

MINUTES OF REGULAR MEETING
MONTGOMERY COUNTY COMMISSION
JUNE 8, 2009

INFORMATION SESSION

Chairman Dean called the Meeting to Order at 8:00 a.m. The meeting was held at the Montgomery County Administration Building and Courthouse Annex III.

The meeting was opened with prayer led by Commissioner Williams.

COMMENTS FROM SCHEDULED ATTENDEES, STAFF, AND COMMISSIONERS

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims briefed the Commission on scheduled attendees and reviewed items on the agenda.

DISCUSSION ITEMS BY COMMISSIONERS

Chairman Dean requested to rescind a \$500 miscellaneous appropriation from his account to Carver Senior High School for the Baseball Program and requested a \$500 miscellaneous appropriation from his account for the Jefferson Davis High School Baseball Program, attention Corey Wooten.

Chairman Dean also requested a \$1,600 miscellaneous appropriation to Brewbaker Community Center for the Cheerleader Program, c/o Wynell Jackson, from his account.

Commissioner Polizos requested a \$3,000 miscellaneous appropriation from his account to The Blue & Gray Fast Pitch Tournament and Fast Pitch League.

The Commission agreed to waive rules and add these items to the agenda.

COMMENTS FROM DEPUTY ADMINISTRATOR MITCHELL

Deputy Administrator Mitchell requested approval of a Purchase Order Proposal to Reliantech, Inc., in the amount of \$9,718.74 for data drops in Annex I. After discussion, the Commission agreed to waive rules and add this item to the agenda.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims presented Budget Change Request Number 5 from Information Systems regarding data software; Budget Change Request Number 19 and 20 from Engineering regarding

computer equipment and Pike Vaughn Road intersection improvement project payment; and Budget Change Request Number 4 from Personnel regarding contract services. After discussion, the Commission agreed to waive rules and add these items to the agenda.

Administrator Mims presented a letter from Bridge Builders Advisory Committee Chairman Edward G. Reifenberg requesting a \$9,000 appropriation for Bridge Builders Montgomery. Administrator Mims stated that last year, the Commission approved a \$5,000 Budget Change and \$5,000 in miscellaneous appropriations for the organization. This year, the Commission approved a \$1,000 miscellaneous appropriation from Todd Strange. Chairman Dean suggested that representatives from the organization visit the Commission at a future meeting.

Vice Chairman Ingram requested a \$500 miscellaneous appropriation to Bridge Builders Montgomery from his account. The Commission agreed to waive rules and add this item to the agenda.

Administrator Mims presented a memorandum from Sheriff D.T. Marshall requesting approval of the 2009 Edward Byrne Memorial Justice Assistance Grant (JAG Non-Recovery). Administrator Mims informed the Commission that a Public Hearing regarding this Grant will be held at the next meeting. The Commission agreed to place this item on the next agenda.

Administrator Mims presented the Revenue Reports for the Month of May 2009 and stated that year to date County sales tax was down 7.72% compared to FY08.

Administrator Mims presented a letter from Chairman Dean in response to Jennie Tanner's flooding concern on Coosada Ferry Road.

Administrator Mims presented a letter from Lighthouse Counseling Center SART/SANE Coordinator Cheryl Lang-Hardley requesting sponsorship of the June 2009 Sexual Assault Response Team (SART) Meeting. Chairman Dean and Commissioner Polizos requested a \$150 miscellaneous appropriation be added from each of their accounts to sponsor this meeting. The Commission agreed to waive rules and add these appropriations to the agenda.

Administrator Mims presented copies of detailed Accounts Payables, paid May 29, 2009, which appear on today's agenda.

COMMENTS FROM MANAGER OF PUBLIC AFFAIRS DIDI HENRY

Manager of Public Affairs DiDi Henry introduced Miss Ashton Wheeler and Miss Jasmine Johnson. She informed the Commission that Ms. Wheeler and Ms. Johnson were hired through the OIC Summer Youth Program and will be working with the Commission until mid-July.

Manager of Public Affairs DiDi Henry updated the Commission regarding upcoming meetings, events, and the success of MCC "Twitter". Mrs. Henry stated that 111 individuals and organizations are now following the County Commission on Twitter and 28 followers are now on the Facebook application.

Mrs. Henry informed the Commission that she and members of the County Information Systems Department would be in a Microsoft “SharePoint” training session June 17-18, to learn the new software application for the County’s website. She is designing the overall look of the new website, which they hope to have up and running by September 1.

Mrs. Henry informed the Commission that the Montgomery County School Board invited members of the County Commission and City of Montgomery elected officials to participate in the interview process for the next School Board Superintendent on June 12.

Vice Chairman Ingram asked Mrs. Henry for ideas regarding Volunteer Firefighters Week. She asked Vice Chairman Ingram to meet with her to further discuss his ideas and time line for the event.

Mrs. Henry presented a copy of a letter that the Chamber sent her updating the Chamber’s progress in obtaining additional signage along I-65 and I-85, with the purpose of enticing travelers to stop in Montgomery for gas, lodging and shopping.

COMMENTS FROM DEPUTY ADMINISTRATOR MITCHELL

Deputy Administrator Mitchell presented the following proposals for the Detention Facility: Change Order Proposal Number 12 in the amount of \$57,971.62, Change Order Proposal Number 12A in the amount of \$107,458.93, and Change Directive Number 18 not to exceed \$12,914.00. The Commission agreed to place these items on a future agenda.

Vice Chairman Ingram asked the Administration to invite Ken Upchurch with T.C.U. Consulting Services, LLC, to visit the Commission at the next meeting to discuss the Detention Facility delays.

DISCUSSION ITEM BY COMMISSIONERS

Commissioner Williams thanked his fellow Commissioners for their support for the Summer Jobs Program.

PRESENTATION BY FINANCE DIRECTOR SHERRILL THOMAS

Finance Director Sherrill Thomas updated the Commission regarding the 2009-2010 Budget process. Chairman Dean informed his fellow Commissioners that he had asked Ms. Thomas to arrange for all Elected Officials and Department Heads to meet with him regarding the budget plan.

PRESENTATION BY MAYOR TODD STRANGE AND DEPUTY MAYOR JEFF DOWNES

Mayor Todd Strange suggested that he and the City Finance Director Lloyd Faulkner meet with Chairman Dean and Vice Chairman Ingram to discuss the budgets for agencies which receive funding from both the City of Montgomery and Montgomery County. The Commission agreed.

Mayor Strange and Deputy Mayor Jeff Downes shared their vision for a joint governmental facility for Courts, which could be housed in the vacant Arnov Building, located on Court Street. Deputy Mayor Downes presented a Power Point program, which featured current photos of the building's interior and exterior and available parking options.

Mayor Strange stated that he had discussed this concept with Judge Price and he is agreeable.

Mayor Strange briefed the Commission regarding the Pike Road ruling by the Alabama Supreme Court. He stated that he hopes both entities can work out a suitable agreement between them verses going back to court for more litigation.

Mayor Strange discussed the No Man's Land Bill which recently became law. He stated that the City Attorney and County Attorney will draft an agreement for City and County Officials to sign. He recommended that a signing ceremony be held in a few weeks. The Commission agreed.

PRESENTATION BY BILL TUCKER, EXECUTIVE DIRECTOR OF CENTRAL ALABAMA REGIONAL PLANNING AND DEVELOPMENT COMMISSION

Bill Tucker, Executive Director of Central Alabama Regional Planning and Development Commission requested the Commission adopt a Resolution authorizing a contract with AME Engineers, Inc., to perform Design Services, not to exceed the amount of \$39,600, for the Cedar Point Community Sewer Project. After discussion, the Commission agreed to waive rules and add this item to the agenda.

RECESS TO FORMAL SESSION

Chairman Dean recessed the Information Session to the Formal Session.

FORMAL SESSION

Chairman Dean welcomed everyone to the Formal Session.

The meeting was opened with Prayer led by Deputy Administrator John A. Mitchell, Sr., at the request of Chairman Dean.

The Pledge of Allegiance was led by Vice Chairman Ingram.

County Administrator Mims called Roll to Establish Quorum, and the following Commissioners were present: Chairman Dean, Vice Chairman Ingram and Members Polizos, and Williams. Also present were County Attorney Thomas T. Gallion, III, and County Engineer Speake.

Mr. Williams made a motion to approve the Minutes of the Regular Meeting of May 26, 2009. The motion was seconded by Mr. Polizos and unanimously approved by the Commission.

CONSENT AGENDA

The Administrator presented the Accounts Payable and Payroll Checks Authorization for Approval.

Mr. Polizos made a motion to approve the Accounts Payable and Payroll Checks, as presented by the Administrator. The motion was seconded by Mr. Williams and unanimously approved by the Commission. (Copies of Accounts Payable Checks and Payroll Checks Authorization, Consent Agenda Pages 1 and 2, are attached to these Minutes.)

NEW BUSINESS

ENGINEERING DEPARTMENT – ADOPTED REVISED RESOLUTION FOR THE RESURFACING OF CLOVERFIELD/FEDERAL AND WOODLEY ROADS, PROJECT NO. MCP 51-65-10

The Administrator presented the following memorandum from County Engineer George C. Speake requesting adoption of revised resolution for the resurfacing of Cloverfield/Federal and Woodley Roads, Project No. MCP 51-65-10:

MEMORANDUM

TO: Donald L. Mims, County Administrator

FROM: George C. Speake, County Engineer

DATE: June 3, 2009

RE: Approval of Revised Resolution for Project No. MCP 51-65-10
Resurfacing Cloverfield/Federal and Woodley Roads (9.135 Miles)

Please place on the agenda of the next regular meeting of the Montgomery County Commission the approval of the attached revised Resolution for Project No. MCP 51-65-10 as referenced above.

The attached original resolution was approved at the Regular Meeting of May 11, 2009; however, ALDOT has requested a more detailed project description as shown in the second paragraph of the revised resolution.

If approved, please have two copies of each with original signatures executed and returned to this office for further processing.

End of Memorandum

Vice Chairman Ingram made a motion to adopt the revised resolution. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copies of Resolutions and Maps, Agenda Pages 1-2 through 1-7, are attached to these Minutes.)

MONTGOMERY CITY-COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES –
APPROVED APPOINTMENT OF MEMBERS

The Administrator presented letters from Library Director Jaunita Owes requesting approval of Board Members' Appointments.

Mr. Williams made a motion to appoint Ms. Lynda Borden as Ms. Charlene Rabren's replacement and reappoint Ms. Paulette Moncrief, for terms expiring June 1, 2013. The motion was seconded by Vice Chairman Ingram and unanimously approved by the Commission. (Copies of Letters and Board Members' Appointment Page, Agenda Pages 2-1 through 2-4, are attached to these Minutes.)

YOUTH FACILITY – APPROVED CONTRACT WITH SOUTHEASTERN PSYCHIATRIC
MANAGEMENT, INC., FOR SERVICES FOR A COMMUNITY BASED ALTERNATIVE
PROGRAM

The Administrator presented the following memorandum from Juvenile Court Administrator Bruce R. Howell requesting approval of contract with Southeastern Psychiatric Management, Inc.:

MEMORANDUM

To: Mr. Donnie Mims
From: Bruce R. Howell, Court Administrator
Date: June 2, 2009
Re: Southeastern Psychiatric Management, Inc.

I am requesting that the contract from Southeastern Psychiatric Management, Inc., be placed on the June 8, 2009 County Commission Agenda for approval. This contract helps fund our W.A.I.T. Program.

Thank you for your consideration.

End of Memorandum

Mr. Polizos made a motion to approve the request. The motion was seconded by Mr. Williams and unanimously approved by the Commission. (Copy of Contract, Agenda Pages 3-2 and 3-3, is attached to these Minutes.)

Juvenile Court Administrator Bruce Howell briefed the Commission regarding the program.

COUNTY COMMISSION – APPROVED AMENDMENT NUMBER 2 TO THE ORIGINAL CONTRACT, DATED JULY 1, 2003, WITH SUNFLOWER WASTE, LLC, FOR SOLID WASTE COLLECTION AND DISPOSAL SERVICES

The Administrator presented the following memorandum requesting approval of Amendment Number 2 to the original contract, dated July 1, 2003, with Sunflower Waste, LLC:

June 8, 2009

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims, County Administrator

SUBJECT: Approval of Contract Amendment Number 2 with Sunflower Waste, LLC

During the April 13, 2009, County Commission meeting, I recommended a Contract Amendment with Sunflower Waste, LLC, for Residential Solid Waste Collection and Disposal Services, which expires June 30, 2009. On May 26, 2009, a Public Hearing was held to discuss the proposed Amendments to the contract.

Contained on the Agenda today is Consideration to Approve Amendment Number 2 to the Original Contract dated July 1, 2003, with Sunflower Waste, LLC, for Solid Waste Collection and Disposal Services.

I request approval of this item.

Attachments

End of Memorandum

Mr. Williams made a motion to approve the request. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copies of Amendment Number 2, Contract and Public Notice, Agenda Pages 4-2 through 4-5, are attached to these Minutes.)

RISK MANAGEMENT – APPROVED CONTRIBUTION CHANGES TO THE MONTGOMERY COUNTY HEALTHCARE PLAN

The Administrator presented the following memorandum from Risk Manager Scott Kramer requesting approval of contribution changes to the Montgomery County Healthcare Plan:

May 28, 2009

MEMORANDUM

TO: Donald L. Mims, County Administrator

FROM: Scott Kramer, Risk Manager

SUBJECT: Contribution Changes for Healthcare Plan

On May 26, 2009, I met with the County Commission to discuss recommended changes to the Montgomery County Healthcare Plan. As discussed, the wellness programs including the on-site CareHere Clinic have continued to favorably impact the overall healthcare costs. However, the number of catastrophic cases has increased recently. I am requesting the recommended changes to the monthly contributions (below) effective 10/1/09 be placed on the next agenda for the County Commission's consideration of approval.

<u>Current Monthly Contributions</u>	<u>Proposed Changes</u>
<u>Employees</u>	
Individual	\$ 30 \$ 35
Family	\$190 \$198
<u>Retirees < 65</u>	
Individual	\$ 30 \$ 35
Family	\$190 \$198
<u>Retirees > 65</u>	
Individual	\$ 25 \$ 25
Family	\$ 70 \$ 75
<u>Surviving Spouse</u>	
Individual	\$202 \$210
Family	\$313 \$325
<u>County</u>	\$478 \$498

End of Memorandum

Vice Chairman Ingram made a motion to approve the request. The motion was seconded by Mr. Polizos and unanimously approved by the Commission.

