



MADISON COUNTY, ALABAMA

JEFF RICH
County Attorney

March 31, 2025

VIA ELECTRONIC MAIL
& U.S. MAIL

Megan Zingarelli
City of Madison Legal Department
100 Hughes Road
Madison, Alabama 35758
megan.zingarelli@madisonal.gov

Re: Agreement with the City of Madison regarding Purchase of Gravel and Aggregate Stone; 3/26/25 Agenda Item #15; File #2023-122

Dear Megan:

Please find attached the original Agreement referenced above, as approved by the Madison County Commission at its meeting on March 26, 2025. Please have the original Agreement executed as appropriate and return the original, fully executed Agreement to me. If you have any questions, do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Rich", is written over the typed name.

Jeff Rich
County Attorney

JJR/tl

Attachment

c: Honorable Steve Haraway (via Electronic Mail w/Attachment)
Kristen Bruseth (via Electronic Mail w/Attachment)

AGREEMENT

This Agreement is made and entered into by and between Madison County, Alabama (the "County") and the City of Madison, Alabama (the "City"). The County and the City are collectively referred to herein as the "Parties."

WHEREAS, on April 26, 2023, the County and the City entered into the Agreement attached hereto and incorporated herein as Exhibit A to Exhibit 1 (hereinafter the "April 26, 2023 Agreement"); and

WHEREAS, on February 27, 2024, the County and the City entered into an agreement, extending the term of the April 26, 2023 Agreement through and including April 26, 2025 (the "Extension Agreement"), attached hereto and incorporated herein as Exhibit 1; and

WHEREAS, pursuant to paragraph 3 of the April 26, 2023 Agreement, the County and the City desire and intend to extend the April 26, 2023 Agreement for an additional one (1)-year term, beginning on April 26, 2025 and expiring on April 26, 2026 (the "Second Extension Term"); and

WHEREAS, the County and the City desire to amend the April 26, 2023 Agreement to state that the County awarded Bid No. 2024-18 to Vulcan Construction Materials for gravel and aggregate stone and has renewed Bid No. 2024-18 through March 27, 2026; and

WHEREAS, it is the desire and intent of the Parties to continue all terms and conditions of the April 26, 2023 Agreement in full force and effect during the Second Extension Term.

NOW, THEREFORE, the County and the City agree as follows:

1. The April 26, 2023 Agreement is hereby extended for an additional one-year term through and including April 26, 2026.
2. The April 26, 2023 Agreement is hereby amended to state that the County awarded Bid No. 2024-18 to Vulcan Construction Materials for gravel and aggregate stone and has renewed Bid No. 2024-18 through March 27, 2026.
3. All other terms and conditions set forth in the April 26, 2023 Agreement shall remain in full force and effect until April 26, 2026, unless terminated sooner pursuant to the terms of the April 26, 2023 Agreement.

MADISON COUNTY, ALABAMA



Mac McCutcheon, Chairman
Madison County Commission

ATTEST:



Kevin Jones, County Administrator

Date: 3/26/25

CITY OF MADISON, ALABAMA,
a municipal corporation

Paul Finley, Mayor

ATTEST:

By: _____

Date: _____

EXHIBIT 1

AGREEMENT

This Agreement is made and entered into by and between Madison County, Alabama (the "County") and the City of Madison, Alabama (the "City"). The County and the City are collectively referred to herein as the "Parties."

WHEREAS, on April 26, 2023, the County and the City entered into the Agreement attached hereto as Exhibit A and incorporated herein (hereinafter the "April 26, 2023 Agreement"); and

WHEREAS, the term of the April 26, 2023 Agreement expires on April 26, 2024; and


WHEREAS, pursuant to paragraph 3 of the April 26, 2023 Agreement, the County and the City desire and intend to extend the April 26, 2023 Agreement for an additional one (1)-year term, beginning on April 26, 2024 and expiring on April 26, 2025 (the "Extension Term"); and

WHEREAS, it is the desire and intent of the Parties to continue all terms and conditions of the April 26, 2023 Agreement in full force and effect during the Extension Term.

