

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, A TEXAS HOME-RULE MUNICIPAL CORPORATION, AUTHORIZING THE APPROVAL OF A SECOND AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF DENTON AND GARVER, LLC, AMENDING THE CONTRACT APPROVED BY PURCHASING ON AUGUST 28, 2023, IN THE NOT-TO-EXCEED AMOUNT OF \$15,000.00; AMENDED BY AMENDMENT 1 APPROVED BY CITY COUNCIL; SAID SECOND AMENDMENT TO PROVIDE A TAXIWAY REHABILITATION PRIORITY REPORT FOR THE DENTON ENTERPRISE AIRPORT; PROVIDING FOR THE EXPENDITURE OF FUNDS THEREFOR; AND PROVIDING AN EFFECTIVE DATE (RFQ 8209 – PROVIDING FOR AN ADDITIONAL SECOND AMENDMENT EXPENDITURE AMOUNT NOT-TO-EXCEED \$53,200.00, WITH THE TOTAL CONTRACT AMOUNT NOT-TO-EXCEED \$138,200.00).

WHEREAS, on August 28, 2023, Purchasing awarded a contract to Garver, LLC in the amount of \$15,000.00, for Airport Engineering Services for the Denton Enterprise Airport; and

WHEREAS, on February 18, 2025, City Council awarded a First Amendment to Garver, LLC in the amount of \$70,000.00, to provide a drainage study for the Denton Enterprise Airport; and

WHEREAS, this procurement was undertaken as part of the City's governmental function; and

WHEREAS, the additional fees under the proposed Second Amendment are fair and reasonable and are consistent with, and not higher than, the recommended practices and fees 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 Second Amendment, increasing the amount of the contract between the City and Garver, LLC, which is on file in the office of the Purchasing Agent, in the amount of Fifty-Three Thousand Two Hundred and 0/100 (\$53,200.00) Dollars, is hereby approved, and the expenditure of funds therefor is hereby authorized in accordance with said amendment which shall be effective upon the execution of the amendment attached hereto. The total contract amount increases to \$138,200.00.

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

The motion to approve this ordinance was made by _____ and seconded by _____. This ordinance was passed and approved by the following vote [___ - ___]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Paul Meltzer, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Jill Jester, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the _____ day of _____, 2025.

GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: Marcella Lunn



Docusign City Council Transmittal Coversheet

PSA	8209
File Name	Airport Engineering Services - Amendment 2
Purchasing Contact	Christina Dormady
City Council Target Date	
Piggy Back Option	Not Applicable
Contract Expiration	
Ordinance	

**SECOND AMENDMENT TO CONTRACT
BY AND BETWEEN THE CITY OF DENTON, TEXAS
AND GARVER, LLC
PSA 8209**

THE STATE OF TEXAS §

COUNTY OF DENTON §

THIS SECOND AMENDMENT TO CONTRACT 8209 (“Amendment”) by and between the City of Denton, Texas (“City”) and Garver, LLC (“Engineer”); to that certain contract executed on August 28, 2023, in the original not-to-exceed amount of \$15,000 (the “Original Agreement”); amended on February 19, 2025 in the additional amount of \$70,000 aggregating a not-to-exceed amount of \$85,000 (the “First Amendment”); (collectively, the Original Agreement, the First Amendment, are the “Agreement”) for services related to the design of the Airport Engineering Services.

WHEREAS, the City deems it necessary to further expand the services provided by Engineer to the City pursuant to the terms of the Agreement, and to provide an additional not-to-exceed amount \$53,200 with this Amendment for an aggregate not-to-exceed amount of \$138,200; and

FURTHERMORE, the City deems it necessary to further expand the goods/services provided by Engineer to the City;

NOW THEREFORE, the City and Engineer (hereafter collectively referred to as the “Parties”), in consideration of their mutual promises and covenants, as well as for other good and valuable considerations, do hereby AGREE to the following Amendment, which amends the following terms and conditions of the said Agreement, to wit:

1. The additional services described in Exhibit “A” of this Amendment, attached hereto and incorporated herein for all purposes, for professional services related to the Taxiway Rehab Prioritization, are hereby authorized to be performed by Engineer. For and in consideration of the additional services to be performed by Engineer, the City agrees to pay, based on the cost estimate detail attached as Exhibit “B” to this Amendment, attached hereto and incorporated herein for all purposes, a total fee, including reimbursement for non-labor expenses an amount not to exceed \$53,200.
2. This Amendment modifies the Agreement amount to provide an additional \$53,200 for the additional services with a revised aggregate not to exceed total of \$138,200.

The Parties hereto agree, that except as specifically provided for by this Amendment, that all of the terms, covenants, conditions, agreements, rights, responsibilities, and obligations of the Parties, set forth in the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the City and the Engineer, have each executed this Amendment electronically, by and through their respective duly authorized representatives and officers on this date _____.

“Engineer”

GARVER, LLC

DocuSigned by:
By: Mitchell McNally
A1065D2B44A9E4C0E
AUTHORIZED SIGNATURE, TITLE

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

DocuSigned by:
By: Marcella Lunn
4B070831B4AA438...

