

A-700
14

AMENDATORY AGREEMENT NO. 8

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. 305 adopted by City Council on May 13, 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, by Resolution No. 191 adopted March 18, 2026, it was 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, it is again necessary **TO PERFORM ADDITIONAL BALTIC AVENUE DRAINAGE CANAL IMPROVEMENTS-ATLANTIS AVENUE PHASE 2**, in the amount of **SEVEN THOUSAND TWO HUNDRED FORTY-THREE DOLLARS AND SEVENTY CENTS (\$7,243.70)**, to be known as **AMENDATORY AGREEMENT NO. 8**; 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. 8** with **CONTRACTOR**, in the amount of **SEVEN THOUSAND TWO HUNDRED FORTY-THREE DOLLARS AND SEVENTY CENTS (\$7,243.70)** for a new total not to exceed **EIGHTEEN MILLION SIX HUNDRED NINE THOUSAND FOUR HUNDRED FORTY-FIVE DOLLARS AND SEVENTY-EIGHT CENTS (\$18,609,445.78)**.

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**.

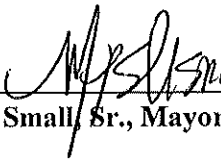
The Amendatory Agreement No. 8 listed herein is effective as of the date of complete execution hereof.

IN WITNESS WHEREOF, the CITY and CONTRACTOR have caused this Amendatory Agreement No. 8 to be executed on or as of the day and year first below written.

ATTEST:


Paula Geletei, City Clerk

CITY OF ATLANTIC CITY

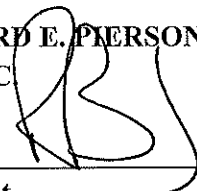
By: 
Marty Small, Sr., Mayor

Date: 6-4-26

WITNESS:


Cheryl M. Dubois
Asst Secretary

RICHARD E. PIERSON CONSTRUCTION
CO., INC

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

DATE: May 27 2024

The Amendatory Agreement No. 8 is approved as to form and execution.

Date: 4/2/26

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

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

I CERTIFY that on May 27, 2026,
Cherri 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. Pierson 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

May 27, 2026

Cherri M Dubois
Secretary or Asst. Secretary
Cherri M Dubois

Penny M Stubbs

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

New Jersey Department of Transportation

Force Account Summary

(2/2011)
DC-55

Project Baltic Ave. Drainage Canal Improvements Atlantis Ave. Phase 2
Contractor R.E. Pierson Construction Co.
Date 3/4/2026

Prime Contractor

(A) Direct Labor	922.41
(B) Fringe Benefits	738.74
(C) Indirect Labor	136.06
(D) Insurance	103.57
(E) Extraordinary Expense	-
(F) Material	4,054.01
(G) Equipment	97.96
(H) Profit	595.48
(I) Overhead	595.48

Subcontractors

a	
b	
c	-

subtotal -

5% markup on subcontractor amount -

7,243.70

Resolution of the City of Atlantic City

No. 305

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 TO AWARD AMENDATORY AGREEMENT NO. 8 TO RICHARD E. PIERSON CONSTRUCTION CO., FOR BALTIC AVENUE DRAINAGE CANAL IMPROVEMENTS- ATLANTIS AVENUE PHASE 2 IN THE SUM OF \$7,243.70

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 was 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)** to be known as **AMENDATORY AGREEMENT NO. 7**; and

WHEREAS, it is again necessary to perform additional **BALTIC AVENUE DRAINAGE CANAL IMPROVEMENTS-ATLANTIS AVENUE PHASE 2** in the amount **SEVEN THOUSAND TWO HUNDRED FORTY-THREE DOLLARS AND SEVENTY CENTS (\$7,243.70)** to be known as **AMENDATORY AGREEMENT NO. 8**.

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. 8** with **RICHARD E. PIERSON CONSTRUCTION CO.**, in the amount of **SEVEN THOUSAND TWO HUNDRED FORTY-THREE DOLLARS AND SEVENTY CENTS (\$7,243.70)** for a total not to exceed **EIGHTEEN MILLION SIX HUNDRED NINE THOUSAND FOUR HUNDRED FORTY-FIVE DOLLARS AND SEVENTY-EIGHT CENTS (\$18,609,445.78)**.

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-02-41-889-B22-935 and specifying the line-item appropriation from grant funds to satisfy the aforesaid award of this amendatory agreement and pursuant to State approval.

May 19, 2026 11:02 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