

FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

THIS FIRST AMENDMENT (the “First Amendment”) to the Professional Services Agreement is made and entered into this 19th day of March, 2003, by and between the CITY OF NAPLES, a Florida Municipal Corporation (the “City”), and **Civic Design Associates, 75 NE 6th Avenue, Suite 215, Delray Beach, FL 33483** (the Contractor).

WITNESSETH

WHEREAS, the City and the Contractor entered into that certain Agreement dated June 19, 2002 (the “Original Agreement”) for the City’s Planning Department, for services associated with The Heart of Naples zoning ordinance (‘Project’); and

WHEREAS, the parties desire to amend the Original Agreement by this First Amendment so that the Contractor 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. Article One, 1.1 shall be amended in accordance with Exhibit “A” attached hereto and incorporated herein for the provision of additional services by the Contractor **for Phase V of the project (participation in the public hearing process).**
3. Article Three, 3.1 shall be amended to reflect a completion date **not-later-than December 31, 2003**
4. Article Four, 4.1 shall be amended to add compensation for **Phase V in a not-to-exceed amount of \$6,000.**
5. 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.
6. 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

CIVIC DESIGN ASSOCIATES

witness

By: _____

Name: _____

Title: _____



CIVIC DESIGN ASSOCIATES

FAX TRANSMITTAL OF FEE PROPOSAL

2136 Kipling Street
Houston, Texas
77098
tel: 713.520.6808
fax: 713.520.7797

218 NW 9th Street
Delray Beach, Florida
33444
tel: 561.265.1148
fax: 561.265.1419

DATE: February 28, 2003

TO: Ron Lee
Director of Planning
City of Naples

PHONE: (239) 213-1040
FAX: (239) 213-1045

FROM: Christopher J. Brown

PHONE: (561) 330-9611
FAX: (561) 330-9612

PROJECT: Heart of Naples
RE: Additional Scope

Number of pages including cover sheet: 1
If you do not receive all pages, please call Sarah at (561) 330-9611.

Remarks:

Ron:

CDA proposes to provide continuing consulting services to shepherd the Heart of Naples Zoning Ordinance through the Planning and Zoning Board and the City Council. We anticipate approximately six meetings with various boards, including one conducted in February 2003 with the CRA. We will charge you on the basis of \$125.00 per hour of our principal's time, inclusive of all expenses. A six thousand dollar (\$6,000.00) budget should be set for the assignment. If we have not concluded the approval of the zoning regulations for this amount and you wish us to continue on the assignment, we will notify you of the need to increase the budget.

We appreciate the opportunity of working with you.

Sincerely,

Christopher J. Brown

CC: File

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