

Elton N. Dean, Sr.
CHAIRMAN

Ronda M. Walker
VICE CHAIRMAN

Daniel Harris, Jr.
Isaiah Sankey
Doug Singleton



ADMINISTRATOR
Florence M. Cauthen
DEPUTY ADMINISTRATOR

May 14, 2020

MEMORANDUM

TO: Montgomery County Commission

FROM: Florence M. Cauthen *FMC*
Interim County Administrator

SUBJECT: Information pertaining to the May 18, 2020
Montgomery County Commission Regular Meeting

The Commission meeting will be held on Monday, May 18, 2020, at 8:30 a.m. The Formal Session will begin at 9:30 a.m. It will be broadcast live on the Montgomery County Alabama Facebook page.

1. County Commission Information Session Schedule for May 18, 2020

Waived Rules Item for Monday, May 18, 2020

2. Consider Authorization of Change Order Number 1 to Contract with ITNOA, LLC for Renovations of 514 Herron Street, Sheriff's Office

Items to Consider for the Monday, June 1, 2020 Montgomery County Commission Regular Meeting Agenda

3. Consider Authorization of Budget Change Request Number 5, Probate Judge's Office (Election Center)
4. Consider Authorization of Contingency Election Plan for the July 14, 2020 Runoff Election, Probate Judge's Office (Election Center)
5. Consider Authorization of Amendment Number 2 to Contract with LogoBranders, Inc., regarding a One (1) Year Extension, beginning July 23, 2020 and ending July 22, 2021 and a 5% Price Increase for Polo Shirts, Contract Number 52110-18B-022, Sheriff's Office
6. Consider Authorization of Bid Award to Gulf States Distributors for Tasers and Accessories, Bid Number 52110-20B-015, Sheriff's Office

If you have any questions, please contact me.

FMC/tn

Attachments

A COUNTY OLDER THAN THE STATE

COUNTY COMMISSION
INFORMATION SESSION SCHEDULE
FOR
MAY 18, 2020

- 8:30 a.m. Prayer and Briefing regarding the Agenda and Scheduled Attendees
- 8:35 a.m. Sheriff Derrick Cunningham – Presentation regarding Change Order Number 1 to Contract with ITNOA, LLC for Renovations of 514 Herron Street (**Waived Rules Item 2**)
- 8:40 a.m. Probate Judge J C Love, III – Presentation regarding Budget Change Request Number 5, Probate - Elections (**Future Agenda Item 3**) and Contingency Election Plan for the July 14, 2020 Runoff Election (**Future Agenda Item 4**)
- 8:45 a.m. Chief Information and Technology Officer Lou Ialacci – Update regarding Information Systems Operations
- 8:50 a.m. County Engineer George Speake – Update regarding Engineering Operations
- 9:30 a.m. Formal Session
- 10:00 a.m. Adjourn



DERRICK CUNNINGHAM
SHERIFF OF MONTGOMERY COUNTY

Kevin J. Murphy
CHIEF DEPUTY

To: Florence Cauthen, County Administrator

From: Derrick Cunningham, Sheriff

DC

Date: May 12, 2020

Re: Change Order No. 1
Renovations of 514 Herron Street

Request that rules be waived to approve change order 1 in the amount of \$7,500.00 to include extension of time approximately 14 (fourteen) days, be placed on the agenda for the County Commission meeting on May 18, 2020. This change order will allow ITNOA, LLC to provide engineering design and drawings for a new heating and air system and ductwork; provide engineering electrical load calculations design for changes to the HVAC System and lighting; to provide engineering design and drawings for retaining wall repair. All cost will be paid by Montgomery County Sheriff's Office.

If I can be of further assistance, please contact me.