SHERIFF'S OFFICE – APPROVED NAME OF THE PRIVATE ROAD LEADING TO THE PROPOSED CANINE KENNEL AS “K-9 WAY”

The Administrator presented the following memorandum from Sheriff D.T. Marshall requesting approval to name the private road leading to the proposed Canine Kennel as “K-9 Way”:

MEMORANDUM

To: Donnie Mims

From: Sheriff D.T. Marshall

Date: May 20, 2009

Subject: K-9 Road Name

Please advise the County Commission that I would like to name the private road that leads to the proposed Canine Kennel from Highway 331 as K-9 Way. This is a private road and we are the only building on the property.

End of Memorandum

Mr. Polizos made a motion to approve the request. The motion was seconded by Mr. Williams and unanimously approved by the Commission.

COUNTY COMMISSION – APPROVED CHANGE ORDER NUMBER 11 WITH BELL AND ASSOCIATES CONSTRUCTION, LP, REGARDING THE MONTGOMERY COUNTY DETENTION FACILITY PROJECT

The Administrator presented the following memorandum from Deputy Administrator John A. Mitchell, Sr., requesting approval of Change Order Number 11 with Bell and Associates Construction, LP:

May 29, 2009

MEMORANDUM

TO: Montgomery County Commission

FROM: John A. Mitchell, Sr.
Deputy Administrator

SUBJECT: Change Order No. Eleven
Montgomery County Detention Facility

Attached is Change Order No., Eleven from the architect and consultant for the Detention Facility construction project. Change Order No., Eleven is comprised of items in the amount of \$226,596.47 and is forwarded to you for your approval at the next County Commission meeting on June 8, 2009. The items included were discussed with T.C.U. Consulting and Goodwyn, Mills & Cawood Architects.

I agree with the recommendations of the architect and consultant and ask the Commission to approve the attached change order. Your careful consideration of this matter is greatly appreciated.

Attachments

End of Memorandum

Mr. Polizos made a motion to approve the request. The motion was seconded by Mr. Williams and unanimously approved by the Commission. (Copies of Letter and Change Order Number 11, Agenda Pages 7-2 through 7-10, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED CHANGE ORDER NUMBER 3 WITH
CANNDausON CONSTRUCTION, REGARDING MONTGOMERY COUNTY
COURTHOUSE ANNEX I – PHASE 2 PROJECT

The Administrator presented the following memorandum from Deputy Administrator John A. Mitchell, Sr., requesting approval of Change Order Number 3 with CannDauSon Construction:

May 28, 2009

MEMORANDUM

TO: Montgomery County Commission

FROM: John A. Mitchell, Sr.
Deputy Administrator

SUBJECT: Change Order No. Three
Montgomery County Courthouse
Annex 1 – Phase 2 Project

CannDauSon Construction has submitted the attached Change Order No., Three for the Annex 1 renovation project. Change Order Number Three is comprised of items in the amount of \$35,220.53 and is forwarded to you for your approval at the next County Commission meeting on June 8, 2009.

These items were discussed during a previous Commission meeting. I agree with the recommendations of the architect and consultant and ask the Commission to approve the attached change order. Your approval of this matter is greatly appreciated.

Attachments

End of Memorandum

Mr. Polizos made a motion to approve the request. The motion was seconded by Vice Chairman Ingram and unanimously approved by the Commission. (Copies of Cover Letter and Change Order Number 3, Agenda Pages 8-2 through 8-5, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED PAYMENT OF 2009 MEMBERSHIP DUES TO MONTGOMERY AREA BUSINESS COMMITTEE FOR THE ARTS, INC.

The Administrator requested approval for payment of Membership Dues to Montgomery Area Business Committee for the Arts, Inc. The total amount of the Membership Dues is \$550.00.

Vice Chairman Ingram made a motion to approve the request. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copy of Invoice, Agenda Page 9-1, is attached to these Minutes.)

ENGINEERING DEPARTMENT – APPROVED BID AWARD FOR PLANT MIX, BID NUMBER 53000-09B-010

The Administrator presented the following memorandum from Assistant Director of Support Services Pat Silas requesting approval of bid award for plant mix:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director
Support Services

DATE: May 29, 2009

SUBJECT: Invitation to Bid No. 53000-09B-010, Plant Mix

Request approval of award on the above referenced bid to low bid of Wiregrass Construction Co., Inc., in the amount of \$275.00, based on unit pricing, be placed on the agenda for the County Commission meeting on June 8, 2009. (copy of spread sheet attached)

This will be a contract for a one (1) year period, with the option to renew for two (2) years, in one year periods. A price escalation may be allowed, after the first year, but shall not exceed 5% per year.

Coordination of award made with Mr. George Speake, County Engineer.

Your approval is appreciated.

Attachment

End of Memorandum

Mr. Williams made a motion to approve the bid award. The motion was seconded by Vice Chairman Ingram and unanimously approved by the Commission. (Copy of Spreadsheet, Agenda Page 10-2, is attached to these Minutes.)

INFORMATION SYSTEMS – APPROVED BID AWARD FOR INFRASTRUCTURE UPGRADE, BID NUMBER 51965-09B-013

The Administrator presented the following memorandum from Assistant Director of Support Services Pat Silas requesting approval of bid award for infrastructure upgrade:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director
Support Services

DATE: June 4, 2009

SUBJECT: Bid No. 51965-09B-013, Infrastructure Upgrade

Request approval of award on the above referenced bid to low bids of Unisys Corp. in the amount of \$29,267.00 for Part I and Save Systems, Inc. in the amount of \$108,187.80, for Part II, III, and IV, be placed on the agenda for the County Commission meeting on June 8, 2009. (copy of spread sheet attached)

The infrastructure upgrade is upgrades of the disk storage and tape backup systems that are used by almost all of our servers and mainframe. These systems consist of three SAN disk arrays, one robotic tape vault, four fiber-optic SAN fabric switches and the fiber-optic adapters and cables that interconnect all this equipment.

Coordination of award made with Mr. Lou Ialacci, Director of Information Systems.

Your approval is appreciated.

Attachment

End of Memorandum

Vice Chairman Ingram made a motion to approve the bid award. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copy of Spreadsheet, Agenda Page 11-2, is attached to these Minutes.)

COUNTY COMMISSION – APPROVED BID AWARD FOR GARBAGE COLLECTION SERVICE FOR COUNTY BUILDINGS, BID NUMBER 51901-09C-012

The Administrator presented the following memorandum from Assistant Director of Support Services Pat Silas requesting approval of bid award for garbage collection service for County buildings:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director
Support Services

DATE: May 29, 2009

SUBJECT: Bid No. 51901-09C-012, Garbage Collection
Service for County Buildings

Request approval of award on the above referenced bid to low bid of Advanced Disposal Services in the amount of \$19,657.68, be placed on the agenda for the County Commission meeting on June 8, 2009. (copy of spread sheet attached)

Coordination of award made with Mr. George Speake, County Engineer and Mr. Paul St. John, Director of Support Services.

Your approval is appreciated.

Attachment

End of Memorandum

Vice Chairman Ingram made a motion to approve the bid award. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copies of Spreadsheets, Agenda Pages 12-2 and 12-3, are attached to these Minutes.)

VARIOUS DEPARTMENTS – APPROVED TRAVEL/TRAINING REQUESTS

The Administrator recommended the following Travel/Training Requests for approval by the Commission:

<u>DEPARTMENT</u>	<u>TRAVEL/TRAINING REQUESTS</u>
(1) County Commission	Request Number 19
(2) Risk Management	Request Number 12

- | | | |
|-----|----------------------------|---------------------------|
| (3) | Appraisal Department | Request Number 19 |
| (4) | District Attorney's Office | Request Numbers 30 and 31 |

Mr. Williams made a motion to approve the travel/training requests. The motion was seconded by Vice Chairman Ingram and unanimously approved by the Commission. (Copies of Travel/Training Requests, Agenda Pages 13-1 through 13-5, are attached to these Minutes.)

WAIVED AGENDA RULES

Chairman Dean requested that the following items be added to the agenda and his fellow Commissioners concurred:

COUNTY COMMISSION – APPROVED MISCELLANEOUS APPROPRIATIONS REPROGRAMMING REQUESTS

The Administrator requested approval of the following miscellaneous appropriations from fund code 001-59320-499:

- *NC-2009-84: Rescind Appropriation to BOE, Carver Senior High School, for Baseball Program - \$500
- NC-2009-90: BOE, Jefferson Davis High School, for Baseball Program (c/o Corey Wooten) - \$500
- NC-2009-91: City of Montgomery Parks and Recreation Department, Brewbaker Community Center, for Cheer Leader Program (c/o Wynell Jackson) - \$1,600
- C-2009-94: Montgomery County Recreation Department, for The Blue & Gray Softball Association, for Support of The Annual Blue & Gray Fast Pitch Tournament and The Blue & Gray Fast Pitch League - \$3,000
- C-2009-95: Central Alabama Community Foundation, to be used by Bridge Builders, for Youth Leadership Program Summer Conference - \$500
- C-2009-96: Lighthouse Counseling Center, Inc., for Sexual Assault Response Team Program - \$300

End of Memorandum

Mr. Polizos made a motion to approve the requests. The motion was seconded by Mr. Williams and unanimously approved by the Commission.

COUNTY COMMISSION – ADOPTED RESOLUTION AUTHORIZING A CONTRACT
WITH AME ENGINEERS, INC., TO PERFORM DESIGN SERVICES FOR THE CEDAR
POINT COMMUNITY SEWER PROJECT

The Administrator requested adoption of the following resolution regarding authorizing a contract with AME Engineers, Inc., to perform design services for the Cedar Point Community Sewer Project:

RESOLUTION

WHEREAS, the Montgomery County Commission plans on filing a grant application for sanitary sewer improvements in the Cedar Point community to eliminate problems associated with old galvanized and clay pipes; and,

WHEREAS, the Montgomery County Commission plans to hire AME Engineers, Inc. to perform design services only for the sewer improvements; and

NOW THEREFORE BE IT RESOLVED, by the Montgomery County Commission as follows:

Section 1. That the Montgomery County Commission hereby commits to hire AME Engineers, Inc to perform design services only not to exceed the amount of \$39,600 for the sewer improvements project in the Cedar Point community.

Section 2. That Elton N. Dean, Sr., in his capacity as Chairman, is hereby authorized and directed to hire AME Engineers, Inc. on behalf of the Montgomery County Commission and take other such actions so that design work can begin immediately.

PASSED, ADOPTED and APPROVED this the 8th day of June 2009.

Elton N. Dean, Sr., Chairman
Montgomery County Commission

ATTEST:

Donald L. Mims, CPA
County Administrator

End of Resolution

Vice Chairman Ingram made a motion to adopt the resolution. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copy of Contract, Agenda Pages 15-2 through 15-7, is attached to these Minutes.)

COUNTY COMMISSION – APPROVED PURCHASE ORDER PROPOSAL TO
RELIANTECH, INC., FOR ANNEX I – PHASE II PROJECT

The Administrator presented the following memorandum from Deputy Administrator John A. Mitchell, Sr., requesting approval of purchase order proposal to Reliantech, Inc.:

June 4, 2009

MEMORANDUM

TO: Montgomery County Commission

FROM: John A. Mitchell, Sr.
Deputy Administrator

SUBJECT: Purchase Order Proposal
Annex I – Phase II Project
CannDauSon Construction

I am requesting the Commission consider a purchase order proposal in the amount of \$9,718.74. This item is to be discussed during the information session of the next Commission meeting on June 8, 2009. This proposal has been discussed with Lou Ialacci, CannDauSon Construction, and T.C.U. Consulting. They recommend this item be accepted and find the cost in line with the scope of this project.

Since this is a small amount, relative to the entire scope of the project, I recommend the Commission waive rules and issue a purchase order to Reliantech for \$9,718.74. Please review the attached letters and documents from Tommy Lawrence concerning these matters.

Attachment

End of Memorandum

Mr. Williams made a motion to approve the request. The motion was seconded by Vice Chairman Ingram and unanimously approved by the Commission. (Copy of Letter, Agenda Page 16-2, is attached to these Minutes.)

VARIOUS DEPARTMENTS – APPROVED BUDGET CHANGE REQUESTS

The Administrator recommended the following Budget Change Requests for approval by the Commission:

DEPARTMENT

BUDGET CHANGE REQUESTS

(1) Information Systems

Request Number 5

(2) Engineering Department

Request Numbers 19 and 20

(3) Personnel Department

Request Number 4

Mr. Williams made a motion to approve the budget change requests. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copies of Budget Change Requests, Agenda Pages 17-1 through 17-4, are attached to these Minutes.)

COMMENTS BY COMMISSIONERS AND ATTENDEES

Chairman Dean thanked the Commission for their support regarding the Cedar Point Community Sewer Project. The Commission voting in favor of providing funding for the project showed caring for the health, safety and welfare of the Cedar Point Community. He acknowledged that the Commission could not pay for all of the project but this money is a good start for the Community.

Deputy Administrator Mitchell informed the Commission that he had not officially recognize Ms. Sherrill Thomas as the new Finance Director. He asked Ms. Thomas to stand up and the Commission congratulated her.

Ms. K.T. Brown addressed the Commission regarding the Summer Youth Works Program. She informed the Commission that the public was not aware of this program. She stated it wasn't advertised and that the community perception is that the children were already picked. She asked them how much money they gave to OIC for the program.

Commissioner Williams told Ms. Brown that the Commission funded \$13,000 to OIC. He stated that the process took place within the week of the funding approval. He informed her that this was the second year OIC had handled the interviews and that the Boys and Girls Club had run the program in prior years. He stated that the Commission does not get involved in the hiring process. He also stated that there was a cut-off date on when the applications had to be completed and returned to OIC.

Ms. Brown told the Commission that they need to make sure that every child gets a chance to participate and that a criteria needs to be set on choosing applicants.

Manager of Public Affairs DiDi Henry informed Ms. Brown that the program was coordinated by OIC and that they arrange all advertising for the Summer Youth Works Program.

Chairman Dean told Ms. Brown interviews were conducted by each department that wanted summer help. He asked Ms. Brown to accept his apology regarding the matter.

Vice Chairman Ingram thanked everyone for coming to the meeting. He congratulated Ms. Sherrill Thomas on her promotion to Finance Director. He informed the audience that he met with Goodwyn, Mills & Cawood and County Engineer George C. Speake regarding bike trails in Montgomery County. He stated that they talked about "Share the Road" signage and about widening areas to make it safer for the citizens to ride bikes. He mentioned that he will be

meeting with M.P.O. to talk about this further. He stated he will be talking to the director of Central Alabama Regional Planning and Development Commission Bill Tucker about getting funding for the project through the stimulus package. He told the audience that people are training in the Ramer area for the Olympics.

