



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 5/22/2025

File ID: TMP-5547

Department: General Services

Subject:

Type of Action: Approval/Action

Resolution authorizing the Mayor to execute Modification No.1 between the City of Huntsville and Mims Engineering, Inc. for Engineering Services for the Museum of Art HVAC Renovation.

Resolution No.

Finance Information:

Account Number: 3020-14-00000-523020-00000000

City Cost Amount: \$31,565.64

Total Cost: \$ 292,565.64

Special Circumstances:

Grant Funded: NONE

Grant Title - CFDA or granting Agency: N/A

Resolution #: N/A

Location: (list below)

Address: 300 Church Street

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

Additional Comments:

Modification No. 1 to the Museum of Art HVAC Renovation includes an increase of \$31,565.64 for additional electrical and mechanical engineering design services to the original contract amount of \$261,000.00 for a final contract amount of \$292,565.64 based upon a budgeted value of \$3,000,000.00 at a 8.7% fee to the final contract amount of \$3,401,926.04 at 8.63%.

RESOLUTION NO. 25-

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, and the Mayor that the contract with Mims Engineering, Inc. for Engineering Services for the Huntsville Museum of Art HVAC Renovations, Huntsville, Alabama, approved and executed by the City of Huntsville, Alabama on the 13th day of April, 2023, be and the same is hereby amended as is reflected on Modification No. 1 and attached hereto.

BE IT FURTHER RESOLVED that the total contract amount be hereby is amended from Two Hundred Sixty One Thousand Dollars and No/100s (\$261,000.00) to Two Hundred Ninety Two Thousand five Hundred Sixty Five Dollars and 64/100s (\$292,565.64) on behalf of the City of Huntsville, a municipal corporation in the State of Alabama to, including this Modification No. 1 in the amount of Thirty One Thousand Five Hundred Sixty Five Dollars and No/100s (\$31,565.64), said Modification No. 1 is substantially in word and figures as attached hereto identified as “Modification No. 1 to the contract between the City of Huntsville and Mims Engineering, Inc., for the Huntsville Museum of Art HVAC Renovations.” consisting of four (4) pages together with the signature of the City Council President 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 22nd day of May, 2025.

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

APPROVED this the 22nd day of May, 2025.

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 Mims Engineering, Inc.
Dated April 13, 2023,
as adopted by Resolution No. 23-301

MODIFICATION NO. 1

THIS MODIFICATION TO AN AGREEMENT is entered into on this the **22nd** day of **May, 2025**, by and between the City of Huntsville, Alabama (Owner) and Mims Engineering, Inc. as adopted by Resolution 23-301 on April 13, 2023. The City of Huntsville does hereby modify the contract to continue providing engineering services for the Huntsville Museum of Art HVAC Renovations at 300 Church Street SW.

WHEREAS, at the time of hire, the Huntsville Museum of Art HVAC Renovations was based upon a budget of \$3,000,000.00 at 8.7% for a contract amount of \$261,000.00 listed in Attachment A of the Agreement between the City of Huntsville Alabama and Mims Engineering, Inc., dated as adopted by Resolution 23-301 on April 13, 2023.

WHEREAS, additional electrical engineering and mechanical engineering design services were provided for provisions for a future emergency temporary chiller, and a temporary electrical generator to keep a portion of the Art Museum operational during the electrical shut down of the building.

WHEREAS, the final construction contract amount, including change orders and reimbursements for allowances and contingency, is \$3,401,926.04 at 8.6% for an increased fee of \$31,565.64. The fee is hereby added to the agreement with Mims Engineering, Inc., thereby increasing the overall fee for services.

THEREFORE, the previously established Not to Exceed amount of Two Hundred Sixty One Thousand Dollars and No/100s (\$261,000.00) for these professional services is hereby increased by the amount of Thirty One Thousand Five Hundred Sixty Five Dollars and No/100s (\$31,565.64) thereby modifying the Not To Exceed Amount to be Two Hundred Ninety Two Thousand five Hundred Sixty Five Dollars and 64/100s (\$292,565.64).

All other terms and conditions remain unchanged.