DC/ms

Attachment

SHERIFF'S OFFICE
POST OFFICE BOX 4219
MONTGOMERY, ALABAMA 36103-4219
OFFICE 334.832.4980
FAX 334.832.7113

DETENTION FACILITY
225 SOUTH MCDONOUGH STREET
MONTGOMERY, ALABAMA 36104

OFFICE 334.832.1386
FAX 334.265.0990

www.montgomerysheriff.com

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CONTRACT CHANGE ORDER

Change Order No. 1

Date: May 12, 2020

TO: (Contractor)
ITNOA, LLC
P. O. Box 9096
Montgomery, AL 36108

PROJECT: MCSO-1-2020
Renovations of 514 Herron Street

Terms: You are hereby authorized, subject to the provisions of your Contract for this project, to make the following changes thereto in accordance with your proposal dated (March 12,2020)

FURNISH the necessary labor, materials, and equipment to *(Description of work to be done or changes to be made.)*

1. Changes to HVAC System: Provide engineering design and drawings for new heating and air system and ductwork.
2. Changes to Electrical System: Provide engineering electrical load calculations design for changes to the HVAC System and lighting.
3. Provide engineering design and drawing for retaining wall repair.

ORIGINAL CONTRACT SUM \$284,900.00

NET TOTAL OF PREVIOUS CHANGE ORDERS \$ 0.00

PREVIOUS REVISED CONTRACT SUM \$ 0.00

THIS CHANGE ORDER WILL ☐ INCREASE ☐ DECREASE

THE CONTRACT SUM BY \$ 7,500.00

REVISED CONTRACT SUM, INCLUDING THIS CHANGE ORDER \$292,400.00

EXTENSION OF TIME resulting from this Change Order approximately 14 days.

The Owner does hereby certify that this Change Order was executed in accordance with the provisions of Title 39, Code of Alabama, 1975, as amended.

CONTRACTING PARTIES

ITNOA, LLC
(Contractor)

Name: _____

Title: _____

MONTGOMERY COUNTY COMMISSION
(Awarding Authority)

BY: _____

TITLE: _____



ENGINEERS GENERAL CONTRACTORS HOME BUILDERS
P.O. Box 9096 Montgomery, AL 36108, Ph (334) 356-0824 Fax (334) 356-0826

www.itnoallc.com

CHANGE ORDER REQUEST

COR NUMBER	COR DATE	PROJECT	
01	05/11/2020	514 Herron St Renovation	

DATE	DESCRIPTION	AMOUNT
05/11/20	1. CHANGES TO HVAC SYSTEM: PROVIDE ENGINEERING DESIGN AND DRAWINGS FOR NEW HEATING AND AIR SYSTEM AND DUCTWORK 2. CHANGES TO ELECTRICAL SYSTEM: PROVIDE ENGINEERING ELECTRICAL LOAD CALCULATIONS DESIGN FOR CHANGES TO THE HVAC SYSTEM AND LIGHTING. 3. PROVIDE ENGINEERING DESIGN AND DRAWING FOR RETAINING WALL REPAIR. TOTAL COST TIME FOR CHANGE <u>ADD APPROXIMATELY 14 DAYS</u>	\$7,500.00
05/11/20		AMOUNT DUE \$7,500.00

THANK YOU FOR ALLOWING US TO "MAKE YOUR VISION A REALITY"

Horatio R. Lee, P.E., G.C.

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Request Number: 5

RE: MONTGOMERY COUNTY COMMISSION
BUDGET CHANGE REQUEST
PROBATE ELECTIONS

Additional funds are needed for the upcoming Primary Run-Off Election which was postponed from March 31, 2020 to July 14, 2020.