Commissioner Williams stated it was good to see everyone. He thanked Ms. Henry for working with OIC and putting the children to work. He stated that our children are our future. He commended those young men and women that came well dressed for the interviews. He stated 19 students were chosen out of over 200 who applied.

Commissioner Polizos thanked Jimmy Smitherman of the Alabama Cooperative Extension Service for the Montgomery Beef Tour. He commended him for his hard work and requested that he continue to teach gardening to the citizens of Montgomery County.

Chairman Dean told County Administrator Mims and Ms. Henry to get in touch with the 5 students who were turned away by OIC after the application deadline had passed, so that they may have the opportunity to apply for summer jobs. He mentioned that the County should be gracious to those we serve.

RECESS TO INFORMATION SESSION

Chairman Dean recessed the Formal Session to the Information Session.

INFORMATION SESSION

COMMENTS FROM SCHEDULED ATTENDEES, STAFF, AND COMMISSIONERS

PRESENTATION BY BILL TUCKER, EXECUTIVE DIRECTOR OF CENTRAL ALABAMA REGIONAL PLANNING AND DEVELOPMENT COMMISSION

Bill Tucker, Executive Director of Central Alabama Regional Planning and Development Commission informed the Commission that his agency will be implementing an expanded Weatherization Program involving approximately three million dollars over the next two to three years and briefed them regarding the process of payment to vendors. Mr. Tucker indicated that by using the current process, the contractors would have to wait approximately eight to ten weeks for payment due to ADECA's (Alabama Department of Economic and Community Affairs) payment process. He stated that some contractors may not work with the program because it is hard for small businesses to wait that long for payment. Mr. Tucker requested that the Weatherization Invoices be sent to the County, so the invoices could be paid immediately. Then ADECA would reimburse the County after submission of the paid invoices. Vice Chairman Ingram asked Mr. Tucker what would happen if the County does not approve this request. Mr. Tucker stated that he would lose contractors for the Weatherization Program. After discussion, the Chairman Dean stated that he would contact ADECA regarding their reimbursement time.

Mr. Tucker briefed the Commission regarding a pre-application for an Energy Efficiency Grant which will give the County an additional \$250,000 with no match. Mr. Tucker suggested that the County could light the Field of Dreams baseball field with energy efficient lighting at no cost to the County. Commissioner Williams mentioned that Hunter Station ball field should be considered. Vice Chairman Ingram stated that he would discuss the idea with Parks and Recreation Superintendent James Williams, so that he would have input into the future costs for the lights. After discussion, the Commission asked Mr. Tucker to apply for the grant.

PRESENTATION BY COUNTY ENGINEER GEORGE SPEAKE AND ASSISTANT COUNTY ENGINEER JAMES KELLY

County Engineer George Speake advised the Commission that pavement widening work was underway on Meriwether Road in preparation for the proposed road resurfacing project. Also in attendance was Assistant County Engineer James Kelly. Mr. Speake mentioned that work was progressing on preparation of plans for the Woodley Road, Cloverfield Road, and Federal Road resurfacing project. Mr. Speake stated that the major part of the drainage work on Coosada Ferry Road had been completed.

Vice Chairman Ingram informed Mr. Speake that the grass needs to be cut at the Pike and Vaughn Road intersection.

Commissioner Williams inquired about status of the flooding problem at the Capital City RV Park located on Old Wetumpka Highway at U.S. 231. Mr. Speake replied that he had met with the RV park property owners again and had also sent the letter to the Alabama Department of Transportation (ALDOT) as previously requested. ALDOT had responded by cleaning out some of the drainage pipes on U.S. 231, and it was further verified that runoff from the RV park drained into the gravel pit on private property behind the RV park and not into the box culvert under U.S. 231 at Entec.

PRESENTATION BY JEFF HARRISON WITH GOODWYN, MILLS AND CAWOOD

Jeff Harrison with Goodwyn, Mills and Cawood briefed the Commission via telephone conference call regarding the sewer line repair issues at the Montgomery Industrial Park. He stated that the first repair had been completed and another hole was detected. Mr. Harrison asked the Commission to approve a Purchase Order to pay for the additional repairs. The Commission agreed.

PRESENTATION BY CENTRAL ALABAMA REGIONAL PLANNING AND DEVELOPMENT COMMISSION GRANT WRITER SARA BYARD

Central Alabama Regional Planning and Development Commission Grant Writer Sara Byard updated the Commission regarding grant searches and stated that she had applied for \$2,445,089 in grants for Montgomery County. Ms. Byard presented a list of Stimulus Grant areas that are available. Vice Chairman Ingram asked Ms. Byard to look into getting Rural Water Loans for Pilgram-Providence Water and Fire Protection Authority.

Chairman Dean acknowledged the work that Ms. Byard did for a grant application for OIC. He asked if she had been paid for the work and she said that she had taken on the work pro-bono. He stated that she should be paid for the grant work she provided.

He also asked Ms. Byard to obtain a list of all of the Counties agencies to see if any of the Stimulus Grants could be used to assist them in their funding for next year.

Ms. Byard noted that there were Fire Station Construction Grants available to build and equip fire stations. Vice Chairman Ingram stated that she could contact Jack Jackson with Pike Road Volunteer Fire Protection Authority and Fire Chief David Miles with South Montgomery County Fire Protection Authority and Rescue Squad to find out if they would be interested in these grants.

PRESENTATION BY JUVENILE COURT ADMINISTRATOR BRUCE HOWELL

Juvenile Court Administrator Bruce Howell requested approval of a Position Fill Request for a Building Maintenance Superintendent. After discussion, the Commission agreed to place this item on the next agenda.

PRESENTATION BY RON DRINKARD AND CASSANDRA CROSBY WITH CROSBY DRINKARD GROUP, LLC

Ron Drinkard and Cassandra Crosby with Crosby Drinkard Group, LLC, informed the Commission that HB 467 – No Man’s Land bill, HB 852 – Pre-trial Diversion bill, and SB 613 – I-65 Corridor Incentive bill passed and were signed by the Governor.

Mr. Drinkard and Ms. Crosby also presented potential legislation for consideration during the 2010 Regular Session of the Alabama Legislature which may include domicile charges for inmates in Community Corrections; Civil Paper Delivery Service Fee; two appointments to the Airport Authority and two appointments to the Industrial Board.

The Commission asked Mr. Drinkard and Ms. Crosby to talk to all Elected Officials and Department Heads regarding any additional items for the legislative agenda. Mr. Drinkard stated that the next session would begin January 12, 2010.

Mr. Drinkard expressed his thanks to the County Commissioners, County Commission staff and County Attorney Tyrone Means for their help and team work.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims presented a memorandum from Sheriff D.T. Marshall requesting approval to rename the County Jail “Max Sim Butler Detention Facility” or “Max Sim Butler Montgomery County Detention Facility”. After discussion, the Commission agreed to place a Resolution on the next agenda.

COMMENTS FROM COUNTY ATTORNEY THOMAS T. GALLION, III

County Attorney Thomas T. Gallion, III, informed the Commission that he had an informal mediation regarding the Detention Facility. Vice Chairman Ingram recommended that Chairman Dean write a letter to Ken Upchurch with T.C.U. Consulting Services, LLC, regarding finishing the Detention Facility.

COMMENTS FROM SHERIFF D.T. MARSHALL

Sheriff D.T. Marshall wanted the Commission to be aware that the Alabama Beverage Control Board overrode his recommendation to not issue a liquor license to a bar & grill establishment on Highway 231, which had been approved by the City of Montgomery.

DISCUSSION ITEM BY COMMISSIONERS

The Commission discussed the presentation by Mayor Todd Strange regarding a joint governmental facility for the Courts. Vice Chairman Ingram expressed support to stay with the five year plan for the Youth Facility and Family Court. Commissioner Polizos inquired as to where funding would come from for the proposal.

Commission Polizos discussed an article in the newspaper regarding the Montgomery Mall property and stated that he wanted to be informed of any discussions that the County Commission has concerning this project. Chairman Dean stated that these discussions were the continuation of prior discussions.

ADJOURNMENT

Commissioner Williams made a motion to adjourn the meeting of the Montgomery County Commission on June 8, 2009, at 11:39 a.m. The motion was seconded by Commissioner Polizos and unanimously approved by the Commission.

06-08-09 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 05-29-09

Check Number	To	Check Number
101374		101565
Total Checks Paid		\$1,054,562.85

CHECK #	PAYEE	AMOUNT	DATE
101372	Compass Bank	\$1,250,000.00	05/22/09
101373	Regions Bank	\$1,400,000.00	05/22/09

INFORMATION PERTAINING TO PAYEES OF THE CHECKS AND AMOUNTS
PAID ARE MAINTAINED IN THE FINANCE DEPARTMENT IN THE ACCOUNTS
PAYABLE CHECK REGISTER

Agenda

JUN - 8 2009

05/26/09 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING TRANSACTIONS WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED
06/05/09

Payroll Check Number	58228	To	Payroll Check Number	58402	\$ 141,783.28
Direct Deposits					\$ 735,274.34
Payroll Check Number	58403	To	Payroll Check Number	58434	\$ 74,290.95
Direct Deposits					\$ 368,818.65
Federal Deposits					\$ 316,004.62
Total Payroll Paid					\$ 1,636,171.84

INFORMATION PERTAINING TO PAYEES OF THE CHECKS AND AMOUNTS PAID
ARE MAINTAINED IN THE FINANCE DEPARTMENT IN THE PAYROLL CHECK REGISTER

RESOLUTION

COUNTY OF MONTGOMERY

Project No. MCP 51-65-10

STATE OF ALABAMA

WHEREAS, the County Commission of Montgomery County, Alabama, is desirous of constructing or improving, by force account, by contractor or both, a section of road included in the Montgomery County Road System and described as follows:

Resurfacing Cloverfield/Federal Road (CR-24) from the Lowndes County Line east to US-31 at Pintlala (2.959 miles) and Woodley Road (CR-39) from Mt. Zion Road north to McInnis Road (6.176 miles) a total of 9.135 miles.

Link Node and Location maps are attached.

WHEREAS, the County agrees to all of the provisions of the County-wide agreement executed between the State and the County covering preliminary engineering by State forces and equipment on this project, and

WHEREAS, the County agrees to all of the provisions of any agreement which has been executed or will be executed covering the construction of the project.

Done at the regular session of the County Commission of Montgomery County, this ____ day of _____, 2009.

Montgomery County Commission
Governing Body

Elton N. Dean, Sr., Chairman

Reed Ingram, Vice Chairman

Jiles Williams, Jr., Member

Dimitri Polizos, Member

Member

RESOLUTION

COUNTY OF MONTGOMERY

Project No. MCP 51-65-10

STATE OF ALABAMA

WHEREAS, the County Commission of Montgomery County, Alabama, is desirous of constructing or improving, by force account, by contractor or both, a section of road included in the Montgomery County Road System and described as follows:

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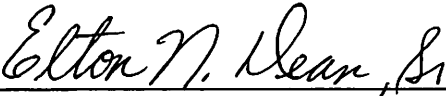
Link Node and Location maps are attached.

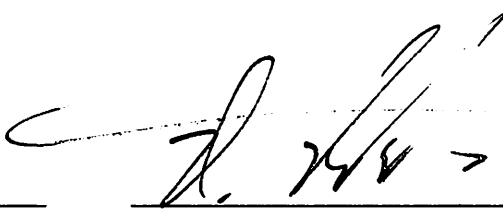
WHEREAS, the County agrees to all of the provisions of the County-wide agreement executed between the State and the County covering preliminary engineering by State forces and equipment on this project, and

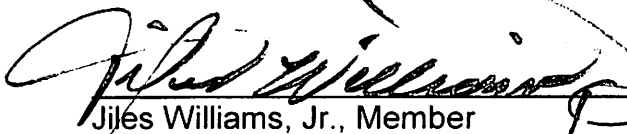
WHEREAS, the County agrees to all of the provisions of any agreement which has been executed or will be executed covering the construction of the project.

Done at the regular session of the County Commission of Montgomery County, this 11th day of May, 2009.

