

**FIRST AMENDMENT
TO AGREEMENT**

THIS FIRST AMENDMENT (the “First Amendment”) to Agreement is made and entered into this 2nd day of June, 2004 by and between the CITY OF NAPLES, a Florida Municipal Corporation (the “City”), and **Bonness, Inc.** (the “Contractor”).

WITNESSETH

WHEREAS, the City and the Contractor entered into that certain Agreement for roadway overlay, street and alley construction, roadway capital improvement projects and miscellaneous concrete work on an annual basis (the “Original Agreement”) for services associated with the Construction Management Department (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 Four, Compensation” shall be amended in accordance with Exhibit “A” attached hereto and incorporated herein for the provision of additional fees by the Contractor in the amount not to exceed **\$312,359.05 for sidewalk and roadway improvements on 3rd Avenue South and on 3rd Street North which were not funded in the original proposal 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 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: _____
Dr. Robert E. Lee, City Manager

Approved as to form and legal sufficiency:

By: _____
Robert D. Pritt, City Attorney

BONNESS, INC.

witness

By: _____

Name: _____

Title: _____



BONNESS INC.
Paving and Street Construction

1990 Seward Avenue
Naples, Florida 34109
(239) 597-6221
(239) 597-7418 fax
email: info@bonnessinc.com

Proposal 4/29/2004

Submitted To: City Of Naples Engineering Division
Address: Accounts Payable
735 Eighth Street South
Naples, FL 34102
Contact: Ron Wallace
Phone: (239)-434-4763 Fax: (239) 434-5359

Bid Title: 3Rd Street & 3Rd Ave Traffic
Calming Project Summary
Bid Number:
Project Location:
Project City, State: Naples, FL.
Engineer/Architect:

BID SUMMARY

Item No.	Item Description	Total Price
01	Bid Schedule A	\$132,011.48
02	Bid Schedule B	\$167,270.73
03	3rd Ave. South Street Alternate With Island	\$13,076.84
Total Bid Price:		\$312,359.05

Notes: * THIS IS ONLY A SUMMARY OF THREE BIDS.

ACCEPTED:

The above prices, specifications and conditions are satisfactory and are hereby accepted.

Buyer _____
Signature _____
Date of Acceptance _____

CONFIRMED:
Bonness Inc.

Authorized Signature _____
Estimator: John Jenkins


BONNESS INC.
 Paving and Sitework Contractors

 1990 Seward Avenue
 Naples, Florida 34109
 (239) 597-6221
 (239) 597-7416 Fax
 email: info@bonnessinc.com

Proposal 4/14/2004

Submitted To:	City Of Naples Engineering Division	Bid Title:	3Rd Street N. - 3Rd Avenue S. Traffic Calming Project Schedule A Revised
Address:	Accounts Payable 735 Eighth Street South Naples, FL 34102	Bid Number:	
Contact:		Project Location:	3Rd Street N. - 3Rd Ave. S.
Phone:	(239)-434-4763 Fax: (239) 434-5359	Project City, State:	Naples, FL.
		Engineer/Architect:	

REVISED

Item No.	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
101-1	Mobilization	1.00	LS	\$43,127.27	\$43,127.27
102-1	Maintenance Of Traffic	1.00	LS	\$13,479.22	\$13,479.22
102-2	Special Detour ALLOWANCE	1.00	LS	\$5,000.00	\$5,000.00
000-1	Survey/Layout	1.00	LS	\$5,017.61	\$5,017.61
110-4	Remove Existing Asphalt	530.00	SY	\$16.99	\$9,004.70
110-1	Excavation	230.00	CY	\$28.02	\$6,444.60
110-6	Remove Concrete Valley Gutter	40.00	LF	\$16.29	\$651.60
520-3	Concrete Valley Gutter	1,150.00	LF	\$6.51	\$7,486.50
949-1	Brick Paver Crossing In Place	4,480.00	SF	\$8.96	\$40,140.80
575-1-4	Sodding - St. Augustine	50.00	SY	\$4.02	\$201.00
160-4	12" Stabilized Subgrade	40.00	SY	\$2.84	\$113.60
715-14-11	Pull Box (Roadside)	2.00	EACH	\$274.30	\$548.60
425-5	Manhole Adjustment	1.00	EACH	\$237.98	\$237.98
711-24	Thermo Solid Traffic Stripe (Yellow)	200.00	SF	\$2.79	\$558.00
				Total Bid Price:	\$132,011.48

