

**FIRST AMENDMENT
TO THE AGREEMENT**

THIS FIRST AMENDMENT (the “First Amendment”) to the Agreement is made and entered into this **6th day of September, 2006** by and between the CITY OF NAPLES, a Florida Municipal Corporation (the “City”), and **Asplundh Tree Expert Company**. (the “Contractor”).

WITNESSETH

WHEREAS, the City and the Contractor entered into that certain Agreement to furnish Professional Services dated **October 19th, 2005** (the “Original Agreement”) (**Resolution 05-11001**) to provide **trimming of Hardwood and Palm Trees located through out then City** (‘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. The scope of services shall be amended in accordance with Exhibit “A” attached hereto and incorporated herein for the provision of additional services by the Consultant in **an amount not-to-exceed \$50,000.00 to provide additional tree trimming services within the City of Naples (‘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

ASPLUNDH TREE EXPERT COMPANY

witness

By: _____

Name: _____

Title: _____

Amendment to agreement

City of Naples



INVITATION TO BID

CITY OF NAPLES
PURCHASING DIVISION
270 RIVERSIDE CIRCLE
NAPLES, FL 34102

PH: 239-213-7100 FX: 239-213-7105

MAILING DATE	TITLE	NUMBER:	CLOSING DATE & TIME
7/26/05	HARDWOOD AND PALM TREE TRIMMING ANNUAL CONTRACT	016-06	2:00PM 8/24/05
PRE-BID DATE, TIME AND LOCATION: N/A			

NAME OF PARTNERSHIP, CORPORATION OR INDIVIDUAL <i>ASPLUNDH TREE EXPERT CO.</i>	IF SUBMITTING "NO BID", STATE REASON IN THIS SPACE
MAILING ADDRESS <i>3597 S.W. CORPORATE PKWY.</i>	
CITY-STATE-ZIP <i>PALM CITY, FL. 34990</i>	
PH: <i>772-220-0125</i>	EMAIL: <i>EWYATT@ASPLUNDH.COM</i>
FX: <i>772-220-0254</i>	WEB ADDRESS: <i>ASPLUNDH.COM</i>

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a bid for the same materials, supplies, or equipment and is in all respects fair and without collusion or fraud. I agree to abide by all conditions of this bid and certify that I am authorized to sign this bid for the bidder. In submitting a bid to the City of Naples the bidder offers and agrees that if the bid is accepted, the bidder will convey, sell, assign or transfer to the City of Naples all rights, title, and interest in and to all causes of action it may now or hereafter acquire under the Anti-trust laws of the United States and the State of FL for price fixing relating to the particular commodities or services purchased or acquired by the City of Naples. At the City's discretion, such assignment shall be made and become effective at the time the City tenders final payment to the bidder.

AUTHORIZED SIGNATURE <i>Eugene Wyatt</i> <i>E.W.</i>	DATE <i>8-24-05</i>	PRINTED NAME/TITLE <i>EUGENE WYATT</i>
Please initial by all that apply I acknowledge receipt of the following addendum		
Addendum #1	Addendum #2	Addendum #3
		Addendum #4

