

## EXHIBIT 5

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF DENTON, TEXAS AUTHORIZING THE APPROVAL OF A FIRST AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF DENTON AND TEAGUE NALL AND PERKINS, INC. (TNP), AMENDING THE CONTRACT APPROVED BY CITY COUNCIL ON AUGUST 6, 2013, IN THE NOT-TO-EXCEED AMOUNT OF \$4,160,000, TO PROVIDE ADDITIONAL ENGINEERING AND SURVEYING SERVICES RELATED TO THE DENTON MUNICIPAL ELECTRIC CAPITAL IMPROVEMENT PLAN; PROVIDING FOR THE EXPENDITURE OF FUNDS THEREFOR; AND PROVIDING AN EFFECTIVE DATE (FILE 5306-PROVIDING FOR AN ADDITIONAL EXPENDITURE AMOUNT NOT-TO-EXCEED \$4,360,000, WITH THE TOTAL CONTRACT AMOUNT NOT-TO-EXCEED \$8,520,000).

WHEREAS, on August 6, 2013, by Ordinance No. 2013-189, the City awarded a contract to Teague Nall and Perkins, Inc. in the amount of \$4,160,000 for engineering and surveying services related to Denton Municipal Electric Capital Improvement Plan Projects and

WHEREAS, the Staff having recommended, and the City Manager having recommended to the Council that an amendment be authorized to amend such contract agreement with respect to an increase in the payment amount, and said fees under the proposed contract 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 First Amendment, increasing the amount of the contract between the City and Teague Nall and Perkins, Inc., which is on file in the office of the Purchasing Agent, in the amount of Four Million Three Hundred Sixty Thousand and 0/100 (\$4,360,000) Dollars, is hereby approved and the expenditure of funds therefor is hereby authorized in accordance with said amendment. The total contract amount increases to \$8,520,000.

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

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
CHRIS WATTS, MAYOR

**EXHIBIT 5**

ATTEST:  
JENNIFER WALTERS, CITY SECRETARY

BY: \_\_\_\_\_

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

A handwritten signature in black ink, appearing to read "A. Leal", written over a horizontal line.

BY: \_\_\_\_\_