CONTRACTOR**OWNER**

SEAL

SEAL

Michael Lee
By: _____

Tommy Battle
By:

(SIGNATURE)

(SIGNATURE)

Michael Lee
Mims Engineering, Inc.
112 Southside Square, Suite B
Huntsville, AL 35801

Tommy Battle, Mayor
City of Huntsville
308 Fountain Circle
Huntsville, AL 35801

(DATE OF EXECUTION)

May 22, 2025
DATE OF EXECUTION)

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.



Mims Engineering Inc.

112 Southside Square, Suite B Huntsville, AL 35801 Phone: (256)881-4126 Fax: (256)880-6743

February 27, 2023

Mr. Richard Wilkinson
Director of General Services
615 Washington Street
Huntsville, AL 35801

Project: Huntsville Museum of Art – HVAC Renovations

Mr. Richard Wilkinson:

Mims Engineering has performed site visits to evaluate the issues surrounding the temperature and humidity at the art museum. As part of this effort, we identified equipment that needs replacing or to be redesigned to mitigate the space conditioning requirements. Mims Engineering is pleased to provide this proposal for Mechanical and Electrical Engineering services for the replacement of existing equipment as required for Huntsville Museum of Art.

Mims Engineering will provide Engineering services required to accommodate this work as follows:

- Perform design calculations to determine equipment size.
- Replace existing 215 Ton chiller and increase capacity to serve an additional (2) air handling units that are currently on a DX condensing unit.
- Remove the existing condensing unit serving (2) air handling units
- Review/design additional boiler and pumps for additional load should it be required.
- Provide Building Automation System (BAS) Controls
- Provide necessary Site/Field work.
- Provide design/bid services and plans/specifications for above work.
- Provide support as required during bidding phase.
- Provide construction administration support during the construction phase as follows:
 - Shop drawing submittal review for design compliance
 - Provide construction administration support of periodic site visits for compliance with plans and specifications
 - Coordinate operation and maintenance manuals for Owners representative.

WORK SPECIFICALLY EXCLUDED FROM MIMS SCOPE OF WORK:

- Asbestos abatement is not included in proposal.
- Fire Protection

FEE BASIS:

Engineering Design fee based on State Fee schedule for Group IV Buildings at 8.7% adjusted to actual construction cost which will include Electrical Design. Preliminary estimate is approximately \$3,000,000. We will provide this as attachment to A-O Agreement once this proposal has been approved.



Mims Engineering Inc.

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ADDITIONAL SERVICES/FEES:

- Design change in scope of work after 50% review will be at hourly rate included below.
- Value Engineering to reduce cost will be at hourly rate included below.
- Reimbursables include State Review fees & Advertising cost.

Hourly Rates

Principal	\$200.00/hr.
Project Manager	\$175.00/hr.
CAD Operator	\$125.00/hr.
Administrative	\$100.00/hr.

Please call if you have any questions regarding this proposal. If this proposal is acceptable, please sign and return.

Sincerely,
Mims Engineering, Inc.

Michael Lee
Project Manager

In concurrence:

Richard Wilkinson

4/4/23

Date



Mims Engineering Inc.

112 Southside Square, Suite B Huntsville, AL 35801 Phone: (256)881-4126 Fax: (256)880-6743

May 13, 2025

ATTACHMENT B

Mr. Chris O'Neil
Facilities Project Manager
305 Fountain Circle
Huntsville, AL 35801

Project: Huntsville Museum of Art HVAC Renovations
(Engineering Contract Fee Reconciliation)

Mr. O'Neil:

Regarding the Huntsville Museum of Art project, Mims Engineering has fulfilled its contractual obligations. This proposal updates our fee for Mechanical and Electrical Engineering services based on the actual final construction cost.

REVISED FEE BASIS:

Our engineering design fee is a percentage of the actual final construction cost. Originally, the engineering budget was set at \$261,000, representing 8.7% of an initial \$3,000,000.00 construction estimate developed before design commenced. As the design progressed and the project scope adjusted, we updated the budget. However, as agreed in our initial proposal, the fee structure remained unchanged until the project bid. The final contractor cost, which accounts for all Change Orders and the reconciliation of Allowance & Contingency funds, totals \$3,401,926.04. Consequently, the final Engineering fee is \$292,565.64, calculated at 8.6% of this final construction cost.

The Final Invoice is attached for your convenience. Please do not hesitate to contact us if you require any clarification. We would appreciate it if you could sign and return this proposal to signify your acceptance.

Sincerely,
Mims Engineering, Inc.

Michael Lee
Project Manager