

Ordinance 25-11 continued from page 9



Huntsville, Alabama

Cover Memo

305 Fountain Circle
Huntsville, AL 35801

Meeting Type: City Council Regular Meeting Meeting Date: 1/9/2025 File ID: TMP-5086

Department: Legal

Subject: Type of Action: Approval/Action

Ordinance authorizing the vacation of a Utility and Drainage Easement, Lot 1 of Vista Phase II Subdivision also known as Park Place.

Ordinance No.

Finance Information:

Account Number: NA

City Cost Amount: NA

Total Cost: NA

Special Circumstances:

Grant Funded: NA

Grant Title - CFDA or granting Agency: NA

Resolution #: NA

Location: (list below)

Address: Utility and Drainage Easement, Lot 1 of Vista Phase II Subdivision also known as Park Place

District: District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☐ District 5 ☐

Additional Comments:

Huntsville, Alabama Page 1 of 1 Printed on 12/26/2024 powered by Legistar™

ORDINANCE NO. 24-994

WHEREAS, the City Council of the City of Huntsville has determined that the personal property described below has been identified by Fleet Services as surplus to the needs of the City of Huntsville and is no longer needed for a public or municipal purpose by the City of Huntsville.

THEREFORE BE IT ORDAINED, by the City Council of the City of Huntsville, Alabama that the personal property described below is surplus to the needs of the City of Huntsville and no longer needed for a public or municipal purpose by the City of Huntsville.

BE IT FURTHER ORDAINED that the Mayor and Director of Finance be, and they hereby are, authorized and directed to dispose of the personal property owned by the City of Huntsville, Alabama, described below, by selling such property via auction, Fowler Auction and Real Estate Service, Inc. All such property shall be sold to the highest bidder. The Mayor and Director of Finance be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Huntsville, Alabama; and signed by the Director of Fleet Services, conveyance of the title to the personal property, when applicable. All proceeds of which will be deposited into the City of Huntsville Fleet Capital account. Said documents shall be permanently kept on file in the Office of the City Clerk. Said personal property is described as follows:

- DEPARTMENT# 1400- GENERAL SERVICES**
021221- 2001 DODGE RAM 2500-VIN# 3B7KC26Z91M558087
DEPARTMENT# 1500- FLEET SERVICES
021412- 2006 CHEVROLET SILVERADO 1500- VIN# 1GBJC34U96E226788
DEPARTMENT# 4100- POLICE
011954- 2013 FORD FUSION- VIN# 3FA6P0G77DR127946
011957- 2013 FORD FUSION- VIN# 3FA6P0G78DR127938
011960- 2013 FORD FUSION- VIN# 3FA6P0G75DR127945
011961- 2013 FORD FUSION- VIN# 3FA6P0G70DR127948
011964- 2013 FORD FUSION- VIN# 3FA6P0G7XDR127939
011969- 2014 FORD FUSION- VIN# 3FA6P0G73ER338997
011970- 2014 FORD FUSION- VIN# 3FA6P0G77ER338999
011978- 2016 FORD FUSION- VIN# 1FA6P0G71G5116061
012031- 2014 FORD POLICE INTERCEPTOR TAURUS- VIN# 1FAHP2MK6EG185732
012045- 2014 FORD POLICE INTERCEPTOR TAURUS- VIN# 1FAHP2MK6EG185746
012058- 2020 FORD FUSION- VIN# 3FA6P0G74LR194731
021915- 2017 FORD POLICE INTERCEPTOR EXPLORER- VIN# 1FM5K8ARXHGD92737
022024- 2018 FORD POLICE INTERCEPTOR EXPLORER-VIN# 1FM5K8AR2JGC94887
DEPARTMENT# 4200- FIRE
092185- 1996 ONAN GENERATOR- SERIAL# A943117683
DEPARTMENT# 5200- LANDSCAPE
093055- 2005 ECHO TILLER-SERIAL# 9001012
094296- 2005 P&T SKID SPRAYER- SERIAL# 126320215E1
DEPARTMENT# 5500- PUBLIC WORKS
050541- 2014 BOBCAT COMPACT TRACK LOADER- SERIAL# AN8L12723
050588A- ASV 48" 4IN1 BUCKET ATTACHMENT
DEPARTMENT# 5550- SANITATION
021623- 2024 CHEVROLET SILVERADO 1500- VIN# 1GCEC19ZX4Z331223
030644- 2020 PETERBILT KNUCKLEBOOM- VIN# 2NP3LJ9X6MM732631

ORDINANCE NO. 24-994 (Cont'd)

ADOPTED this the 9th day of January, 2025.

