

Resolution 2024-R-08

A Resolution authorizing the execution of an amendment to an agreement with Gardner Architects LLC for Architectural & Engineering Services for the new Municipal Complex

WHEREAS, on June 20, 2023, the Irondale City Council approved Resolution 2023-R-80 authorizing the execution of an agreement with Gardner Architects for architectural and engineering services;

WHEREAS, following the approval of Resolution 2023-R-80, the scope of work for the project was modified to include both the Irondale Water Department and the Irondale Building Inspections Department within the new municipal complex; and

WHEREAS, the inclusion of these two departments within the new complex requires an amendment to the previously authorized and executed agreement to reflect a new budget and scope of work.

BE IT HEREBY RESOLVED by the City Council of the City of Irondale, Alabama, in regular meeting duly assembled, a quorum being present that Mayor James D. Stewart, Jr., or his designee, is hereby authorized to execute an amendment to the agreement for architectural and engineering services with Gardner Architects LLC (in substantially the form attached here to as **Exhibit A**) to amend the total budget and scope of work for the new municipal complex.

ADOPTED & APPROVED: This 23rd day of January, 2024.



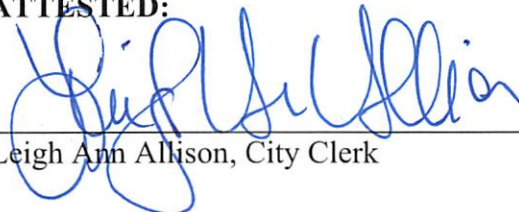
David Spivey, City Council President

APPROVED:



James D. Stewart, Jr., Mayor

ATTESTED:



Leigh Ann Allison, City Clerk

CERTIFICATION

I, Leigh Ann Allison, the City Clerk of the City of Irondale, Alabama, hereby certify that the above to be a true and correct copy of a resolution adopted by the City Council of the City of Irondale at its regular meeting held on January 23, 2024, as the same appears in the minutes of record of said meeting.



Leigh Ann Allison, City Clerk

Exhibit A

**AMENDMENT TO STANDARD ABBREVIATED FORM OF AGREEMENT BETWEEN
OWNER AND ARCHITECT**

THIS AMENDMENT TO STANDARD ABBREVIATED FORM OF AGREEMENT BETWEEN OWNER AND ARCHITECT (the “Amendment”) is entered into this ___ day of January, 2024, by and between the City of Irondale, Alabama, an Alabama municipal corporation (“Owner”) and Gardner Architects, LLC, an Alabama limited liability company (“Architect”).

RECITALS

- A. Architect and Owner entered into that certain Standard Abbreviated Form of Agreement Between Owner and Architect effective July 18, 2023 (the “Agreement”).
- B. Architect and Owner desire to amend the Agreement as hereinafter set forth.

NOW, THEREFORE, in consideration of the Agreements hereinafter set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Architect and Owner agree as follows:

- 1. **Recitals**. The foregoing recitals are true and correct and are incorporated herein by reference.
- 2. **Defined Terms**. All capitalized terms used herein and not expressly defined herein shall have the meaning given to them in the Agreement.
- 3. **Initial Budget Estimate**. Architect and Owner agree that the initial budget estimate in Section 1.1 of the Agreement is hereby revised to be \$14,000,000.00.
- 4. **Controlling Agreement**. To the extent any provisions contained herein conflict with the Agreement or any other Agreements between Architect and Owner, oral or otherwise, the provisions contained herein shall supersede such conflicting provisions contained in the Agreement or other Agreements.
- 5. **Counterparts; Facsimiles**. This Amendment may be executed in counterparts. Each executed counterpart of this Amendment will constitute an original document, and all executed counterparts, together, will constitute the same Amendment. Any counterpart evidencing signature by one party that is delivered by telecopy or email by such party to the other party hereto shall be binding and effective on the sending party when sent, without need for delivery of original signatures.

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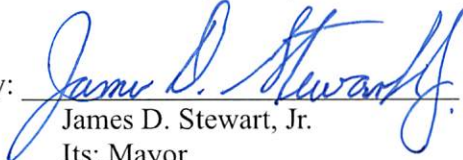
IN WITNESS WHEREOF, the parties have executed this Amendment effective the day and year first set forth above.

Executed by Owner on

January __, 2024

OWNER:

THE CITY OF IRONDALE, ALABAMA,
an Alabama municipal corporation

By: 
James D. Stewart, Jr.
Its: Mayor

Executed by Architect on

January __, 2024

ARCHITECT

GARDNER ARCHITECTS, LLC,
an Alabama limited liability company

By: _____
David B. Gardner, Sr.
Its: Principal in Charge