

A-1503 tg

AMENDATORY AGREEMENT

THIS AMENDATORY AGREEMENT, made and entered into by and between the **CITY OF ATLANTIC CITY**, a municipal corporation of the State of New Jersey, with its principal offices located at 1301 Bacharach Boulevard, Atlantic City, New Jersey 08401, hereinafter referred to as "**CITY**", and **L. FERIOZZI CONCRETE COMPANY**, with offices located at 3010 Sunset Avenue, Atlantic City, New Jersey 08401, hereinafter referred to as "**CONTRACTOR**", pursuant to Resolution No. 559 adopted by the Council of the **CITY** on August 20, 2025, a copy of which is attached hereto and made a part hereof.

WHEREAS, by Resolution No. 182 adopted March 19, 2025, the City of Atlantic City entered into an Agreement with Contractor for **THE MAINE AVENUE PROMENADE- PHASE 2** in the amount of **EIGHT HUNDRED FOURTEEN THOUSAND FIVE HUNDRED SEVENTY-FIVE DOLLARS (\$814,575.00)**; and

WHEREAS, , it is necessary to revise the scope of services to include **THE USE OF DSS LUMBER IN LIEU OF #2 PINE, THE REMOVAL OF ADDITIONAL SUBSURFACE CONCRETE BENEATH THE EXISTING SIDE BOARDWALK RAMP, AND THE REMOVAL, RECONFIGURATION, AND RELOCATION OF THE EXISTING BULKHEAD CAP RAILING** in the amount of **SIXTY-FIVE THOUSAND THREE HUNDRED FIFTY-FOUR DOLLARS AND ELEVEN CENTS (\$65,354.11)** to be known as **AMENDATORY AGREEMENT No. 1**.

WHEREAS, with the exception of the modifications contained herein, all other terms, conditions and provisions of the Agreement between the parties shall remain in full force and effect.

NOW, THEREFORE, BE IT RESOLVED in consideration of the mutual covenants contained herein, the parties agree that the Agreement authorized by Resolution No. 182 adopted by the Council of the **CITY** on March 19, 2025, is hereby amended to include the above referenced section in the amount of **SIXTY-FIVE THOUSAND THREE HUNDRED FIFTY-FOUR DOLLARS AND**

STATE OF NEW JERSEY)

) ss.

COUNTY OF ATLANTIC)

I CERTIFY that on SEPTEMBER 3 2025, 2025,

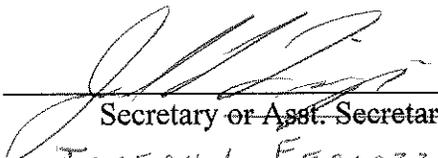
JOSEPH L. FERIOZZI, the Secretary ^{AND SOLE CORPORATE OFFICER} ~~or Assistant Secretary~~ of the Corporation,

personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the secretary ~~or assistant secretary~~ of
L. FERIOZZI CONCRETE COMPANY
(the corporation named in this document);
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer of the corporation;
- (c) this document was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Directors and;
- (d) this person signed this proof to attest to the truth of these facts.

Signed and sworn to before me on

SEPTEMBER 3RD, 2025


 Secretary or Asst. Secretary / PRESIDENT / TREASURER
 JOSEPH L. FERIOZZI



Nancy M Wentz
 NOTARY PUBLIC
 State of New Jersey
 ID # 2055920
 My Commission Expires 2/1/2029

Resolution of the City of Atlantic City

No. 559

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Assistant City Solicitor /s/ Karl Timbers

City Engineer/s/ Uzoma Ahiarakwe

Prepared by City Solicitor's Office

Council Members MARSHALL, RANDOLPH, SHABAZZ & KURTZ present the following Resolution:

RESOLUTION AWARDING AN AMENDATORY AGREEMENT TO L. FERIOZZI CONCRETE COMPANY IN THE AMOUNT OF \$65,354.11

WHEREAS, by Resolution No. 182 of March 19, 2025, the City of Atlantic City entered into an Agreement with L. FERIOZZI CONCRETE COMPANY for THE MAINE AVENUE PROMENADE-PHASE 2 for a total delivered sum of EIGHT HUNDRED FOURTEEN THOUSAND FIVE HUNDRED SEVENTY-FIVE DOLLARS (\$814,575.00); and

WHEREAS, it is necessary to revise the scope of services to include THE USE OF DSS LUMBER IN LIEU OF #2 PINE, THE REMOVAL OF ADDITIONAL SUBSURFACE CONCRETE BENEATH THE EXISTING SIDE BOARDWALK RAMP, AND THE REMOVAL, RECONFIGURATION, AND RELOCATION OF THE EXISTING BULKHEAD CAP RAILING, at an additional cost of SIXTY-FIVE THOUSAND THREE HUNDRED FIFTY-FOUR DOLLARS AND ELEVEN CENTS (\$65,354.11), to be known as AMENDATORY AGREEMENT NO. 1.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Atlantic City that the Mayor is hereby authorized to execute and the City Clerk to attest to an AMENDATORY AGREEMENT with L. FERIOZZI CONCRETE COMPANY at an additional cost of SIXTY-FIVE THOUSAND THREE HUNDRED FIFTY-FOUR DOLLARS AND ELEVEN CENTS (\$65,354.11), for a new total amount not to exceed EIGHT HUNDRED SEVENTY-NINE THOUSAND NINE HUNDRED TWENTY-NINE DOLLARS AND ELEVEN CENTS (\$879,929.11), for the aforementioned change of scope of work to be known as AMENDATORY AGREEMENT NO. 1.

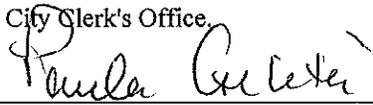
BE IT FURTHER RESOLVED that a Certificate of Funds from the Chief Financial Officer is attached to this Resolution, showing the availability of funds from Account No. G-02-41-756-024-931 and specifying the line-item appropriation from the 2025 Budget to satisfy the aforesaid award of this amendatory agreement and pursuant to State approval.

September 9, 2025 12:54 PM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
BAILEY	X						LACCA	X					
CROUCH	X					X	MARSHALL	X					
DUNSTON				X			SHABAZZ	X				X	
KURTZ	X						TIBBITT	X					
RANDOLPH, PRESIDENT								X					
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: AUGUST 20, 2025


 /s/ Paula Geletei, City Clerk