

**NINTH AMENDMENT  
TO AGREEMENT**

**THIS NINTH AMENDMENT** (the “Ninth Amendment”) to Agreement is made and entered into **this 13<sup>th</sup> day of June, 2007** 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 **street maintenance and improvements (Resolution 05-11057)** (the “Original Agreement”) for services associated with the City of Naples (‘Project’); and

**WHEREAS**, the parties desire to amend the Original Agreement by this Ninth 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 of \$873,427.72 for roadway improvements on Tenth Street, from Central Avenue to 7<sup>th</sup> Avenue North** (‘Project’).
3. The terms of this Ninth 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 Ninth Amendment, shall remain unchanged and are hereby ratified and confirmed and shall remain in full force and effect.
4. This Ninth 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 Nineth 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: \_\_\_\_\_

QUOTE FOR 10TH STREET NORTH  
FROM CENTRAL TO 6TH AVE NORTH  
( PAGE 1 OF 2 )

<b>Submitted To:</b> City Of Naples Public Works	<b>Estimate Number:</b> 06432007
<b>Address:</b> 380 Riverside Circle Naples, FL 34102 USA	<b>Bid Title:</b> 10th St North (Central To 6th Ave North)
<b>Contact:</b> Brad Hefner	<b>Project Location:</b>
<b>Phone:</b> (239)213-4705 <b>Fax:</b> (239)213-4799	<b>Project City, State:</b> Naples, FL
	<b>Engineer/Architect:</b> Wilson Miller, Inc

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
01	Mobilization	1.00	LS	\$64,081.15	\$64,081.15
02	Horizontal Layout	1.00	LS	\$19,114.54	\$19,114.54
03	Maintenance Of Traffic	1.00	LS	\$37,569.70	\$37,569.70
04	Saw Cut Pavement	3,500.00	LF	\$2.85	\$9,975.00
05	Asphalt Removal	2,900.00	SY	\$3.50	\$10,150.00
06	Curb Removal	1,600.00	LF	\$12.52	\$20,032.00
07	Concrete Removal	1,800.00	SY	\$22.10	\$39,780.00
08	Brick Removal	350.00	SY	\$16.86	\$5,901.00
09	Excavation Regular	900.00	CY	\$32.79	\$29,511.00
10	Flowable Fill	30.00	CY	\$201.63	\$6,048.90
11	Top Soil	650.00	CY	\$22.71	\$14,761.50
12	Finish Grading	2,100.00	SY	\$6.58	\$13,818.00
13	Type B Stabilization	1,400.00	SY	\$5.13	\$7,182.00
14	Asphalt Base 4"	800.00	SY	\$19.14	\$15,312.00
15	8" Limerock Base	650.00	SY	\$13.36	\$8,684.00
16	1" Asphalt Milling	8,400.00	SY	\$2.24	\$18,816.00
17	Turnout Parking Asphalt	80.00	TON	\$117.57	\$9,405.60
18	1" Asphalt Overlay	500.00	TON	\$70.59	\$35,295.00
19	Inlets Partial <10'	2.00	EACH	\$2,453.02	\$4,906.04
20	Inlets Type 8 <10'	1.00	EACH	\$6,578.54	\$6,578.54
21	Manholes Type 8 <10'	1.00	EACH	\$7,136.04	\$7,136.04
22	12" RCP (CL-V)	31.00	LF	\$178.40	\$5,530.40
23	Adjust Manhole 1"	19.00	EACH	\$250.85	\$4,766.15
24	Adjust Manhole 6"	3.00	EACH	\$1,672.51	\$5,017.53
25	Adj. Valve Box	10.00	EACH	\$144.08	\$1,440.80
26	Conc. C&G Ty F	900.00	LF	\$13.11	\$11,799.00
27	Conc. Curb Ty D	2,600.00	LF	\$10.14	\$26,364.00
28	Conc Valley Gutter	700.00	LF	\$12.41	\$8,687.00

QUOTE FOR 10TH STREET NORTH  
 FROM CENTRAL TO 6TH AVE NORTH  
 (PAGE 2 OF 2)

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
29	Conc Walk 4"	1,450.00	SY	\$60.73	\$88,058.50
30	Conc Walk 6"	100.00	SY	\$68.41	\$6,841.00
31	Tactile Imbed - Concrete Walk	15.00	EACH	\$338.48	\$5,077.20
32	Rdwy Brick W/Base And Bands	8,300.00	SF	\$10.05	\$83,415.00
33	Sidewalk Brick W/4" LR Base	6,300.00	SF	\$6.24	\$39,312.00
34	ADA Pavers At Ramps	950.00	SF	\$17.33	\$16,463.50
35	Tree Removal	33.00	EACH	\$221.60	\$7,312.80
36	Relocate Existing Sign	15.00	EACH	\$111.50	\$1,672.50
37	Misc Painted Isl Nose	1,050.00	SF	\$1.12	\$1,176.00
38	6" Traffic Stripe (W)	4,668.00	LF	\$0.28	\$1,307.04
39	12" Traffic Stripe (W)	1,633.00	LF	\$1.67	\$2,727.11
40	24" Traffic Stripe (W)	134.00	LF	\$3.34	\$447.56
41	Directional Arrows	8.00	EACH	\$27.88	\$223.04
42	6" Traffic Stripe	4,211.00	LF	\$0.28	\$1,179.08
43	18" Traffic Stripe	90.00	LF	\$2.51	\$225.90
44	6" 10/30 Skip Stripe (Y)	40.00	LF	\$0.28	\$11.20
45	Bituminous Material Increase	500.00	TON	\$15.97	\$7,985.00
<b>Total Bid Price:</b>					<b>\$711,097.32</b>

