

11707/aw

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 **CLEARY, GIACOBBE, ALFIERI & JACOBS, LLC**, with offices located at 955 State Route 34 Suite 200, Matawan, NJ, 07747, hereinafter referred to as "**COUNSEL**", pursuant to Resolution No. 340 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. 891 adopted on December 17, 2025, the CITY entered into an Agreement with **CLEARY, GIACOBBE, ALFIERI & JACOBS, LLC**, for Legal Services in the amount of **ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$125,000.00)**; and

WHEREAS, it is in the best interest of the City of Atlantic City to ensure fair and competitive compensation for legal services by raising the rate from \$130.00 per hour to \$185.00 per hour to maintain the quality and effectiveness of its legal representation in all matters and therefore, by Resolution No. 340 adopted May 13, 2026, the City has increased the hourly rate for legal services to **ONE HUNDRED EIGHTY-FIVE DOLLARS (\$185.00)** per hour to be known as **AMENDATORY AGREEMENT NO. 1**; 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 in consideration of the mutual covenants contained herein, the parties agree that the Agreement authorized by Resolution No. 891 adopted

by the Council of the CITY on December 17, 2025, is hereby amended to include the above referenced rate increase approved by Resolution No. 340 adopted by Council on May 13, 2026, to be known as **AMENDATORY AGREEMENT NO. 1.**

COUNSEL 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, 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.

COUNSEL 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 April 23, 2026.

[THIS SPACE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the CITY and CONSULTANT 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, Sr.

Marty Small, Sr., Mayor

Date: 6-4-26

WITNESS:
LLC

CLEARY, GIACOBBE, ALFIERI & JACOBS,

Austin T. Murphy

Austin T. Murphy

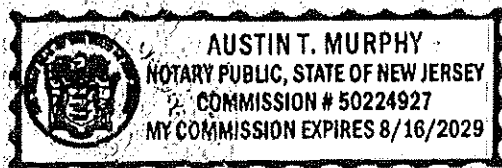
By: Matthew J. Giacobbe

President

Matthew J. Giacobbe

(PLEASE PRINT NAME ABOVE)

DATE: May 21, 2026



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

Date: 5/26/26

By: Peter T. Sallata

Peter T. Sallata, Esq.
Assistant City Solicitor

STATE OF: New Jersey

COUNTY OF: Bergen

I CERTIFY that on May 21, 2026 Matthew J. Giacobbe, 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.

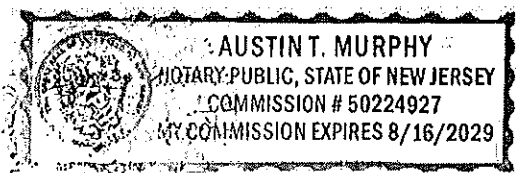
Signed and sworn to before me on

May 21, 2026

Matthew J. Giacobbe
Secretary or Asst. Secretary

Austin T. Murphy

Notary Public of New Jersey
(Seal attached)



Resolution of the City of Atlantic City

No. 340

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

Factual contents certified to by

Assistant City Solicitor/s/Peter Sallata

City Solicitor /s/ Michael J. Perugini

Prepared by City Solicitor's Office

Council Members RANDOLPH, MARSHALL & BAILEY present the following Resolution:

RESOLUTION AMENDING THE AGREEMENT WITH CLEARY, GIACOBBE, ALFIERI & JACOBS, LLC TO INCREASE LEGAL FEES FROM \$130.00 PER HOUR TO \$185.00 PER HOUR

WHEREAS, the City of Atlantic City entered into an agreement via Resolution No. 891 of 2025 with **CLEARY, GIACOBBE, ALFIERI & JACOBS, LLC** which compensates **CLEARY, GIACOBBE, ALFIERI & JACOBS, LLC**, at a rate of \$130.00 per hour; and

WHEREAS, it is in the best interest of the City of Atlantic City to ensure fair and competitive compensation for legal services by raising the rate from \$130.00 per hour to \$185.00 per hour to maintain the quality and effectiveness of its legal representation in all matters; and

WHEREAS, this new rate of \$185.00 per hour shall apply to all new and ongoing matters as assigned and all other terms and conditions of the Agreement will remain unchanged.

NOW, THEREFORE, BE IT RESOLVED the hourly rate for **CLEARY, GIACOBBE, ALFIERI & JACOBS, LLC**, providing Legal Services to the City of Atlantic City pursuant to the agreement approved by Resolution No. 891 of 2025, shall increase from **ONE HUNDRED THIRTY DOLLARS (\$130.00) PER HOUR TO ONE HUNDRED EIGHTY-FIVE DOLLARS (\$185.00) PER HOUR.**

BE IT FURTHER RESOLVED, that City Solicitor is hereby authorized to implement this change and take all actions necessary to notify outside counsel and update any relevant contracts or billing procedures accordingly.

May 26, 2026 9:01 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



/s/ Paula Geletei, City Clerk