

Resolution of the City of Atlantic City

No. 115

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

Factual contents certified to by

Assistant City Solicitor /s/ Karl Timbers

Paul Jerkins/s/Director of Public Works

Prepared by City Solicitor's Office

Council Members RANDOLPH & KURTZ present the following Resolution:

RESOLUTION AUTHORIZING A CHANGE ORDER FOR CALVI ELECTRIC COMPANY FOR LED STREET LIGHTING UPGRADE IN THE AMOUNT OF ONE HUNDRED TWENTY THOUSAND DOLLARS

WHEREAS, by Resolution No. 19 of January 6, 2021, the City of Atlantic City entered into an Agreement with **CALVI ELECTRIC COMPANY FOR ATLANTIC CITY LED STREET LIGHTING REPLACEMENT** in the amount of **SIX HUNDRED NINETY-FOUR THOUSAND FIVE HUNDRED SIXTY-SEVEN DOLLARS (\$694,567.00)**; and

WHEREAS, there is a need for **LED STREET LIGHTING UPGRADE OF ORIGINAL FIXTURES TO USE VARIOUS LED WATT BULBS** in the amount of **ONE HUNDRED TWENTY THOUSAND DOLLARS (\$120,000.00)** for a new total not to exceed to **EIGHT HUNDRED FOURTEEN THOUSAND FIVE HUNDRED SIXTY-SEVEN DOLLARS (\$814,567.00)**; and

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 **CALVI ELECTRIC COMPANY** in the amount of **ONE HUNDRED TWENTY THOUSAND DOLLARS** for the aforementioned work to be known as **CHANGE ORDER No. 1**.

BE IT FURTHER RESOLVED that a Certificate from the Chief Financial Officer is attached to this Resolution, showing the availability of funds and specifying the line item appropriation from the 2021 Budget to satisfy the aforesaid.

kc March 9, 2021 3:28 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.
DELGADO	X						MORSHED	X					
DUNSTON	X						RANDOLPH	X					X
FAUNTLEROY	X						SHABAZZ	X				X	
KURTZ	X						ZIA	X					
TIBBITT, 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: FEBRUARY 24, 2021

Paula Geletei

/s/ Paula Geletei, City Clerk

A-190
KL

CHANGE ORDER NO. 1

THIS CHANGE ORDER, 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 **CALVI ELECTRIC COMPANY** with offices located at 14 S. California Avenue, Atlantic City, New Jersey 08401, hereinafter referred to as "**CONTRACTOR**", pursuant to Resolution No. 115 adopted by the Council of the **CITY** on February 24, 2021, a copy of which is attached hereto and made a part hereof.

WHEREAS, by Resolution No. 19 of 2021, the City of Atlantic City entered into an Agreement with **CALVI ELECTRIC COMPANY FOR ATLANTIC CITY LED STREET LIGHTING REPLACEMENT** in the amount of **SIX HUNDRED NINETY-FOUR THOUSAND FIVE HUNDRED SIXTY-SEVEN DOLLARS (\$694,567.00)**; and

WHEREAS, it is necessary for additional work of **LED STREET LIGHTING UPGRADE OF ORIGINAL FIXTURES TO USE VARIOUS LED WATT BULBS** in the amount of **ONE HUNDRED TWENTY THOUSAND DOLLARS (\$120,000.00)** to be known as **CHANGE ORDER 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. 19 adopted by the Council of the **CITY** on January 6, 2021, is hereby changed to include the above referenced section in the amount of **ONE HUNDRED TWENTY THOUSAND DOLLARS (\$120,000.00)** for a new total not to exceed **EIGHT HUNDRED FOURTEEN THOUSAND FIVE HUNDRED SIXTY-SEVEN DOLLARS (\$814,567.00)** to be known as **CHANGE ORDER No. 1**.

CONTRACTOR 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, Executive Order No. 1 of 1993, and Exhibit "A" 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 failure to continue in compliance shall be deemed a breach of this Agreement.

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

The within Change Order is effective as of the date of the Mayor's signature.

IN WITNESS WHEREOF, the **CITY** and **COUNSEL** have caused this Agreement to be executed on or as of the day and year first below written.

ATTEST:

CITY OF ATLANTIC CITY

Paula Geletei
Paula Geletei, City Clerk

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

Date: 3-18-21

WITNESS:

CALVI ELECTRIC COMPANY

Michael M. Brestle

By: Michael Brestle
President
Michael Brestle
(PLEASE PRINT NAME ABOVE)

DATE: March 16, 2021

The within Agreement approved as to form and execution.

Date: 3/18/21

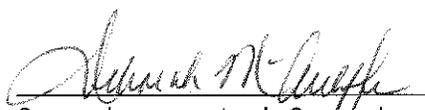
By: Matthew D. Sykes
Matthew D. Sykes, Esquire
Assistant City Solicitor

STATE OF New Jersey)
) ss.
COUNTY OF Atlantic)

I CERTIFY that on March 16, 2021,
Deborah McAuliffe, 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 Calvi Electric 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


Secretary or Asst. Secretary

March 16, 2021


Notary Public of New Jersey
(Seal attached)