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

QUOTE FOR 10TH STREET NORTH  
6TH AVE NORTH TO 7TH AVE NORTH  
(PAGE 1 OF 2)

<b>Address:</b>	380 Riverside Circle Naples, FL 34102 USA	<b>Bid Title:</b>	10th St North (6th To 7th Ave North)
		<b>Project Location:</b>	
<b>Contact:</b>	Brad Hefner	<b>Project City, State:</b>	Naples, FL
<b>Phone:</b>	(239)213-4705	<b>Fax:</b>	(239)213-4799
		<b>Engineer/Architect:</b>	Wilson Miller, Inc

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
01	Mobilization	1.00	LS	\$9,748.17	\$9,748.17
02	Horizontal Layout	1.00	LS	\$3,185.66	\$3,185.66
03	Maintenance Of Traffic	1.00	LS	\$5,594.50	\$5,594.50
04	Saw Cut Edge of Existing Pavement	715.00	LF	\$2.85	\$2,037.75
05	Asphalt Removal	670.00	SY	\$3.50	\$2,345.00
06	Curb Removal	480.00	LF	\$12.52	\$6,009.60
07	Concrete Removal	70.00	SY	\$22.10	\$1,547.00
08	Excavation Regular	250.00	CY	\$32.79	\$8,197.50
09	Flowable Fill	35.00	CY	\$201.63	\$7,057.05
10	Top Soil	150.00	CY	\$22.71	\$3,406.50
11	Finish Grading	1,600.00	SY	\$6.58	\$10,528.00
12	Ty B Stabilization	260.00	SY	\$5.13	\$1,333.80
13	2" Asphalt Milling	2,900.00	SY	\$2.24	\$6,496.00
14	Turnout Parking Asphalt	10.00	TON	\$117.57	\$1,175.70
15	1" Asphalt Overlay	200.00	TON	\$70.59	\$14,118.00
16	Inlets Type 8 <10'	1.00	EACH	\$9,923.83	\$9,923.83
17	18" RCP (CL-V)	8.00	LF	\$223.01	\$1,784.08
18	Adjust Manhole 1"	6.00	EACH	\$250.85	\$1,505.10
19	Adj. Valve Box	4.00	EACH	\$144.08	\$576.32
20	Conc. C&G Ty F	120.00	LF	\$13.11	\$1,573.20
21	Conc Curb Ty D	110.00	LF	\$10.14	\$1,115.40
22	Conc Valley Gutter	360.00	LF	\$12.41	\$4,467.60
23	Conc Walk 4"	470.00	SY	\$60.73	\$28,543.10
24	Conc Walk 6"	90.00	SY	\$68.41	\$6,156.90
25	Tactile Imbed - Concrete Walk	6.00	EACH	\$338.48	\$2,030.88
26	Rdwy Brick W/ Base And Bands	350.00	SF	\$10.05	\$3,517.50
27	Sidewalk Brick W/4" LR Base	700.00	SF	\$6.24	\$4,368.00
28	ADA Pavers At Ramps	80.00	SF	\$17.33	\$1,386.40
29	Tree Removal	4.00	EACH	\$221.60	\$886.40

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QUOTE FOR 10TH STREET NORTH  
6TH AVE NORTH TO 7TH AVE NORTH  
(PAGE 2 OF 2)

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
30	Sod - Bahia	450.00	SY	\$3.20	\$1,440.00
31	Sod - Floratam	450.00	SY	\$4.27	\$1,921.50
32	Irrigation Allowance	1.00	LS	\$2,500.00	\$2,500.00
33	Relocate Existing Sign	2.00	EACH	\$111.50	\$223.00
34	Misc. Painted Isl Nose	668.00	SF	\$1.12	\$748.16
35	6" Traffic Stripe (W)	1,916.00	LF	\$0.28	\$536.48
36	12" Traffic Stripe (W)	46.00	LF	\$1.67	\$76.82
37	24" Traffic Stripe (W)	21.00	LF	\$3.34	\$70.14
38	6" Traffic Stripe (Y)	2,228.00	LF	\$0.28	\$623.84
39	18" Traffic Stripe (Y)	152.00	LF	\$2.51	\$381.52
40	Bituminous Material Increase	200.00	TON	\$15.97	\$3,194.00
				<b>Total Bid Price:</b>	<b>\$162,330.40</b>

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