



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 1/12/2023

File ID: TMP-2431

Department: Finance

Subject:

Type of Action: Approval/Action

Resolution authorizing the Mayor to amend contract #101-2022-54B between the City of Huntsville and Donohoo Chevrolet LLC for the provision of Light Duty Vehicles. The original contract was approved on October 13, 2022 under Resolution No. 22-820.

Resolution No.

Does this item need to be published? No

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

Finance Information:

Account Number: 3020-15-00000-520100-0000000-

City Cost Amount: \$ Varies depending on quantity added.

Total Cost: \$ Varies depending on quantity added.

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:

Purchases Orders 20230961 (dated Nov 1, 2022), 202231221 (dated Nov 14, 2022), and 20231148 (dated Nov 8, 2022) were issued under contract #101-2022-54B to secure 2023 Chevrolet Malibu (LS trim models). Fleet

Services was notified that due to production constraints, the orders for the LS trim models was initially cancelled but later restored with limited ordering capacity. To meet departmental needs, Fleet Services needs to secure sixteen (16) vehicles. The manufacturer has allocated fourteen (14) LS trim models to the City and making available two (2) RS trim models to the City. Council action is sought to amend the contract to add the additional trim model(s). To secure production of the needed vehicles, Fleet Services had to quickly place the order therefore the purchase of the uncontracted vehicles was treated an emergency purchase in accordance with §41-16-53 of the Code of Alabama 1975, as amended.

RESOLUTION NO. 23-_____

WHEREAS, on October 13, 2022, the City Council of the City of Huntsville, Alabama authorized the Mayor to execute a contract with Donohoo Chevrolet LLC for the provision of a Light Duty Vehicles, pursuant to Resolution No. 22-820, and

WHEREAS, the contract authorized the purchasing of the 2023 Chevrolet Malibu LS trim model at a base price of Twenty-One Thousand One Hundred Ninety-Five Dollars (\$21,195) per vehicle; and

WHEREAS, the current economic conditions of the world have adversely impacted the production and availability of goods and materials the manufacturer, General Motors (GM), has had to alter its production of vehicles and place limits on dealer ordering capacity; and

WHEREAS, due to the production constraints and order limits imposed by GM, Donohoo Chevrolet is only able to provide fourteen (14) of the sixteen (16) LS trim model vehicles placed under the contract via purchase orders 20230961, 20231221, and 20231148; and

WHEREAS, Donohoo Chevrolet is able to provide one (1) 2023 Chevrolet Malibu RS trim model with direct purchase from their retail lot; and

WHEREAS, GM allocated one (1) 2023 Chevrolet Malibu RS trim model vehicles to Donohoo Chevrolet to fulfill their contractual agreement with the City for sixteen (16) vehicles; and

WHEREAS, the economic conditions of the world may continue to place restraints on product and material availability.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Huntsville, Alabama the Mayor is hereby authorized to amend the contract entered under Resolution No. 22-820 to include the 2023 Chevrolet Malibu RS trim model at cost of Twenty-Three Thousand Six Hundred Ninety-Five Dollars (\$23,695); and

BE, IT FURTHER RESOLVED, by the City Council of the City of Huntsville, Alabama that the Mayor, be and is hereby authorized to amend the contract with Donohoo Chevrolet to accept other trim models of the 2023 Chevrolet Malibu as needed to meet departmental needs provided Donohoo provides a price quote that is accepted and approved by Fleet Services.

ADOPTED this the 12th day of January, 2023.

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

APPROVED this the 12th day of January, 2023.

Mayor of the City of Huntsville, Alabama

**MODIFICATION NO. 1 TO LIGHT DUTY VEHICLES CONTRACT #101-2022-54A
BETWEEN THE CITY OF HUNTSVILLE AND WOODY ANDERSON FORD**

This Modification No. 1 to the contract for the provision of Light Duty Vehicles (this "Modification") is made and entered into on the 12th day of January, 2023, by and between the **City of Huntsville**, a municipal corporation in the State of Alabama, herein after referred to as the "City", and **Woody Anderson Ford**, hereinafter referred to as "WAF".

WITNESSETH:

WHEREAS, pursuant to Resolution No. 22-820 the City and WAF entered into a contract (the "Contract") for the provision of various make, model, and trim of 2023 Ford vehicles; and

WHEREAS, the current supply chain issues and material shortages have placed production constraints, availability limitations, and prolonged production timeframes on the manufacturer, Ford Motor Company; and

WHEREAS, the production restrictions imposed upon the Ford Motor Company as a result of the economic conditions have adversely affected Woody Anderson Ford's ability to fulfill their contractual obligations to the City under the terms and conditions of the contracts;

WHEREAS, the contract vendors' inability to fulfill contractual obligations resulting from unforeseen restrictions imposed upon them by the manufacturers adversely impacts the City's ability to address and maintain fleet needs.

NOW THEREFORE, in consideration of 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 Contract as follows:

1. The City may purchase vehicles approved under Resolution No. 22-820 or equivalent directly from the retail lot of WAF should WAF not be able to secure a newly manufactured vehicle(s) from Ford Motor Company.
2. WAF shall provide quotes detailing the year, make, model, and trim of the vehicles available for direct purchase and the quotes shall be approved by Fleet Services.
3. Purchase(s) shall only be made after a purchase order is issued by the City.

IN WITNESS WHEREOF, the parties hereunto entered into this Modification agreement on the day written above.

ATTEST

BY: 

ITS: FORD PRO MANAGER

WOODY ANDERSON FORD

BY: 

ITS: Chief Operations Officer

ATTEST

BY: _____

ITS: _____

CITY OF HUNTSVILLE, ALABAMA

BY: _____

ITS: _____