Montgomery County Commission
Governing Body


Elton N. Dean, Sr., Chairman


Reed Ingram, Vice Chairman

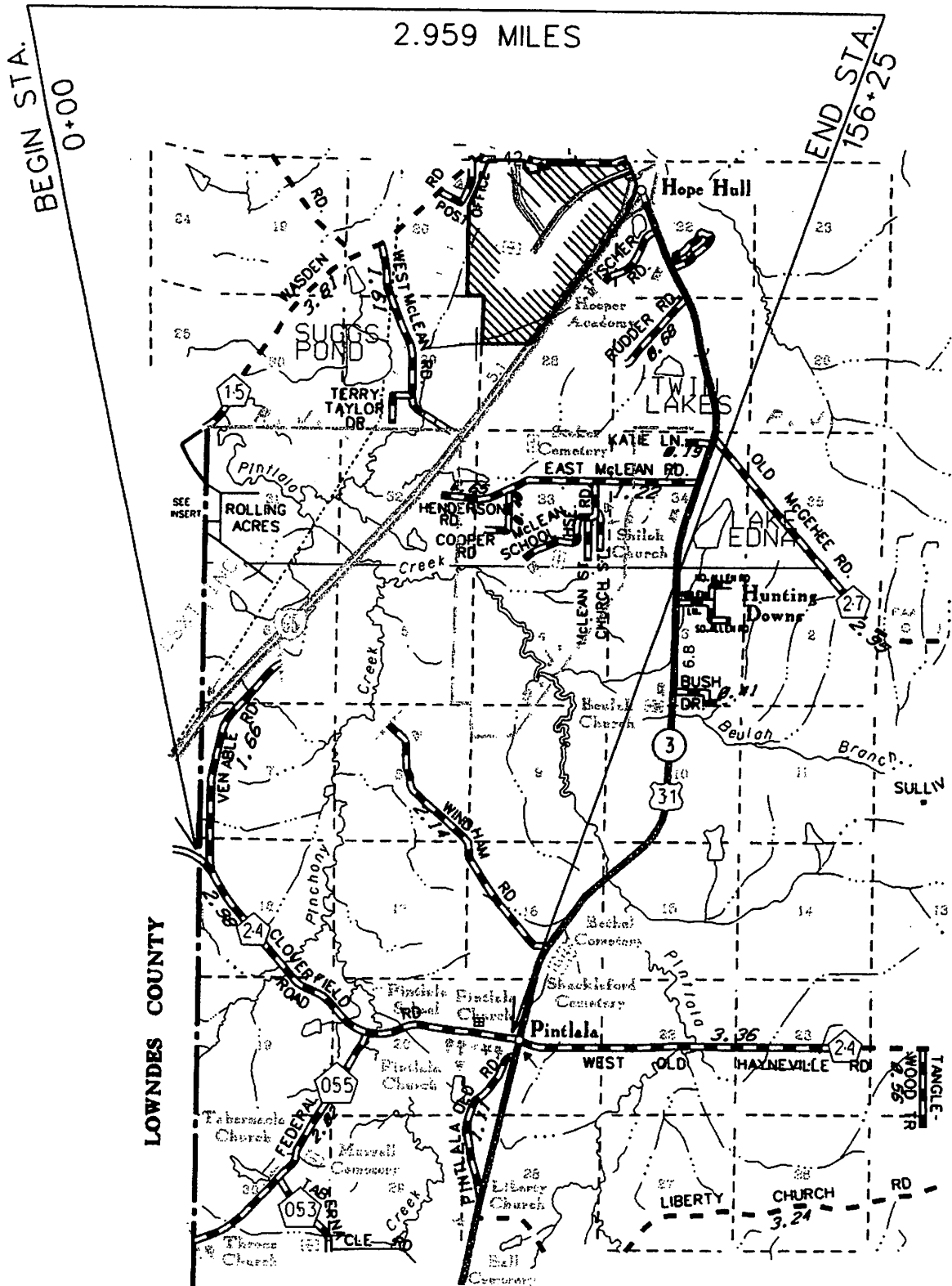

Jiles Williams, Jr., Member


Dimitri Polizos, Member

Member

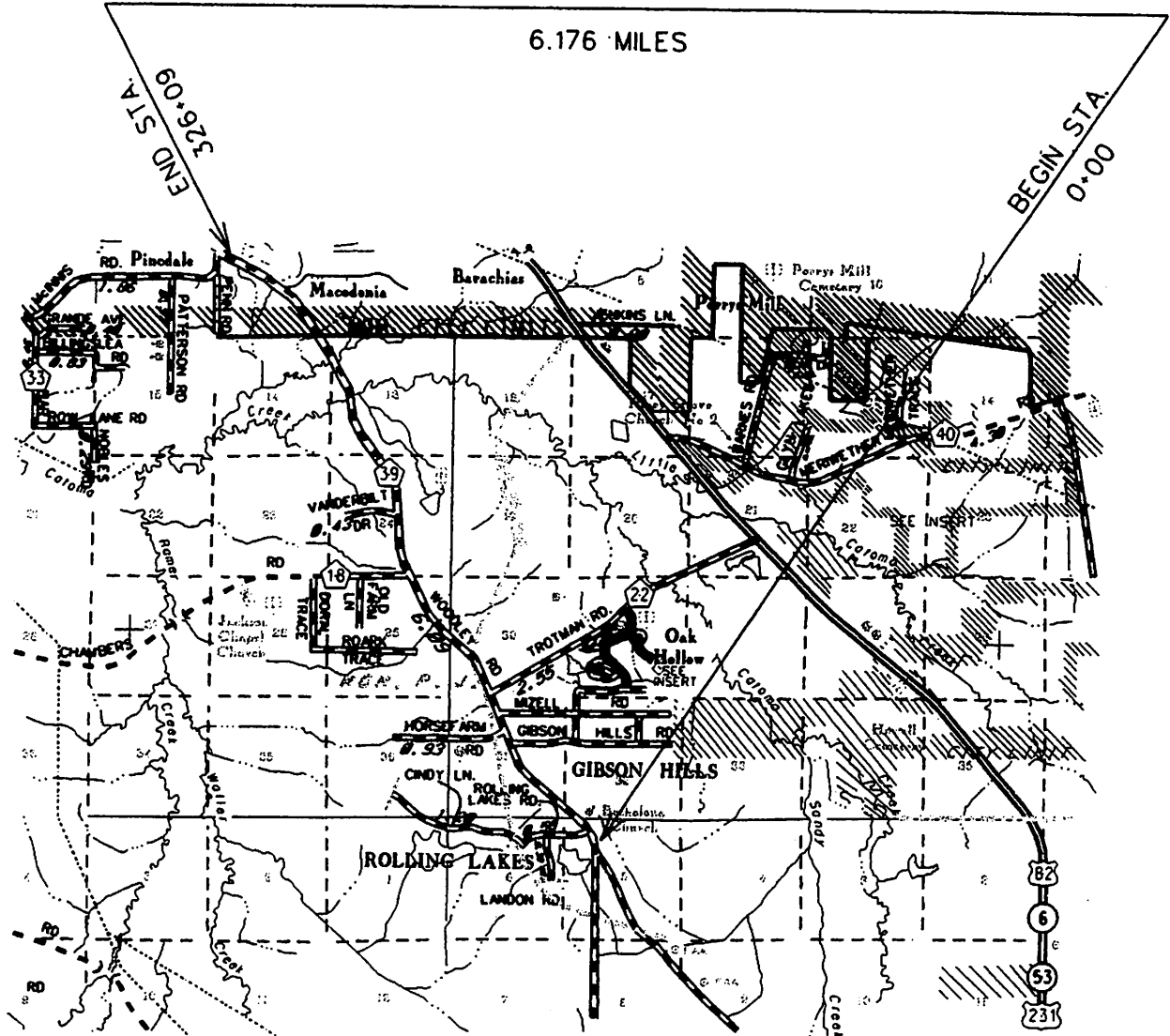
CLOVERFIELD ROAD CO. RD. 24

2.959 MILES



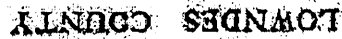
WOODLEY ROAD CO. RD. 39

6.176 MILES



2,959 MILES

END STA. 156+25



BEG STA 0+00



Montgomery City-County Public Library

Jaunita McClain Owes, Director

Agenda

JUN - 8 2009



City Council Members

Charles W. Jirwright - President
Tracy Larkin - Pro Tem
David Michael Burkette
Cornelius Calhoun
Willie Cook
Glen O. Pruitt, Jr.
Martha Roby
Charles W. Smith
Jim Spear

May 18, 2009

Donnie Mims, Administrator
Montgomery County Commission
PO Box 1667
Montgomery, AL 36102

Dear Mr. Mims:

Ms. Charlene Rabren's appointed term on the Library Board will expire on June 1, 2009. She has indicated she does not wish to be reappointed due to her health concerns. The Nominating Committee requests consideration of Ms. Lynda Borden as Ms. Rabren's replacement.

These are exciting times for the public library for we have grown to the level of being recognized by other libraries in our state as a very strong service organization which provides access to information in many formats and at many venues throughout our county. We are proud of the work that has been done over the past ten years and thank you, the county, the city council and the county commission for your support of your public library.

Sincerely,

Jaunita Owes
Library Director

Montgomery City-County Public Library

Jaunita McClain Owes, Director

City Council Members
Charles W. Jiwright - President
Tracy Larkin - Pro Tem
David Michael Burkette
Cornelius Calhoun
Willie Cook
Glen O. Pruitt, Jr.
Martha Roby
Charles W. Smith
Jim Spear



May 18, 2009

Donnie Mims, Administrator
Montgomery County Commission
PO Box 1667
Montgomery, AL 36102

Dear Mr. Mims:

Ms. Paulette Moncrief's appointed term on the Library Board will expire on June 1, 2009. She has indicated her desire to be reappointed. Ms. Moncrief is completing her first term on the Board.

These are exciting times for the public library for we have grown to the level of being recognized by other libraries in our state as a very strong service organization which provides access to information in many formats and at many venues throughout our county. We are proud of the work that has been done over the past ten years and thank you, the county, the city council and the county commission for your support of your public library.

Sincerely,

Jaunita Owes
Library Director

Montgomery City-County Public Library
Board of Trustees
2008 -2009 Directory

Gary Burton, President
County Appointment
13812 U.S. Hwy 31
Hope Hull, AL 36043
Phone H #288-7414
Phone W #281-9439
Cell #315-2235 Fax #281-9419
garyburton1@charter.net
Term Expires: June 1, 2010

Katie Bell, Treasurer
City Appointment
3613 Winterset Court
Montgomery, AL 36111
Phone H #284-1800
Cell #318-1509
Fax #284-4002
katierb@charter.net
Term Expires: June 1, 2012

Catherine Wright
County Appointment
3865 Colline Drive
Montgomery, AL 36106
Phone W #420-4252 H #277-9956
Cell #315-6854
cwright@trenholmtech.cc.al.us
Term Expires: June 1, 2010

Sylvia Harper
City Appointment
8549 Wexford Trace
Montgomery, AL 36117
Phone W #265-1594 H #207-2144
Cell #207-2144
sharper@centralalabamaoic.com
Term expires: September 21, 2009

William Fain
County Appointment
7029 Mid Pines Circle
Montgomery, AL 36117
Cell #398-3344
wtfain@charter.net
Term Expires: June 1, 2011

Jim Earnhardt, Vice President
City Appointment
4013 Meredith Drive
Montgomery, AL 36109
Phone H #279-8859 W #261-1525
jme@knology.net (H)
jearnhardt@gannett.com (W)
Term Expires: June 1, 2009

Thomas McPherson
County Appointment
321 N. Anton Drive
Montgomery, AL 36105
Phone H #834-9636
Phone W #264-7919 F #264-7917
edrs@knology.net
Term Expires: June 1, 2012

Caroline Novak
City Appointment
P.O. Box 4433
Montgomery, AL 36103
Phone W #264-2806
Fax #279-1543
caroline@aplusala.org
Term Expires: September 21, 2012

Amy Knudsen
County Appointment
3500 Eastern Blvd
Montgomery, AL 36116
Phone W #244-2587
Amy.Knudsen@aronov.com
Term Expires: June 1, 2012

Janet Waller
City Appointment
2307 Allendale Place
Montgomery, AL 36111
Phone H #264-8923
Cell #504-250-1219
jmwall@earthlink.net
Term Expires: September 21, 2010

* **Charlene Rabren, Secretary**
County Appointment
915 Meriwether Road
Pike Road, AL 36064
Phone W #272-9883 H #286-8962
Cell #235-1125
townofpikeroad@charterinternet.com
Term Expires: June 1, 2009

Eddie Johnson
City Appointment
P.O. Box 302101
Montgomery, AL 36104
Phone W #242-9960
ejohnson@alsde.edu
Term expires: June 21, 2011

* **Paulette Moncrief**
County Appointment
4216 Green Meadow Drive
Montgomery, AL 36108
Phone W #834-0033 H #288-5584
Cell #399-2456
pmoncrief@montgomerycommaction.com
Term Expires: June 1, 2009

Chester Mallory
City Appointment
P.O. Box 6056
Montgomery, AL 36106
Phone W #262-7773
Cell #303-4802
cmallory@mindspring.com
Term expires September 21, 2010

Bruce Pickette
President, Friends of the Library
7801 Wynlakes Blvd.
Montgomery, AL 36117
Phone H #273-4680
pickette@att.net

Kenneth Coleman
City Appointment
P.O. Box 160
Montgomery, AL 36101-0160
Phone W #832-3301
Cell #850-4213
kecoleman@southernco.com
Term expires: September 21, 2012

Jaunita Owes, Library Director
City-County Public Library
P.O. Box 1950
245 High Street
Montgomery, AL 36102-1950
Phone #240-4300
Fax #240-4977
jowes@mccpl.lib.al.us

Vivian White, Asst. Director
City-County Public Library
P.O. Box 1950
245 High Street
Montgomery, AL 36102-1950
Phone #240-4300
Fax #240-4977
vwhite@mccpl.lib.al.us

4 Year Terms

Library Home Page
<http://www.mccpl.lib.al.us>
4/28/09

CONTRACTUAL AGREEMENT

This Contractual Agreement, made and entered into effective October 1, 2008, between Southeastern Psychiatric Management, Inc., and Montgomery County Commission, Montgomery, Alabama.

W I T N E S S E T H

WHEREAS, Southeastern Psychiatric Management, Inc. desires to furnish part-time staff and meals for a Community Based Alternative Program. These services include:

1. Providing mentors who will assist with the supervision of clients' behavior, provide direct services to the clients and assist the Director as required. A maximum of two part-time mentors shall be provided for each Saturday and Sunday.
2. Providing Food Service – Preparation of one lunch meal for up to 10 individuals on each Saturday and Sunday of contract period. Meals are to be prepared and served in a State Health Department licensed and inspected facility. All meals will be approved by a registered dietitian and special diets will be accommodated as needed.

COST OF SERVICES \$28,080.00 PER YEAR

3. It is agreed upon by and between the parties that any and all disputes arising out of any matter to this contractual agreement shall first be mediated, with a mediator agreed upon by and between parties, and venue for any and all litigation that may result thereafter shall be filed in Montgomery County, Alabama.
4. That Montgomery County Commission and Southeastern Psychiatric, Inc. reserves the right to cancel this Contract at any time during the contract period, providing either party gives a thirty (30) day written notice.
5. That Montgomery County Commission will pay Southeastern Psychiatric Management, Inc. reserves the right to cancel this Contract at any time during contract period, providing either party gives a thirty (30) day written notice.

WHEREAS, In Consideration thereof Southeastern Psychiatric Management, Inc. and Montgomery County Commission agree as follows:

1. That the period of the contract will be for one (1) year, beginning October 1, 2008 and ending September 30, 2009, with the option to renew for two (2) years, in one (1) year periods provided funding is made available.
2. That Montgomery County Commission will pay Southeastern Psychiatric Management, Inc., the total amount of \$28,080.00.

IN WITNESS WHEREOF, we have hereunto set our hands on days and year first above written.

WITNESS:

SOUTHEASTERN PSYCHIATRIC
MANAGEMENT, INC.

BY: _____

TITLE: _____

WITNESS:

MONTGOMERY COUNTY COMMISSION

BY: _____

MONTGOMERY COUNTY COMISSION
PURCHASING DEPARTMENT
P.O. BOX 1667
MONTGOMERY, ALABAMA 36102-1667

AMENDMENT
TO
CONTRACT NO. 51100-03B-017

AMENDMENT NO. 2

DATE: _____

-Contract No. 51100-03B-017, Residential Solid Waste Collection and Disposal Services, between Montgomery County Commission and Sunflower Waste, LLC is hereby amended as follows:

-Any and all references to "Sunflower Waste, LLC" throughout Contract No. 51100-03B-017 shall be deleted in their entirety and replaced with "Advanced Disposal Services Alabama, LLC."

-Item 9 of Contract No. 51100-03B-017 shall be deleted in its entirety and replaced with the following:

9. That the Contract period will be for three (3) years, beginning on the 1st day of July, 2003 and ending on the 30th day of June, 2006, and shall be automatically renewed for successive three (3) year terms unless cancelled by the Montgomery County Commission or Advanced Disposal Services Alabama LLC., upon written notice by certified mail, given sixty (60) days before the expiration of such initial or renewal term.

