contract, the line item for Material, Taxes on Material, & 10% Mark-up on Materials was inadvertently omitted from the bid specifications and pricing form. A contract modification is necessary to add this provision to contract for procuring goods.

RESOLUTION NO. 26-_____

WHEREAS, the City and Utilicom entered into Aerial and Underground Fiber and Conduit Construction contract (the “Contract”) awarded pursuant to Resolution No. 26-49 at the January 22, 2026, Huntsville City Council meeting; and

WHEREAS, the Contract included twelve (12) designated hourly rates for various positions and skillsets; and

WHEREAS, the Contract did not include a provision permitting the procurement of materials needed for the performance and completion of projects performed under this contact; and

WHEREAS, this provision was included in previous contracts and erroneously omitted from the bid specifications detailed in IFB# 9-2026-75 issued November 24, 2025, and publicly opened on December 16, 2025.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree to modify the Agreement as follows:

1. Add the Material, Taxes on Material, & 10% Mark-up on Materials line item for the procuring of materials needed to perform and complete projects performed under this contract.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Huntsville authorizes the Mayor to execute Modification No.1 to add the Material, Taxes on Material, & 10% Mark-up on Materials line item.

ADOPTED this the 12th day of February, 2026.

President of the City Council of
the City of Huntsville, Alabama

APPROVED this the 12th day of February, 2026.

Mayor of the City of Huntsville, Alabama

Modification No. 1 to Aerial and Underground Fiber and Conduit Construction Contract
Between the City of Huntsville, Alabama and
LLC

MODIFICATION NO. 1 TO AERIAL AND UNDERGROUND FIBER AND CONDUIT
CONSTRUCTION CONTRACT

This Modification No. 1 to Aerial and Underground Fiber and Conduit Construction Contract (this "Modification") is made and entered into on the 12th day of February 2026, by and between the **City of Huntsville**, a municipal corporation in the State of Alabama, hereinafter referred to as the "City," and **Southeast Utilities of Georgia, LLC**, hereinafter referred to as "Southeast Utilities".

WITNESSETH:

WHEREAS, the City and Southeast Utilities entered into Aerial and Underground Fiber and Conduit Construction Contract (the "Contract") awarded pursuant to Resolution No. 26-49 at the January 22, 2026, Huntsville City Council meeting; and

WHEREAS, the Contract included twelve (12) designated hourly rates for various positions and skillsets; and

WHEREAS, the Contract did not include a provision permitting the procurement of materials needed for the performance and completion of projects performed under this contract; and

WHEREAS, this provision was included in previous contracts and erroneously omitted from the bid specifications detailed in IFB# 9-2026-75 issued November 24, 2025, and publicly opened on December 16, 2025.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree to modify the Agreement as follows:

1. Add the Material, Taxes on Material, & 10% Mark-up on Materials line item for the procuring of materials needed to perform and complete projects performed under this contract.

IN WITNESS WHEREOF, the parties hereunto enter into and commence this Agreement on the date written above.

I affirm that I understand and agree that any form of electronic signature, including but not limited to signatures via facsimile, scanning, or electronic mail, may substitute for the original signature and shall have the same legal effect as the original signature.

SB
2/26

SOUTHEAST UTILITIES OF GEORGIA, LLC

By: Steve Brooks

Steve Brooks

Print Name

Regional Vice President

Title

CITY OF HUNTSVILLE, ALABAMA

By: _____

Tommy Battle

Print Name

Mayor

Title

ATTEST

By: _____

Shaundrika Edwards

Print Name

City Clerk

Title

S
2/2/26