

## FIRST AMENDMENT

**THIS FIRST AMENDMENT** (the "First Amendment") to Consulting Services Agreement is made and entered into this 20<sup>th</sup> day of March 2002 by and between the CITY OF NAPLES, a Florida municipal corporation (the "City"), and **American Consulting Engineers, PLC.** (the "Consultant").

### WITNESSETH

**WHEREAS**, the City and the Consultant entered into that certain Agreement to Furnish Professional Engineering Services dated June 6, 2001 (the "Original Agreement") to the City's Development Services Department for services associated with the preparing a plans and specifications for the Park Shore Bridge and Harbor Drive Bridge Improvement Program ('Project'); and

**WHEREAS**, the parties desire to amend the Original Agreement by this First Amendment so that the Consultant will provide additional services pursuant to the terms and conditions contained herein.

**NOW, THEREFORE**, for good and valuable consideration, the receipt of which is hereby acknowledged, and in consideration of the mutual covenants, promises and conditions herein set forth, it is hereby acknowledged and agreed as follows:

1. The above recitals are true and correct and are incorporated herein by this Reference.
2. The scope of services shall be amended in accordance with Schedule "A" attached hereto and incorporated herein for the provision of additional services by the Consultant in the amount up to **\$251,365.00 to perform engineering inspections services for the 'Project'**.
3. The terms of this First Amendment shall control and take precedence over any and all terms, provisions and conditions of Original Agreement which might vary, contradict or otherwise be inconsistent with the terms and conditions hereof. All of the other terms, provisions and conditions of Original Agreement, except as expressly amended and modified by this First Amendment, shall remain unchanged and are hereby ratified and confirmed and shall remain in full force and effect.
4. This First Amendment may be executed in any number of counterparts, each of which shall be deemed to be an original as against any part whose signature appears thereon and all of which shall together constitute one and the same instrument.

**IN WITNESS WHEREOF**, the City and the Consultant have caused this First Amendment to be duly executed by their duly authorized officers, all as of the day and year first above written.

**CITY:**

**ATTEST:**

**CITY OF NAPLES, FLORIDA**

By: \_\_\_\_\_  
Tara Norman, City Clerk

By: \_\_\_\_\_  
Kevin J. Rambosk, City Manager

Approved as to form and legal sufficiency:

By: \_\_\_\_\_  
Robert D. Pritt, City Attorney

**AMERICAN CONSULTING ENGINEERS,  
PLC**

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

Name: \_\_\_\_\_

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