All other terms and conditions of the Contract shall remain the same.

WITNESS:

ADVANCED DISPOSAL SERVICES
ALABAMA, LLC.

BY: _____

TITLE: _____

WITNESS:

MONTGOMERY COUNTY
COMMISSION

BY: _____

TITLE: _____

CONTRACTUAL AGREEMENT

THIS CONTRACTUAL AGREEMENT, made and entered into as the 1st day of July, 2003, between Sunflower Waste, LLC of Tallassee, Alabama and Montgomery County Commission, Montgomery, Alabama.

W I T N E S S E T H

WHEREAS, Sunflower Waste, LLC agrees to furnish Residential Solid Waste Collection and Disposal Services for the Montgomery County Residents, in accordance with all provisions of Invitation to Bid No. 51100-03B-017 as advertised by the Montgomery County Commission on April 9, 2003, (hereinafter referred to as the "Invitation to Bid"), a copy of which is attached hereto;

WHEREAS, In Consideration thereof, Sunflower Waste, LLC and Montgomery County Commission agree as follows:

- 1. That Sunflower Waste, LLC will haul and dispose of non-hazardous and non-infectious solid waste for residences located in the political subdivision of Montgomery County , but outside the corporate City limits of any municipality therein.**
- 2. That Sunflower Waste LLC does have a disposal contract with Sunflower Landfill LLC and has more than 10 years of capacity and is in compliance with all State and Federal rules and regulations.**
- 3. That Sunflower Waste LLC shall maintain a toll free telephone number to be manned Monday thru Friday, 8:00 A.M. to 5:00 P.M., except holidays.**
- 4. That Sunflower Waste LLC hereby agrees to collect residential waste contained in a contractor provided and maintained ninety (90) gallon roll-out carts, by which the customer will place at curbside or on a public road readily accessible to Sunflower Waste LLC during the collection hours.**
- 5. That Sunflower Waste LLC will charge the initial price of \$11.44 per residential unit, per month, subject to adjustment as set forth in Paragraph 14 of the Invitation to Bid.**

6. Sunflower Waste LLC shall promptly respond to any missed pickups and shall solve the problem within forty-eight (48) hours from the time of notice from the customer, if the missed pickup is not due to the negligence of the customer.
7. That Sunflower Waste LLC shall use trucks of the packer-type, that are not more than eight (8) years old, as approved by the Montgomery County Health Department and shall have painted on its doors or at some other place approved by the Health Officer, the company name, none of which lettering shall be less than three (3) inches high.
8. That Sunflower Waste LLC shall hold and maintain during the entire contract period, all insurances required in the Invitation to Bid 51100-03B-017.
9. That the Contract period will be for three (3) years, beginning on the 1st day of July, 2003 and end on the 30th day of June, 2006, and shall be automatically renewed for a successive three (3) year term unless canceled by Montgomery County Commission or Sunflower Waste LLC, upon written notice by certified mail, given sixty (60) days before the expiration of such initial or renewal term.
10. Sunflower Waste LLC shall hold Montgomery County Commission harmless from and indemnify it against all liability, including attorney's fees, which may arise from and accrue directly from the performance of the work or any obligation of Sunflower Waste LLC or failure of Sunflower Waste LLC to perform any work or obligation provided for in this agreement.

IN WITNESS WHEREOF, the undersigned have executed this Contract as of the 1st day of July, 2003.

WITNESS:

SUNFLOWER WASTE, LLC

Sherry Beasley

BY: D.W. Jackson

TITLE: President

WITNESS:

MONTGOMERY COUNTY COMMISSION

Donald Z. Morris

BY: W. F. [Signature]

PUBLIC HEARING LEGAL NOTICE

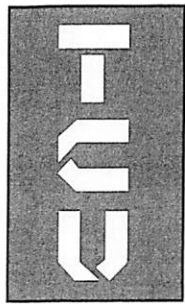
The Montgomery County Commission will hold a public hearing on May 26, 2009, at 9:30 a.m., in the Commissioners' Court of the Montgomery County Courthouse Annex III, located at 101 S. Lawrence Street, Montgomery, Alabama. The Commission will discuss proposed amendments to the original contract, dated July 1, 2003 with Sunflower Waste, LLC for solid waste collection and disposal services. The purposes of the proposed amendments are (a) to reflect the change in legal name from Sunflower Waste, LLC to Advanced Disposal Services Alabama, LLC, and (b) to amend a typographical error in the original contract related to the term of the original contract. The proposed amendments to the original contract for Residential Solid Waste Collection and Disposal are relevant to and consistent with the Montgomery County Solid Waste Management Plan.

Effective April 24, 2007, the legal name of Sunflower Waste, LLC was changed to Advanced Disposal Services Alabama, LLC. The proposed amendments will reflect the name change.

The original contract for Residential Solid Waste Collection and Disposal intended to fully comply with all provisions of the Invitation to Bid that resulted in the original contract. The proposed amendments will cause the original contract to comply with the Invitation to Bid by amending Section 9 of the original contract to read as follows: "That the Contract period will be for three (3) years, beginning on the 1st day of July, 2003 and ending on the 30th day of June, 2006, and shall be automatically renewed for successive three (3) year terms unless cancelled by the Montgomery County Commission or Advanced Disposal Services Alabama, LLC., upon written notice by certified mail, given sixty (60) days before the expiration of such initial or renewal term".

A copy of the proposed contract amendment with Sunflower Waste, LLC and the Montgomery Solid Waste Management Plan may be reviewed at the Office of the Montgomery County Commission, Attention: Donnie Mims, County Administrator, between the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.

The proposed contract amendment and any revisions resulting from public comment will be voted upon by the Montgomery County Commission in a public meeting to be held on June 8, 2009, at 9:30 a.m., at the Montgomery County Courthouse Annex III, located at 101 S. Lawrence Street, Montgomery, Alabama.



T.C.U. CONSULTING SERVICES, LLC

CONSTRUCTION CONSULTANTS

334-279-8765 • 334-272-5731 Fax

P.O. Box 230487

MONTGOMERY, ALABAMA 36123-0487

May 29, 2009

John Mitchell
Montgomery County Commission
P. O. Box 1667
Montgomery, AL. 36102-1667

Dear John:

Enclosed are four (4) originals of Change Order #11 for approval by the Commission. I believe you have previously briefed the Commission on these items either from the Change Order Proposal Form or approved Construction Change Directives. I recommend approval of the Change Order by the Commission. Please include on the agenda for approval at the June 8th Meeting. Secure Elton Dean's signature and return three to me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Larry Carter', is written over the word 'Sincerely'.

Larry Carter
Enclosures (4)

cc: file MCDF: a1.1.4 and i2.6
W. K. Upchurch III, letter only
Vicki Loyd, Goodwin, Mills & Cawood, Inc., letter only
Donnie Mims, letter only

AIA® Document G701™ – 2001

Change Order

PROJECT (Name and address):	CHANGE ORDER NUMBER: 011	OWNER: ☒
Montgomery County Detention Facility Montgomery, Alabama	DATE: May 18, 2009	ARCHITECT: ☒
TO CONTRACTOR (Name and address):	ARCHITECT'S PROJECT NUMBER: 6-5-010	CONTRACTOR: ☒
Bell and Associates Construction, LP 255 Wilson Pike Circle Brentwood, TN 39249	CONTRACT DATE: October 17, 2006	FIELD: ☒
	CONTRACT FOR: General Construction	OTHER: ☐

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

Items 11.01-11.08 COP 11 (see attached)	\$25,658.27 ✓
Item 11.09 8" Pipe from Pardons and Paroles to Inlet (Change Directive 12)	\$11,985.40
Items 11.10-11.12 COP 11A (see attached)	\$93,579.96 ✓
Item 11.13 Revise Electrical Feeds at Elevators D & E (Change Directive 9)	\$38,845.11
Item 11.14 Resinous Flooring at Showers (Change Directive 14)	\$49,343.00 ✓
Item 11.15 Sidewalk and Entrance Behind Pardons and Paroles (Change Directive 15)	\$7,184.73 ✓
Total	\$226,596.47

The original Contract Construction Sum was	\$ 46,362,000.00
The net change by previously authorized Change Orders	\$ 681,089.20
The Contract Sum prior to this Change Order was	\$ 47,043,089.20
The Contract Sum will be increased by this Change Order in the amount of	\$ 226,596.47
The new Contract Sum including this Change Order will be	\$ 47,269,685.67

The Contract Time will be increased by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is September 15, 2008

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

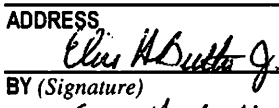
Goodwyn, Mills and Cawood, Inc.
ARCHITECT (Firm name)

2660 EastChase Lane, Suite 200 (36117),
P O Box 242128, Montgomery, AL
36124-2128
ADDRESS

BY (Signature)

Freddie E. Lynn, Jr., AIA, VP/Arch.
(Typed name)
5.28.09
DATE

Bell and Associates Construction, LP
CONTRACTOR (Firm name)

255 Wilson Pike Circle, Brentwood, TN
39249
ADDRESS

BY (Signature)

Elvis H. Butler, Jr.
(Typed name)
5-26-09
DATE

Montgomery County Commission
OWNER (Firm name)

P O Box 1667, Montgomery, AL 36102-
1667
ADDRESS

BY (Signature)

(Typed name)
DATE

CHANGE ORDER PROPOSALS for CHANGE ORDER NO. 11

Total

Accept

Reject

Date: 03/31/09

Please review line by line and initial in the appropriate space whether item is accepted or rejected. Also sign on signature line at the bottom.

11.01	Credit for bridge smoke vents that were not installed. (COR 106) Recommendation from HVAC engineer due to Code change.	\$ (2,888.00)	☒	☐
11.02	Add 5 additional security doors with view lites. (COR 145) Requested by owner, but not included in first change order request.	\$ 17,050.00	☒	☐
11.03	Add 20 additional parking bumpers at Pardons and Paroles. (COR 158) Owner request.	\$ 624.00	☒	☐
11.04	Furnish and install duplex elevator control for elevators D and E. (COR 157) Owner required; not in original bid. <i>TO BE RE-SUBMITTED</i>	\$ 15,165.00	☐	☒
11.05	Add to furnish and install lights and receptacles in elevator pit at the Tower. Required by Code. (COR 147)	\$ 5,102.21	☒	☐
11.06	Additional labor cost for landscape water tap. (COR 163) Unforeseen condition.	\$ 1,685.66	☒	☐
11.07	Add to relocate electrical receptacles below ceiling per City Electrical Inspector. (COR 165)	\$ 1,182.31	☒	☐
11.08	Add to disconnect night lights. (COR 167) Owner request.	\$ 2,902.09	☒	☐

CHANGE ORDER PROPOSAL #11 TOTAL

25,658.27
see \$ 40,823.27

Recommended by:

Goodwyn, Mills and Cawood, Inc.
Architect (Firm Name)

Victoria P. Loyd
By (Signature)

Victoria P. Loyd, AIA
(Typed Name)

Date: April 1, 2009

Recommended by:

T.C.U. Consulting, Inc.
Owner's Representative (Firm Name)

[Signature]
By (Signature)

Larry Carter
(Typed Name)

Date: *04/01/09*

Reviewed by:

Montgomery County Commission
Owner (Firm Name)

Elton N. Dean, Sr.
By (Signature)

ELTON N. DEAN, SR.
Donald L. Mims, County Admin.
(Typed Name)

Date: *04/09/09*



11.9

VIA Email

COR 161R

April 7, 2009

Attn: Vicki Loyd
Goodwyn, Mills and Cawood
2660 EastChase Lane
Montgomery, AL 36124

RE: **Montgomery County Detention Facility**
255 South McDonough
Montgomery, AL 36104

MS Loyd:

Please review attached backup time & material authorized by CCD #12, March 17, 2009, which is in reference to adding new 8 in. underground roof drain at Pardons & Parole Building. This is detailed in action item # 344. Please incorporate this into the next change order to our company.

Warner Brothers, LLC

\$10,992.45

Bell P/O 10%

~~992.95~~
~~\$1,000~~

Sub Total

~~\$42,092~~

Bond .007

~~-\$85~~

Builders Risk Insurance .0007

~~-\$8~~

Total Request

~~\$42,185~~ 11,985.40

This revised scope of work completed April 1, 2009, delaying paving of the parking lot. Bell will incorporate this activity into our construction schedule to reflect any impact to the completion date.

Respectfully,

BELL & Associates Construction, LP

Randy Young
Senior Project Manager

Recommended:

Authorized Representative

DATE: 5/12/09

Cc: Ron Bartholomew - BALP
Elvis Butler - BALP
Larry Carter, TCU

BELL & ASSOCIATES CONSTRUCTION, LP

Montgomery County Detention Facility
301 South Hull Street • Montgomery, AL 36104
Phone 334-264-2821 • Facsimile 334-264-2909



AIA® Document G714™ – 2001

Construction Change Directive

PROJECT: (Name and address) Montgomery County Detention Facility Montgomery, Alabama	DIRECTIVE NUMBER: 012 DATE: March 13, 2009 CONTRACT FOR: General Construction	OWNER: ☒ ARCHITECT: ☒ CONSULTANT: ☒ CONTRACTOR: ☒ FIELD: ☐ OTHER: ☐
TO CONTRACTOR: (Name and address) Bell & Associates Construction 255 Wilson Pike Circle Brentwood, TN 37024-0363	CONTRACT DATED: October 17, 2006 ARCHITECT'S PROJECT NUMBER: 6-5-010	

You are hereby directed to make the following change(s) in this Contract:
(Describe briefly any proposed changes or list any attached information in the alternative)

Furnish and install piping to connect roof drains behind Pardons and Paroles to inlet at SE corner of parking lot per Action Item 344.

PROPOSED ADJUSTMENTS

- The proposed basis of adjustment to the Contract Sum or Guaranteed Maximum Price is:
 - ☐ - Lump Sum of \$
 - ☐ - Unit Price of \$ per
 - ☐ - As provided in Section 7.3.3 of AIA Document A201-1997
 - ☒ - As follows: Time and materials. Estimated cost: \$7,388.04.

- The Contract Time is proposed to (be adjusted). The proposed adjustment, if any, is (*) *To be negotiated

When signed by the Owner and Architect and received by the Contractor, this document becomes effective IMMEDIATELY as a Construction Change Directive (CCD), and the Contractor shall proceed with the change(s) described above.

Contractor signature indicates agreement with the proposed adjustments in Contract Sum and Contract Time set forth in this CCD.

