

1st Reading:  
2nd Reading:

**SPONSOR: JOKERST**

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

**BILL NO. 22-89**

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT WITH BARCOM ELECTRONIC, INC. D/B/A BARCOM SECURITY TO REMOVE RIVERCHASE YMCA FROM SUCH SECURITY/FIRE ALARM MONITORING, MAINTENANCE, AND REPAIR SERVICES.**

**WHEREAS**, on July 23, 2020, pursuant to Ordinance 4060, the City entered into an agreement with Barcom Electronic, Inc. d/b/a Barcom Security (“Barcom”) for Security/Fire Alarm Monitoring, Maintenance, and Repair Services (the “Agreement”); and

**WHEREAS**, on November 23, 2020, the City entered into a first amendment to the Agreement pursuant to Ordinance 4082, related to new fire panels; and

**WHEREAS**, the Agreement currently includes services for RiverChase YMCA and RiverChase YMCA desires to enter into a contract directly with Barcom for those services; and

**WHEREAS**, at the October 13, 2022 Committee Meeting, the Board of Aldermen discussed amending the Agreement to remove services related to RiverChase YMCA; and

**WHEREAS**, the Board of Aldermen desires to and finds it in the best interest of the City to enter into such an amendment to the Agreement.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FENTON, MISSOURI, AS FOLLOWS:**

**Section 1.** The Board of Aldermen hereby authorizes the Mayor to execute on behalf of the City a Second Amendment to the Agreement with Barcom to remove RiverChase YMCA from the services under the Agreement in substantially the form of Exhibit 1, attached hereto and incorporated herein by reference.

**Section 2.** This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and its approval by the Mayor.

**ORD. NO. \_\_\_\_\_**

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PASSED this 27<sup>th</sup> day of October, 2022.

\_\_\_\_\_  
JOE MAURATH, MAYOR

APPROVED this 27<sup>th</sup> day of October, 2022.

\_\_\_\_\_  
JOE MAURATH, MAYOR

ATTEST:

\_\_\_\_\_  
Jane Hungler, City Clerk

Motion to approve. Roll Call vote:

Ayes:

Abstain:

Nays:

Absent:

**ORD. NO.** \_\_\_\_\_

**EXHIBIT 1**

**SECOND AMENDMENT TO CONSULTANT/SERVICES CONTRACT  
WITH BARCOM ELECTRONIC, INC. D/B/A BARCOM SECURITY**

This Second Amendment is made this 27<sup>th</sup> day of October, 2022, between the **City of Fenton**, (“City”), and Barcom Electronic, Inc. d/b/a Barcom Security (“Barcom”),

**WHEREAS**, on July 23, 2020, pursuant to Ordinance 4060, the City entered into an agreement with Barcom for Security/Fire Alarm Monitoring, Maintenance, and Repair Services (the “Agreement”); and

**WHEREAS**, on November 23, 2020, the City entered into a first amendment to the Agreement pursuant to Ordinance 4082, related to new fire panels; and

**WHEREAS**, the Agreement currently includes services for RiverChase YMCA and RiverChase YMCA desires to enter into a contract directly with Barcom for those services; and

**WHEREAS**, the parties desire to enter into an Amendment to the Agreement to remove RiverChase YMCA from the services under the Agreement.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements herein contained, the parties do hereby agree as follows:

1. The Agreement is hereby amended by amending Exhibit A, Scope of Services, by deleting all references to “990 Horan Drive” and “4 locations” and terminating all services and fees related to 900 Horan Drive, resulting in only 3 locations falling under the services of the Agreement.

2. The parties hereby reaffirm that all other provisions of the Agreement not specifically amended herein shall remain in full force and effect and shall be deemed incorporated herein and binding on the parties.

3. The Agreement together with this First and Second Amendment represents the entire agreement among the parties and Barcom agrees that it has not relied on any representations or warranties of the City, oral or written, other than expressly identified in this Second Amendment.

IN WITNESS WHEREOF, the parties have signed this Second Amendment.

CITY OF FENTON, MISSOURI

BARCOM

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_