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AMENDATORY AGREEMENT NO. 7

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 **RICHARD E. PIERSON CONSTRUCTION CO., INC.**, located at 426 Swedesboro Road, Pilesgrove, New Jersey 08098, hereinafter referred to as the "**CONTRACTOR**", pursuant to Resolution No. 191 adopted by City Council on March 18, 2026, a copy of which is attached hereto and made a part hereof .

WHEREAS, by Resolution No. 734 adopted November 2, 2022, the City entered into an Agreement with Contractor for **BALTIC AVENUE DRAINAGE CANAL IMPROVEMENTS ATLANTIS AVENUE PHASE 2** in the amount of **SIXTEEN MILLION SIX HUNDRED FIFTY THOUSAND SIX HUNDRED THIRTY-ONE DOLLARS (\$16,650,631.00)**; and

WHEREAS, by Resolution No. 631 adopted September 17, 2025, the City revised the Scope of Services to include **CONTROL BUILDING MODIFICATION, EXISTING FLOOD GATE REHABILITATION, AND TESTING & DISPOSAL OF CONTAMINATED GROUND WATER** in the amount of **ONE MILLION THREE HUNDRED NINETY-SEVEN THOUSAND EIGHT HUNDRED SEVENTY-ONE DOLLARS AND SIXTY-THREE CENTS (\$1,397,871.63)** known as **AMENDATORY AGREEMENT No. 1.**; and

WHEREAS, by Resolution No. 743 adopted October 22, 2025, it was necessary for the City to revise the Scope of Services to **PERFORM ADDITIONAL BALTIC AVENUE DRAINAGE CANAL IMPROVEMENTS** in the amount of **FIVE THOUSAND FORTY-NINE DOLLARS AND FOUR CENTS (\$5,049.04)**; known as **AMENDATORY AGREEMENT NO. 2**; and

WHEREAS, by Resolution No. 747 adopted October 22, 2025, it was also necessary for the City to revise the Scope of Services for **CRACK REPAIRS AT BALTIC AVENUE DRAINAGE CANAL ATLANTIS AVENUE PROJECT-PHASE 2** in the amount of **FOUR HUNDRED NINETY-FIVE THOUSAND SEVEN HUNDRED SIXTY-SEVEN DOLLARS AND FORTY-SEVEN CENTS (\$495,767.47)**; known as **AMENDATORY AGREEMENT NO. 3**; and

WHEREAS, by Resolution No. 116 adopted February 18, 2026, it was necessary to:

(1) **INSTALL PERIMETER FENCING AROUND THE SITE AND INCREASE SURVEILLANCE MEASURES VIA CAMERAS AND ASSOCIATED APPURTENANCES AT THE BALTIC AVENUE DRAINAGE CANAL SITE** in the amount of **THIRTY THOUSAND SIX HUNDRED NINETY-TWO DOLLARS AND EIGHTY-FOUR CENTS (\$30,692.84)** known as **AMENDATORY AGREEMENT NO. 4**;

(2) **INSTALL THE REMOTE EMERGENCY STOP SWITCH FOR THE PUMP STATION GENERATOR(S) AT THE BALTIC AVENUE DRAINAGE CANAL SITE** in the amount of **TWO THOUSAND NINE HUNDRED THIRTEEN DOLLARS AND FIFTEEN CENTS (\$2,913.15)** known as **AMENDATORY AGREEMENT NO. 5**;

(3) **INSTALL CONCRETE JOINT SEALANT FOR THE REINFORCED CONCRETE SLAB, 8", AT THE BALTIC AVENUE DRAINAGE CANAL SITE** in the amount of **FIVE THOUSAND FOUR HUNDRED SIXTY DOLLARS (\$5,460.00)** known as **AMENDATORY AGREEMENT NO. 6**; and

WHEREAS, it is again necessary **TO PERFORM ADDITIONAL BALTIC AVENUE DRAINAGE CANAL IMPROVEMENTS-ATLANTIS AVENUE PHASE 2**, in the amount of