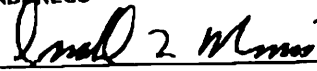
Goodwyn, Mills and Cawood, Inc.
ARCHITECT (Firm name)
2660 EastChase Lane, Suite 200
(36117)
P O Box 242128
Montgomery, AL 36124-2128
ADDRESS


BY (Signature)

Freddie E. Lynn, Jr., AIA, VP
(Typed name)
3-17-09
DATE

Montgomery County Commission
OWNER (Firm name)
P O Box 1667
Montgomery, AL 36102-1667

ADDRESS


BY (Signature)
Donald L. Mims, County
Administrator

03/18/09
(Typed name)
DATE

Bell & Associates Construction
CONTRACTOR (Firm name)
255 Wilson Pike Circle
Brentwood, TN 37024-0363

ADDRESS


BY (Signature)

Elvis N. Butler
(Typed name)
3/30/09
DATE

CHANGE ORDER PROPOSALS 11A for CHANGE ORDER NO. 11

Total

Accept

Reject

Date: 03/31/09

Please review line by line and initial in the appropriate space whether item is accepted or rejected. Also sign on signature line at the bottom.

11.10 Furnish and install security soffit to cover sprinkler head under mezzanine stairs. (COR 100) Required by Fire Marshall.

\$ 21,438.00



11.11 Furnish and Install Muffin Monster. (COR 98R) Time & Materials. Required by City Water Works and Sanitary Sewer Board. Previously approved in Change Directive No. 10.

\$ 47,194.⁰⁰~~60~~

CO. AMT.



11.12 Furnish and Install 24 bunks in Dorm Unit 3044. (COR 139) By agreement.

\$ 24,947.96



CHANGE ORDER PROPOSAL #11A TOTAL

93,579.96 Ch. Order Amount
~~\$-93,580.56~~ *Ed*

Recommended by:

Goodwyn, Mills and Cawood, Inc.
Architect (Firm Name)

Victoria P. Loyd
By (Signature)

Victoria P. Loyd, AIA
(Typed Name)

Date: April 1, 2009

Recommended by:

T.C.U. Consulting, Inc.
Owner's Representative (Firm Name)

[Signature]
By (Signature)

Larry Carter
(Typed Name)

Date: 04/01/09

Reviewed by:

Montgomery County Commission
Owner (Firm Name)

Elton N. Dean, Sr.
By (Signature)

Elton Dean, Commission Chairman
(Typed Name)

Date: 04/09/09



AIA® Document G714™ – 2001

Construction Change Directive

PROJECT: (Name and address) Montgomery County Detention Facility Montgomery, Alabama	DIRECTIVE NUMBER: 009 DATE: July 11, 2008 CONTRACT FOR: General Construction	OWNER: ☒ ARCHITECT: ☒ CONSULTANT: ☒ CONTRACTOR: ☒ FIELD: ☐ OTHER: ☐
TO CONTRACTOR: (Name and address) Bell & Associates Construction 255 Wilson Pike Circle Brentwood, TN 37024-0363	CONTRACT DATED: October 17, 2006 ARCHITECT'S PROJECT NUMBER: 6-5-010	

You are hereby directed to make the following change(s) in this Contract:
(Describe briefly any proposed changes or list any attached information in the alternative)

Revise electrical feed to elevators D & E in the tower outlined in Action Item 79.

PROPOSED ADJUSTMENTS

- The proposed basis of adjustment to the Contract Sum or Guaranteed Maximum Price is:
 - ☐ • Lump Sum of \$
 - ☐ • Unit Price of \$ per
 - ☐ • As provided in Section 7.3.3 of AIA Document A201-1997
 - ☒ • As follows: Not to exceed Change Order Request amount of \$38,845.11 and pending negotiations for potential savings to the Owner.
- The Contract Time is proposed to be adjusted. The proposed adjustment, if any, is (*) *To be negotiated

When signed by the Owner and Architect and received by the Contractor, this document becomes effective IMMEDIATELY as a Construction Change Directive (CCD), and the Contractor shall proceed with the change(s) described above.

Contractor signature indicates agreement with the proposed adjustments in Contract Sum and Contract Time set forth in this CCD.

Goodwyn, Mills and Cawood, Inc.
ARCHITECT (Firm name)

2660 EastChase Lane, Suite 200
(36117)
P O Box 242128
Montgomery, AL 36124-2128

ADDRESS

Victoria P. Loyd
BY (Signature)

Victoria P. Loyd, AIA

(Typed name)

7/11/08
DATE

Montgomery County Commission
OWNER (Firm name)

P O Box 1667
Montgomery, AL 36102-1667

ADDRESS

Donald L. Mims
BY (Signature)

Donald L. Mims, County

Administrator

(Typed name)

7/11/08
DATE

Bell & Associates Construction
CONTRACTOR (Firm name)

255 Wilson Pike Circle
Brentwood, TN 37024-0363

ADDRESS

Elvis H. Butler Jr.
BY (Signature)

Elvis H. Butler Jr.

(Typed name)

7-23-08
DATE



AIA Document G714™ – 2001

Construction Change Directive

PROJECT: <i>(Name and address)</i> Montgomery County Detention Facility Montgomery, Alabama	DIRECTIVE NUMBER: 014 DATE: March 31, 2009 CONTRACT FOR: General Construction	OWNER: ☒ ARCHITECT: ☒ CONSULTANT: ☒ CONTRACTOR: ☒ FIELD: ☐ OTHER: ☐
TO CONTRACTOR: <i>(Name and address)</i> Bell & Associates Construction 255 Wilson Pike Circle Brentwood, TN 37024-0363	CONTRACT DATED: October 17, 2006 ARCHITECT'S PROJECT NUMBER: 6-5-010	

You are hereby directed to make the following change(s) in this Contract:
(Describe briefly any proposed changes or list any attached information in the alternative)

Furnish and install resinous flooring per the revised spec attached in areas specified by the contract documents to receive resinous flooring.

PROPOSED ADJUSTMENTS

- The proposed basis of adjustment to the Contract Sum or Guaranteed Maximum Price is:
 - ☐ • Lump Sum of \$
 - ☐ • Unit Price of \$ per
 - ☐ • As provided in Section 7.3.3 of AIA Document A201-1997
 - ☒ • As follows: Time and materials. Not to Exceed: \$49,343.00.
- The Contract Time is proposed to (be adjusted). The proposed adjustment, if any, is (*) *To be negotiated.

When signed by the Owner and Architect and received by the Contractor, this document becomes effective IMMEDIATELY as a Construction Change Directive (CCD), and the Contractor shall proceed with the change(s) described above.

Contractor signature indicates agreement with the proposed adjustments in Contract Sum and Contract Time set forth in this CCD.

Goodwyn, Mills and Cawood, Inc.

ARCHITECT *(Firm name)*

2660 EastChase Lane, Suite 200
(36117)

P O Box 242128

Montgomery, AL 36124-2128

ADDRESS

Freddie E. Lynn, Jr.
BY *(Signature)*

Freddie E. Lynn, Jr., AIA, VP

(Typed name)

4-1-09

DATE

Montgomery County Commission

OWNER *(Firm name)*

P O Box 1667

Montgomery, AL 36102-1667

ADDRESS

Edton N. Hearn, Sr.
BY *(Signature)*

(Typed name)

04/09/09

DATE

Bell & Associates Construction

CONTRACTOR *(Firm name)*

255 Wilson Pike Circle

Brentwood, TN 37024-0363

ADDRESS

Elvis K. Birtley
BY *(Signature)*

(Typed name)

4-21-09

DATE

AIA® Document G714™ – 2001

Construction Change Directive

PROJECT: <i>(Name and address)</i> Montgomery County Detention Facility Montgomery, Alabama	DIRECTIVE NUMBER: 015 DATE: April 1, 2009 CONTRACT FOR: General Construction	OWNER: ☒ ARCHITECT: ☒ CONSULTANT: ☒ CONTRACTOR: ☒ FIELD: ☐ OTHER: ☐
TO CONTRACTOR: <i>(Name and address)</i> Bell & Associates Construction 255 Wilson Pike Circle Brentwood, TN 37024-0363	CONTRACT DATED: October 17, 2006 ARCHITECT'S PROJECT NUMBER: 6-5-010	

You are hereby directed to make the following change(s) in this Contract:
(Describe briefly any proposed changes or list any attached information in the alternative)

Furnish labor and materials to demo and replace sidewalk and drive at Hull Street entrance behind Pardons and Paroles per RFI #360.

PROPOSED ADJUSTMENTS

- The proposed basis of adjustment to the Contract Sum or Guaranteed Maximum Price is:
 - ☐ • Lump Sum of \$
 - ☐ • Unit Price of \$ per
 - ☐ • As provided in Section 7.3.3 of AIA Document A201-1997
 - ☒ • As follows: Time and materials. Not to Exceed: \$7,184.73.
- The Contract Time is proposed to (be adjusted). The proposed adjustment, if any, is (*) *To be negotiated.

When signed by the Owner and Architect and received by the Contractor, this document becomes effective IMMEDIATELY as a Construction Change Directive (CCD), and the Contractor shall proceed with the change(s) described above.

Contractor signature indicates agreement with the proposed adjustments in Contract Sum and Contract Time set forth in this CCD.

Goodwyn, Mills and Cawood, Inc.
ARCHITECT *(Firm name)*

2660 EastChase Lane, Suite 200
(36117)
P O Box 242128
Montgomery, AL 36124-2128

ADDRESS



Freddie E. Lynn, Jr., AIA, VP

(Typed name)

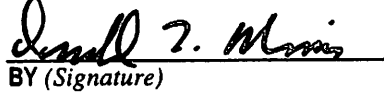
4-1-09

DATE

Montgomery County Commission
OWNER *(Firm name)*

P O Box 1667
Montgomery, AL 36102-1667

ADDRESS



(Typed name)

4-1-09/09

DATE

Bell & Associates Construction
CONTRACTOR *(Firm name)*

255 Wilson Pike Circle
Brentwood, TN 37024-0363

ADDRESS



(Typed name)

4-21-09

DATE

T.C.U. CONSULTING SERVICES, LLC

P.O. Box 230487

Montgomery, Alabama 36123

(334)270-4255 (334)272-5731 Fax

Date: **May 20, 2009**

To: **Montgomery County Commission**

P.O. Box 1667

Attn: **John Mitchell**

Montgomery, Alabama 36102-1667

Project: **Annex 1 - Phase 2 - 07-01-04**

THE FOLLOWING MATERIAL IS TRANSMITTED

☒ **With This Letter:**

☐ **Under Separate Cover:**

☐ Drawings ☐ Prints ☐ Specifications ☐ Shop Drwgs ☐ Equipment Data ☐ Samples

☐ Estimates ☒ Other

COPIES	DATE OR #	DESCRIPTION
3	5/14/2009	Change Order Number 3 - \$35,220.53

This material is:

☐ **For Information** ☒ **For Approval, Please return** Copies to us ☐ **For Your File**

☐ **For Job Use** ☐ **Approved as noted** ☐ **To be Revised and Resubmitted**

☐ **Not Approved** ☐ **For Revision and Fabrication**

Comments: **All items contained in this change order have been previously approved. I**

recommend that Change Order Number 3 in the amount of \$35,220.53

be presented to the County Commission for formal approval.

cc: Job
File

By:

T.C.U. Consulting Services, LLC

Thomas L. Lawrence

AIA Document G701™ – 2001

Change Order

PROJECT (Name and address):	CHANGE ORDER NUMBER: 003	OWNER: ☐
Sheriff's Office Renovations, Montgomery County Courthouse	DATE: May 14, 2009	ARCHITECT: ☐
TO CONTRACTOR (Name and address):	ARCHITECT'S PROJECT NUMBER: 0704GV-A	CONTRACTOR: ☐
CannDauson Construction 216 Echlin Blvd Prattville, AL 36066	CONTRACT DATE: March 5, 2008	FIELD: ☐
	CONTRACT FOR: General Construction	OTHER: ☐

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

A. Revise Floors in 459, 460, 461, etc.....	\$2,663.04
B. Lockers at Men's 445 and Women's 443 - Revised.....	\$1,365.52
C. Install a Cover for the Switchgear.....	\$3,771.29
D. Close window in Room 423.....	\$3,903.24
E. Add view panel to Door 424.....	\$596.36
F. Eplosion Vent at Room 438.....	\$3,613.30
G. New Doors at 440, 446, 464.....	\$2,757.58
H. Mold Abatement.....	\$4,788.69
I. Modify existing window valance to cover wood in Plenum.....	\$7,216.29
J. Delete Demo of Walls in Room 216.....	(\$368.75)
K. Modifications at Toilets 221, 227, and 232.....	\$821.45
L. Changes to Storefront at Permits 262.....	\$33.22
M. Modifications to Second Floor.....	\$993.14
N. Delete P7 and Add free-standing sink at Lab.....	\$196.44
O. Shift Door at Room 233.....	\$380.39
P. Furr wall for exposed piping and extend.....	\$133.88
Q. Modify Room 229.....	\$260.59
R. Replace wall next to Door 264.....	\$197.36
S. Plaster Repairs for Mold Abatement.....	\$1,897.50

TOTAL..... \$35,220.53

The original Contract Sum was	\$	4,638,198.00
The net change by previously authorized Change Orders	\$	193,651.04
The Contract Sum prior to this Change Order was	\$	4,831,849.04
The Contract Sum will be increased by this Change Order in the amount of	\$	35,220.53
The new Contract Sum including this Change Order will be	\$	4,867,069.57

The Contract Time will be increased by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is not changed

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

PH&J Architects, Inc
ARCHITECT (Firm name)

807 S. McDonough Street
Montgomery, AL 36104

ADDRESS

BY (Signature)

Patrick T. Addison, AIA
(Typed name)

DATE

05-14-2009

CannDauson Construction, Inc.
CONTRACTOR (Firm name)

216 Echlin Blvd
Prattville, AL 36066

ADDRESS

BY (Signature)

Ellen Barnett, Vice President
(Typed name)

DATE

5/15/09

Montgomery County Commission
OWNER (Firm name)

PO Box 1667
Montgomery, AL 36102

ADDRESS

BY (Signature)

(Typed name)

DATE

Travelers Casualty & Surety Company of America

Walter C. Dowdy
Attorney in Fact

5/14/09

CHANGE ORDER NUMBER THREE SUMMARY SHEET

Renovations to Montgomery County Courthouse Annex I - 2nd & 4th Floors
for the Montgomery County Commission, Montgomery, Alabama