Extra Help (Acct. 115)	Help needed in testing equipment, ballot distribution, COVID-19 supply distribution, etc.
Election Worker Fees (175)	With the State allocating additional \$25 per election worker as incentive to work Primary Run-Off, costs will increase approximately \$15,000 as compared to Primary Election.
Office Supplies / Minor Equip. (211)	This is where the COVID-19 supplies for PPE will be distributed from. Kits with all necessary supplies will cost an approximate \$12,915 to supply all precincts and poll workers.
Other Miscellaneous Supplies (219)	Costs for programming election and size of ballots increased the original planned budget for the Primary Election due to how we are now required to produce certain statistical reports. There was also a large amount of ballot styles for both Democrat and Republican Parties in the Primary in addition to the Constitution Amendment (total of 28 different styles) which increases the costs. ** Most of the Primary Run-off invoices have been received and are covered in this additional amount requested.
Advertising (253)	Publications that were not required prior to postponement are now required for the July 14 Run-Off Election as it was pushed over 90 days from the original date of Election.

**** The majority of the costs of the election are reimbursable by the State of Alabama ****



J C LOVE, III
Probate Judge, Montgomery County

M E M O R A N D U M

TO: Mr. Elton Dean, Jr., Chairman, Montgomery County Commission

FROM: Judge J C Love, III, Montgomery County Probate Court *JCL*

RE: Authorization for July 14, 2020 Runoff Election

DATE: May 13, 2020

The upcoming July 14, 2020 election is quickly approaching and the Montgomery Election Center in conjunction with the Board of Registrars, the Circuit Court Clerk, and the Montgomery County Sheriff's Department are working together to ensure we have another successful, well run election. However, the increasing rise in Montgomery County's confirmed COVID-19 case numbers continues to create a cause for concern. For example, since the Montgomery County Commission last met on Monday, April 27, 2020, Montgomery County's confirmed COVID-19 case have increased from 292 to 684 as of last night. This represents a 134% increase in less than 2 weeks. Montgomery County's COVID-19 increase rate has been so dramatic that Montgomery was included in a May 7, 2020 unreleased White House Report entitled Early Indicators for the Data & Analytics Task Force.

On Friday, April 24, 2020, I sent the County Commission a letter outlining the Election Center's proposed election plan for July 14th, as well as, outlining available contingency election plans considering the COVID-19 pandemic. The letter also discussed the polling worker thresholds necessary to implement the different election contingency plans that were discussed in the letter. I also discussed the plan openly during the County Commission's April 27, 2020 meeting.

As our local economy begins to roar back to life and the restrictions that once limited the size of public gatherings have been pulled back, then Montgomery County will undoubtedly see an increase in its COVID-19 numbers. In addition to the fact that we are now entering the summer months and people are now beginning to travel and more people will begin to travel to and from Montgomery.

Having said that, time is of the essence. We have a little over 7 weeks before the July 14th election. We have a population of poll workers whose average age is 72 and are the most vulnerable for the COVID-19 virus. While they have agreed to stand by us – thus far – circumstances may change as our COVID-19 number continue to increase. *This pandemic has* created a very fluid situation and we have to be able to act very quickly to changing circumstances.

Therefore, I again come to request an authorization from the County Commission to allow me and my office to implement a contingency election plan, if necessary, without having to come back before the County Commission for approval.

FROM THE DESK OF
J C LOVE, III

April 30, 2020

VIA ELECTRONIC MAIL

Chairman Elton N. Dean, Sr.
Montgomery County Commission
Montgomery County Annex III
101 South Lawrence Street
Montgomery, Alabama 36104

Re: July 14, 2020 Election

Dear Chairman Dean:

First, let me thank you and the other members of the County Commission for your support and vote in favor of the pay raises for our election poll workers at last week's County Commission meeting. The pay raises have been long overdue and will go a long way in helping us attract new poll workers, as well as retain our existing poll workers for this election, the November 3rd election, and future elections. In that vein, the Montgomery Election Center, along with the Board of Registrars, the Circuit Court Clerk, and the Sheriff's Department are busy preparing for the upcoming runoff election on July 14, 2020. As you know, this election was originally scheduled to be held on March 31, 2020 but was postponed by Governor Kay Ivey due to the COVID-19 pandemic's arrival in Alabama. We are preparing to ensure that any Montgomery County voter who wishes to vote in person on July 14th is able to do so in an environment that does not unduly put voters nor poll workers at risk for the transmission or exposure of the COVID-19 virus.