BID SCHEDULE 1
HARDWOOD TREE TRIMMING

TREE SPECIES NAME	SCIENTIFIC NAME	PER TREE			PER TREE			PER TREE		
		METHOD 1	METHOD 2	METHOD 3	METHOD 1	METHOD 2	METHOD 3	METHOD 1	METHOD 2	METHOD 3
		15' - 30'	30' - 60'	15' - 30'	30' - 60'	15' - 30'	30' - 60'	15' - 30'	30' - 60'	OVER 12'
African Tulip Tree	<i>Spathodea campanulata</i>	38.00	58.00	68.00	88.00	85.19	85.19	85.19	85.19	85.19
Australian Pine	<i>Casuarina glauca</i>	53.00	93.00	83.00	123.00	85.19	85.19	85.19	85.19	85.19
Bald Cypress	<i>Taxodium distichum</i>	28.00	38.00	58.00	68.00	85.19	85.19	85.19	85.19	85.19
Banyan	<i>Ficus benghalensis</i>	93.00	143.00	150.00	190.00	85.19	85.19	85.19	85.19	85.19
Barbados Flower	<i>Cassipouira puberula</i>	28.00	38.00	58.00	68.00	85.19	85.19	85.19	85.19	85.19
Bishopwood	<i>Bischofia javanica</i>	48.00	70.00	88.00	112.00	85.19	85.19	85.19	85.19	85.19
Black Olive	<i>Bucida buceras</i>	54.00	72.00	103.00	163.00	85.19	85.19	85.19	85.19	85.19
Black Olive "shady lady"	<i>Bucida buceras</i>	43.00	63.00	73.00	93.00	85.19	85.19	85.19	85.19	85.19
Bottlebrush	<i>Callistemo spp.</i>	32.00	32.00	58.00	58.00	85.19	85.19	85.19	85.19	85.19
Calophyllum	<i>Calophyllum antillanum</i>	32.00	44.00	62.00	74.00	85.19	85.19	85.19	85.19	85.19
Carpentaria	<i>Carpentaria acuminata</i>	28.00	38.00	58.00	68.00	85.19	85.19	85.19	85.19	85.19
Carrotwood	<i>Eupamopsis anacardioides</i>	42.00	52.00	58.00	88.00	85.19	85.19	85.19	85.19	85.19

Cassia	<i>Cassia swarttenoi</i>	32.00	58.00	62.00	88.00	85.19	85.19
Cats Claw	<i>Pithecello wigginsii</i>	32.00	48.00	62.00	78.00	85.19	85.19
Chorisia	<i>Chorisia speciosa</i>	28.00	44.00	58.00	74.00	85.19	85.19
Crape Myrtle	<i>Lagerstroemia indica</i>	18.00	32.00	48.00	62.00	85.19	85.19
Cuban Laurel	<i>Ficus refusa</i> var	93.00	143.00	150.00	190.00	85.19	85.19
Dahoon Holly	<i>Ilex cassine</i>	32.00	48.00	62.00	78.00	85.19	85.19
Ear-leaf Acacia	<i>Acacia auriculiformis</i>	48.00	78.00	98.00	168.00	85.19	85.19
East Palatka Holly	<i>Ilex attenuata</i>	28.00	38.00	58.00	68.00	85.19	85.19
Eucalyptus	<i>Eucalyptus grandis</i>	48.00	78.00	108.00	148.00	85.19	85.19
Eugenia Tree	<i>Eugenia</i> spp.	28.00	42.00	58.00	72.00	85.19	85.19
False Banyan	<i>Ficus oblongifolia</i>	93.00	143.00	158.00	198.00	85.19	85.19
Gieger Tree	<i>Cordia sebestena</i>	28.00	42.00	58.00	72.00	85.19	85.19
Golden Shower	<i>Cassia fistula</i>	42.00	62.00	72.00	92.00	85.19	85.19
Green Buttonwood	<i>Conocarpus erectus</i>	32.00	48.00	62.00	78.00	85.19	85.19
Guava	<i>Psidium guajava</i>	38.00	49.00	68.00	79.00	85.19	85.19

