

**SECOND AMENDMENT
TO AGREEMENT**

THIS SECOND AMENDMENT (the “Second Amendment”) to the Agreement for traffic signal and street light installation is made and entered into this **18th day of June, 2003** by and between the CITY OF NAPLES, a Florida Municipal Corporation (the “City”), and **E.B.Simonds Electrical, Inc.** (the “Contractor”).

WITNESSETH

WHEREAS, the City and the Contractor entered into that certain Agreement **for traffic signal and street light installation, dated February 20, 2002** (the “Original Agreement”) for the City’s Engineering Department; and

WHEREAS, the parties amended the Original Agreement by a First Amendment so that the Contractor would provide additional traffic signal and street light installation pursuant to the terms and conditions contained therein.

WHEREAS, the parties desire to amend the Original Agreement again by this Second Amendment so that the Contractor will provide further traffic signal and street light installation 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 increased by **\$29,000** for the provision of **additional traffic signal and street light installation services by the Contractor.**
3. The terms of this Second 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 Second Amendment, shall remain unchanged and are hereby ratified and confirmed and shall remain in full force and effect.
4. This Second 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 Second 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

E.B. SIMMONDS ELECTRICAL, INC.

Witness

By: _____

Name: _____

Title: _____

Amendment to agreement