

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number: _____

Meeting Type: Regular

Meeting Date: Mar 12, 2015

Action Requested By: Water Pollution Control

Agenda Type: Resolution

Subject Matter:

Modification No. 1 to Agreement between the City of Huntsville and Sharp Communication, Inc.

Exact Wording for the Agenda:

Resolution authorizing the Mayor to modify the agreement between the City of Huntsville and Sharp Communication, Inc. for Technical Services for Support and the Installation, Repair and Maintenance for Network Panels and Appurtenances associated with the City's SCADA Network, Project No. 65-14-SP12, by Modification No. 1

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.

This contract modification is to extend the contract performance date for Technical Services for Support and the Installation, Repair and Maintenance for Network Panels and Appurtenances associated with the City's SCADA Network. There is no change in the contract amount. New end date: March 3, 2016. Account No. N/A-Time Extension Only, no additional funds required.

Associated Cost: _____

Budgeted Item: _____

MAYOR RECOMMENDS OR CONCURS: _____

Department Head: Shane Cook

Date: _____

LD
AK

ROUTING SLIP CONTRACTS AND AGREEMENTS

Originating Department: Water Pollution Control

Council Meeting Date: 3/12/2015

Department Contact: Shane Cook

Phone # 256-883-3719

Contract or Agreement: **Modification No. 1**

Document Name: **Sharp Communication-SCADA System Maintenance Project No. 65-14-SP12**

City Obligation Amount: \$150,000.00

Total Project Budget: \$150,000.00

Uncommitted Account Balance: 0

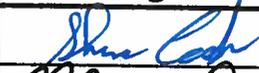
Account Number: N/A. Time Extension Only

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		3-4-2015
2) Legal		3-4-2015
3) Finance		3/4/15
4) Originating		
5) Copy Distribution		
a. Mayor's office (1 copies)		
b. Clerk-Treasurer (Original & 2 copies)		

RESOLUTION NO. 15-_____

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 Sharp Communication, Inc., adopted and approved on the 27th day of February, 2014, by the City Council of the City of Huntsville, Alabama by Resolution No. 14-154, as attached hereto.

BE IT FURTHER RESOLVED that the contract completion date be modified from March 3, 2015 to March 3, 2016. 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 Sharp Communication, Inc. for Technical Services for Support and the Installation, Repair and Maintenance for Network Panels and Appurtenances associated with the City's SCADA Network, Project No. 65-14-SP12, as adopted by Resolution No. 114-154 of February 27, 2014" consisting of a total of four (4) pages including Exhibit "A" and the date of March 12, 2015, 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 12th day of March, 2015.

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

APPROVED this the 12th day of March, 2015.

Mayor of the City of Huntsville,
Alabama

STATE OF ALABAMA)
COUNTY OF MADISON)

Modification No. 1 to Agreement between
the City of Huntsville and Sharp
Communication, Inc. for Technical Services
for Support and the Installation, Repair and
Maintenance for Network Panels and
Appurtenances associated with the City's
SCADA Network, Project No. 65-14-SP12,
as adopted by Resolution No. 14-154 of
February 27, 2014

THIS IS MODIFICATION NO. 1 TO AN AGREEMENT entered in on the 27th day of February, 2014, in the amount of ONE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$150,000.00). The original Agreement is hereby amended by Modification No. 1 dated March 12, 2015, by and between the City of Huntsville, Alabama, a municipal corporation in the State of Alabama (Owner) and SHARP COMMUNICATION, INC., (ENGINEER).

WITNESSETH

WHEREAS, the firm identified as the ENGINEER to the Agreement dated February 27, 2014, has proposed a change to the Original Agreement. This modification delineates a change to extend the contract completion date to March 3, 2016.

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

1. Sharp Communication, Inc. will provide for extension of contract completion date to March 3, 2016.
2. Item #1 shall be performed in accordance with the original agreement dated February 27, 2014 and approved by the City Council by Resolution No. 14-154.
3. 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.
4. All other terms and conditions remain unchanged.

President of the City Council of the City of
Huntsville, AL
Date: March 12, 2015

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:

Charles E. Hagood
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 Charles E. Hagood, 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 _____ 2015.

Notary Public
My Commission Expires: _____

ENGINEER:
COMMUNICATION, INC.

SHARP

By: _____

ATTEST:

STATE OF ALABAMA)
COUNTY OF MADISON)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Don Sadler as President, 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 ____ day of _____ 2015.

Notary Public
My Commission Expires: _____



EXHIBIT "A"

3403 Governors Drive
Huntsville, AL 35805
256.533.2484

March 3, 2015

City of Huntsville
Water Pollution Control
1800 Vermont Road
Huntsville, AL 35802
Attn: Mr. Randall Stewart

Re: Technical Services – SCADA System Maintenance

Dear Mr. Stewart:

Under the provisions of project number 65-14-SP12, we hereby would like to extend the maintenance and ongoing support for network panels and appurtenances associated within the City's SCADA network for another one (1) year period, March 3, 2015 to March 3, 2016.

If you require any further information, please don't hesitate to contact us. We look forward to the opportunity to continuing to work with you.

Sincerely,
SHARP COMMUNICATION, INC.

A handwritten signature in black ink, appearing to read 'Don Sadler', written in a cursive style.

Don Sadler
President

A handwritten signature in black ink, appearing to read 'Steve Cook', written in a cursive style.

3-3-2015