Gumbo Limbo	<i>Bursera simarouba</i>	48.00	76.00	78.00	106.00	85.19	85.19
Hibiscus	<i>Hibiscus rosa-sinensis</i>	42.00	58.00	72.00	88.00	85.19	85.19
Indian Rosewood	<i>Dalbergia sissoo</i>	50.00	70.00	90.00	160.00	85.19	85.19
Indian Rubber Tree	<i>Ficus elastica</i>	93.00	143.00	123.00	133.00	85.19	85.19
Jacaranda	<i>Jacaranda mimosifolia</i>	50.00	64.00	80.00	94.00	85.19	85.19
Laurel Oak	<i>Quercus laurifolia</i>	52.00	88.00	138.00	198.00	85.19	85.19
Ligustrum Tree	<i>Ligustrum japonicum</i>	38.00	48.00	68.00	78.00	85.19	85.19
Live Oak	<i>Quercus virginiana</i>	52.00	88.00	138.00	198.00	85.19	85.19
Madagascar Olive	<i>Noronhia emarginata</i>	40.00	68.00	70.00	98.00	85.19	85.19
Maho	<i>Hibiscus tiliaceus</i>	42.00	58.00	98.00	148.00	85.19	85.19
Mahogany	<i>Swietenia macrocarpa</i>	58.00	78.00	138.00	178.00	85.19	85.19
Mangroves	<i>Rhizophora mangle</i>	30.00	30.00	30.00	30.00	85.19	85.19
Mexican Caesalpin	<i>Caesalpinia mexicana</i>	28.00	40.00	58.00	70.00	85.19	85.19
Mexican Calabash	<i>Crescentia alata</i>	28.00	38.00	58.00	68.00	85.19	85.19
Mimosa Tree	<i>Acacia julibrissis</i>	38.00	52.00	68.00	82.00	85.19	85.19

Mimusop	<i>Mauifigara roxburghia</i>	32.00	48.00	62.00	78.00	85.19	85.19
Monkey Flower	<i>Phyllodoce septentr</i>	30.00	40.00	60.00	70.00	85.19	85.19
Oleander Tree	<i>Nerium oleander</i>	32.00	50.00	62.00	80.00	85.19	85.19
Orchid Tree	<i>Bombinia spp.</i>	46.00	62.00	76.00	92.00	85.19	85.19
Pink Tabebuia	<i>Tabebuia roseida</i>	42.00	62.00	72.00	92.00	85.19	85.19
Pittosporum	<i>Pittosporum ferruginum</i>	38.00	48.00	68.00	78.00	85.19	85.19
Pongam	<i>Pongamia pinnata</i>	50.00	60.00	80.00	90.00	85.19	85.19
Red Maple	<i>Acer rubrum</i>	38.00	52.00	68.00	82.00	85.19	85.19
Royal Poinciana	<i>Delonix regia</i>	54.00	74.00	84.00	104.00	85.19	85.19
Rusty Fig	<i>Ficus rubiginosa</i>	52.00	78.00	82.00	96.00	85.19	85.19
Sausage Tree	<i>Kigelia pinnata</i>	48.00	66.00	78.00	96.00	85.19	85.19
Saw Palmetto	<i>Serenoa repens</i>	PER STEM 6.00	PER STEM 6.00	—	—	85.19	85.19
Schefflera	<i>Brassia actinophylla</i>	28.00	34.00	28.00	34.00	85.19	85.19
Screw Pine	<i>Pandanus utilis</i>	18.00	28.00	—	—	85.19	85.19
Seagrape Tree	<i>Coccoloba wilfers</i>	48.00	62.00	98.00	148.00	85.19	85.19

Shavingbrush Tree	<i>Pseudotsuga ellipticum</i>	32.00	46.00	62.00	76.00	85.19	85.19
Silk Floss	<i>Clusia speciosa</i>	40.00	60.00	70.00	90.00	85.19	85.19
Silk Oak	<i>Grevillea robusta</i>	36.00	54.00	98.00	168.00	85.19	85.19
Silver Buttonwood	<i>Conocarpus erectus</i>	32.00	44.00	62.00	74.00	85.19	85.19
Silverwood		28.00	36.00	58.00	66.00	85.19	85.19
Slash Pine	<i>Pinus elliptici</i>	32.00	52.00	72.00	168.00	85.19	85.19
Small-leaved Clusia	<i>Clusia guatiferia</i>	29.00	42.00	59.00	72.00	85.19	85.19
Sour Orange	<i>Citrus aurantium</i>	30.00	42.00	60.00	72.00	85.19	85.19
Strangler Fig	<i>Ficus aurea</i>	93.00	143.00	150.00	190.00	85.19	85.19
Tabebuia	<i>Tabebuia umbellata</i>	40.00	50.00	70.00	80.00	85.19	85.19
Tabebuia 'ipe'	<i>Tabebuia impetiginosa</i>	30.00	40.00	60.00	70.00	85.19	85.19
Tamarind	<i>Tamarindus indica</i>	30.00	40.00	60.00	70.00	85.19	85.19
Tree Of Gold	<i>Tabebuia caribba</i>	42.00	56.00	82.00	86.00	85.19	85.19
Tropical Almond	<i>Terminalia catappa</i>	30.00	40.00	60.00	70.00	85.19	85.19
Veitchia Winin	<i>Veitchia winin</i>	32.00	48.00	72.00	78.00	85.19	85.19