Almost every day we learn something new about the COVID-19 virus and, as a result, it continues to create a great sense of anxiety amongst our poll workers and the Montgomery community. In preparation for the July 14, 2020 election, we have begun contacting our Chief Inspectors and poll workers to determine their willingness to work both the July 14th and November 3rd elections. I am happy to report that at the present moment there are very few who are unwilling to serve as poll workers on July 14th. This is certainly positive, but we realize that circumstances could suddenly change over the next few weeks. Unexpected spikes in COVID-19 case numbers, new information regarding modes of transmission, etc. might affect our poll workers' willingness to work.

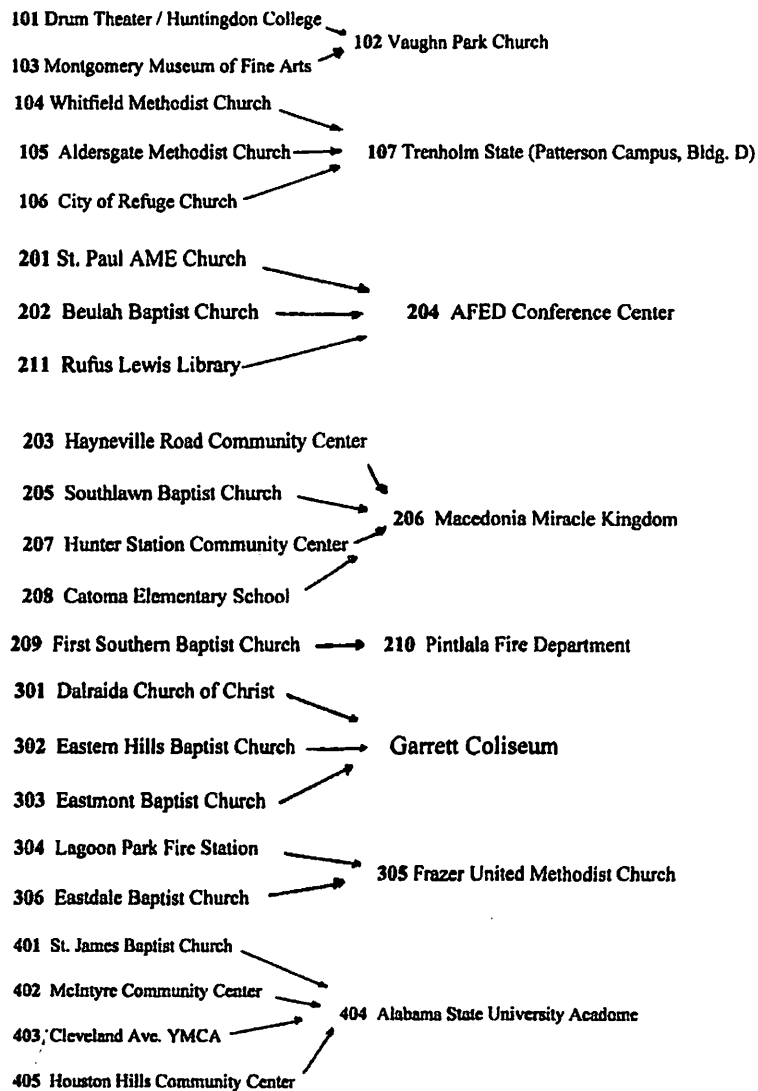
In preparing for the July 14th runoff election, the Elections Center has developed several contingency plans based upon various numbers of available of poll workers on election day. It is important that I share them with you so that you have an opportunity to review them. Upon your review, please let me know if you have any questions about any of these plans.

