

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 **SOUTH STATE, INC.** with offices located at 202 Reeves Road, Bridgeton, New Jersey 08302, hereinafter referred to as the "**CONTRACTOR**", pursuant to Resolution No. 259 adopted by the Council of the **CITY** on April 22, 2026, a copy of which is attached hereto and made a part hereof.

WHEREAS, by Resolution No. 593 adopted August 20, 2025, the 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 was necessary to **EXTEND THE CONTRACT BY NINETY-FIVE (95) CALENDAR DAYS DUE TO UNFORSEEN PROJECT DELAYS INCLUDING WEATHER AND REDESIGN** outside of the original scope of contract **AT NO ADDITIONAL COST** known as **AMENDATORY AGREEMENT No. 1**.

WHEREAS, by Resolution No. 259 adopted April 22, 2026, it is again necessary to **EXTEND THE AGREEMENT BY SEVENTY (70) CALENDAR DAYS DUE TO ADDITIONAL WORK OF INSTALLATION OF GRANITE CURB PIECES AND REDUCTION OF ITEMS NO LONGER NEEDED** outside of the original scope of contract **AT NO ADDITIONAL COST** 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. 593 adopted by the Council of the CITY on August 20, 2025, is hereby amended to include the above referenced section to **EXTEND THE AGREEMENT BY SEVENTY (70) CALENDAR DAYS DUE TO ADDITIONAL WORK OF INSTALLATION OF GRANITE CURB PIECES AND REDUCTION OF ITEMS NO LONGER NEEDED** outside of the original scope of contract **AT NO ADDITIONAL COST** to be known as **AMENDATORY AGREEMENT No. 2**.

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. 2, and failure to continue in compliance shall be deemed a breach of the Agreement and this Amendatory Agreement No. 2.

CONTRACTOR 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 complete execution hereof.

IN WITNESS WHEREOF, the CITY and CONTRACTOR 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

Date: 6/4/2026

CITY OF ATLANTIC CITY

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

WITNESS:

[Signature]
Robert Bryan, Assistant Secretary

SOUTH STATE, INC.

By: [Signature]
President
Chester J. Ottinger, Jr., President
(Please Print Name Above)

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

Date: 6/2/26

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

STATE OF:

New Jersey

COUNTY OF:

Cumberland

I CERTIFY that on May 29 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:

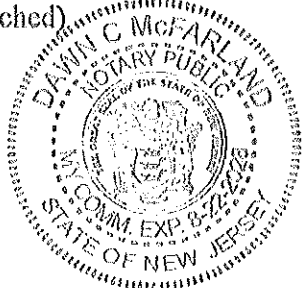
- (a) this person is the secretary or assistant secretary of (the corporation named in this document); and
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer of the corporation; and
- (c) this document was signed and delivered by the corporation 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

May 29, 2026

Secretary or Asst. Secretary

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



Resolution of the City of Atlantic City

No. 259

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

Factual contents certified to by

City Solicitors/s/ Michael J. Perugini

City Engineer/s/ Uzoma Ahiaforakwe

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

WHEREAS, by Resolution No. 593 of August 20, 2025, the City of Atlantic City entered into an agreement with **SOUTH STATE INC., FOR THE PAVING OF MARTIN LUTHER KING BOULEVARD** 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 was 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 was 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**, known as **AMENDATORY AGREEMENT No. 1**; and

WHEREAS, it is necessary to **EXTEND THE AGREEMENT SEVENTY (70) CALENDAR DAYS FOR ADDITIONAL WORK OF INSTALLATION OF GRANITE CURB PIECES AND REDUCTION OF ITEMS NO LONGER NEEDED BASED ON SITE CONDITIONS AT NO ADDITIONAL COST**; 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 **SOUTH STATE INC.** for the aforementioned extension; to be known as an **AMENDATORY AGREEMENT No. 2**; and

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

April 23, 2026 10:39 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						LACCA	X					
CROUCH	X					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: APRIL 22, 2026

Paula Geletel

/s/ Paula Geletel, City Clerk