THIRTEEN THOUSAND EIGHT HUNDRED SIXTEEN DOLLARS AND NINETY-FIVE CENTS (\$13,816.95) to be known as **AMENDATORY AGREEMENT NO. 7**; and

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 by the Council of the City of Atlantic City that the Mayor is hereby authorized to execute and the City Clerk to attest to **AMENDATORY AGREEMENT NO. 7** with **RICHARD E. PIERSON CONSTRUCTION CO.**, in the amount of **THIRTEEN THOUSAND EIGHT HUNDRED SIXTEEN DOLLARS AND NINETY-FIVE CENTS (\$13,816.95)** for a new total not to exceed **EIGHTEEN MILLION SIX HUNDRED TWO THOUSAND TWO HUNDRED TWO DOLLARS AND EIGHT CENTS (\$18,602,202.08)**.

CONTRACTOR represents that it is in compliance with all laws of the State of New Jersey, all Ordinances of the 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 all Amendatory Agreements listed herein and failure to continue in compliance shall be deemed a breach of the Agreement and all Amendatory Agreements listed herein.

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

The Amendatory Agreements listed herein are effective as of the date of complete execution hereof.

IN WITNESS WHEREOF, the CITY and CONTRACTOR have caused this Amendatory Agreement No. 7 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: 4-8-26

WITNESS:

Chern M. Dubois
Chern M. Dubois
Asst Secretary

RICHARD E. PIERSON CONSTRUCTION
CO., INC.

By: Robert L. Baccala
Vice President
(PLEASE PRINT NAME ABOVE)

DATE: April 1 2026

The Amendatory Agreement No. 7 is approved as to form and execution.

Date: 4/7/26

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

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

I CERTIFY that on April 1 2024, 2026,
Cheri M Dubois, 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
Richard E Person Construction Co. 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.

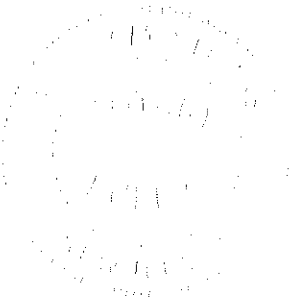
Signed and sworn to before me on

April 1, 2026

Cheri M Dubois
Secretary or Asst. Secretary
Cheri M Dubois

Penny M Stubbs

PENNY M. STUBBS
Notary Public, State of New Jersey
Comm. # 50011369
My Commission Expires 3/6/2030



Resolution of the City of Atlantic City

No. 191

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

Factual contents certified to by

Deputy City Solicitor /s/Rashanna Butler

City Engineer/s/ Uzoma Ahiarakwe

Prepared by City Solicitor's Office

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

RESOLUTION TO AWARD AMENDATORY AGREEMENT #7 TO RICHARD E. PIERSON CONSTRUCTION CO., FOR BALTIC AVENUE DRAINAGE CANAL IMPROVEMENTS- ATLANTIS AVENUE PHASE 2

WHEREAS, by Resolution No. 734 of November 2, 2022, the City of Atlantic City entered into an agreement with **RICHARD E. PIERSON CONSTRUCTION CO.**, in the amount of **SIXTEEN MILLION SIX HUNDRED FIFTY THOUSAND SIX HUNDRED THIRTY-ONE DOLLARS (\$16,650,631.00)**; and

WHEREAS, by Resolution No. 631 of September 9, 2025, it was necessary to modify the scope of services to include **CONTROL BUILDING MODIFICATION, EXISTING FLOOD GATE REHABILITATION, AND TESTING & DISPOSAL OF CONTAMINATED GROUND WATER** in the amount of **ONE MILLION THREE HUNDRED NINETY-SEVEN THOUSAND EIGHT HUNDRED SEVENTY-ONE DOLLARS AND SIXTY-THREE CENTS (\$1,397,871.63)** to be known as an **AMENDATORY AGREEMENT NO. 1**; and