“CITY”

CITY OF DENTON, TEXAS
A Texas Municipal Corporation

By: _____

ATTEST:
LAUREN THODEN, CITY SECRETARY

By: _____

THIS AGREEMENT HAS BEEN
BOTH REVIEWED AND APPROVED
as to financial and operational
obligations and business terms.

Signed by: Ryan Adams Ryan Adams
765407B3A4734
SIGNATURE PRINTED NAME

Director of Airport

TITLE

Denton Enterprise Airport

DEPARTMENT



3000 Internet Blvd
Suite 400
Frisco, TX 75034
TEL 972.377.7480
FAX 972.377.8380
www.GarverUSA.com

March 11, 2025

Ryan Adams
Denton Enterprise Airport
Airport Director
5000 Airport Road
Denton, TX 76207

Re: Denton Enterprise Airport (DTO)
Taxiway Rehabilitation Prioritization
Engineering Services Proposal

Dear Mr. Adams:

Garver is pleased to submit this proposal to provide engineering professional services related to the above referenced project.

COMPENSATION

For the Taxiway Rehabilitation Prioritization project, the hourly not-to-exceed fee of **\$53,200.00** is based on the services included in Exhibit A. A detailed breakdown of the proposed fee for these services is included within Exhibit B.

SCHEDULE

Garver acknowledges the importance of the project schedule to the City of Denton and agrees to put forth its best professional efforts to perform its services under this Agreement in a manner consistent with that schedule.

Barring unforeseen circumstances beyond the control of Garver, we would anticipate completing the work within a mutually agreeable schedule that aligns with the City of Denton.

Garver is pleased to have this opportunity to submit this proposal and look forward to working with you on this project. If you have any questions or would like any additional information, please feel free to call me anytime at 214-619-9048.

Sincerely,

Sara Andrews, PE
Senior Project Manager

Attachments: Exhibit A – Scope of Services
Exhibit B – Fee Spreadsheet



EXHIBIT A (SCOPE OF SERVICES)

Generally, the Scope of Services includes the following professional services for the prioritization of taxiway rehabilitation projects at Denton Enterprise Airport (DTO).

1. DESIGN SERVICES

- 1.1. Garver (Consultant) shall perform engineering services to evaluate the existing conditions of taxiways listed below and provide recommendations for rehabilitation. Evaluation will include a site investigation to document existing conditions. A prioritization of projects based on the rehabilitation recommendations and cost estimates will be provided to Denton Enterprise Airport for consideration of additional design services. The taxiways under evaluation are the following:

- 1.1.1. Taxiway A
- 1.1.2. Taxiway C
- 1.1.3. Taxiway D
- 1.1.4. Taxiway F
- 1.1.5. Taxiway H
- 1.1.6. Taxiway J
- 1.1.7. Taxiway M
- 1.1.8. Taxiway B
- 1.1.9. Taxiway K
- 1.1.10. Taxiway O

- 1.2. Additional design services will be provided upon acceptance of proposed recommendations included in the preliminary engineering report letter
- 1.3. Garver will help prepare the Grant Applications for the use of the IIJA funds for the remaining funds for Fiscal Year 2022 and planned funds for Fiscal Year 2023.

2. PROJECT DELIVERABLES

- 2.1. The following deliverables will be submitted to the parties identified below. Unless otherwise noted below, all deliverables shall be electronic.
 - Pavement Study
 - Preliminary Engineering Report Letter
 - Engineer's Opinion of Probable Cost
 - Executive Summary

3. ADDITIONAL SERVICES

- 3.1. The following items are not included under this agreement but will be considered as additional services to be added under Amendment if requested by the Owner.
 - Redesign for the Owner's convenience or due to changed conditions after previous alternate direction and/or approval.
 - Geotechnical services
 - Surveying services
 - Deliverables beyond those listed herein.



- Design of any utility relocation.
- Engineering, architectural, or other professional services beyond those listed herein.
- Environmental Handling and Documentation, including wetlands identification or mitigation plans or other work related to environmentally or historically (culturally) significant items.

4. SCHEDULE

- 4.1. Garver shall begin work under this Agreement upon execution of this Agreement and shall complete the work within a mutually agreeable schedule with the Owner.

Exhibit B

Denton Enterprise Airport (DTO)
Taxiway Rehab Prioritization

Conceptual Design (15%)

WORK TASK DESCRIPTION	E-5	E-4	E-1	T-3
	hr	hr	hr	hr
1. Civil Engineering				
In-Person Kickoff Meeting	3	4	3	
Coordination with Airport & City of Denton	1	4	2	
Site investigation to verify existing conditions	3	8	8	2
Develop Rehabilitation Recommendations & Exhibits	2	12	24	12
Develop Engineer's Opinion of Probable Costs	2	12	24	
Develop Taxiway Rehabilitation Priority Plan	2	8	12	
Develop Preliminary Engineering Report Letter	6	24	8	
Develop Executive Summary of PER Findings	2	5	6	6
Virtual Review Meeting	1	2	1	
Finalize letter based on Review Comments	2	4	6	
Prepare IIJA 2022 Grant Application for Pavement Study	1	4		
Prepare IIJA 2023 Grant Application for Pavement Design	1	4		
Project Administration	1	4		
Subtotal - Civil Engineering	27	95	94	20