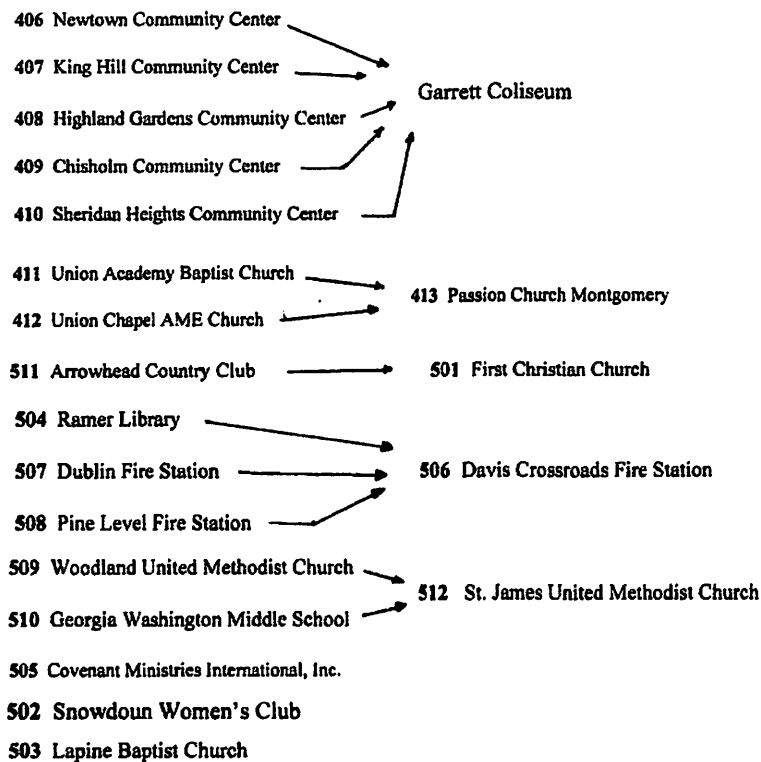
1. **Normal Election Day Plan.** Normally, for any given federal or state election, Montgomery County operates 49 precincts throughout the county. To staff them, the Election Center hires approximately 600 poll workers along with 49 Chief Inspectors and 49 Assistant Chief Inspectors. Presently, we have enough staff to carry out the July 14th runoff election as planned.

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The Secretary of State's Office has received a grant from the federal government to pay each poll worker an additional \$25.00 this election cycle. This additional \$25.00 is reimbursable to Montgomery County from the state.

2. **Reduce the number voting precincts from 49 to 15.** This contingency plan will only be initiated if the pool of available poll workers falls below 100. Alabama law requires that each voting precinct to be staffed by at least 4 poll workers. As such, this plan requires that we have at least 60 poll workers available to staff each of these 15 voting precincts. This contingency plan calls for the consolidation of the following voting precincts:





3. **Reduce the number of voting precincts from 49 to 6.** This contingency plan will only be initiated if the pool of available poll workers falls below 50. Under Alabama law, this plan requires that we have at least 24 poll workers available to work each of these 6 voting precincts on election day. Under this plan, each county commission district would have at least one voting precinct. District five would have two voting precincts. In the event this plan is enacted, the six proposed voting precincts will be:

District One:	Vaughn Park Church of Christ (102)
District Two:	AFED Conference Center (204)
District Three:	Frazer United Methodist Church (305)
District Four:	Alabama State University Acadome (404)
District Five:	Lapine Baptist Church (503)
District Five:	St. James United Methodist Church (512)

4. **Reduce the number of voting precincts from 49 to 2.** This contingency plan will only be initiated if there is a dramatic loss to the pool of available poll workers. Under Alabama law, this plan requires that there be at least 8 available poll workers. Under this plan, there would be two voting precincts for Montgomery County on election day – Alabama State University Acadome and the Garrett Coliseum.

5. **Reduce the number of voting precincts from 49 to 1.** This contingency plan will only be initiated if there is a complete and total loss to the entire pool of available poll workers. Under Alabama law, this plan requires at least 4 available poll workers. This plan would require that the Election Center staff work this polling location on election day. Under this plan, there would be one voting location for Montgomery County on election day – Garrett Coliseum.

