



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 9/28/2023

File ID: 2023-750

Department: Planning

Subject:

Type of Action: Approval/Action

Resolution authorizing the Mayor to execute Modification No. 1 to the Agreement between the City of Huntsville, Alabama and HDR Engineering, Inc., as adopted and approved Pursuant to Resolution No. 22-831 of the City Council of the City of Huntsville.

Resolution No.

Does this item need to be published? No

If yes, please list preferred date(s) of publication: _____

Finance Information:

Account Number: 1000-74-74100-515370-PN20003-00003

City Cost Amount: N/A

Total Cost: N/A

Special Circumstances:

Grant Funded: N/A

Grant Title - CFDA or granting Agency: N/A

Resolution #: 22-831

Location:

Address: N/A

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

Additional Comments:

RESOLUTION NO. 23-812

BE IT RESOLVED by the City Council of Huntsville, Alabama, that the Mayor be, and is hereby authorized to enter a Modification of an Agreement by and between the City of Huntsville and HDR Engineering, Inc., on behalf of the City of Huntsville, a municipal corporation in the State of Alabama, which said agreement is substantially in words and figures similar to that certain document attached hereto and identified as “Modification No. 1 to the Agreement between the City of Huntsville, Alabama and HDR Engineering, Inc., as adopted and approved Pursuant to Resolution No. 22-831 of the City Council of the City of Huntsville,” consisting of two (2) pages, and the date of September 28, 2023, appearing on the margin of the first page, together with the signature of the President or President Pro Tem of the City Council, and executed copy of said document being permanently kept on file in the office of the City Clerk of the City of Huntsville, Alabama.

ADOPTED this the 14th day of September, 2023.

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

APPROVED this the 14th day of September, 2023.

Mayor of the City of Huntsville,
Alabama

STATE OF ALABAMA)

COUNTY OF MADISON)

**Modification No. 1 to the
Agreement Between
the City of Huntsville, Alabama and
HDR Engineering, Inc.
as adopted and approved Pursuant to
Resolution No. 22-831 of the City Council
of the City of Huntsville**

MODIFICATION NO. 1 TO AGREEMENT

This Modification No. 1 to the Fixed Price Agreement (this "Modification No. 1") is made effective as of the 28th day of September, 2023 by and between the CITY OF HUNTSVILLE, ALABAMA, (the "City") a municipal corporation within the State of Alabama (the "City") and HDR ENGINEERING, INC. ("HDR"), a Nebraska corporation.

WITNESSETH

WHEREAS the City and HDR entered into that certain Consulting Agreement on October 13, 2022 (the "Agreement"), which set forth the terms and conditions for HDR to provide the Huntsville Metropolitan Planning Organization ("MPO") consulting services to assist in applying for a Capital Investment Grant; and

WHEREAS, the parties have agreed to add the additional services relating to HDR supporting the City on a transit-oriented development planning grant to the scope of work, with said additional service covering the same corridor set forth in the existing scope of work; and

WHEREAS, the additional services require an amendment to the period of performance and the contract cost;

WHEREAS, the additional services are set forth more completely in Exhibit A attached hereto.

NOW THEREFORE, in consideration of the foregoing facts and circumstances, the mutual covenants and promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by each of the parties, the parties do hereby agree to the following:

1. Section 2.0 of the Agreement is deleted in its entirety and replaced with the following:

The City will pay to HDR a total amount of Seventy-Nine Thousand, Three Hundred Ninety-nine and /100 Dollars (\$79,399.16) for the products and services provided by HDR pursuant to this Agreement. The City shall pay the said amount

PRESIDENT OR PRESIDENT
PRO TEM OF THE CITY COUNCIL
OF HUNTSVILLE, ALABAMA

9/28/23

in monthly payments based on the percentage of the work completed by HDR for the month billed. Payment shall be due thirty (30) days from the date the City receives the monthly invoice from HDR.

2. Section 3.3 of the Agreement is deleted in its entirety and replaced with the following:

HDR shall commence the work to be done pursuant to this Agreement on October 17, 2022 and shall complete said work no later than October 31, 2023.

3. All other terms and conditions of the Agreement remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have entered into this agreement, on the date set forth above.

**THE CITY OF HUNTSVILLE,
ALABAMA**

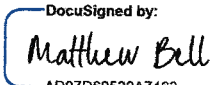
The Parties agree that any form of electronic signature, including but not limited to signatures via facsimile, scanning, or electronic mail, may substitute for the original signature and shall have the same legal effect as the original signature.

Tommy Battle, Mayor
City of Huntsville, Alabama

ATTEST:

Shaundrika Edwards, City Clerk
City of Huntsville, Alabama

HDR ENGINEERING, INC.

By:  *Matthew Bell*
AD97D69532A7463
Its: Matthew Bell
Vice President