

AMENDATORY AGREEMENT NO. 1

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 **SOUTH STATE, INC.** with offices located at 202 Reeves Road, Bridgeton, New Jersey 08302, hereinafter referred to as the "**CONTRACTOR**", pursuant to Resolution No. 150 adopted by the Council of the **CITY** on February 18, 2026, a copy of which is attached hereto and made a part hereof.

WHEREAS, by Resolution No. 593 adopted August 20, 2025, the City of Atlantic City entered into an Agreement with Contractor to perform **PAVING SERVICES FOR M.L.K. BOULEVARD** for the City in the amount of **ONE MILLION SIX HUNDRED SIXTY-FOUR THOUSAND SEVEN HUNDRED FIVE DOLLARS AND SEVENTY-TWO CENTS (\$1,664,705.72)**; and

WHEREAS, by Resolution No. 150 adopted February 18, 2026, it is necessary to **EXTEND THE CONTRACT BY 95 CALENDAR DAYS DUE TO UNFORSEEN PROJECT DELAYS INCLUDING WEATHER AND REDESIGN** outside of the original scope of contract **AT NO ADDITIONAL COST** 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. 593 adopted by the Council of the **CITY** on August 20, 2025, is hereby amended to include the above referenced section to **EXTEND THE CONTRACT BY 95 CALENDAR DAYS DUE TO UNFORSEEN PROJECT DELAYS INCLUDING WEATHER AND REDESIGN** outside of the original scope of contract **AT NO ADDITIONAL COST** to be known as **AMENDATORY AGREEMENT 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, and Executive Order No. 1 of 1993, involving Affirmative Action and minority business participation and will remain so for the term of this Agreement and Amendatory Agreement No. 1, and failure to continue in compliance shall be deemed a breach of the Agreement and this Amendatory Agreement No. 1.

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

The Amendatory Agreement No. 1 is effective as of the date of complete execution hereof.

IN WITNESS WHEREOF, the **CITY** and **CONTRACTOR** have caused this Amendatory Agreement No. 1 to be executed on or as of the day and year first below written.

ATTEST:

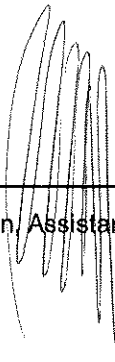

Paula Geletei, City Clerk

CITY OF ATLANTIC CITY


By: 
Marty Small, Sr., Mayor

Date: 4-1-26

WITNESS:


Robert Bryan, Assistant Secretary

SOUTH STATE, INC.

By: 
President
Chester J. Ottinger, Jr., President

(PLEASE PRINT NAME ABOVE)

This Amendatory Agreement No. 1 is approved as to form and execution.

Date: 3/31/26

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

STATE OF: New Jersey

COUNTY OF: Cumberland

I CERTIFY that on March 26 2026 Robert Bryan, 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 (the corporation named in this document); and
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer of the corporation; and
- (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

March 26, 2026

[Signature]
Secretary or Asst. Secretary

[Signature]
Notary Public of New Jersey
(Seal attached)



A 1599

Resolution of the City of Atlantic City

No. 150

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

Factual contents certified to by

Assistant City Solicitor /s/ Karl Timbers

Uzo Ahlarakwe /s/ City Engineer

Prepared by City Solicitor's Office

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

RESOLUTION TO AWARD AN AMENDATORY AGREEMENT TO SOUTH STATE INC. FOR AN EXTENSION OF TIME AND CHANGE IN SCOPE OF WORK

WHEREAS, by Resolution No. 593 of August 20, 2025, the City of Atlantic City entered into an agreement with SOUTH STATE INC., in the amount of ONE MILLION SIX HUNDRED SIXTY-FOUR THOUSAND SEVEN HUNDRED FIVE DOLLARS AND SEVENTY-TWO CENTS (\$1,664,705.72); and

WHEREAS, it is necessary to **EXTEND THE AGREEMENT NINETY-FIVE (95) DAYS DUE TO UNFORESEEN PROJECT DELAYS INCLUDING WEATHER AND REDESIGN AT NO ADDITIONAL COST**; and

WHEREAS, it is also necessary to **CHANGE THE SCOPE OF WORK BECAUSE ITEMS SUCH AS THERMOPLASTIC STRIPES AND OTHER ITEMS ARE NO LONGER NEEDED BASED ON SITE CONDITIONS AT NO ADDITIONAL COST.**

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 SOUTH STATE INC. for the aforementioned extension and change in scope of work; to be known as an **AMENDATORY AGREEMENT No. 1**; and

BE IT FURTHER RESOLVED that award of this amendatory agreement is contingent upon State approval.

February 25, 2026 9:40 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.
AHMED	X						KURTZ	X					
BAILEY	X					X	LACCA	X					
CROUCH	X						MARSHALL	X					
DUNSTON	X						SHABAZZ	X				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: FEBRUARY 18, 2026

/s/ Paula Geletel, City Clerk