

**THIRD AMENDMENT TO AGREEMENT
(PROFESSIONAL SERVICES)**

THIS THIRD AMENDMENT (the "Third Amendment") to the Contract for Professional Engineering Services is made and entered into this 9th day of March, 2015 by and between the **CITY OF NAPLES**, a Florida Municipal Corporation (the "City"), and **TKW CONSULTING ENGINEERS, INCORPORATED**, a Florida Profit Corporation (the Consultant").

WHEREAS, the City and the Consultant entered into that certain Agreement to furnish Contract for Professional Engineering Services, dated **June 11, 2014** (the "Original Agreement") (Reference Original Bid No. **RFQ 14-042** and Original Clerk Tracking No. **14-00081** for services associated with **Professional Engineering Services for Naples Pier Deck Replacement Structural Design Services: Third Amendment: Article Four Compensation for restrooms expansion** ('Project'); and

WHEREAS, the parties desire to amend the Original Agreement by this Third Amendment so that the Consultant will be provided additional time and compensation pursuant to the terms and conditions contained herein.

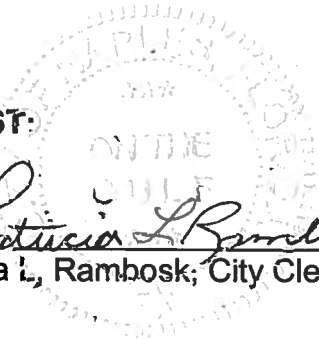
NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, and in consideration of the mutual covenants, promises and conditions herein set forth, it is hereby acknowledged and agreed as follows:

1. The above recitals are true and correct and are incorporated herein by this Reference.
2. "Article Four, Compensation" shall be amended for the provision of additional fees by the Consultant in the amount of **\$18,672.00** for **Professional Engineering Services for Naples Pier Deck Replacement Structural Design Services related to men and women and restroom expansion** as described in **Exhibit A-1 Scope of Services and Basis of Compensation**. Attached and made a part of this Third Amendment.
3. The terms of this Third 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 Third Amendment, shall remain unchanged and are hereby ratified and confirmed and shall remain in full force and effect.
4. This Third 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 Consultant have caused this Third Amendment to be duly executed by their duly authorized officers, all as of the day and year first above written.

ATTEST:

By: Patricia L. Rambosk
Patricia L. Rambosk, City Clerk



CITY:

CITY OF NAPLES, FLORIDA

By: A. William Moss
A. William Moss, City Manager

Approved as to form and legal sufficiency:

By: Robert D. Pritt
Robert D. Pritt, City Attorney

CONSULTANT:

TKW CONSULTING ENGINEERS, INC.
5621 Banner Drive
Fort Myers, Florida 33912
Attention: **Trudi K. Williams, P.E., CEO**
FEI/EIN Number: On File

Stephanie St. Onge
Witness (Signature)

Printed Name: Stephanie St. Onge

By: Trudi K. Williams
(Signature)

Printed Name: Trudi K. Williams

Title: CEO

- Fort Myers
- Orlando
- Tallahassee

February 25, 2015

Mr. Gerald "Jed" Secory, MBA CPPO CPM
Purchasing Manager
City of Naples
735 8th Street South
Naples, FL 34102

RE: Amendment No. 3
Naples Pier Deck Replacement – Building Engineering Design Services
Executed 14-042 PSBA PO No. 1401453-00
TKW Job No.14167.00

Scope of Services

CONSULTANT (TKW Consulting Engineers, Inc.) will provide engineering services related to the men and women restroom expansion, each 613 sq ft, as designed by MHK Architecture. Services will include structural design of the expanded restrooms and mechanical, electrical and plumbing design (MEP) services. MEP services will be provided by TKW subconsultant Matern Professional Engineering, Inc.

Compensation

TKW structural design \$14,472

Matern MEP design \$4,200

Total fee adjustment = increase by \$18,672

Increase total fee authorized for this project from \$103,878 to \$122,550.

TKW CONSULTING ENGINEERS, INC.



Douglas H. Eckmann, P.E., BCEE, D.WRE
Chief Operating Manager/Engineering Manager

Enclosure: TKW Fee Budget Work Sheet

