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**AMENDATORY AGREEMENT NO. 2**

**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 **DAVEY RESOURCE GROUP, INC.** with offices located at 49 5<sup>th</sup> Avenue, #1113, Brooklyn, NY 11217, hereinafter referred to as "**CONSULTANT**", pursuant to Resolution No. 885 adopted by the Council of the **CITY** on December 17, 2025, a copy of which is attached hereto and made a part hereof.

**WHEREAS**, by Resolution No. 806 adopted November 13, 2024, the City entered into an Agreement with **CONSULTANT** for **CITY-WIDE TREE INVENTORY SERVICES** in the amount of **FIFTY-FIVE THOUSAND FIVE HUNDRED EIGHTY DOLLARS (\$55,580.00)**; and

**WHEREAS**, by Resolution 345 adopted May 21, 2025, the City needed **ADDITIONAL CITY-WIDE TREE INVENTORY SERVICES** in the amount of **THIRTY THOUSAND TWO HUNDRED SEVENTY-FIVE DOLLARS (\$30,275.00)** to be known as **AMENDATORY AGREEMENT No. 1.**

**WHEREAS**, it is again necessary for **ADDITIONAL CITY-WIDE TREE INVENTORY SERVICES** in the amount of **THREE THOUSAND SIX HUNDRED DOLLARS (\$3,600.00)**, to be known as **AMENDATORY AGREEMENT NO. 2.**

**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. 806 adopted by the Council of the **CITY** on November 13, 2024, is hereby amended to include the above referenced additional services in the amount of **THREE THOUSAND SIX HUNDRED DOLLARS (\$3,600.00)**

for a new total not to exceed ~~EIGHTY-NINE THOUSAND FOUR HUNDRED FIFTY-FIVE~~  
~~DOLLARS (\$89,455.00)~~ to be known as **AMENDATORY AGREEMENT No. 2.**

**CONSULTANT** represents that it is in compliance with all laws of the State of New Jersey, all Ordinances of the City of Atlantic City, including Ordinance No. 24 of 1993, and Executive Order No. 1 of 1993, attached hereto and made a part hereof, involving Affirmative Action and minority business participation and will remain so for the term of this Agreement and Amendatory Agreement No.2, and failure to continue in compliance shall be deemed a breach of the Agreement and this Amendatory Agreement No. 2.

**CONSULTANT** cannot assign its rights or obligations under the Agreement without the prior written consent of the **CITY**.

The Amendatory Agreement No.2 is effective as of the date of the complete execution.

[THIS SPACE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the CITY and CONSULTANT have caused this Amendatory

Agreement No.2 to be executed on or as of the day and year first below written.

ATTEST:

Paula Geletei  
Paula Geletei, City Clerk

CITY OF ATLANTIC CITY

By: Marty Small, Sr.  
Marty Small, Sr., Mayor

Date: 2-2-26

WITNESS:

Kellie Ferguson

DAVEY RESOURCE GROUP, INC.

By: Jim Zwack  
VP & GM, DRG Environmental Consulting  
Jim Zwack

(PLEASE PRINT NAME ABOVE)

DATE: 01/30/2026

This Amendatory Agreement No. 2 is approved as to form and execution.

Date: 2/2/26

By: Peter T. Sallata  
Peter T. Sallata, Esq.  
Assistant City Solicitor

STATE OF OHIO )

) ss.

COUNTY OF PORTAGE )

I CERTIFY that on February 2, 2026,  
Erika J. Schoenberger, the Secretary 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  
Davey Resource Group, Inc.  
(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

2/2, 2026

Erika J. Schoenberger  
Secretary or Asst. Secretary

Heather Lynne Micozzi



HEATHER LYNNE MICOZZI  
Notary Public, State of Ohio  
My Commission Expires:  
April 22, 2028

# Resolution of the City of Atlantic City

**No. 885**

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

Factual contents certified to by

Assistant City Solicitor /s/ Karl Timbers

Director of Planning & Development/s/ Jacques Howard

Prepared by City Solicitor's Office

Council Members SHABAZZ, RANDOLPH, MARSHALL & LACCA present the following Resolution

## RESOLUTION APPROVING AMENDATORY AGREEMENT #2 WITH DAVEY RESOURCE GROUP, INC., FOR ADDITIONAL CITY-WIDE TREE INVENTORY SERVICES IN THE AMOUNT OF \$3,600.00

WHEREAS, by Resolution No. 806 of 2024, the City of Atlantic City entered into an Agreement with DAVEY RESOURCES GROUP, INC, for City Wide Tree Inventory Services in the amount of FIFTY-FIVE THOUSAND FIVE HUNDRED EIGHTY DOLLARS (\$55,580.00).

WHEREAS, additional work was needed in the amount of THIRTY THOUSAND TWO HUNDRED SEVENTY-FIVE DOLLARS (\$30,275.00) to be known as AMENDATORY AGREEMENT No. 1; and

WHEREAS it is necessary for additional CITY-WIDE TREE INVENTORY SERVICES in the amount of THIRTY-SIX HUNDRED DOLLARS (\$3,600.00) to be known as AMENDATORY AGREEMENT No. 2.

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 DAVEY RESOURCE GROUP, INC, in the amount of THIRTY-SIX HUNDRED DOLLARS (\$3,600) for a new total not to exceed EIGHTY-NINE THOUSAND FOUR HUNDRED FIFTY-FIVE DOLLARS (\$89,455) for the aforementioned work to be known as an AMENDATORY AGREEMENT No. 2; and

BE IT FURTHER RESOLVED that a Certification from the Chief Financial Officer is attached to this Resolution, showing the availability of funds from Account No. G-02-41-860-024-943 to satisfy the aforesaid award of an Amendatory Agreement.

December 22, 2025 11:40 AM

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					X	LACCA	X					
CROUCH	X					X	MARSHALL	X					
DUNSTON	X						SHABAZZ	X					
KURTZ	X				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: DECEMBER 17, 2025

*Paula Geletel*  
/s/ Paula Geletel, City Clerk