PH&J #0704-GVA

<u>ITEM</u>	<u>COR</u>	<u>DESCRIPTION</u>	<u>COST</u>
A	26	Revise Floors in 459, 460, 461, etc.	\$2,663.04
	*		
B	31	Lockers at Men's 445 and Women's 443 - Revised.	\$1,365.52
	*		
C	34	Install a Cover for the Switchgear.	\$3,771.29
D	35	Close window in Room 423.	\$3,903.24
E	36	Add view panel to Door 424.	\$596.36
F	37	Eplosion Vent at Room 438.	\$3,613.30
G	38	New Doors at 440, 446, 464.	\$2,757.58
H	39	Mold Abatement	\$4,788.69
I	40	Modify existing window valance to cover wood in Plenum.	\$7,216.29
J	41	Delete Demo of Walls in Room 216.	(\$368.75)
K	42	Modifications at Toilets 221, 227 and 232.	\$821.45
L	43	Changes to Storefront at Permits 262.	\$33.22
M	44	Modifications to Second Floor.	\$993.14
	*		
N	48	Delete P7 and Add free-standing sink at Lab.	\$196.44
	*		
O	50	Shift door at Room 233.	\$380.39
P	51	Furr wall for exposed piping and extend.	\$133.88
Q	52	Modify Room 229.	\$260.59
R	53	Replace wall next to Door 264.	\$197.36
	*		
S	56	Plaster Repairs for Mold Abatement.	\$1,897.50
TOTALS			\$35,220.53

COR = Contractors Change Order Request Number

* = Break in sequencing

Montgomery Area Business Committee for
the Arts

P.O. Box 5177
Montgomery, AL 36103-5177

Membership Invoice

Date	Invoice #
4/1/2009	755

Phone #	Fax #	E-mail
334-263-2224	1-334-887-5706	mabca2@yahoo.com

Agenda

JUN - 8 2009

To
Montgomery County Commission Elton Dean 100 S. Lawrence Montgomery, AL 36104

Terms	Due Date
Net 10	4/11/2009

Item	Description	Qty	Rate	Amount
Membership D... Vol. Sust. Fund	Annual Membership Dues for Current Year Voluntary Sustaining Fund Contribution		500.00 10.00%	500.00 50.00

Membership dues and contributions to the Sustaining Fund are tax-deductible since the MABCA is a not-for-profit organization with 501(c)(3) status. MABCA's Tax ID # 63-0792803. Questions may be addressed to MABCA Executive Director, Ashley Ledbetter, by calling 334-263-2224 or via email at mabca2@yahoo.com

Total	\$550.00
Balance Due	\$550.00

*The dollar figure for membership dues is based on best judgment as to where your business fits on the Membership Dues Structure Guidelines. The dollar figure for the Voluntary Sustaining Fund contribution is based on 10% of Total Membership dues. This portion goes towards the MABCA's Reserve Fund.

[illegible]

10-2

Purchasing Department Montgomery County Commission

ABSTRACT FOR BIDS:				BID # 1		BID # 2		BID # 3		BID # 4		BID # 5	
BID NO. 51901-09C-012				ADVANCED DISPOSAL SERVICES - MICHAEL COSMAN - PHONE#334-252- 0458; FAX#334-283-2670		ALLIED WASTE - ATTN: CRAIG BRYAN III; PHONE #834-5582; FAX#834-1201		WASTE MANAGEMENT - ATTN: DANA JENKINS; PHONE #800-333-7704; FAX#334-263-9881				PRICES PAID ON CONTRACT FOR THE PAST 3 YEARS	
BID OPENING DATE: MAY 20, 2009													
COUNTY COMMISSION													
TERMS OF PAYMENT / DISCOUNT:													
ITEM NO.	DESCRIPTION OF ITEM	Units	QTY	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT
1	COMPACTOR SERV												
	COURTHOUSE												
	PICKUP CHARGE	EA	1			\$300.00	\$300.00	\$100.00	\$100.00				
	HAUL RATE	EA	1	\$120.00	\$120.00	\$180.00	\$180.00	\$100.00	\$100.00			\$120.00	\$120.00
	LANDFILL COST	EA	1	\$35.00	\$35.00	\$36.80	\$36.80	\$30.00	\$30.00			\$32.00	\$32.00
2	DUMP:ANNEX I	MO	12	\$390.51	\$4,686.12	\$635.00	\$7,620.00	\$420.00	\$5,040.00			\$346.40	\$4,156.80
3	DUMP: ANNEX II	MO	12	\$77.94	\$935.28	\$127.00	\$1,524.00	\$115.00	\$1,380.00			\$69.28	\$831.36
4	DUMP:YOUTH FAC.	MO	12	\$233.82	\$2,805.84	\$381.00	\$4,572.00	\$260.00	\$3,120.00			\$207.84	\$2,494.08
5	DUMP: PROBATE	MO	12	\$38.97	\$467.64	\$63.00	\$756.00	\$65.00	\$780.00			\$34.64	\$415.68
6	DUMP: CAP.PLAZA	MO	12	\$58.45	\$701.40	\$95.00	\$1,140.00	\$85.00	\$1,020.00			\$51.96	\$623.52
7	PRO/REV WEST	MO	12	\$77.94	\$935.28	\$127.00	\$1,524.00	\$104.00	\$1,248.00			\$69.28	\$831.36
8	SHERIFF FIR RANGE	MO	12	\$77.94	\$935.28	\$127.00	\$1,524.00	\$104.00	\$1,248.00			\$69.28	\$831.36
9	ROLLOUT:FLATWOOD	MO	12	\$35.00	\$420.00	\$16.00	\$192.00	\$25.00	\$300.00			\$35.00	\$420.00
10	DUMP:FLATWOOD	MO	12	\$77.94	\$935.28	\$127.00	\$1,524.00	\$104.00	\$1,248.00			\$69.28	\$831.36
11	DUMP:ENG. SHOP	MO	12	\$77.94	\$935.28	\$127.00	\$1,524.00	\$104.00	\$1,248.00			\$69.28	\$831.36
12	DUMP:PIKE ROAD	MO	12	\$77.94	\$935.28	\$127.00	\$1,524.00	\$104.00	\$1,248.00			\$69.28	\$831.36
13A	DUMP20CYRAMER PU	EA	1	\$120.00	\$120.00	\$283.00	\$283.00	\$50.00	\$50.00			\$60.00	\$60.00
	DISPOSAL CHARGE	EA	1	\$35.00	\$35.00			\$500.00	\$500.00				
TOTAL BID AMOUNTS					\$15,002.68		\$24,223.80		\$18,660.00				\$13,310.24

Notes:

12-2

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

JUN - 8 2009

Request # 19

Date: May 21, 2009
To: Donald L. Mims, Administrator
From: Donald L. Mims, Administrator
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Orange Beach, AL
Departure Date: June 30, 2009 Return Date: July 2, 2009
Conference Leave (Days / Hours): 3 Days
Purpose of Travel: to attend the ACCMA 2009 Summer Conference

Traveler (s) Name: 1. John Mitchell 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☐
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$1,336.80 Advance Registration Required: \$195.00

Department Name: County Commission Fund Name: General

Additional Comments: Registration - 195.00; Mileage - 217.80; Hotel -699; Meals - 225.00

To: Donald L. Mims, Administrator

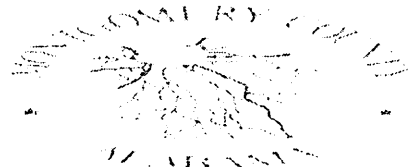
From: Donald L. Mims, Administrator

The above request is app. 06/08/09 reimbursement of actual and necessary expenses in the
approximate amount of \$1,336.80 and advance registration of \$195.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>001-51100-265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$40,000.00</u>	
Approved Requests:	<u>\$21,574.91</u>	
Budget Available:	<u>\$18,425.09</u>	
Current Requests:	<u>\$1,336.80</u>	
Budget Balance:	<u>\$17,088.29</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 6/2/2009

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 12

Agenda
JUN - 8 2009

Date: May 21, 2009
To: Donald L. Mims, Administrator
From: Scott Kramer, Risk Manager *SK*
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Orange Beach, AL
Departure Date: June 30, 2009 Return Date: July 2, 2009
Conference Leave (Days / Hours): 3 Days
Purpose of Travel: to attend the ACCMA 2009 Summer Conference

Traveler (s) Name: 1. Scott Kramer 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☐
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$1,336.80 Advance Registration Required: \$195.00

Department Name: Risk Management Fund Name: General Liability

Additional Comments: Registration - 195.00; Mileage - 217.80; Hotel - 699.00; Meals - 225.00

To: Scott Kramer, Risk Manager

From: Donald L. Mims, Administrator

The above request is app. 06/08/09 reimbursement of actual and necessary expenses in the
approximate amount of \$1,336.80 and advance registration of \$195.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>007-51120-265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$20,000.00</u>	
Approved Requests:	<u>\$6,878.60</u>	
Budget Available:	<u>\$13,121.40</u>	
Current Requests:	<u>\$1,336.80</u>	
Budget Balance:	<u>\$11,784.60</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 5/22/2009

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 19

Agenda

JUN - 8 2009

Date: June 3, 2009

To: Donald L. Mims, Administrator

From: Jane Mardis, Chief Appraiser

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Montgomery, Alabama

Departure Date: August 7, 2009

Return Date: August 7, 2009

Conference Leave (Days / Hours): 1 day

Purpose of Travel: Attending "7-Hour USPAP Update" sponsored by AL Chapter of the Appraisal Institute

Traveler (s) Name: 1. Dona Wright 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☐
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$175.00 Advance Registration Required: \$175.00

Department Name: Appraisal Fund Name: Reappraisal

Additional Comments: _____

To: Jane Mardis, Chief Appraiser

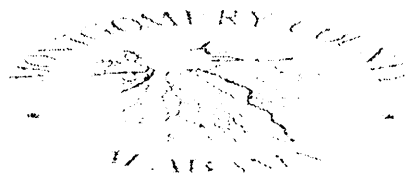
From: Donald L. Mims, Administrator

The above request is app. 06/08/09 reimbursement of actual and necessary expenses in the
approximate amount of \$175.00 and advance registration of \$175.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>120-51985-265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$30,000.00</u>	
Approved Requests:	<u>\$18,600.00</u>	
Budget Available:	<u>\$11,400.00</u>	
Current Requests:	<u>\$175.00</u>	
Budget Balance:	<u>\$11,225.00</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 6/3/2009

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 30

Agenda

JUN - 8 2009

Date: June 4, 2009

To: Donald L. Mims, Administrator

From: Ellen Brooks

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Sandestin, FL

Departure Date: June 30, 2009 Return Date: July 3, 2009

Conference Leave (Days / Hours): 4 Days

Purpose of Travel: To Attend: Alabama District Attorney's Summer Conference

Traveler (s) Name: 1. Denny Merritt 4. Cameron McEwen
2. Sean McTear 5. _____
3. Melissa Rueschoff 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☐
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$5,426.00 Advance Registration Required: \$1,500.00

Department Name: District Attorney Fund Name: 760-51260-265

Additional Comments: _____

To: Ellen Brooks

From: Donald L. Mims, Administrator

The above request is app. 06/08/09 reimbursement of actual and necessary expenses in the
approximate amount of \$5,426.00 and advance registration of \$1,500.00 is authorized.

To be completed by the Finance Department

Fund Code: 760-51260-265 (ex: 000-00000-000)

Description: Registration & Training

Current Budget: \$40,000.00

Approved Requests: \$18,174.00

Budget Available: \$21,826.00

Current Requests: \$5,426.00

Budget Balance: \$16,400.00

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 6/4/2009

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 31

Agenda

JUN - 8 2009

Date: June 4, 2009
To: Donald L. Mims, Administrator
From: Ellen Brooks
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Sandestin, FL
Departure Date: June 30, 2009 Return Date: July 3, 2009
Conference Leave (Days / Hours): 4 Days
Purpose of Travel: To Attend: Alabama District Attorney's Summer Conference

Traveler (s) Name: 1. Michele Gooslin 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☐
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$1,466.00 Advance Registration Required: \$375.00

Department Name: District Attorney Fund Name: 760-51260-265

Additional Comments: _____

To: Ellen Brooks

From: Donald L. Mims, Administrator

The above request is app. 06/08/09 reimbursement of actual and necessary expenses in the
approximate amount of \$1,466.00 and advance registration of \$375.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>760-51260-265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$40,000.00</u>	
Approved Requests:	<u>\$18,174.00</u>	
Budget Available:	<u>\$21,826.00</u>	
Current Requests:	<u>\$6,892.00</u>	
Budget Balance:	<u>\$14,934.00</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 6/4/2009

cc: Finance Director / Buyer

CONTRACT FOR ENGINEERING SERVICES

THIS AGREEMENT made between **AME ENGINEERS, INC.** of Montgomery, Alabama, hereinafter referred to as "ENGINEER" and the **MONTGOMERY COUNTY COMMISSION**, hereinafter referred to as "OWNER", witnesseth that whereas OWNER wishes to perform

Cedar Point Community Sanitary Sewer Replacement Consisting of Individual Grinder Pumps & Small Diameter Forcemains

Hereinafter referred to as "the Project", and not having engaged other ENGINEERS for the work, wishes to employ the services of ENGINEER for the design and construction supervision of the improvements. The parties hereto agree as follows:

1. ENGINEER agrees to provide the following basic engineering services:

1.1 PRELIMINARY DESIGN PHASE

After written authorization to proceed with the Preliminary Design Phase, ENGINEER shall:

- 1.1.1 Consult with OWNER to clarify and define OWNER's requirements for the project and review available data.
- 1.1.2 In consultation with OWNER and on the basis of the approved project, determine the extent of the Project.
- 1.1.3 Prepare preliminary design documents consisting of final design criteria, preliminary drawings and outline specifications.
- 1.1.4 Furnish copies of the above preliminary design documents and present and review them in person with OWNER.

1.2 FINAL DESIGN PHASE

After written authorization to proceed with the Final Design Phase, ENGINEER shall:

- 1.2.1 On the basis of the accepted preliminary design documents and the revised opinion of probable Project Cost, prepare for incorporation in the Contract Documents final drawings to show the character and extent of the Project (hereinafter called "Drawings") and Specifications.
- 1.2.2 Furnish to OWNER such documents and design data as may be required for and assist in the preparation of the required documents so that OWNER may apply for approvals of such governmental authorities as have jurisdiction over design criteria applicable to the Project, and assist in obtaining such approvals by participating in submissions to and negotiations with appropriate authorities.
- 1.2.3 Advise OWNER of any adjustments to the latest opinion of probable Project Cost caused by changes in extent or design requirements of the Project or Construction Costs and furnish a revised opinion of probable Project Cost based on the Drawings and Specifications.

