

EXHIBIT 3

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER# 2 TO THE CONTRACT BETWEEN THE CITY OF DENTON AND JAGOE-PUBLIC COMPANY FOR THE EAGLE DRIVE RECONSTRUCTION PROJECT WHICH WAS ORIGINALLY APPROVED BY COUNCIL ON APRIL 26, 2016, IN THE AMOUNT OF \$2,089,550.42 WITH CHANGE ORDER# 1 IN THE NEGATIVE AMOUNT OF \$94,886.25 APPROVED BY COUNCIL ON JULY 19, 2016; PROVIDING FOR THE EXPENDITURE OF FUNDS THEREFOR; AND PROVIDING AN EFFECTIVE DATE (BID 6057-CHANGE ORDER# 2 IN THE NEGATIVE AMOUNT OF \$143,020.58 FOR A TOTAL CONTRACT AWARD AGGREGATING TO \$1,851,223.59).

WHEREAS, on April 26, 2016 by Ordinance No. 2016-129, the City awarded a public works contract to Jagoe-Public Company in the amount of \$2,089,550.42 for the Eagle Drive Reconstruction Project;

WHEREAS, on July 19, 2016 by Ordinance No. 2016-206, the City Council approved Change Order # 1 in the amount of (\$94,886.25) for the Eagle Drive Reconstruction Project;

WHEREAS, the Staff having recommended, and the City Manager having recommended to the Council that a change order be authorized to amend such contract agreement with respect to the scope of work and an increase in the payment amount, and said change order fees under the proposed contract are fair and reasonable and are consistent with and not higher than the recommended practices and fees published by the professional associations applicable to the Provider's profession and such fees do not exceed the maximum provided by law; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The Change Order # 2, decreasing the amount of the contract between the City and Jagoe-Public Company., which is on file in the office of the Purchasing Agent, in the negative amount of One Hundred Forty Three Thousand Twenty Dollars and 58/100 (\$143,020.58) Dollars, is hereby approved and the expenditure of funds therefore is hereby authorized in accordance with said change order. The total purchase order amount decreases to \$1,851,223.59.

SECTION 2. That this ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the _____ day of _____, 2017.

CHRIS WATTS, MAYOR

ATTEST:

JENNIFER WALTERS, CITY SECRETARY

BY: _____

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APPROVED AS TO LEGAL FORM:
AARON LEAL, INTERIM CITY ATTORNEY

A handwritten signature in black ink, appearing to read "AARON LEAL".

BY: _____