/s/ John Meredith
President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 9th day of January, 2025.

/s/ Tommy Battle
Mayor of the City of Huntsville,
Alabama

ATTEST:
/s/ Shaundrika Edwards
Shaundrika Edwards
City Clerk

ORDINANCE NO. 24-995

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, that Article IV, Division 2, Procurement, of Chapter 2, Administration, of the Code of Ordinances, City of Huntsville, is hereby amended to read as follows:

Section 1. Section 2-188(b)(5) is amended to add subsection (f) to read as follows:

(f) *Unnecessary or duplicative* items. The city's procurement procedures shall avoid the acquisition of unnecessary or duplicative items.

Section 2. Section 2-188(b)(22) Purchases with Federal Transit Administration Funds are amended to read as follows:

(22) Micro-purchase Davis-Bacon. The City of Huntsville, Alabama adheres to the Davis-Bacon Act for prevailing wage and hour restrictions that applies to construction contracts over \$2,000.00.

Section 3. Sections 2-188(b)(53), (54), and (55) (56) are amended to read as follows:

(53) *Bid security (construction over \$250,000.00)*. Bid bonds, performance bonds, labor and material bonds or other security may be requested for supply contracts or service contracts as procurement services deems advisable to protect the city's interests, and in conformance with the Code of Ala. 1975, its, 39 and 41 (Code of Ala. 1975, §§ 39-1-1 et seq., 41-1-1 et seq.). Bid or performance bonds shall not be used as a substitute for a determination of a bidder or offeror's responsibility.

Both FTA and the Common Grant Rules generally require each bidder to provide a bid guarantee equivalent to five percent of its bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid to ensure that the bidder will honor its bid upon acceptance.

(54) *Performance security (construction over \$250,000.00)*. Bid bonds, performance bonds, and labor and material bonds or other security may be requested for supply contracts or service contracts as procurement services deems advisable to protect the city's interests, and in conformance with the Code of Ala. 1975, its, 39 and 41 (Code of Ala. 1975, §§ 39-1-1 et seq., 41-1-1 et seq.). Bid or performance bonds shall not be used as a substitute for a determination of a bidder or offeror's responsibility.

Both FTA and the Common Grant Rules generally require the third-party contractor to obtain a performance bond for 100 percent of the contract price. A "performance bond" is obtained to ensure completion of the obligations under the third-party contract.

(55) *Payment security (construction over \$250,000.00)*. The City of Huntsville, Alabama will comply with the Common Grant Rules requiring the third-party contractor to obtain a standard payment bond for 100 percent of the contract price. The "payment bond" will be obtained to ensure that the contractor will pay all people supplying labor and material for the third-party contract as required by law. The following minimum bonding policy amounts will be utilized:

- a. Less than \$1,000,000.00. Fifty percent of the contract price if the contract price is not more than \$1,000,000.00.
b. More than \$1,000,000.00 but less than \$5,000,000.00. Forty percent of the contract price if the contract price is more than \$1,000,000.00 but not more than \$5,000,000.00; or
c. More than \$5,000,000.00. Two and one half million dollars if the contract price is more than \$5,000,000.00.

(56) *Federal clause*. The City of Huntsville, Alabama will ensure that all applicable FTA clauses and certifications are included in any procurement actions that may utilize FTA funds exceeding the micro-purchase limit of \$10,000.00. To ensure that all FTA clauses and certifications are included in the FTA funded procurement, the Procurement Division uses a solicitation preparation checklist similar to the form under subsection (c). If it is determined that FTA compliance is required, Public Transit will use FTA C220.1F, as amended, "Provisions, Certifications, Reports, Forms, and Other Matrices of Third-Party Provisions," subsection (c) of this ordinance.