Vietchia Merrilli	<i>Vietchia merrilli</i>	32,00	46,00	62,00	76,00	85,19	85,19
Weeping Podocarpus	<i>Podocarpus graciflor</i>	42,00	56,00	72,00	86,00	85,19	85,19
Womans Tongue Tree	<i>Albizia julibrissi</i>	38,00	48,00	68,00	78,00	85,19	85,19
Yaupon Holly	<i>Ilex vomitoria</i>	42,00	62,00	72,00	92,00	85,19	85,19

**BID SCHEDULE II
PALM TREE TRIMMING**

TREE SPECIES NAME	SCIENTIFIC NAME	COST PER TREE
		PER ANSI A300
Alexandra Palm	<i>Archontoph alexandras</i>	19.00
Areca Palm	<i>Chrysalido lutescens</i>	20.00
Bismark Palm	<i>Bismarckia nobilis</i>	21.00
Canary Island Date Palm	<i>Phoenix canariensis</i>	23.00
Chinese Fan Palm	<i>Livingstonia chinensis</i>	21.00
Coconut Palm	<i>Cocos nucifera</i>	33.00
Cuban Hat Palm	<i>Sabal carolinum</i>	21.00
European Fan Palm	<i>Chamaetrops humilis</i>	20.00
Fishtail Palm	<i>Caryota mitis</i>	20.00
Florida Thatch Palm	<i>Thrinax radiata</i>	20.00
Foxtail Palm	<i>Wodyetia bifurcata</i>	20.00
Lady Palm	<i>Rhapsis excelsa</i>	19.00
Needle Palm	<i>Rapidophytis sylvatica</i>	20.00
Paurotis Palm	<i>Acoelorrhina wrightii</i>	20.00
Pindo Palm	<i>Butia capitata</i>	20.00
Pygmy Date Palm	<i>Phoenix roebelenii</i>	19.00
Queen Palm	<i>Syagrus romanzoffii</i>	29.00
Queen Sago Palm	<i>Cycas carolinensis</i>	20.00
Royal Palm	<i>Roystonea regia</i>	31.00
Sabal Palm	<i>Sabal palmetto</i>	29.00
Senegal Date Palm	<i>Phoenix reclinata</i>	20.00
Solitaire Palm	<i>Ptychosperma elegans</i>	20.00
Teddy Bear Palm	<i>Neodypsis fastidiosa</i>	20.00
Thatch Palm	<i>Thrinax morrisii</i>	20.00
Triangle Palm	<i>Neodypsis decaryi</i>	20.00
Washington Palm	<i>Washingtonia robusta</i>	20.00

CITY OF NAPLES
PURCHASING DIVISION
270 RIVERSIDE CIRCLE
NAPLES, FLORIDA 34102
PH: 239-213-7100 FX: 239-213-7105

ADDENDUM NUMBER 1

MAILING DATE:	BID TITLE:	BID NUMBER:	BID OPENING DATE & TIME:
08/12/05	HARDWOOD AND PALM TREE TRIMMING ANNUAL CONTRACT	016-06	2:00PM 8/24/05

THE FOLLOWING INFORMATION IS HEREBY INCORPORATED INTO,
AND MADE AN OFFICIAL PART OF THE ABOVE REFERENCED BID.

PER CREW @ HOURLY RATE:

\$ 66.00

PER CREW AS DEFINIED ON PAGE 13, 20