WHEREAS, by Resolution No. 743 of October 22, 2025, it was again necessary to **PERFORM ADDITIONAL BALTIC AVENUE DRAINAGE CANAL IMPROVEMENTS** in the amount of **FIVE THOUSAND FORTY-NINE DOLLARS AND FOUR CENTS (\$5,049.04)** to be known as an **AMENDATORY AGREEMENT NO. 2**; and

WHEREAS, by Resolution No. 747 of October 22, 2025 it was necessary to **REPAIR CRACKS AT THE BALTIC AVENUE DRAINAGE CANAL- Atlantis Avenue Project- Phase 2** in the amount of **FOUR HUNDRED NINETY-FIVE THOUSAND SEVEN HUNDRED SIXTY-SEVEN DOLLARS AND FORTY-SEVEN CENTS (\$495,767.47)** to be known as **AMENDATORY AGREEMENT NO. 3**; and

WHEREAS, it was necessary to **INSTALL PERIMETER FENCING AROUND THE SITE AND INCREASE SURVEILLANCE MEASURES VIA CAMERAS AND ASSOCIATED APPURTENANCES AT THE BALTIC AVENUE DRAINAGE CANAL SITE** in the amount of **THIRTY THOUSAND SIX HUNDRED NINETY-TWO DOLLARS AND EIGHTY-FOUR CENTS (\$30,692.84)** to be known as **AMENDATORY AGREEMENT NO. 4**; and

WHEREAS, it was necessary to **INSTALL THE REMOTE EMERGENCY STOP SWITCH FOR THE PUMP STATION GENERATOR(S) AT THE BALTIC AVENUE DRAINAGE CANAL SITE** in the amount of **TWO THOUSAND NINE HUNDRED THIRTEEN DOLLARS AND FIFTEEN CENTS (\$2,913.15)** to be known as **AMENDATORY AGREEMENT NO. 5**; and

WHEREAS, it was necessary for the **INSTALLATION OF CONCRETE JOINT SEALANT FOR THE REINFORCED CONCRETE SLAB, 8" AT THE BALTIC AVENUE DRAINAGE CANAL SITE** in the amount of **FIVE THOUSAND FOUR HUNDRED SIXTY DOLLARS (\$5,460.00)** to be known as **AMENDATORY AGREEMENT NO. 6**.

WHEREAS, it is again necessary to perform additional **BALTIC AVENUE DRAINAGE CANAL IMPROVEMENTS-ATLANTIS AVENUE PHASE 2** in the amount **THIRTEEN THOUSAND EIGHT HUNDRED SIXTEEN DOLLARS AND NINETY-FIVE CENTS (\$13,816.95)**; 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 **AMENDATORY AGREEMENT NO. 7** with **RICHARD E. PIERSON CONSTRUCTION CO.**, in the amount of **THIRTEEN THOUSAND EIGHT HUNDRED SIXTEEN DOLLARS AND NINETY-FIVE CENTS (\$13,816.95)** for a total not to exceed **EIGHTEEN MILLION SIX HUNDRED TWO THOUSAND TWO HUNDRED TWO DOLLARS AND EIGHT CENTS (\$18,602,202.08)**; and

BE IT FURTHER RESOLVED that Certificates from the Chief Financial Officer has been attached to this Resolution, showing the availability of funds to satisfy the aforesaid award of contract from Account No. G-02-41-103-022-AR5 and specifying the line-item appropriation from grant funds to satisfy the aforesaid award of this amendatory agreement and pursuant to State approval.

March 23, 2026 3:00 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.
AHMED	X						KURTZ	X					X
BAILEY	X						LACCA	X					
CROUCH	X						MARSHALL				X		
DUNSTON	X						SHABAZZ	X				X	
RANDOLPH, COUNCIL 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: MARCH 18, 2026

Paula Geletei

/s/ Paula Geletei, City Clerk