Section 5. Section 2-188 (c). Forms, templates, matrices and checklist is amended to update and update the following:

Procurement Decision Matrix	
Method of Procurement	
Micro-Purchase	Small Purchase
Amount < \$10,000 (City Threshold)	Amount < \$30,000 (City Threshold)
Amount < \$10,000 (FTA Threshold)	Amount < \$250,000 (FTA Threshold)
Multiple Sources	Complete & adequate specifics or description Three or more quotes available
	FTA Simplified Acquisition
	Amount < \$250,000 (FTA Threshold)
	Complete & Adequate Specifics or Description Three or More Quotes Available
	Type of Contract
Sealed Bids (IFB)	
Amount < \$30,000 (City Threshold)	Fixed Price
Complete & adequate specifics or description	Firm Fixed Price Unit Prices
Two or more responsible bidders willing to compete	Cost plus Fixed Fee
Selection can be made on basis of price alone	Time & Materials (Justified)
Firm Fixed Price Contract	Blanket Purchase Order
No discussion with bidders required after receipt of bids	Indefinite Delivery/Indefinite Quantity (IDIQ)
	Sole Source/Exception from Competition
Competitive Proposals (RFPs)	
Complete specifications not feasible	Approved by FTA
Bidder input needed	OEM, Custom Item OR
	Only one source OR Competition inadequate after solicitation OR
Two or more responsible bidders willing to compete	Solicitation/PB
Discussion needed with bidders after proposals	Emergency/Public Exigency
Fixed price can be set after discussion OR	

8) Sole Source Justification Form

EXEMPT FROM COMPETITIVE BID/QUOTE REQUIREMENT
REQUEST FORM (Revised December 2024)

The Code of Alabama 1975, as amended and the City of Huntsville Purchasing Policy provide provisions where purchases and contracts that typically require compliance with competitive bidding requirements or the securing of three (3) quotes to exempt from the mandated requirement. Circumstances of this nature arise, must be justified, documented, and memorialized in writing to firmly establish that a claim for exemption is in accordance with established law/policy.

Date: Requester Name: Department: Vendor: Estimated Amount: Commodity/Service:

Request Type (Check one):
☐ General Purchase & Contracts: Labor, services, equipment, materials, supplies, etc. totaling \$50,000 or more (41-16-50 of the Code of Alabama 1975, is amended).
☐ Public Works Contracts: Construction, installation, repair, renovation, maintenance of public buildings, structures, sewers, waterworks, roads, et seq as well as any other improvement to be constructed, installed, etc. on public property and to be paid in whole or in part with public funds... totaling \$100,000 or more (39-2-2 of the Code of Alabama 1975, is amended).
☐ Non-Contract Purchase & Contracts (3 Quote): §41 Commodities & Services: \$10,000 - \$29,999 OR §39 Public Works: \$50,000 - \$99,999 (Ch.2 Art. IV Div. 2 [2-184(d)(2)] of the City of Huntsville Procurement Policy.

I. Select the circumstance(s) that describes this purchase and warrants the exemption from competitive bidding requirements or the obtaining of three (3) quotes. Complete Sections II – IV to provide justification/explanation and documentation to support request for exemption.
☐ Sole Source/Impossible to Compete - Products & services by nature that are impossible to award by competitive bidding. Product/Service must be unique and of indispensable nature. No other product/service or vendor substantially equivalently addresses the specifications/objective/intended purpose. There is no other viable alternative (41-16-51(a)(1)) and (39-2-300(c)-(3)). Must provide a vendor/manufacture letter in support exemptions under §41. Must provide architectural or engineer of record recommendation in writing for sole source specifications for public works projects to support exemptions under §39.
☐ Professional Services - Services provided by individuals (i.e. attorney, architect, engineer, consultant, accountant, etc.) possessing a high degree of professional skill/knowledge where their role plays a decisive part in the project (41-16-51(a)(3)), or professional services only consisting of architectural, engineering, construction management, program or project management in support of public works, (39-2-3(d)(3)). City Council action may be required.
☐ Security or Safety - Products & services related to having impact upon security plans, procedures, systems or security safety of persons, structure, facilities infrastructure (41-16-51(a)(5)) or public works per (39-2-2(g)). Must provide a vendor/manufacture letter in support.
☐ Emergency Purchase - Case of emergency in which a delay in remedying would cause immediate harm to a person or public property (39-2-3(a)(1)) OR Case of emergency affecting public health, safety, or convenience (39-2-3(a)(2)). Both requires reason for action to be made public and published in writing OR circumstances that arise for which delay is likely to cause harm to an individual or public property (41-16-53). Requires two (2) or more quotes. Requires adoption of a resolution by City Council.
☐ WPC Provision - Purchase of equipment, supplies, materials used & consumed in normal & routine operations (41-16-51(b)(7)).
☐ State Cooperative Agreement GSA - Products & Services that have been subjected to competitive bid by the State of Alabama, approved by AL Department of Examiners of Public Accountant, or made available through the Government Services Administration (41-16-51(a)(16), (17), and (18)). Contract Source: Contract No: Contract Name:

☐ Other - Provide specific details by completing applicable sections below:

II. Will the materials or equipment purchased be used in a public works project? ☐ Yes ☐ No. Additional action shall be required pursuant to §39-2-2(d)(1) and Public Works Law as outlined in §39-2-2.