It goes without saying that any election plan – other than our normal election plan – would be met with derision and voter confusion on election day because many voters would still show up to their old voting precinct and argue that they did not know anything about a change in voting location despite our best efforts to inform them through radio, television, mail, social media, and public service announcements. At present, we have not seen a drop off in our poll worker pool that makes me to believe that we need to deviate from our normal election schedule.

I predict turnout to be extremely light on July 14th. We predict that in-person turnout will be around 8,100 voters, or about 5% of the approximately 161,000 registered voters in Montgomery County, on July 14th. However, despite that number, we will hand sanitizer and disposable pens available for every voter that enters each voting precinct on election day. We will also have face masks available for voters who need them. Our poll workers will be given face masks and hand sanitizer and we will ensure that our election equipment and poll pads are continually wiped down and sanitized both before and on election day.

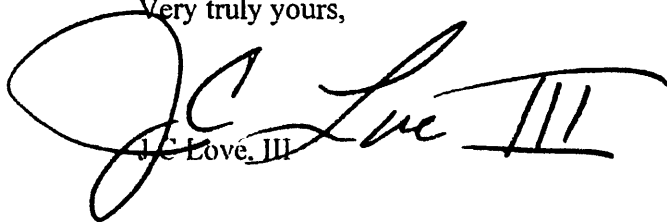
In the upcoming weeks, we will be launching our media campaign to aggressively encourage Montgomery County voters to vote absentee and to aggressively push absentee voting over the next 10 weeks. Fortunately, Secretary of State John Merrill has eased the restrictions on absentee voting and allowed people to select “I have a physical illness or infirmity which prevents my attendance at the polls” as the COVID-19 excuse. We intend to encourage voters to request an absentee ballot and vote absentee during the upcoming July 14th election through radio, television, social media, and streaming platforms. We do not want any voter to allow this COVID-19 pandemic to dissuade them from voting on July 14th or November 3rd.

Given the fluid nature surrounding this pandemic and the effect it might have on the July 14th election, the Probate Court will seek a resolution from the County Commission that will authorize the Probate Court and the Montgomery Election Center to take all measures necessary to conduct the July 14, 2020 runoff election. Since it is not known what will happen once the local economy reopens and whether the reopening will cause a spike in COVID-19 cases and, what effect, if any, that spike will have on our poll workers and their willingness to work the polls on July 14th then it is necessary for us to have the ability to act and to act quickly. There are only 10 weeks between now and July 14th and it might not always be practical to wait until a County Commission meeting to obtain approval to enact one of the proposed election contingency plans. Such an authorization would allow the Probate Court the flexibility to enact an election contingency plan based upon the exigent circumstances, but also the ability to consult with the Commission, should the need arise.

Chairman Elton N. Dean, Sr.
April 30, 2020
Page 5

Thanks in advance for your time and attention to this matter. I am available should you wish to discuss this matter further. My direct dial is (334) 832-1309.

Very truly yours,

A handwritten signature in black ink, reading "J.C. Love, III". The signature is stylized with a large, looping "J" and "C" at the beginning, followed by "Love" and "III" at the end. The ink is dark and the background is white.

Cc: Ronda Walker, Vice Chairman
Daniel Harris, Commissioner
Doug Singleton, Commissioner
Isaiah Sankey, Commissioner
Florence Cauthen, Interim County Administrator
Darryl Parker, Director of Elections
Octavius Jackson, Chief Clerk
Jamyra Philyaw, Assistant Chief Clerk

MEMORANDUM

TO: Florence Cauthen, Interim County Administrator

FROM: Tammy Turner, Buyer II TT

DATE: May 7, 2020

RE: Contract No. 52110-18B-022
Polo Shirts MCSO

I request that the attached Amendment No. 2 to LogoBranders, Inc. contract for polo shirts be considered for approval on a future agenda.

Amendment No. 2 will allow the contract to be extended for one (1) year, beginning July 23, 2020 and ending on July 22, 2021.

