SECOND AMENDMENT
TO SERVICES AGREEMENT
Clerk Tracking No. 16-00101

THIS SECOND AMENDMENT (the "Second Amendment") to the Contract for Services is made and entered into this 2nd day of August 2016 by and between the CITY OF NAPLES, a Florida Municipal Corporation (the "City"), and SPONSELLER NURSERY, INCORPORATED; DBA GATOR LANDSCAPING, a Florida Profit Corporation (the "Contractor").

WHEREAS, the City and the Contractor entered into that certain Agreement on August 9, 2013; Bid No. 13-040 (040-13) and Clerk Tracking No. 13-00066 (the "Original Agreement") to furnish Plant and Transplant Various Size Palm and Hardwood Trees at a shall not exceed Annual Expenditure of $70,000.00: Second Amendment: Revision to Article 4.1 Compensation (the 'Project'); and

WHEREAS, the parties desire to amend the Original Agreement by this Second Amendment so that the Contractor will be provided revisions to the Agreement pursuant to the terms and conditions contained herein.

WHEREAS, the parties are required by 119.0701 F.S. to amend the Original Agreement so that the CITY and CONTRACTOR will abide by 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 from shall not exceed of $200,000.00 annually (January 20, 2016 First Amendment, Clerk 16-007) to an anticipated not to exceed annual expenditure of $250,000.00 and shall be paid in the manner set forth in the original "Basis of Compensation."

3. "Article Five, Maintenance of Records" shall be amended to add Articles 5.2 and 5.3 as indicated below and made a part of this Amendment.

5.2 119.0701 F.S. CONTACT INFORMATION FOR CITY OF NAPLES CUSTODIAN OF PUBLIC RECORDS, CITY CLERK'S OFFICE.
5. This Second 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 Second 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: Patricia L. Rambosk, City Clerk

By: A. William Moss, City Manager

Approved as to form and legal sufficiency:

By: Robert D. Pritt, City Attorney

CONTRACTOR:

SELLER NURSERY, INC.
DBA GATOR LANDSCAPING
2180 16th Avenue Southwest
Naples, Florida 34117
Att: Andrew Sponseller, President

By: ANDREW SPONSELLER

Witness (Signature)
Printed

(Signature)
Printed