III. Provide a detailed explanation/statement describing the circumstance(s) creating the need to exempt the purchase or contract from the competitive bidding process or three (3) quote requirement. Attach additional page(s) if necessary.

IV. Respond to the following questions for Sole Source/Impossible to Compete and Security or Safety. Attach additional page(s) if necessary.
1. What specific need or specification does this product and/or service address?
2. What other products and/or services were considered/explored to address the need or specification?
3. What other vendors were considered/explored to provide the product and/or service? Why were those vendors not selected?
4. Is the product and/or service an integral repair or replacement part to existing equipment and/or infrastructure? If yes, provide type/name/manufacture of equipment.

Department Head Date Procurement Manager Date City Attorney/Deputy Attorney Date Submit form and supporting documentation to procurement@huntsvilleal.gov

Section 6. Section 2-188 (c)(9). Forms, templates, matrices and checklist is amended to update and update the following:

f. FTA Contract Clause Matrix

PROVISIONS, CERTIFICATIONS, REPORTS, FORMS, AND OTHER—MATRICES						
B. APPLICABILITY OF THIRD PARTY CONTRACT PROVISIONS (excluding micro-purchases, except Davis-Bacon requirements apply to contracts exceeding \$2,000)						
TYPE OF PROCUREMENT						
PROVISION	Professional Services/A&E	Operations/ Management	Rolling Stock Purchase	Construction	Materials & Supplies	
No Federal Government Obligations to Third Parties (by Use of a Disclaimer)	All	All	All	All	All	All
False Statements or Claims Civil and Criminal Fraud	All	All	All	All	All	All
Access to Third Party Contract Records	All	All	All	All	All	All
Changes to Federal Requirements	All	All	All	All	All	All
Termination	>\$10,000	>\$10,000	>\$10,000	>\$10,000	>\$10,000	All
Equal Employment Opportunity except Special DOL EEO clause for construction projects	All	All	All	All	All	All
Special DOL EEO clause for construction projects						>\$10,000
Disadvantaged Business Enterprises (DBEs)	All	All	All	All	All	All
Incorporation of FTA Terms	All	All	All	All	All	All
Debarment and Suspension	>\$25,000	>\$25,000	>\$25,000	>\$25,000	>\$25,000	>\$25,000
Buy America			>\$150,000	>\$150,000	>\$150,000	>\$150,000
Resolution of Disputes, Breaches, or Other Litigation	>\$250,000	>\$250,000	>\$250,000	>\$250,000	>\$250,000	>\$250,000
Lobbying	>\$100,000	>\$100,000	>\$100,000	>\$100,000	>\$100,000	>\$100,000
Clean Air	>\$150,000	>\$150,000	>\$150,000	>\$150,000	>\$150,000	>\$150,000
Clean Water	>\$150,000	>\$150,000	>\$150,000	>\$150,000	>\$150,000	>\$150,000
Cargo Preference			Transport by ocean vessel.	Transport by ocean vessel.	Transport by ocean vessel.	
Fly America	Foreign air transp./travel.	Foreign air transp./travel.	Foreign air transp./travel.	Foreign air transp./travel.	Foreign air transp./travel.	
Notice to FTA and U.S. DOT Inspector General of Information Related to Fraud, Waste, etc.	\$25,000 or More: Prime and Subs	\$25,000 or More: Prime and Subs	\$25,000 or More: Prime and Subs	\$25,000 or More: Prime and Subs	\$25,000 or More: Prime and Subs	\$25,000 or More: Prime and Subs
Prompt Payment	All	All	All	All	All	All

PROVISIONS, CERTIFICATIONS, REPORTS, FORMS, AND OTHER—MATRICES

B. APPLICABILITY OF THIRD PARTY CONTRACT PROVISIONS (Continued) (excluding micro-purchases, except Davis-Bacon requirements apply to construction contracts exceeding \$2,000)

