

City of Madison, Alabama
Legal Department—Competitive Purchasing Division
INVITATION TO BID
#2021-011-ITB | HVAC Maintenance Program

SECOND AMENDED AGREEMENT FOR HVAC MAINTENANCE PROGRAM

THIS AGREEMENT is amended to provide for those additional terms provided herein for HVAC Maintenance for City facilities known as Sunshine Oaks and Palmer Park and is made by and between the City of Madison, Alabama, a municipal corporation, located at 100 Hughes Road, Madison, Alabama 35758, hereinafter referred to as “City,” and Lee Company, hereinafter referred to as “Contractor.”

WITNESS TO:

WHEREAS, on October 11, 2021, in accordance with the Alabama Competitive Bid Law set forth in Title 41 of the *Code of Alabama*, the City of Madison, Alabama, by proper notice, solicited bids for HVAC Maintenance for nine (9) City properties (hereinafter the “Project”); and

WHEREAS, all sealed Bids were timely and properly submitted in response to the Project’s Invitation to Bid on or about November 10, 2021; and,

WHEREAS, after review and consideration of all Bids submitted, City staff selected Lee *Company* as the lowest responsible bidder for the Project upon a submitted bid of \$97,884 yearly costs for HVAC maintenance of the nine (9) properties; and

WHEREAS, upon the recommendation of Facilities and Grounds Director, Gerald Smith, the City seeks to amend the Contract so that *Lee Company* shall also provide additional HVAC maintenance services to the newly acquired Wellness Center facilities in addition to those other properties originally subject to this agreement; and

WHEREAS, the additional cost of HVAC services for adding the Wellness Center will increase the cost of the annual contract by \$15,852.00; and

NOW, THEREFORE, in consideration of mutual covenants and agreements herein set forth, the parties, intending to be legally bound, hereby agree to amend the agreement as follows:

A. SERVICES TO BE PROVIDED.

The parties agree to expand the number of City properties subject to this agreement to include the Wellness Center.

B. FINANCIAL ARRANGEMENTS.

The parties agree to increase the annual cost of HVAC maintenance by \$15,852.00.

C. ORIGINAL AGREEMENT.

All other terms and conditions of the December 2, 2021 Agreement for HVAC Maintenance Program, the First Amended Agreement executed on November 14th, 2023 remain in full force and effect with this amendment as if entirely incorporated herein.

IN WITNESS WHEREOF, the parties hereto affirm that they have the authority to execute this Agreement on behalf of their respective entities for the entire term and have hereunto set their hands and seals on the day and year respectively noted.

**City of Madison, Alabama,
a municipal corporation**

Attest:

By: _____
Paul Finley, Mayor

Lisa D. Thomas, City Clerk-Treasurer

Date: _____

STATE OF ALABAMA §

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COUNTY OF MADISON §

I, the undersigned Notary Public, in and for said County, in said State, hereby certify that Paul Finley and Lisa Thomas, whose names as Mayor and the City Clerk-Treasurer, respectively, of the City of Madison, Alabama, 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, as such officers and with full authority, executed the same voluntarily for and as the act of the City of Madison, Alabama, a municipal corporation.

Given under my hand and official seal this _____ day of November 2023.

Notary Public

Lee Company

By: _____

Its: _____

Date: _____

STATE OF ALABAMA §

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COUNTY OF MADISON §

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that _____, whose name as _____ of Lee Company, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the _____ day of November 2023.

Notary Public