

EXHIBIT 4

ORDINANCE NO. 2017-_____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS AUTHORIZING THE APPROVAL OF A SECOND AMENDMENT TO A CONTRACT BETWEEN THE CITY OF DENTON AND LCG CONSULTING FOR FORWARD MARKET MODELING SOFTWARE SERVICES FOR AN ADDITIONAL THREE (3) YEAR PERIOD, EXTENDING THE CONTRACT APPROVED BY CITY COUNCIL ON FEBRUARY 4, 2014, IN THE AMOUNT OF \$309,000 AND A FIRST AMENDMENT APPROVED BY PURCHASING STAFF ON NOVEMBER 13, 2014 IN THE AMOUNT OF \$10,000; PROVIDING FOR THE EXPENDITURE OF FUNDS THEREFOR; AND PROVIDING AN EFFECTIVE DATE (FILE 5424-PROVIDING FOR AN ADDITIONAL EXPENDITURE AMOUNT NOT-TO-EXCEED \$309,000, WITH THE TOTAL CONTRACT AMOUNT NOT-TO-EXCEED \$628,000).

WHEREAS, on February 4, 2014, the City awarded a consulting agreement (hereafter "Agreement") to LCG Consulting a California Corporation, located in Los Altos, California, Texas in the amount of \$309,000 to provide the City with Forward Market Modeling Software Services pertaining to Denton Municipal Electric; and

WHEREAS, on November 13, 2014, the City approved a First Amendment to the agreement with LCG Consulting (hereafter the "First Amendment") in the further amount of \$10,000 aggregating a not-to-exceed amount of \$319,000 to provide the City with additional services pertaining to the software; and

WHEREAS, there appears to the Council that a three (3) year extension of the software licenses and maintenance is necessary; and the City Manager having recommended to the Council that the "Second Amendment to the Agreement with LCG Consulting (hereafter the "Second Amendment") be authorized to amend such Agreement, with respect to the contract term and an additional payment amount of \$309,000;

WHEREAS, the City Council has provided in the City budget for the appropriation of funds to be used for the procurement of the software and services, as set forth in the "Second Amendment to Agreement for Forward Market Modeling Software Services; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The recitations contained in the preamble hereto are true and correct and are incorporated herewith as a part of this Ordinance.

SECTION 2. The City Manager is hereby authorized to execute a "Second Amendment to Agreement for Forward Market Modeling Software Services (the "Second Amendment") with the firm of LCG Consulting in the additional amount of not-to-exceed \$309,000, for services pertaining to the interests of the City as hereinabove described, in substantially the form of the Second Amendment which is attached hereto as Exhibit "A" which is incorporated herewith by reference. The total purchase order amount therefore increases to the not-to-exceed amount of \$628,000.

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SECTION 3. The award of this Second Amendment is on the basis of the demonstrated competence and qualifications of the firm of LCG Consulting, and the ability of LCG Consulting to perform the services needed by the City for a fair and reasonable price.

SECTION 4. The expenditure of funds as provided for in the attached Second Amendment is hereby authorized.

SECTION 5. This ordinance shall become effective upon its passage and approval.

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

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

By: _____

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


By: _____