

**FIRST AMENDMENT
KIMLEY HORN PROFESSIONAL SERVICES AGREEMENT**

THIS FIRST AMENDMENT (the “First Amendment”) to Kimley Horn Professional Services Agreement dated November 7, 2001 is made and entered into this 19th day of June, 2002 by and between the CITY OF NAPLES, a Florida municipal corporation (the “City”), and **Kimley Horn and Associates, INC.** (the “Consultant”).

W I T N E S S E T H

WHEREAS, the City and the Consultant entered into that certain Kimley Horn Professional Services Agreement dated November 7, 2001 (the “Original Contract”) for traffic engineering studies and services; and

WHEREAS, the parties desire to amend the Original Agreement by this First Amendment so that the Consultant will provide traffic engineering studies and services set forth in attached Exhibit “A” pursuant to the terms and conditions contained in the Original Agreement;

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 1.1 is amended to add basic services to be performed in accordance with Exhibit “A” in an amount not to exceed \$90,000.00 and subject to the direction of the City’s representative.
3. Section 3.1 is hereby amended to provide a substantial completion date (s) acceptable to the City.
4. The terms of this First Amendment shall control and take precedence over any and all terms, provisions and conditions of Original Contract which might vary, contradict or otherwise be inconsistent with the terms and conditions hereof. All of the other terms, provisions and conditions of Original Contract, 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.

5. 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

CONTRACTOR:

Kimley Horn and Associates, Inc.

By: _____
Alan Maio, Florida Division Manager

(Corporate Seal):