



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 10/9/2025

File ID: TMP-6068

Department: Water Pollution Control

Subject:

Type of Action: Approval/Action

Resolution authorizing the Mayor to execute Modification No. 1 to the Agreement between the City of Huntsville and L.T.S. Construction, L.L.C. for Periodic Bid for Emergency Pipe Bursting-2024, Project No. 71-24-SP20.

Resolution No.

Finance Information:

Account Number: 6010-76-00000-526000-000000000

City Cost Amount: One-year extension of NTE \$4,955,000.00, cumulative NTE \$9,910,000.00

Total Cost: One-year extension of NTE \$4,955,000.00, cumulative NTE \$9,910,000.00

Special Circumstances:

Grant Funded: N/A

Grant Title - CFDA or granting Agency: N/A

Resolution #: N/A

Location: (list below) N/A

Address: N/A

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

Additional Comments: One-year extension of contract not to exceed in the amount of \$4,955,000.00 with a not to exceed cumulative total of \$9,910,000.00

RESOLUTION NO. 25-__

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the Mayor be, and is hereby authorized to enter into Modification No. 1 to the Agreement between the City of Huntsville and L.T. S. Construction, L.L.C., adopted and approved on the 10th day of October, 2024, by the City Council of the City of Huntsville, Alabama by Resolution No. 24-766, as attached hereto.

BE IT FURTHER RESOLVED that the periodic contract is extended for an additional one (1) year period with services provided on an as-needed basis with up to the Not-to-Exceed (NTE) Amount of FOUR MILLION NINE HUNDRED FIFTY-FIVE THOUSAND AND NO/100 DOLLARS (\$4,955,000.00). This extension results in the cumulative Not-to-Exceed amount funded for this contract to be NINE MILLION NINE HUNDRED TEN THOUSAND AND NO/100 DOLLARS (\$9,910,000.00). New contract expiration date: October 10, 2026. Agreement is substantially in words and figures similar to that document attached hereto and identified as "Modification No. 1 to Agreement between City of Huntsville and L.T.S. Construction, L.L.C. for Periodic Bid for Emergency Pipe Bursting-2024, Project No. 71-24-SP20, as adopted by Resolution No. 24-766 of October 10th, 2024" consisting of a total of four (4) pages including Exhibit "A" and the date of October 9, 2025, appearing on the margin of the first page, together with the signature of the President or President Pro Tem of the City Council, and an 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 9th day of October, 2025.

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

APPROVED this the 9th day of October, 2025.

Mayor of the City of Huntsville,
Alabama

STATE OF ALABAMA)
COUNTY OF MADISON)

Modification No. 1 to Agreement between
the City of Huntsville and L.T.S.
Construction, L.L.C. for Periodic Bid for
Emergency Pipe Bursting-2024, Project No. 71-24-
SP20, as adopted by Resolution No. 24-766 of
October 10th, 2024

THIS IS MODIFICATION NO. 1 TO AN AGREEMENT entered in on the 10th day of October, 2024, in the amount of FOUR MILLION NINE HUNDRED FIFTY-FIVE THOUSAND AND NO/100 DOLLARS (\$4,955,000.00), for an additional one (1) year period. The original Agreement is hereby amended by Modification No. 1 dated October 9, 2025, for the renewal of an additional one (1) year period in the same Not to Exceed (NTE) amount as the initial year of FOUR MILLION NINE HUNDRED FIFTY-FIVE THOUSAND AND NO/100 DOLLARS (\$4,955,000.00) for the revised cumulative contract amount of NINE MILLION NINE HUNDRED TEN THOUSAND AND NO/100 DOLLARS (\$9,910,000.00), by and between the City of Huntsville, Alabama, a municipal corporation in the State of Alabama (Owner) and L.T.S. Construction, L.L.C., (CONTRACTOR).

WITNESSETH

WHEREAS, the firm identified as the CONTRACTOR to the Agreement dated October 10th, 2024, has proposed a change to the Original Agreement. This modification delineates a change to extend the contract for an additional one (1) year period at the same Not-To-Exceed amount as the initial year of FOUR MILLION NINE HUNDRED FIFTY-FIVE THOUSAND AND NO/100 DOLLARS (\$4,955,000.00) per Paragraph 1 and 2 on Page 2 of Attachment B of the original contract which was adopted by Resolution No. 24-766 of October 10th, 2024.

NOW THEREFORE, in consideration of the mutual covenants set forth herein, the Owner and the CONTRACTOR agree to the following modifications to the agreement:

1. L.T.S. Construction, L.L.C. will provide for renewal of contract for an additional one (1) year with services provided on an as-needed basis with up to the initial Not-to-Exceed (NTE) Amount of FOUR MILLION NINE HUNDRED FIFTY-FIVE THOUSAND AND NO/100 DOLLARS (\$4,955,000.00). This extension results in the cumulative Not-to-Exceed amount funded for this contract to be NINE MILLION NINE HUNDRED TEN THOUSAND AND NO/100 DOLLARS (\$9,910,000.00).

President of the City Council of the City of
Huntsville, AL
Date: October 9, 2025

2. Item #1 shall be performed in accordance with the original agreement dated October 10th, 2024, and approved by the City Council by Resolution No. 24-766.
3. All unit price billing rates for contract line items shall remain unchanged.
4. The terms of this contract modification and the execution thereof is not in any way to be viewed as a waiver on the part of the Owner of any of its rights pursuant to the Contract.
5. All other terms and conditions remain unchanged.

IN WITNESS WHEREOF, the parties have entered their hands and seals and attest to the same with the signature of the Mayor being the official act of the said municipality in accordance with his duly constituted authority.

THE CITY OF HUNTSVILLE, ALABAMA,
a municipal corporation

By: _____
Tommy Battle
Its Mayor

ATTEST:

Shaundrika Edwards
City Clerk-Treasurer

STATE OF ALABAMA)
COUNTY OF MADISON)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Shaundrika Edwards, whose names as Mayor and City Clerk-Treasurer of the City of Huntsville, a municipal corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, in their capacity as such officers, executed the same with full authority for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the ____ day of _____ 2025.

Notary Public
My Commission Expires: _____

CONTRACTOR: L.T.S. CONSTRUCTION,
L.L.C.

By: Terry J. Smith

ATTEST:

Eric A. Smith

STATE OF TENNESSEE)
COUNTY OF FRANKLIN)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Terry Smith as Chief Manager, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity as such officer, executed the same with full authority for and as the act of said Corporation on the day the same bears day.

GIVEN under my hand and official seal this the 22nd day of September 2025.



Stan Huie
Notary Public

My Commission Expires: 4/24/2029



HUNTSVILLE

Randall Stewart
Director

Water Pollution Control

August 29, 2025

LTS Construction, LLC
104 Kenmore Avenue
Winchester, TN 37398

ATTN: Mr. Terry Smith

RE: Periodic Bid for Emergency Pipe Bursting
Project No. 71-24-SP20

Dear Mr. Smith:

We are pleased to extend your contract in the above-referenced project for another one-year period, at current pricing, beginning October 10, 2025, through October 10, 2026. Please acknowledge acceptance of same by your signature in the space provided at the end of this letter and return the letter to me with a copy to Kerri Bevilacqua, Engineering Procurement and Contracts Coordinator in the Water Pollution Control Department.

As always, we look forward to working with you and appreciate the good work you do for the City of Huntsville.

Sincerely,

Randall Stewart
Director of Water Pollution Control

ACCEPTED BY:

LTS Construction, LLC

SIGNATURE:

Terry Smith

DATE:

9/22/2025

The Star of Alabama