

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 2/13/2014

Action Requested By:
Legal

Agenda Item Type
Resolution

Subject Matter:

Agreement with CCI Group for Goss Road Realignment.

Exact Wordling for the Agenda:

Resolution authorizing the Mayor to execute an agreement between the City of Huntsville and CCI Group, Inc., for use of engineering plans for Goss Road Realignment construction on Redstone Arsenal, Alabama.

Note: If amendment, please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Yes

Department Head: _____

Date: _____

RESOLUTION NO. 14-_____

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the Mayor be, and he is hereby authorized to enter into an Agreement between the City of Huntsville and CCI Group, 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 "Agreement between the City of Huntsville, Alabama, and CCI Group, Inc., for Use of Engineering Plans for Goss Road Realignment Construction on Redstone Arsenal, Alabama," consisting of two (2) pages including Exhibits, and the date of February 13, 2014, 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-Treasurer of the City of Huntsville, Alabama.

ADOPTED this the 13th day of February, 2014.

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

APPROVED this the 13th day of February, 2014.

Mayor of the City of
Huntsville, Alabama

STATE OF ALABAMA)
COUNTY OF MADISON)

**AGREEMENT BETWEEN THE CITY OF HUNTSVILLE,
ALABAMA AND CCI GROUP, INC. FOR USE OF
ENGINEERING PLANS FOR GOSS ROAD
REALIGNMENT CONSTRUCTION
ON REDSTONE ARSENAL, ALABAMA**

AGREEMENT

This Agreement is made on this the ___ day of _____, 2014 between the City of Huntsville, Alabama, an incorporated municipality in the State of Alabama, (hereinafter referred to as CITY) and CCI Group, Inc. , incorporated in the State of AK for the purpose of allowing CCI Group, Inc. to use engineering plans for construction of a portion of Goss Road realignment on Redstone Arsenal, Alabama.

Inasmuch as the City of Huntsville previously contracted with LBYD Engineering, Inc., Job No. 302-10-002A, through the contract approved by City of Huntsville, Alabama Resolution No. 12-627 approved on July 26th, 2012 at a cost of \$122,039.05 for the purpose of preparing engineering plans, drawings, and specifications ("PLANS") for the Goss Road Realignment Construction project on Redstone Arsenal, Alabama; the CITY now grants permission to CCI Group, Inc. to use those plans, drawings, and specifications for the purpose of performing construction work for the benefit of Redstone Arsenal, Alabama.

CCI Group, Inc. shall pay the sum of \$ 122,039.05 to the City for the non-exclusive right to use the PLANS in the performance of construction on Redstone Arsenal, Alabama. Within ten (10) calendar days of the execution of this Agreement, CCI Group, Inc. shall pay the aforementioned sum to the CITY.

The City makes no warranty whatsoever regarding these PLANS and CCI Group, Inc. acknowledges and agrees that its use of these PLANS is at its own risk. CCI Group, Inc. promises to hold harmless the CITY, its elected and appointed officials, officers, employees, boards and agencies, and other representatives from any claims, costs, or damages that may arise from or be in any way related to its use of the PLANS.

This Agreement shall be governed by the laws of the State of Alabama. Venue of any action to enforce the terms of this Agreement shall be in the Circuit Court of Madison County, Alabama or the United States District Court for the Northern District of Alabama, Northeastern Division.

The parties each represent and warrant that they have full authority to enter into this Agreement.

President of the City Council of the
City of Huntsville, Alabama
Date: _____

IN WITNESS WHEREOF, the parties, through their undersigned duly authorized officers, have executed this Agreement as of the date first above set forth.

City of Huntsville, Alabama

By: _____

Tommy Battle, Mayor

ATTEST: _____
Charles E. Hagood, Clerk-Treasurer
City of Huntsville, Alabama

CCI Group, Inc.

By:  _____

ROUTING SLIP CONTRACTS AND AGREEMENTS

Originating Department: Legal

Council Meeting Date: 2/13/2014

Department Contact: Peter Joffrion

Phone # 427-5026

Contract or Agreement: Agreement with CCI Group, Inc.

Document Name: Agreement with CCI Group, Inc. for Goss Road Realignment

City Obligation Amount:

Total Project Budget: \$122,039.05

Uncommitted Account Balance: \$122,039.05

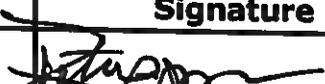
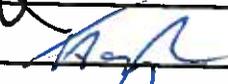
Account Number:

Procurement Agreements

<u>Not Applicable</u>	<u>Not Applicable</u>
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Grant-Funded Agreements

<u>Not Applicable</u>	Grant Name:
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Department	Signature	Date
1) Originating		2-3-14
2) Legal		2-3-14
3) Finance 		2/5
4) Originating		2-3-14
5) Copy Distribution		
a. Mayor's office (1 copies)		
b. Clerk-Treasurer (Original & 2 copies)		