LogoBranders, Inc. would like to increase prices by 5% in accordance with the terms of the contract. All other provisions of the contract shall remain the same.

This contract extension has been coordinated with Derrick Cunningham, Sheriff.

Attachment

**Montgomery County Commission
Purchasing Department
P. O. Box 1667
Montgomery, AL 36102**

Amendment
To
Contract # 52110-18B-022

Amendment No. 2

Contract with LogoBranders, Inc. for polo shirts for MCSO, is hereby extended for one (1) year, beginning July 23, 2020 and ending July 22, 2021.

Prices will increase by 5%, in accordance with the contract.

All other provisions of the contract remain the same.

WITNESS:

LOGOBRANDERS, INC.

BY: _____

TITLE: _____

WITNESS:

MONTGOMERY COUNTY COMMISSION

BY: _____

TITLE: _____

MEMORANDUM

TO: Florence Cauthen, Interim County Administrator

FROM: Tammy Turner, Buyer II 

DATE: May 12, 2020

RE: Invitation to Bid: 52110-20B-015
Tasers and Accessories

Request approval of award on the above referenced Invitation to Bid to the lowest responsible Bidder, Gulf States Distributors, in the amount of \$19,775.00, to be placed on a future agenda. (Copy of Spreadsheet attached.)

Coordination of award made with Derrick Cunningham, Sheriff.

Attachment



DERRICK CUNNINGHAM
SHERIFF OF MONTGOMERY COUNTY

Kevin J. Murphy
CHIEF DEPUTY

To: Florence Cauthen, Interim County Administrator

From: Derrick Cunningham, Sheriff

Date: May 12, 2020

Re: Invitation to Bid: 52110-20B-015
Tasers and Accessories

I request approval of award on the above referenced Invitation to bid, to Gulf States Distributors in the amount of \$19,775.00, based on unit pricing, be placed on the next agenda for the County Commission.

If I can be of further assistance, please contact me.

DC/ms

Attachment

SHERIFF'S OFFICE
POST OFFICE BOX 4219
MONTGOMERY, ALABAMA 36103-4219
OFFICE 334.832.4980
FAX 334.832.7113

DETENTION FACILITY
225 SOUTH MCDONOUGH STREET
MONTGOMERY, ALABAMA 36104
OFFICE 334.832.1386
FAX 334.265.0990

www.montgomerysheriff.com

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**Purchasing Department
Montgomery County Commission**

ABSTRACT FOR BIDS:				BID # 1		BID # 2		BID # 3		BID # 4		BID # 5	
BID NO. 52110-20B-015				Axon Enterprise, Inc. 17800 N. 85th St. Scottsdale, AZ 85255 Minority Owned Business Yes X No		Gulf States Distributors 6000 E. Shirley Lane Montgomery, AL 36117 Minority Owned Business Yes X No		Walter Craig, LLC. 1201 N. Eastern Blvd. Montgomery, AL 36117 Minority Owned Business Yes X No		Central Communications NO BID		MAC Uniforms NO BID	
ISSUED: April 22, 2020													
BID OPENING: May 11, 2020													
Sheriff's Office													
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	Taser X26P Cew: Black Model: 11002	Ea	15	\$1,065.00	\$15,975.00	\$1,100.00	\$16,500.00	NO Bid					
2	Tactical Performance (TPPM) Model: 22012	Ea	15	\$65.00	\$975.00	\$68.25	\$1,023.75	NO Bid					
3	X26P Blackhawk Holster, RH Model 11501	Ea	15	\$64.00	\$960.00	\$64.00	\$960.00	\$23.47	\$352.05				
4	X26P Blackhawk Holster, LH Model 11504	Ea	5	\$64.00	\$320.00	\$64.00	\$320.00	\$23.47	\$117.35				
5	Taser X26, 25' XP Cartridge, Model 44203	Ea	15	\$33.00	\$495.00	\$34.50	\$517.50	No Bid					
6	Taser X26, 21' Cartridge Model: 44200	Ea	15	\$29.00	\$435.00	\$30.25	\$453.75	No Bid					
TOTAL BID AMOUNTS					\$19,160.00		\$19,775.00		\$469.40				