- 1.2.4 Prepare for review and approval by OWNER, its legal counsel and other advisors contract agreement forms, general conditions and supplementary conditions, and (where appropriate) bid forms, invitations to bid and instructions to bidders, and assist in the preparation of other related documents.
- 1.2.5 Furnish copies of the above documents and present and review this in person with OWNER.
- 1.2.6 It is understood that completion of this phase includes all required permit approvals by regulatory agencies and legal descriptions and maps for all Rights of Way, easements, or land acquisitions required for the project.
- 1.3 **BIDDING OR NEGOTIATING PHASE**
ENGINEER agrees to the following:
 - 1.3.1 Assist OWNER in obtaining bids or negotiating proposals for each separate prime contract for construction, materials, equipment, and services.
 - 1.3.2 Consult with and advise OWNER as to the acceptability of subcontractors and other persons and organizations proposed by the prime contractor(s) (hereinafter called "Contractor(s)") for those portions of the work as to which such acceptability is required by the bidding documents.
 - 1.3.3 Consult with and advise OWNER as to the acceptability of substitute materials and equipment proposed by Contractor(s) when substitution prior to the award of contracts is allowed by the bidding documents.
 - 1.3.4 Assist OWNER in evaluating bids or proposals and in assembling and awarding contracts.
- 1.4 **CONSTRUCTION PHASE**
-- Intentionally Left Blank --
- 1.5 ENGINEER shall provide record drawings to the OWNER upon completion of project.
- 2. OWNER agrees to provide ENGINEER with complete information concerning the requirements of the project and to perform the following services:
 - 2.1 Hold promptly all required meetings, serve all required notices, fulfill all requirements necessary in the development of the project, and pay all costs incidental thereto.
 - 2.2 Furnish ENGINEER with a copy of any design and construction standards he shall require ENGINEER to follow for the project.
 - 2.3 Designate, in writing, a single person to act as OWNER's Representative with respect to the work to be performed under this agreement. The person designated as Representative shall have complete authority to transmit instructions and to receive information with respect to the work covered by this agreement.
 - 2.4 Furnish ENGINEER with copies of all deeds, plats, property maps and other information necessary to the description and location of all easements and deeds needed for the project.

Should surveys be required for the above information, OWNER will pay for the cost of the surveys.

- 2.5 Pay all costs necessary for soil testing or borings, special material testing or similar related items not covered in the construction contracts.

3. TERMS AND CONDITIONS

- 3.1 If, through any cause, ENGINEER shall fail to fulfill in a timely and proper manner his obligations under this Contract, or if ENGINEER shall violate any of the covenants, agreements, or stipulations of this Contract, OWNER shall thereupon have the right to terminate this Contract by giving written notice to ENGINEER of such termination and specifying the effective date thereof, at least five days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs and reports prepared by ENGINEER under this Contract will, at the option of OWNER, become its property and ENGINEER shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder.
- 3.2 Notwithstanding the above, ENGINEER shall not be relieved of liability to OWNER for damages sustained by OWNER by virtue of any breach of the Contract by ENGINEER, and OWNER may withhold any payments to ENGINEER for the purpose of set-off until such time as the exact amount of damages due OWNER from ENGINEER is determined.
- 3.3 OWNER may terminate this Contract at any time by giving at least ten days notice in writing to ENGINEER. If the Contract is terminated by OWNER as provided herein, ENGINEER will be paid for the time provided and expenses incurred up to the termination date.
- 3.4 OWNER may, from time to time, request changes in the scope of the services of ENGINEER to be performed hereunder. Such changes, including any increase or decrease in the amount of ENGINEER's compensation, which are mutually agreed upon by and between OWNER and ENGINEER, shall be incorporated in written amendments to this Contract.
- 3.5 ENGINEER represents that it has, or will secure at his own expense, all personnel required in performing the services under this Contract. Such personnel shall not be employees of or have any contractual relationship with OWNER. All of the services required hereunder will be performed by the ENGINEER, or under its supervision, and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under State and Local law to perform such services.
- 3.6 None of the work or services covered by this Contract shall be subcontracted without the prior written approval of OWNER. Any work or services subcontracted hereunder shall be specified by written contract or agreement and shall be subject to each provision of this Contract.
- 3.7 ENGINEER will not assign any interest on this Contract, and will not transfer any interest in the same without the prior written consent of OWNER thereto, provided, however, that claims for money by ENGINEER from OWNER under this Contract may be assigned to a bank, trust company, or other financial institution without such approval. Written notice of any such assignment or transfer shall be furnished promptly to OWNER.
- 3.8 ENGINEER, at such times and in such forms as OWNER may require, will furnish to OWNER such periodic reports as it may request pertaining to the work or services

undertaken pursuant to this Contract, the costs and obligations incurred in connection therewith, and any other matters covered by this Contract.

- 3.9 ENGINEER will maintain accounts and records, including personnel, property and financial records, adequate to identify and account for all costs pertaining to the Contract and such other records as may be deemed necessary by OWNER to assure proper accounting for all project funds, both Federal and non-Federal shares. These records will be made available for audit purposes to OWNER or any authorized Representative, and will be retained for three years after the expiration of this Contract unless permission to destroy them is granted by OWNER.
- 3.10 All of the reports, information, data, etc. prepared or assembled by ENGINEER under this Contract are confidential and ENGINEER agrees that they shall not be made available to any individual or organization without the prior written approval of OWNER.
- 3.11 No report, maps, or other documents produced in whole or in part under this Contract shall be the subject of an application for copyright by or on behalf of the ENGINEER.
- 3.12 ENGINEER will in its preparation of the drawings and specifications, require the Contractor to comply with all applicable laws, ordinances and codes of the State and Local governments.
- 3.13 To the fullest extent permitted by law, OWNER, shall defend, indemnify, and hold harmless ENGINEER, its agents, employees, consultants and independent contractors, from and against any and all claims, losses, damages, and expenses, including but not limited to attorney's fees, arising out of, or related to, or resulting from performance of this project, provided that such claim, loss, damages, or expense is attributable to bodily injury, sickness, disease, death, or to injury to or destruction of tangible property, including loss of use resulting therefrom, and is caused in whole or in part by acts or omissions of OWNER, or its agents, employees or representatives, and regardless of whether or not such claim, damage, risk, loss or expense is caused by the negligence or other fault of any party indemnified hereunder.
- 3.14 To the fullest extent permitted by law, ENGINEER, shall defend, indemnify, and hold harmless OWNER, its agents, employees, consultants and independent contractors, from and against any and all claims, losses, damages, and expenses, including but not limited to attorney's fees, arising out of, or related to, or resulting from performance of this project, provided that such claim, loss, damages, or expense is attributable to bodily injury, sickness, disease, death, or to injury to or destruction of tangible property, including loss of use resulting therefrom, and is caused in whole or in part by acts or omissions of ENGINEER, or its agents, employees or representatives, and regardless of whether or not such claim, damage, risk, loss or expense is caused by the negligence or other fault of any party indemnified hereunder.
- 3.15 To the extent damages are covered by property insurance during construction, the OWNER and ENGINEER waive all rights against each other and against the agents, employees, consultants, and independent contractors of the other for damages, except such rights as they may have to the proceeds of such insurance. The OWNER or ENGINEER, as appropriate, shall require of the agents, employees, consultants, and independent contractors of any of them similar waivers in favor of the other parties enumerated herein.
- 3.16 Unless otherwise provided in this contract, the ENGINEER and its agents, employees, consultants and independent contractors shall have no responsibility for the discovery,

presence, handling, or removal of or exposure of persons to hazardous materials or toxic substances in any form at the Project site.

- 3.17 Any such claim, dispute, or other matter in question arising out of or related to this Contract, or the breach thereof, shall be resolved by arbitration in accordance with the construction industry arbitration rules of the American Arbitration Association then in effect, and judgement on the award rendered by the arbitrator (s) may be entered in any court having jurisdiction thereof. No arbitration arising out of or relating to the Contract shall include, by consolidation or joinder or in any other manner, an additional person or entity not a party to the Contract, except by written consent containing a specific reference to this Contract and signed by the OWNER, ENGINEER, and any other person or entity sought to be joined.
- 3.18 **The ENGINEER also agrees to the terms and conditions set forth in Part II – TERMS AND CONDITIONS hereto attached to this agreement outlining Federal Guidelines Applicable to Contracts.**
- 3.19 ENGINEER shall, at all times during the term of this Contract, maintain in full force and effect such policies of liability insurance, including, but not limited to, bodily injury, property damage and personal liability insurance with respect to the Project for the following insurance, in standard form generally in use in Alabama, which have been approved by the State of Alabama Department of Insurance, and with insurance companies having a Best Key rating of A+ and authorized to do business in Alabama:
 - 3.19.1 Comprehensive General Public Liability Insurance in the amount of at least \$1,000,000.00 for personal and bodily injury, including death, for each occurrence and \$1,000,000.00 in the aggregate;
 - 3.19.2 Comprehensive Property Damage Insurance covering liability for damage to all property in the amount of at least \$1,000,000.00 for each occurrence and \$1,000,000.00 in the aggregate;
 - 3.19.3 Casualty insurance coverage on the equipment, machinery or other personal property owned or used by Tenant in the course of its business; and
 - 3.19.4 Workmen's Compensation Insurance or its equivalent, which complies with the Workmen's Compensation Laws of the State of Alabama for all employees, if such insurance is otherwise required by law.
- 3.20 ENGINEER shall furnish OWNER with a certificate of insurance evidencing the coverage which is in full force and effect as of the date of the commencement of the lease, such certificate being delivered to OWNER prior to the commencement of the Contract. ENGINEER shall take such action as to reflect the Montgomery County Commission as an additional insured on the certificate of insurance for the full amount of the insurance required herein above. OWNER shall be provided with at least thirty (30) days notice of any cancellation or material change in the insurance coverages issued to ENGINEER and as reflected on the certificate of insurance.
- 4. OWNER will pay ENGINEER for its services in the following manner:
 - 4.1 The total amount of reimbursement to be paid for services called for in Articles 1.1, 1.2 and 1.3 shall be \$39,600.00.

5. SPECIAL CONDITIONS

None

IN TESTIMONY OF WHICH, ENGINEER has signed this agreement and OWNER, by an appropriate motion adopted at a legally authorized meeting of its governing body held on the ____ day _____, 2009, has authorized this agreement to be executed.

MONTGOMERY COUNTY COMMISSION
MONTGOMERY, ALABAMA

AME ENGINEERS, INC.

By _____
Elton N. Dean, Chairman

Joe B. Eichelberg, P.E., President

Donald L. Mims, Administrator

H. Wayne Morgan, P.L.S.

May 27, 2009

John Mitchell
Montgomery County Commission
P. O. Box 1667
Montgomery, AL. 36102-1667

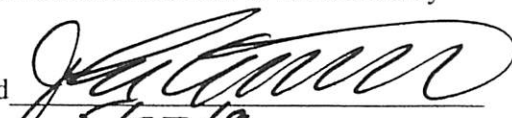
Re: Annex 1 – Phase II

Dear John:

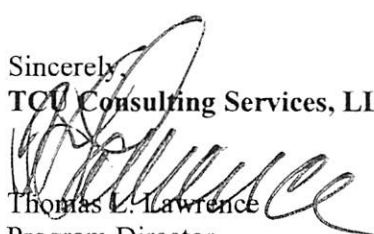
Attached is a proposal from Reliantech for data drops that need to be installed on the 2nd floor. We used some of the drops from the 2nd floor to finish up the 4th so the sheriff could move in. The plans did not show individual drops at each space in the modular furniture so the contractor only picked up one drop at each module. The prices we were getting through the sub contractor appeared high so we completed the number of drops in the original contract through CannDauson and Lou Iallacci obtained 3 prices for the remainder of the 2nd floor. I believe we saved a few dollars not having to go through the general contractor and subcontractor. The three proposals we received were from Black Box, AT&T and Reliantech. Reliantechs price of \$9,718.74 was almost \$2000 below each of the other bidders. I recommend that a Purchase Order be issued to Reliantech as soon as possible. The ceilings are being installed on the 2nd floor and the price is not good if the vendor has to remove them in order to install cable.

If you are in agreement please initial below and I will forward it to Pat Silas or as directed by you.

Accepted
Date


5/27/09

Sincerely,
TCU Consulting Services, LLC


Thomas L. Lawrence
Program Director

cc: file
Ken Upchurch
Don Wheeler

437 16-2

JUN - 8 2009

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST REQUEST NUMBER 5

DEPARTMENT:	Information Systems	REVIEWED:	S. Thomas	5/26/2009
DATE:	5/26/2009	Finance Director		Date
REQUESTED BY:	Lou Ialacci	APPROVED:		
Elected Official/Dept. Head		Administrator		Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Central Processing & Data	001-51965-581	28,900	-12,538	16,362
Data Software	001-51965-586	0	12,538	12,538
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		28,900	0	28,900

JUSTIFICATION:

This budget change is necessary to set up the software portion of the new Share Point servers separately.

JUN - 8 2009

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 19

DEPARTMENT: Engineering REVIEWED: S. Thomas 5/28/09
Finance Director
REQUESTED BY: George C. Speake APPROVED: Date
Elected Official/Dept. Head 5/26/2009 Administrator Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Road Building Mat. & Supplies	111-53199-213	175,000	(1,520)	173,480
Other Equipment	111-53199-590	0	1,520	1,520
TOTAL		175,000	0	175,000

JUSTIFICATION:

Internal transfer to cover cost of new laptop computer for Sign Shop

JUN - 8 2009

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 20

DEPARTMENT:	Engineering	REVIEWED:	S. Thomas	6/2/09
			Finance Director	Date
REQUESTED BY:	George C. Speake	APPROVED:		
Elected Official/Dept. Head	6/2/2009	Administrator		Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
State Project Reimbursement	111-44222-400	(441,716)	(42,981)	(484,697)
Contract	111-53101-330	619,234	42,981	662,215
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		177,518	0	177,518

JUSTIFICATION:

To add \$42,981 revenue received from State of Alabama and deposited on 6/2/09 for the construction of Pike/Vaughn Road intersection improvement project in order to make payment to vendor.

JUN - 8 2009

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 4

DEPARTMENT:	Personnel	REVIEWED:	S. Thomas	5/28/2009
DATE:	5/27/2009		Finance Director	Date
REQUESTED BY:	Barbara M. Montoya	APPROVED:		
Elected Official/Dept. Head		Administrator		Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Training Materials	123-51961-213	4,375	-2,000	2,375
Office Supplies	123-51961-211	14,000	-1,400	12,600
Contract Services	123-51961-304	14,469	3,400	17,869
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		32,844	0	32,844

JUSTIFICATION:

With increased amounts for service contracts and new service contracts, not enough budgeted in Contract Services

ADJOURNMENT

There being no further business to come before the Commission at this time, the meeting stood adjourned until Monday, June 22, 2009, at 8:00 in the morning.

Donald Z. Morris

Administrator

Elton N. Dean, Sr.

Chairman