

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 DELOITTE & TOUCHE, LLP., TO PERFORM A FISCAL YEAR 2017-18 BENCHMARK ANALYSIS AND RISK ASSESSMENT OF THE CITY OF DENTON ENERGY MAINTENANCE ORGANIZATION (EMO) IN THE AMOUNT OF \$145,000, AMENDING THE CONTRACT APPROVED BY PURCHASING STAFF ON MAY 25, 2017 IN THE AMOUNT OF \$26,000, AND A FIRST AMENDMENT APPROVED BY THE CITY MANAGER ON JULY 25, 2017 IN THE AMOUNT OF \$60,000; PROVIDING FOR THE EXPENDITURE OF FUNDS THEREFOR; AND PROVIDING AN EFFECTIVE DATE (FILE 6469--PROVIDING FOR AN ADDITIONAL EXPENDITURE AMOUNT NOT-TO-EXCEED \$145,000, WITH THE TOTAL CONTRACT AMOUNT NOT-TO-EXCEED \$231,000.)

WHEREAS, on May 25, 2015, Purchasing staff awarded a Professional Services Agreement for Consulting Services (hereafter the "Agreement") to Deloitte & Touche, LLP., in the amount of \$26,000 for professional consulting services regarding an assessment of the Energy Management Organization for Denton Municipal Electric; and

WHEREAS, on July 25, 2017, the City awarded an amended Professional Services Agreement for Consulting Services to Deloitte & Touche LLP., (hereafter the "First Amendment") in the further amount of \$60,000 aggregating a not-to-exceed amount of \$86,000, for additional services to be rendered regarding the assessment of the Energy Management Organization and said Agreement was approved by the City Manager in accordance with his delegated authority; and

WHEREAS, there appears to the Council that further professional services must be completed; and Staff having recommended, the Public Utilities Board having approved, and the City Manager having recommended to the Council that the Second Amendment to Professional Services Agreement with Deloitte & Touche, LLP., (hereafter the "Second Amendment") be authorized to amend such Agreements, with respect to the scope of work and an increase in the payment amount by \$145,000; and said fees under the proposed Second Amendment 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 City Manager is hereby authorized to enter into the "Amendment to Professional Services Agreement" with Deloitte & Touche, LLP., (hereafter the "Second Amendment"), in substantially the form that is attached hereto as Exhibit "A," and incorporated herewith by reference, which increases the amount of the engagement by and between the City of Denton, Texas and Deloitte & Touche, LLP., which Agreement is on file in the office of the Purchasing Agent, in the additional amount of \$145,000, which amount is hereby approved; and the expenditure of funds therefor is hereby authorized in accordance with said Second Amendment. The

total purchase order amount therefore increases to the amount of not-to-exceed \$231,000.

SECTION 2. The City Council of the City of Denton, Texas hereby expressly delegates the authority to expend funds and to take any actions that may be required or permitted to be performed by the City of Denton, Texas under File 6469, to the City Manager of the City of Denton, Texas, or his designee.

SECTION 3. The recitations and statements contained in the preamble hereto are incorporated herewith as a part of this Ordinance for all purposes.

SECTION 4. This ordinance shall become effective immediately upon its passage and approval.

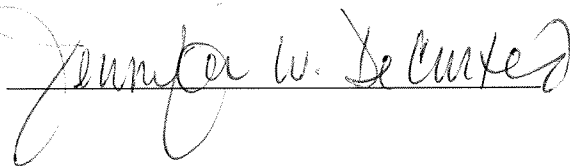
PASSED AND APPROVED this the _____ day of _____, 2017.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

By: _____

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

By:  _____