- Notes:**
- * This is a unit price proposal.
 - * Subject to prompt acceptance within 30 days and to all conditions stipulated on the reverse side, we agree to furnish materials and labor at the price(s) set forth above.
 - * Bonding is not included, if required please add 1%.
 - * A ONE TIME final grade has been included.
 - * Permits, fees, and testing by others.
 - * Removal and/or replacement of unsuitable materials (I.e. rock and/or muck) below grade is not included.
 - * Proposal based on the plans by City Of Naples, sheets 1-4 dated Aug. 2003, no revisions.
 - * Trees, brush and landscaping removed by others.
 - * Location of crosswalks to be determined by the City Of Naples.
 - * Proposal based on closing entire intersection at a time.

Payment Terms: Payment due within 30 days of date of invoice, regardless of when payment is made by Owner


BONNESS INC.
 Paving and Sitework Contractors

 1990 Seward Avenue
 Naples, Florida 34109
 (239) 597-6221
 (239) 597-7416 Fax
 email: info@bonnessinc.com

Proposal 4/14/2004

Submitted To: City Of Naples Engineering Division	Bid Title: 3Rd Street N. - 3Rd Avenue S. Traffic Calming Project Schedule B Revised
Address: Accounts Payable 735 Eighth Street South Naples, FL 34102	Bid Number:
Contact:	Project Location:
Phone: (239)-434-4763 Fax: (239) 434-5359	Project City, State: Naples, FL.
	Engineer/Architect:

REVISED

Item No.	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
101-1	Mobilization	1.00	LS	\$46,733.46	\$46,733.46
102-1	Maintenance Of Traffic	1.00	LS	\$19,643.78	\$19,643.78
102-2	Special Detour ALLOWANCE	1.00	LS	\$5,000.00	\$5,000.00
102-76	Arrow Boards	1.00	DY	\$16.76	\$16.76
000-1	Survey/Layout	1.00	LS	\$4,850.36	\$4,850.36
110-1	Excavation	421.00	CY	\$28.02	\$11,796.42
110-4	Pavement Removal	515.00	SY	\$16.99	\$8,749.85
110-6-2	Removal - Existing Sidewalk	300.00	SF	\$13.22	\$3,966.00
949-1	Brick Paver In Place	3,850.00	SF	\$8.96	\$34,496.00
575-1-4	Sodding - St. Augustine	75.00	SY	\$4.02	\$301.50
522-1	Sidewalk	12,500.00	SF	\$2.44	\$30,500.00
715-14-11	Pull Box (Roadside)	2.00	EACH	\$274.30	\$548.60
711-35	Thermo Stripe (6" Yellow)	400.00	LF	\$1.67	\$668.00
				Total Bid Price:	\$167,270.73

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 - * Proposal based on closing entire intersection at a time.

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BONNESS INC.
Paving and Stonework Contractors

1990 Seward Avenue
Naples, Florida 34109
(239) 597-6221
(239) 597-7416 Fax
email: info@bonnessinc.com

Proposal 4/23/2004

Submitted To: City Of Naples Engineering Division	Bid Title: 3Rd Street N. - 3Rd Avenue S. Traffic Calming Project Schedule B Revised
Address: Accounts Payable 735 Eighth Street South Naples, FL 34102	Bid Number:
Contact:	Project Location:
Phone: (239)-434-4763 Fax: (239) 434-5359	Project City, State: Naples, FL.
	Engineer/Architect:

REVISED

Item No.	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
102-1	Maintenance Of Traffic	1.00	LS	\$3,182.44	\$3,182.44
000-1	Survey/Layout	1.00	LS	\$2,200.00	\$2,200.00
110-1	Excavation	40.00	CY	\$28.02	\$1,120.80
110-4	Pavement Removal	135.00	SY	\$16.99	\$2,293.65
520-2	Concrete Curb Type "D"	165.00	LF	\$8.50	\$1,402.50
162.2	Top Soil	67.00	CY	\$23.35	\$1,564.45
715-2-115	Conduits (3" PVC SCH 40)	20.00	LF	\$23.80	\$476.00
711-24	Thermo Solid Traffic Stripe (Yellow)	300.00	LF	\$2.79	\$837.00
				Total Bid Price:	\$13,076.84

- Notes:**
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ACCEPTED:

The above prices, specifications and conditions are satisfactory and are hereby accepted.

Buyer _____

Signature _____

Date of Acceptance _____

Page 1 of 1

CONFIRMED:

BONNESS INC.

Authorized Signature: _____

Estimator: John Jenkins