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**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 **DAVEY RESOURCE GROUP, INC.** with offices located at 49 5<sup>th</sup> Avenue, #1113, Brooklyn, NY 11217 hereinafter referred to as "**CONSULTANT**", pursuant to Resolution No. 345 adopted by the Council of the **CITY** on May 21, 2025, a copy of which is attached hereto and made a part hereof.

**WHEREAS**, by Resolution No. 806 adopted November 13, 2024, the **CITY** entered into an Agreement with **CONSULTANT** for **CITY-WIDE TREE INVENTORY SERVICES** the amount of **FIFTY-FIVE THOUSAND FIVE HUNDRED EIGHTY DOLLARS (\$55,580.00)**; and

**WHEREAS**, it is necessary for **ADDITIONAL CITY-WIDE TREE INVENTORY SERVICES** in the amount of **THIRTY THOUSAND TWO HUNDRED SEVENTY-FIVE DOLLARS (\$30,275.00)** 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. 806 adopted by the Council of the **CITY** on November 13, 2024, is hereby amended to include the above referenced additional work outlined in Resolution No. 345 adopted by Council on May 21, 2025, in the amount of **THIRTY THOUSAND TWO HUNDRED SEVENTY-FIVE DOLLARS (\$30,275.00)** for a new total not to exceed **EIGHTY-FIVE THOUSAND EIGHT HUNDRED FIFTY-FIVE DOLLARS (\$85,855.00)** known as **AMENDATORY AGREEMENT No. 1**.

**CONSULTANT** 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.

**CONSULTANT** 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.

**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: 6-30-88

**WITNESS:**

Kellie Ferguson

**DAVEY RESOURCE GROUP, INC.**

By: Jim Zwack  
Vice President & General Manager, DRG Environmental Consultin

Jim Zwack  
(PLEASE PRINT NAME ABOVE)

DATE: 06/17/2025

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

Date: 6/25/25

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

STATE OF OHIO )  
 ) ss.  
COUNTY OF PORTAGE )

I CERTIFY that on June 17, 2025,

Erika Schoenberger, 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 Davey Resource Group, 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

Eileen J. Gurney  
Secretary or Asst. Secretary

June 17, 2025

Eileen Frank



EILEEN FRANK  
NOTARY PUBLIC  
STATE OF OHIO  
Comm. Expires  
07-25-2026

# Resolution of the City of Atlantic City

## No. 345

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

Factual contents certified to by

Assistant City Solicitor /s/ Karl Timbers

Director of Planning & Development/s/ Jacques Howard

Prepared by City Solicitor's Office

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

**RESOLUTION AUTHORIZING AN AMENDATORY AGREEMENT WITH DAVEY RESOURCE GROUP, INC., FOR ADDITIONAL CITY-WIDE TREE INVENTORY SERVICES IN THE AMOUNT OF THIRTY THOUSAND TWO HUNDRED SEVENTY-FIVE DOLLARS (\$30,275.00)**

WHEREAS, by Resolution No. 806 of 2024, the City of Atlantic City entered into an Agreement with DAVEY RESOURCE GROUP, INC. for CITY-WIDE TREE INVENTORY SERVICES in the amount of FIFTY-FIVE THOUSAND FIVE HUNDRED EIGHTY DOLLARS (\$55,580.00); and

WHEREAS it is necessary for additional CITY-WIDE TREE INVENTORY SERVICES in the amount of THIRTY THOUSAND TWO HUNDRED SEVENTY-FIVE DOLLARS (\$30,275.00), to be known as AMENDATORY AGREEMENT No. 1.

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 DAVEY RESOURCE GROUP, INC. in the amount of THIRTY THOUSAND TWO HUNDRED SEVENTY-FIVE DOLLARS (\$30,275.00) for a new total not to exceed EIGHTY-FIVE THOUSAND EIGHT HUNDRED FIFTY-FIVE DOLLARS (\$85,855.00) 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 No. G-02-41-860-024-943 to satisfy the aforesaid award of an Amendatory Agreement.

kc May 22, 2025 3:20 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.
BAILEY	X					X	LACCA	X					
CROUCH	X						MARSHALL	X					
DUNSTON				X			SHABAZZ	X				X	
KURTZ	X						TIBBITT	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 21, 2025

*Paula Geletei*

/s/ Paula Geletei, City Clerk