

April 12, 2023

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute a service price agreement with Ferguson Enterprises, Inc. (020709), approved as to form by the City Attorney, for acquisition and distribution of replacement toilets as part of the Water Conservation Strategic Plan for the Office of Environmental Quality and Sustainability for a term of five years, in the estimated amount of \$1,262,395.30. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this service price agreement during its term. Payments made to Ferguson Enterprises, LLC. shall be based only on the amount of the services directed to be performed by the City and properly performed by Ferguson Enterprises, LLC. under the service price agreement. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the agreement for six months by filing a notice of extension with the City Secretary's Office.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$1,262,395.30 (subject to annual appropriations), but not more than the amount of budgetary appropriations for this service price agreement during its term to Ferguson Enterprises, Inc. from Service Price Agreement Contract No. POM-2022-00019743.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.