

**FIRST AMENDMENT
TO NAPLES PRESERVE BOARDWALK CONSTRUCTION AGREEMENT**

THIS FIRST AMENDMENT (the “First Amendment”) to Naples Preserve Boardwalk Construction Agreement dated December 5, 2001 is made and entered into this 15th day of May, 2002 by and between the CITY OF NAPLES, a Florida municipal corporation (the “City”), and **GULF COAST CONSTRUCTION, INC.** (the “Contractor”).

W I T N E S S E T H

WHEREAS, the City and the Contractor entered into that certain Naples Preserve Boardwalk Construction Agreement dated December 5, 2001 (the “Original Agreement”) for services associated with construction of boardwalk, observation decks and access ramp in the Naples Preserve; and

WHEREAS, the parties desire to amend the Original Agreement by this First Amendment so that the Contractor will provide additional services to complete construction of the boardwalk, observation decks and ramp in the Naples Preserve 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. Section 4.1 is amended to add and provide for compensation in the amount of \$14,000.46, in accordance with Exhibit “A”, for supplemental labor and equipment to construct the boardwalk, observation decks and access ramp at the Naples Preserve.
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 Contractor 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

CONTRACTOR:

Gulf Coast Construction, Inc.

By: _____

Name: _____

Title: _____