TYPE OF PROCUREMENT					
PROVISION	Professional Services/A&E	Operations/ Management	Rolling Stock Purchase	Construction	Materials & Supplies
Davis-Bacon Act				>\$2,000 (also ferries)	
Veterans Preference				>\$150,000	
Contract Work Hours and Safety Standards Act		>\$250,000 (transportation services excepted)	>\$250,000	>\$250,000 (also ferries)	
Copeland Anti-Kickback Act Section 1 Section 2				All > \$2,000 (also ferries)	
Bonding Sensitive Safety	A&E for new buildings & additions			>\$250,000	New buildings & additions
Transit Employee Protective Arrangements		Transit operations			
Charter Service Operations		All			
School Bus Operations		All			
Drug Use and Testing		Transit operations			
Alcohol Misuse and Testing		Transit operations			
Patent Rights	R & D				
Rights in Data and Copyrights	R & D				
Energy Conservation	All	All	All	All	All
Recycled Products		EPA-selected items \$10,000 or more annually		EPA-selected items \$10,000 or more annually	EPA-selected items \$10,000 or more annually
Seat Belt Use	All	All	All	All	All
Distraction Driving	All	All	All	All	All
Conformance with ITS National Architecture	ITS projects.	ITS projects.	ITS projects.	ITS projects.	ITS projects.
ADA Access	A&E	All	All	All	All
Notification of Federal Participation for States	Limited to States	Limited to States	Limited to States	Limited to States	Limited to States
Prohibition on Certain Telecommunications Equipment	All	All	All	All	All

PROVISIONS, CERTIFICATIONS, REPORTS, FORMS, AND OTHER—MATRICES

C. CERTIFICATIONS, REPORTS, AND FORMS

CERTIFICATIONS, REPORTS, AND FORMS	COMMENTS	REGULATORY REFERENCE
Bus Testing Certification	All procurements of new model transit buses and vans with existing models being modified with major changes.	49 CFR Part 665
TVM Certifications	All rolling stock procurements.	49 CFR Part 26
Buy America Certification	Procurements of steel, iron, manufactured products and construction materials exceeding \$150,000.	49 CFR Part 661
Preaward Review	FTA Annual Certification for any rolling stock procurement.	49 CFR Part 663
Preaward Buy America Certification	Rolling stock procurements exceeding \$150,000.	49 CFR Part 663
Preaward Purchaser's Requirement	All rolling stock procurements.	49 CFR Part 663
Post Delivery Review	FTA Annual Certification for any rolling stock procurement.	49 CFR Part 663
Post Delivery Buy America Certification	Rolling stock procurements exceeding \$150,000.	49 CFR Part 663
Post Delivery Purchaser's Requirement	All rolling stock procurements to the extent required by Federal law and regulations.	49 CFR Part 663
On-Site Inspector's Report	Rolling Stock except for procurements of: <10 or fewer vehicles; <20 or fewer vehicles serving rural (other than urbanized) areas or urbanized areas or 200,000 people or fewer; - any amount of primary manufactured standard production and unmodified vans that after visual inspection and road testing meet the contract specifications.	49 CFR Part 663
Federal Motor Vehicle Safety Standards - Preaward and Post Delivery Reviews	Motor vehicle procurements (49 CFR 571).	49 CFR Part 663
Lobbying	Procurements exceeding \$100,000.	49 CFR Part 20 OMB Office of Federal Financial Management has not adopted FAR 2.101 \$150,000 simplified acquisition threshold standard.
Standard Form LLL and Quarterly Updates (when required)	Procurements exceeding \$100,000 where contractor engages in lobbying activities.	49 CFR Part 20 OMB Office of Federal Financial Management has not adopted FAR 2.101 \$150,000 simplified acquisition threshold standard.

PROVISIONS, CERTIFICATIONS, REPORTS, FORMS, AND OTHER—MATRICES

D. OTHER MATTERS

OTHER MATTERS	COMMENTS	STATUTORY OR REGULATORY REFERENCES
Contract Administration System		2 CFR § 200.318(b)
Record of Procurement History		2 CFR § 200.318(c)
Protest Procedures		2 CFR § 200.318(d)
Selection Procedures		2 CFR § 200.320 b
Cost/Price Analysis		2 CFR § 200.324
Justification for Noncompetitive Awards	If Applicable.	2 CFR § 200.320 c
No Excessive Bonding Requirements		2 CFR § 200.319(b) (2)
No Exclusionary Specifications		2 CFR § 200.319(d) (1)
No Geographic Preferences	Except for A&E Services	42 CFR § 200.319 c

Section 5. With the exception of the amendments made herein, all other portions of Chapter 2, Article IV of the Code of Ordinances, City of Huntsville, Alabama shall remain unchanged and in full force and effect.