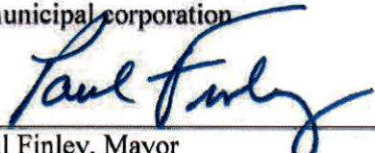
NOW, THEREFORE, the County and the City agree as follows:

1. The April 26, 2023 Agreement attached hereto as Exhibit A is extended for an additional one-year term through and including April 26, 2025.
2. All terms and conditions set forth in the April 26, 2023 Agreement shall remain in full force and effect until April 26, 2025, unless terminated sooner pursuant to the terms of the April 26, 2023 Agreement.

MADISON COUNTY, ALABAMA


Mac McCutcheon, Chairman
Madison County Commission
Date: 2-14-2024

CITY OF MADISON, ALABAMA,
a municipal corporation


Paul Finley, Mayor
City of Madison
Date: February 27, 2024

ATTEST:


Kevin Jones, County Administrator
Date: 2-14-2024

ATTEST:



Lisa D. Thomas, City Clerk-Treasurer
Date: _____

EXHIBIT A

MEMORANDUM OF AGREEMENT

BY AND BETWEEN THE CITY OF MADISON, ALABAMA AND THE MADISON COUNTY COMMISSION, FOR JOINT PURCHASING AGREEMENT OF GRAVEL AND AGGREGATE STONE

This Memorandum of Agreement ("MOA") is entered into by and between the City of Madison, Alabama ("City") and the Madison County Commission ("Madison County") and shall be effective as of the date this Agreement is executed by the parties hereto. In the event the authorized signatures are affixed on different dates, the latter date of execution shall be the effective date.

WHEREAS, Title 11, Chapter 102 of the Code of Alabama (1975), as amended, expressly provides for counties and incorporated municipalities in the State of Alabama to enter into written agreements for the joint exercise of any power or service that each of them are authorized to exercise individually; and

WHEREAS, the public purpose of reduced prices for gravel and stone aggregate would be served by a joint purchasing agreement whereby both the City and Madison County could utilize each other's existing contracts for gravel and aggregate stone; and

WHEREAS, the City currently holds a contract with Rogers Group, Inc. pursuant to a duly executed competitive bid ratified via Madison Resolution No. 2023-093 for gravel and aggregate stone pursuant to Bid. No. 2023-001-ITB; and

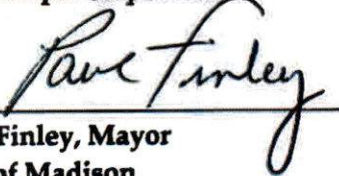
WHEREAS, the County is currently finalizing a bid for gravel and aggregate stone in accord with the Alabama Competitive Bid law;

**NOW, THEREFORE, THE PARTIES INTENDING TO BE LEGALLY BOUND,
HEREBY MEMORIALIZE THE TERMS AND CONDITIONS OF THEIR AGREEMENT
AND DECLARE THAT THEY ARE AND SHALL BE AS FOLLOWS:**

1. This Memorandum of Agreement between the City and Madison County provides that both the City and Madison County may utilize contracts entered by either the City or Madison County for the purchase of gravel and aggregate stone and utilize such pricing pursuant to each parties' contracts for gravel and aggregate stone; and
2. This agreement shall be terminated by either party with thirty (30) days' notice to the other; and
3. This agreement shall exist for a term of one (1) year and may be renewed for up to three (3) additional yearlong terms upon both parties' notice to the other to extend the agreement; and

4. Any notice of termination and/or renewal of this agreement shall be sent to either the City Attorney or the County Attorney.

City of Madison, Alabama,
a municipal corporation


Paul Finley, Mayor
City of Madison
Commission

Date: March 14, 2023

ATTEST:

By: 


Date: March 14, 2023

Madison County, Alabama


Mac McCutheon, Chairman
Madison County

Date: 4/26/23

ATTEST:

By: 

Date: 4/26/23