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AMENDATORY AGREEMENT

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 Box 68, Bridgeton, New Jersey 08302, hereinafter referred to as "**CONTRACTOR**", pursuant to Resolution No. 303 adopted by the Council of the **CITY** on May 13, 2026, a copy of which is attached hereto and made a part hereof.

WHEREAS, by Resolution No. 678 adopted September 17, 2025, the City entered into an Agreement with **SOUTH STATE, INC.** for the **ATLANTIC CITY CORRIDOR REVITALIZATION AND SAFETY PROJECT COMPONENT 2- ATLANTIC AVENUE** in the amount of **NINE MILLION SIX HUNDRED EIGHTY-FOUR THOUSAND TWO HUNDRED FIFTY-SEVEN DOLLARS AND SEVENTY-FIVE CENTS (\$9,684,257.75)**; and

WHEREAS, it is necessary for additional work for the **MILL AND OVERLAY OF ATLANTIC AVENUE FROM KENTUCKY AVENUE TO TENNESSEE AVENUE** in the amount of **SIX HUNDRED FIVE THOUSAND ONE HUNDRED FIFTY-FOUR DOLLARS AND EIGHTY CENTS (\$605,154.80)** as outlined in the attached proposal, incorporated herein and made a part of this Amendatory Agreement 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. 678 adopted by the Council of the **CITY** on September 17, 2025, is hereby amended to include the above referenced additional work at a cost of **SIX HUNDRED FIVE THOUSAND ONE HUNDRED FIFTY-FOUR DOLLARS AND EIGHTY CENTS (\$605,154.80)** for a new total not to exceed **TEN MILLION TWO HUNDRED EIGHTY-NINE FOUR HUNDRED TWELVE DOLLARS AND FIFTY-FIVE CENTS (\$10,289,412.55)** 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, 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.

[SIGNATURE PAGE TO FOLLOW]

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
Paula Geletei, City Clerk

CITY OF ATLANTIC CITY

By: Marty Small
Marty Small, Sr., Mayor

Date: 6-25-26

WITNESS:

SOUTH STATE, INC.

By: Chester J. Ottinger Jr
President

(PLEASE PRINT NAME ABOVE)

DATE: 6/23/26

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

Date: 6/25/26

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

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

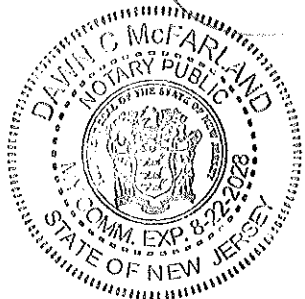
I CERTIFY that on June 23, 2026,
Robert Bryan, the Secretary or Assistant Secretary of the Corporation,
personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the secretary or assistant secretary of
South State, 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

~~Secretary or Asst. Secretary~~

June 23, 2026



Resolution of the City of Atlantic City

No. 303

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 Ahirakwe

Prepared by City Solicitor's Office

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

RESOLUTION APPROVING AMENDATORY AGREEMENT NO. 1 TO SOUTH STATE INC. FOR THE ATLANTIC AVENUE ROAD DIET PHASE 2B IN THE AMOUNT OF \$605,154.80

WHEREAS, by Resolution No. 678 of 2025, the City of Atlantic City entered into an Agreement with SOUTH STATE, INC. for ATLANTIC CITY CORRIDOR REVITALIZATION AND SAFETY PROJECT COMPONENT 2-ATLANTIC AVENUE in the amount of NINE MILLION SIX HUNDRED EIGHTY-FOUR THOUSAND TWO HUNDRED FIFTY-SEVEN DOLLARS AND SEVENTY-FIVE CENTS (\$9,684,257.75); and

WHEREAS, SOUTH STATE, INC. advised additional work for the MILL AND OVERLAY OF ATLANTIC AVENUE FROM KENTUCKY AVENUE TO TENNESSEE AVENUE is needed in the amount of SIX HUNDRED FIVE THOUSAND ONE HUNDRED FIFTY-FOUR DOLLARS AND EIGHTY CENTS (\$605,154.80) to be known as AMENDATORY AGREEMENT No. 1; 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 NO. 1 with SOUTH STATE, INC. in the amount of SIX HUNDRED FIVE THOUSAND ONE HUNDRED FIFTY-FOUR DOLLARS AND EIGHTY CENTS (\$605,154.80) for a new total not to exceed TEN MILLION TWO HUNDRED EIGHTY-NINE FOUR HUNDRED TWELVE DOLLARS AND FIFTY-FIVE CENTS (\$10,289,4412.55) for the aforementioned work to be known as an AMENDATORY AGREEMENT No. 1; 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 Nos. G-02-41-810-C23-950 (\$174,763.41); G-02-41-810-D23-950 (\$200,531.00); C-04-24-RES-000-741 (\$226,395.04), and G-02-41-898-A23-299 (\$3,465.35), for a new total not to exceed for a new total not to exceed TEN MILLION TWO HUNDRED EIGHTY-NINE FOUR HUNDRED TWELVE DOLLARS AND FIFTY-FIVE CENTS (\$10,289,4412.55).

May 19, 2026 11:01 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: MAY 13, 2026

Paula Geletei
/s/ Paula Geletei, City Clerk