Section 6. This ordinance shall become effective upon its adoption and approval.

ORDINANCE NO. 24-995 (Cont'd)

ADOPTED this the 9th day of January, 2025.

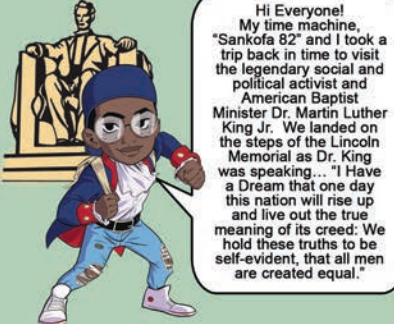
/s/ John Meredith
President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 9th day of January, 2025.

/s/ Tommy Battle
Mayor of the City of Huntsville,
Alabama



MARTIN LUTHER KING, JR. ACTIVITY SHEET



Hi Everyone!
My time machine, "Sankofa 82" and I took a trip back in time to visit the legendary social and political activist and American Baptist Minister Dr. Martin Luther King Jr. We landed on the steps of the Lincoln Memorial as Dr. King was speaking... "I Have a Dream" that one day this nation will rise up and live out the true meaning of its creed: We hold these truths to be self-evident, that all men are created equal."



WHO SAID IT?

As Dr. King began his "I Have a Dream" speech on the steps of the Lincoln Memorial, someone near shouted out to him. Which one of these three remarkable women (Rosa Parks, civil rights activist; Coretta Scott King, wife of Dr. King; or Mahalia Jackson, gospel singer) shouted the following: "go head Martin, tell them about your dream, TELL THEM ABOUT YOUR DREAM MARTIN!"

Write her name here: _____



I HAVE A DREAM...

Submit your own "I Have a Dream" thoughts to KEMETCOMIC.COM and get published in an upcoming activity sheet!



FILL IN THE BLANK

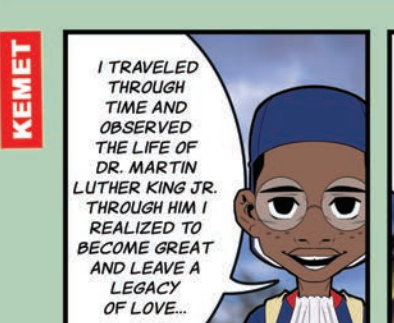
Complete the sentence with the correct word(s).
[Coretta Scott King, "I Have a Dream", Nobel Peace Prize, Mahatma Gandhi, Bernice]
The _____ was won by Dr. King in 1964.
Dr. King was married to _____.
Dr. King modeled his non-violent peaceful approach after _____.
In birth order, Dr. King's children's names are Yolanda, Martin III, Dexter and _____.



ONE MINUTE MADNESS!

See how many words you can find on the MLK Jr Word Search in one minute

MEMPHISSKRAPASOREE _____
EGJNOAASSASSINATED _____
CNMDISCRIMINATIONE _____
CSOAMMFZYTLAUQELO _____



I TRAVELED THROUGH TIME AND OBSERVED THE LIFE OF DR. MARTIN LUTHER KING JR. THROUGH HIM I REALIZED TO BECOME GREAT AND LEAVE A LEGACY OF LOVE...



...YOU DON'T DO IT BY BEING SUPER RICH OR EVEN BEING THE BEST AT YOUR CRAFT. YOU BECOME GREAT AND LEAVE A LEGACY OF LOVE BY...



...BECOMING A SERVANT OF PEOPLE!



ANSWER KEY

FILL IN THE BLANK: WHO SAID IT? Coretta Scott King, Mahalia Jackson, Bernice. I HAVE A DREAM? "I Have a Dream".

FAIR OR UNFAIR: FAIR.

MLK JR., 1/12/25, #185 WWW.JOEYOUNG.ORG KEMET ACTIVITY SHEETS © 2025 BY JOE YOUNG