



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 6/11/2026

File ID: TMP-7058

Department: Finance

Subject:

Type of Action: Approval/Action

Resolution authorizing the Mayor to execute an agreement to mutually terminate the Janitorial Services - Administrative Facilities awarded to Office Pride, Inc. pursuant to Resolution No. 26-413.

Resolution No.

Finance Information:

Account Number: N/A

City Cost Amount: \$ N/A

Total Cost: \$ N/A

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:

As a requirement of the contract award, Office Pride, Inc. was required to provide a performance bond in an amount equivalent to one hundred percent (100%) of the contract amount. Office Pride, Inc. in was unable to meet this requirement; therefore, the City has elected to exercise its right in accordance with the contract terms to rescind the contract award and subsequently award the contract to the second lowest responsive and responsive bidder.

RESOLUTION NO. 26 - _____

WHEREAS, on May 14, 2026, pursuant to Resolution No. 26-416 the City Council of the City of Huntsville, Alabama awarded the Janitorial Services – Administrative Buildings to Office Pride of North Alabama, Inc., hereinafter referred to as Office Pride; and

WHEREAS, the Invitation for Bid issued on March 23, 2026, provided notice to potential bidders that a performance bond equal to one hundred (100%) of the contract would be required as a condition of contract award; and

WHEREAS, Office Pride was notified on May 18, 2026, of City Council's action to award the contract to them and they were afforded until May 29, 2026 to furnish the required performance bond; and

WHEREAS, Office Pride was unable to secure and furnish the required performance bond; and

WHEREAS, Alabama Code (1975) §41-16-57(a) provides that if an awarding authority documents that the lowest responsible and responsive bidder defaults under the terms of the original award, the awarding authority may terminate the award to the defaulting bidder and make the award to the second lowest responsive and responsible bidder for the remainder of the award period without rebidding, provided the award to the second lowest responsive and responsible bidder is in all respects made under the terms and conditions contained in the original bid specifications and Contract; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Huntsville, Alabama, that the Mayor be, and is hereby authorized to accept the Consent to Mutually Terminate Agreement signed by an authorized representative of Office Pride of North Alabama, Inc. and attached hereto.

ADOPTED this the 11th day of June 2026.

President of the City Council
of the City of Huntsville

ADOPTED this the 11th day of June 2026.

Mayor of the City of Huntsville

**CONSENT AGREEMENT TO MUTUALLY TERMINATE JANITORIAL SERVICES –
ADMINISTRATIVE BUILDINGS CONTRACT #39-2026-14**

This Consent Agreement to Mutually Terminate is made and entered into on this the 11th day of June 2026, by and between the **CITY OF HUNTSVILLE, ALABAMA**, a municipal corporation in the State of Alabama, hereinafter referred to as the “City” and **OFFICE PRIDE OF NORTH ALABAMA, INC.**, hereinafter referred to as “Office Pride”

WHEREAS, pursuant to Resolution No. 26-413 the City awarded the Janitorial Services – Administrative Buildings contract #39-2026-14 to Office Pride with a first term slated to commence on June 24, 2026 and expire on June 23, 2027; and

WHEREAS, as a requirement of the contract award, the contract vendor shall provide a performance bond in an amount equal to one hundred (100%) percent of the contract amount; and

WHEREAS, Office Pride was unable to furnish the performance bond required pursuant to the terms and conditions of the Contract; and

WHEREAS, the City and Office Pride agree that it is in the best interest of all parties to mutually terminate the Contract; and

WHEREAS, by executing this Agreement, Office Pride affirms that it received notice of the performance bond requirement as set forth in the Invitation for Bids issued on March 23, 2026; that it was afforded until May 29, 2026 to furnish the required performance bond; and further affirms that it knowingly and voluntarily waives any right to thirty (30) days’ notice of termination and any other procedural formalities provided in the Invitation for Bids issued March 23, 2026 and in the Contract awarded pursuant to Resolution No. 26-413; and

WHEREAS, by executing this Agreement, Office Pride waives its rights to all payments and product purchases made accessible under the terms and conditions of the Contract;

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 mutually terminate the Contract.

IN WITNESS WHEREOF, the parties hereto have caused this Consent to Mutually Terminate Agreement to be executed under their respective seals and delivered as of the date above written. This Agreement may be executed in one or more counterparts and each counterpart shall, for all purpose, be deemed an original, but all such counterparts shall together constitute but one and the same instrument. The Parties agree that any form of electronic signature, including but not limited to signatures via facsimile, scanning, or electronic email, may substitute for the original signature and shall have the same legal effect as the original signature.

OFFICE PRIDE OF NORTH ALABAMA, INC.

By: Lee Weeks

Its: President/CEO

ATTEST

By: John Williams

Its: GM

CITY OF HUNTSVILLE, ALABAMA

By: Tommy Battle

Its: Mayor

ATTEST

By: Shaundrika Edwards

Its: City Clerk