

**SECOND AMENDMENT TO AGREEMENT FOR THIRD-PARTY POLE ATTACHMENT
PERMITTING AND INSPECTION SERVICES**

THIS SECOND AMENDMENT TO AGREEMENT FOR THIRD-PARTY POLE ATTACHMENT PERMITTING AND INSPECTION SERVICES ("Second Amendment") is entered into by and between **CITY OF OCALA**, a Florida municipal corporation ("City"), and **ICON CONSULTING & DESIGN, LLC**, a limited liability company duly organized in and authorized to do business in the state of Florida (EIN# 27-1706575) ("Contractor").

WHEREAS, on May 7, 2018, City and Icon Consulting & Design, LLC entered into an Agreement for Third-Party Pole Attachment Permitting and Inspection Services (the "Original Agreement"), City of Ocala Contract Number: ELE/18-001, for a term of three (3) years, from May 1, 2018 to April 30, 2021; and

WHEREAS, on May 17, 2021, City and Contractor entered into the First Amendment to Agreement for Third-Party Pole Attachment Permitting and Inspection services ("First Amendment") extending the term of the Original Agreement from May 1, 2021 to April 30, 2022; and

WHEREAS, City and Contractor now desire to extend the Original Agreement, as amended, for the final one-year renewal period available under the Original Agreement.

NOW THEREFORE, in consideration of each of the foregoing recitals and the following mutual covenants, conditions and other good and valuable consideration, the receipt and sufficiency of which is hereby mutually acknowledged, City and Contractor agree as follows:

1. **RECITALS.** City and Contractor hereby represent and warrant that the Recitals set forth above are true and correct.
2. **INCORPORATION OF ORIGINAL AGREEMENT.** The Original Agreement between City and Contractor is hereby incorporated by reference as if set forth herein in its entirety and remains in full force and effect, except for those terms and conditions expressly amended by this Second Amendment.
3. **RENEWAL TERM.** The Original Agreement is hereby renewed for an additional one-year term beginning **MAY 1, 2022** and terminating **APRIL 30, 2023**.
4. **NOTICES.** All notices, certifications or communications required by this Second Amendment shall be given in writing and shall be deemed delivered when personally served, or when received if by facsimile transmission with a confirming copy mailed by registered or certified mail, postage prepaid, return receipt requested. Notices can be concurrently delivered by e-mail. All notices shall be addressed to the respective parties as follows:

If to Contractor: Icon Consulting & Design, LLC
Attn: Keith Morrell
4195 Madura Road
Gulf Breeze, Florida 32563
PH: 850-444-6701
E-mail: kmorrell@icdllc.com

If to City of Ocala: Tiffany L. Kimball, Contracting Officer
City of Ocala, City Hall
110 SE Watula Avenue, 3rd Floor
Ocala, Florida 34471
PH: 352-629-8366
FAX: 352-690-2025
E-mail: tkimball@ocalafl.org

Copy to: Robert W. Batsel, Jr.
Gooding & Batsel, PLLC
1531 SE 36th Avenue
Ocala, Florida 34471
PH: 352-579-6536
E-mail: rbatsel@lawyersocala.com

5. **COUNTERPARTS.** This Second Amendment may be executed in counterparts, each of which shall be an original and all of which shall constitute the same instrument.
6. **ELECTRONIC SIGNATURE(S).** Contractor, if and by offering an electronic signature in any form whatsoever, will accept and agree to be bound by said electronic signature to all terms and conditions of this Second Amendment. Further, a duplicate or copy of the Second Amendment that contains a duplicated or non-original signature will be treated the same as an original, signed copy of this original Second Amendment for all purposes.
7. **LEGAL AUTHORITY.** Each person signing this Second Amendment on behalf of either party individually warrants that he or she has full legal power to execute this Second Amendment on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all provisions contained in this Second Amendment.



IN WITNESS WHEREOF, the parties have executed this Second Amendment on

_____.

ATTEST:

CITY OF OCALA

Angel B. Jacobs
City Clerk

Ire Bethea, Sr.
City Council President

Approved as to form and legality:

ICON CONSULTING & DESIGN, LLC

/s/ Robert W. Batsel, Jr.

Robert W. Batsel, Jr.
City Attorney

By: _____
(Printed Name)

Title: _____
(Manager/Member)

TITLE	For Signature: Renewal of Third-Party Pole Attachment...
FILE NAME	FOR COUNCIL - Am...n Consulting .pdf
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Document History



SENT

04 / 19 / 2022

14:12:28 UTC-4

Sent for signature to Robert W. Batsel, Jr.
(rbatsel@ocalalaw.com) from plewis@ocalafl.org
IP: 216.255.240.104



VIEWED

04 / 21 / 2022

20:14:16 UTC-4

Viewed by Robert W. Batsel, Jr. (rbatsel@ocalalaw.com)
IP: 162.212.250.197



SIGNED

04 / 21 / 2022

20:15:40 UTC-4

Signed by Robert W. Batsel, Jr. (rbatsel@ocalalaw.com)
IP: 162.212.250.197



COMPLETED

04 / 21 / 2022

20:15:40 UTC-4

The document has been completed.