Hours	27	95	94	20
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SUBTOTAL - SALARIES:	\$52,683.00
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DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$202.00
Postage/Freight/Courier	\$30.00
Office Supplies/Equipment	\$65.00
Computer Modeling/Software Use	\$120.00
Travel Costs	\$100.00

SUBTOTAL - DIRECT NON-LABOR EXPENSES:	\$517.00
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SUBTOTAL:	\$53,200.00
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SUBCONSULTANTS FEE:	\$0.00
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TOTAL FEE:	\$53,200.00
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Certificate Of Completion

Envelope Id: 92B5DE11-86FA-47D9-BE40-1F2F88C6B471

Subject: Please DocuSign: City Council Contract 8209 Airport Engineering Services - Amendment 2

Source Envelope:

Document Pages: 7

Certificate Pages: 6

AutoNav: Enabled

Envelopeld Stamping: Enabled

Time Zone: (UTC-06:00) Central Time (US & Canada)

Status: Sent

Envelope Originator:

Christina Dormady

901B Texas Street

Denton, TX 76209

christina.dormady@cityofdenton.com

IP Address: 198.49.140.104

Record Tracking

Status: Original

3/20/2025 2:42:23 PM

Holder: Christina Dormady

christina.dormady@cityofdenton.com

Location: DocuSign

Signer Events

Christina Dormady

christina.dormady@cityofdenton.com

Buyer

City of Denton

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Lori Hewell

lori.hewell@cityofdenton.com

Purchasing Manager

City of Denton

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Marcella Lunn

marcella.lunn@cityofdenton.com

Senior Deputy City Attorney

City of Denton

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Mitchell McAnally

MRMcAnally@GarverUSA.com

Vice President

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:

Accepted: 3/21/2025 7:50:04 PM

ID: cf253acf-3279-493d-8638-03d5913248e3

Signature

Completed

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Signature Adoption: Pre-selected Style

Using IP Address: 198.49.140.104

DocuSigned by:
Marcella Lunn
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Signature Adoption: Pre-selected Style

Using IP Address: 198.49.140.10

DocuSigned by:
Mitchell McAnally
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Signature Adoption: Pre-selected Style

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Timestamp

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Signed: 3/20/2025 2:46:25 PM

Sent: 3/20/2025 2:46:27 PM

Viewed: 3/21/2025 8:17:44 AM

Signed: 3/21/2025 8:18:35 AM

Sent: 3/21/2025 8:18:37 AM

Viewed: 3/21/2025 4:16:45 PM

Signed: 3/21/2025 4:20:52 PM

Sent: 3/21/2025 4:20:53 PM

Viewed: 3/21/2025 7:50:04 PM

Signed: 3/24/2025 12:19:51 PM

Signer Events	Signature	Timestamp
Ryan Adams Ryan.adams@cityofdenton.com Director of Airport Security Level: Email, Account Authentication (None)	<div>Signed by:  76544D73C36F499...</div> Signature Adoption: Pre-selected Style Using IP Address: 198.49.140.10	Sent: 3/24/2025 12:19:53 PM Viewed: 3/24/2025 12:20:15 PM Signed: 3/24/2025 3:50:10 PM

Electronic Record and Signature Disclosure:
Accepted: 3/24/2025 12:20:15 PM
ID: f17b0b5a-d69a-46f5-aad7-6bc94a12971d

Cheyenne Defee
cheyenne.defee@cityofdenton.com
Procurement Administration Supervisor
City of Denton

Sent: 3/24/2025 3:50:13 PM

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Sara Hensley
sara.hensley@cityofdenton.com
Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Lauren Thoden
lauren.thoden@cityofdenton.com
Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp

Cheyenne Defee
cheyenne.defee@cityofdenton.com
Procurement Administration Supervisor
City of Denton

COPIED

Sent: 3/20/2025 2:46:27 PM

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Gretna Jones
gretna.jones@cityofdenton.com
Legal Secretary
City of Denton

Sent: 3/24/2025 3:50:12 PM
Viewed: 3/25/2025 11:32:59 AM

Security Level: Email, Account Authentication (None)

Carbon Copy Events	Status	Timestamp
Electronic Record and Signature Disclosure: Not Offered via DocuSign City Secretary Office citysecretary@cityofdenton.com Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign Chase Patterson chase.patterson@cityofdenton.com Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Accepted: 3/18/2025 4:06:10 PM ID: e25168e6-00f3-4181-a116-03c7f6c03339		
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	3/20/2025 2:45:44 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

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Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact City of Denton:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: purchasing@cityofdenton.com

To advise City of Denton of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at melissa.kraft@cityofdenton.com and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from City of Denton

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to purchasing@cityofdenton.com and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with City of Denton

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to purchasing@cityofdenton.com and in the body of such request you must state your e-mail, full name, US Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none">•Allow per session cookies•Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify City of Denton as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by City of Denton during the course of my relationship with you.