

TO
A 16/11

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 THINK PAYERS HARDSCAPING, LLC with offices located at 44 Cooper Street, Woodbury, NJ 08096, hereinafter referred to as "CONTRACTOR", pursuant to Resolution No. 361 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. 636 adopted September 17, 2025, the CITY entered into an Agreement with CONTRACTOR for PROFESSIONAL ENGINEERING SERVICES FOR OHIO AVENUE & ARCTIC AVENUE INTERSECTION SAFETY IMPROVEMENTS in the amount of ONE HUNDRED SIXTEEN THOUSAND NINE HUNDRED EIGHTY-ONE DOLLARS (\$116,981.00); and

WHEREAS, this project was completed under budget and the amount shall be reduced by \$10,204.00 from the original contract amount of \$116,981.00 and therefore the FINAL ADJUSTED TOTAL CONTRACT AMOUNT SHALL BE ONE HUNDRED SIX THOUSAND SEVEN HUNDRED SEVENTY-SEVEN DOLLARS (\$106,777.00), 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. 636 adopted by the Council of the CITY on September 17, 2025 is hereby amended to include the above referenced change

in price outlined in Resolution No. 361 adopted by Council on May 13, 2026, at reduced cost of \$10,204.00 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, Executive Order No. 1 of 1993, and will remain so for the term of this Agreement and all extensions and amendments hereto, and failure to continue in compliance shall be deemed a breach of the Agreement, and all extensions and amendments hereto.

CONTRACTOR cannot assign its rights or obligations under the Agreement without the prior written consent of the **CITY.**

The Amendatory Agreement No.3 is effective as of the date of complete execution hereof.

[THIS SECTION INTENTIONALLY LEFT BLANK]

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:

CITY OF ATLANTIC CITY

Paula Geletei
Paula Geletei, City Clerk

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

Date: 8-6-20

WITNESS:

THINK PAVERS HARDSCAPING, LLC

Meg Sullivan

By: Nicholas Furfari
President

Nicholas Furfari, President
(PLEASE PRINT NAME ABOVE)

DATE: June 26, 2026

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

Date: 7/28/26

By: Peter T. Sallata, Esq.
Assistant City Solicitor
MICHAL CZARNECKI, ESQ.

Resolution of the City of Atlantic City

No. 361

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 AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH THINK PAVERS HARDSCAPING, LLC FOR THE COMPLETED ALBANY AVENUE & CROSSAN AVENUE INTERSECTION SAFETY IMPROVEMENT PROJECT WITH A REDUCTION OF \$10,204.00 FROM THE ORIGINAL CONTRACT AMOUNT

WHEREAS, by Resolution No. 636 of September 17, 2025, the City of Atlantic City entered into an Agreement with THINK PAVERS HARDSCAPING, LLC for ALBANY AVENUE & CROSSAN AVENUE INTERSECTION SAFETY IMPROVEMENTS for a total delivered sum of ONE HUNDRED SIXTEEN THOUSAND NINE HUNDRED EIGHTY-ONE DOLLARS (\$116,981.00); and

WHEREAS, it was necessary to extend the contract one hundred four (104) calendar days for MILLING AND NEW QUANTITY at no additional cost to be known as AMENDATORY AGREEMENT NO. 1; and

WHEREAS, THINK PAVERS HARDSCAPING, LLC has completed this project at reduced cost of \$10,204.00 from the original contract amount of \$116,981.00, and Resolution No. 636-25 shall be amended to reflect a final adjusted total contract amount of ONE HUNDRED SIX THOUSAND SEVEN HUNDRED SEVENTY-SEVEN DOLLARS (\$106,777.00).

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 the aforementioned amendment to the Agreement with THINK PAVERS HARDSCAPING, LLC.

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

June 2, 2026 9:56 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