Notes:

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5% Local Bid Preference Calculation

Lowest Bid:

Axon Enterprises, Inc. of Scottsdale, AZ \$19,160.00

5% Local Preference 958.00

Maximum Awardable Amount **\$20,118.00**

Montgomery County Vendor Bid:

Gulf States Distributors \$19,775.00

Award of bid:

Gulf States Distributors **\$19,775.00**

CONTRACTUAL AGREEMENT

THIS CONTRACTUAL AGREEMENT made and entered into as the 1st day of June, 2020, between Gulf States Distributors of Montgomery, Alabama and Montgomery County Commission, Montgomery, Alabama.

W I T N E S S E T H

WHEREAS, Gulf States Distributors owns and operates a business and agrees to furnish tasers and accessories for Montgomery County Sheriff's Office in accordance with all provisions and specifications of Invitation to Bid No. 52110-20B-015, as issued by the Montgomery County Commission on April 21, 2020 (hereinafter referred to as the Invitation to Bid, a copy of which is attached hereto).

WHEREAS, In Consideration thereof, Gulf States Distributors and Montgomery County Commission agree as follows:

1. That all terms, conditions, and specifications of Invitation to Bid are incorporated herein by this reference.
2. The period of the contract will be for one (1) year, beginning June 1, 2020, and ending May 31, 2020, with the option to renew for an additional two (2) years, in one (1) year periods. A price escalation may be allowed after the first year, but shall not exceed 5% per year. That prices bid shall remain firm for the first year of the contract period, providing funds are made available by the Montgomery County Commission.
3. That Gulf States Distributors shall at all times be in compliance with all specifications and special provisions within the Invitation to Bid.
4. That Montgomery County Commission or Gulf States Distributors may terminate this agreement at any time during the contract period by giving a thirty (30) day written notice to the other party.
5. That Gulf States Distributors agrees to protect, defend, indemnify and hold the Montgomery County Commission and its employees, agents, officers and servants free and harmless from any and all losses, claims, liens, not limited to, the amounts of judgments, penalties, interests, court costs, legal fees, and all other expenses incurred by the County arising in favor of any party, including employees of Gulf States Distributors, death or damages to property and without limitation by enumeration, all other claims or demands of every character but only on the proportion of and to the extent such losses, claims, liens, demands and causes of action arise out of the negligent acts or omissions of contractor, its employees, agents and officers. Gulf States Distributors agrees to investigate, handle, respond to, provide defense for and defend any such claims, demand, or suits at its sole expense. Gulf States Distributors also, agrees to bear all other costs and expense related thereto, even if the claim or claims

alleged are groundless, false or fraudulent.

6. If a dispute arises out of or relates to this Agreement or its breach, the parties shall endeavor to settle the dispute first through direct discussions and negotiations. If the dispute cannot be settled through direct discussions or negotiations, the parties shall endeavor to settle the dispute by non-binding mediation. The location of the mediation shall be Montgomery, Alabama. Either party may terminate the mediation at any time after the session, but the decision to terminate must be delivered in person to the other party and the mediator. Engaging in mediation is a condition precedent to any other form of binding dispute resolution. If the parties cannot agree on a mutual resolution then any disputes not resolved by mediation shall be decided in the Circuit Court of Montgomery County, Alabama and governed by the laws of the State of Alabama between the Montgomery County Commission and Gulf States Distributors.
7. By signing this contract, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.

IN WITNESS WHEREOF, the undersigned have executed this Contract as of the 1st day of June, 2020.

WITNESS:

GULF STATES DISTRIBUTORS

BY: _____

TITLE: _____

WITNESS:

MONTGOMERY COUNTY COMMISSION

BY: _____

TITLE: _____