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AMENDATORY AGREEMENT NO. 2

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 P.O Box 68, Bridgeton, New Jersey 08302, hereinafter referred to as "**CONTRACTOR**", pursuant to Resolution No. 624 adopted by the Council of the **CITY** on September 17, 2025, a copy of which is attached hereto and made a part hereof.

WHEREAS, by Resolution No. 115 adopted May 24, 2023, the **CITY** entered into an Agreement with **CONTRACTOR** for **THE REPLACEMENT OF THE VENICE LAGOON BRIDGE (NORTH OHIO AVENUE OVER VENICE LAGOON)** in the amount of **SIX MILLION EIGHT HUNDRED FIFTY-ONE THOUSAND EIGHT HUNDRED FORTY-NINE DOLLARS (\$6,851,849.00)**; and

WHEREAS, by Resolution No. 917 adopted December 20, 2023, it was necessary to do additional work **TO SECURE THE CONSTRUCTION SITE FOR PEDESTRIANS AND VEHICLES DURING THE REPLACEMENT OF THE VENICE LAGOON BRIDGE** in the amount of **SEVENTY-TWO THOUSAND NINE HUNDRED THIRTY-THREE DOLLARS (\$72,933.00)** to be known as **AMENDATORY AGREEMENT No. 1**; and

WHEREAS, it is necessary to further modify the scope of services to include **RELIEF OF FLOODING AND EROSION AT THE FOUR CORNERS OF THE ABUTMENTS DURING THE REPLACEMENT OF THE VENICE LAGOON BRIDGE** in an amount not to exceed **SEVENTEEN THOUSAND SIX HUNDRED SIXTY-FOUR DOLLARS AND THIRTY-EIGHT CENTS (\$17,664.38)** to be known as **AMENDATORY AGREEMENT No. 2**; 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. 115 adopted by the Council of the **CITY** on May 24, 2023, is hereby amended to include the above referenced section, in the amount of **SEVENTEEN THOUSAND SIX HUNDRED SIXTY-FOUR DOLLARS AND THIRTY-EIGHT CENTS (\$17,664.38)**, for a new total not to exceed **SIX MILLION NINE HUNDRED FORTY-TWO THOUSAND FOUR HUNDRED FORTY-SIX DOLLARS AND THIRTY-EIGHT CENTS (\$6,942,446.38)** known as **AMENDATORY AGREEMENT No. 2**.

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, Amendatory Agreement No. 1, and Amendatory Agreement No. 2, and failure to continue in compliance shall be deemed a breach of the Agreement, Amendatory Agreement No. 1, and this Amendatory Agreement No. 2.

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

The Amendatory Agreement No. 2 is effective as of the date of complete execution hereof.

(THIS SPACE INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, the CITY and CONTRACTOR have caused this Amendatory Agreement No. 2 to be executed on or as of the day and year first below written.

ATTEST:

CITY OF ATLANTIC CITY



Paula Geletei, City Clerk

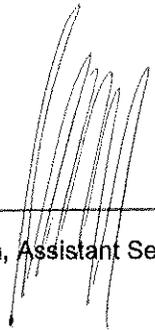
By: 

Marty Small, Sr., Mayor

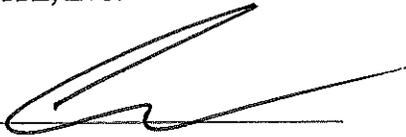
Date: 10-24-06

WITNESS:

SOUTH STATE, INC.



Robert Bryan, Assistant Secretary

By: 

President
Chester J. Ottinger, Jr., President

(PLEASE PRINT NAME ABOVE)

DATE: October 7, 2025

This Amendatory Agreement No. 2 is approved as to form and execution.

Date: 10/22/25

By: 

Peter T. Sallata, Esq.
Assistant City Solicitor

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

I CERTIFY that on October 7, 2025,
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

October 7, 2025

[Signature]
Secretary or Asst. Secretary



Resolution of the City of Atlantic City

No. 624

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

Factual contents certified to by

Assistant City Solicitor /s/ Karl Timbers

City Engineer/s/ Uzoma Ahiarakwe

REVISED 9/15/2025

Prepared by City Solicitor's Office

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

RESOLUTION TO AWARD AN AMENDATORY AGREEMENT TO SOUTH STATE INC., TO RELIEVE FLOODING AND EROSION DURING THE REPLACEMENT OF THE VENICE LAGOON BRIDGE IN THE AMOUNT OF \$ 17,664.38

WHEREAS, by Resolution No. 115 of May 24, 2023, the City of Atlantic City entered into an agreement with **SOUTH STATE INC.**, in the amount of **SIX MILLION EIGHT HUNDRED FIFTY-ONE THOUSAND EIGHT HUNDRED FORTY-NINE DOLLARS (\$6,851,849.00)**; and

WHEREAS, it was necessary to do additional work **TO SECURE THE CONSTRUCTION SITE FOR PEDESTRIANS AND VEHICLES DURING THE REPLACEMENT OF THE VENICE LAGOON BRIDGE** in an amount not to exceed **SEVENTY-TWO THOUSAND NINE HUNDRED THIRTY-THREE DOLLARS (\$72,933.00)** to be known as an **AMENDATORY AGREEMENT 1**.

WHEREAS, it is necessary to further modify the scope of services to include **RELIEF OF FLOODING AND EROSION AT THE FOUR CORNERS OF THE ABUTMENTS DURING THE REPLACEMENT OF THE VENICE LAGOON BRIDGE** in an amount not to exceed **SEVENTEEN THOUSAND SIX HUNDRED SIXTY-FOUR DOLLARS AND THIRTY-EIGHT CENTS (\$17,664.38)** to be known as an **AMENDATORY AGREEMENT 2**.

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 **SOUTH STATE INC.**, in the amount of **SEVENTEEN THOUSAND SIX HUNDRED SIXTY-FOUR DOLLARS AND THIRTY-EIGHT CENTS (\$17,664.38)** for a new total not to exceed **SIX MILLION NINE HUNDRED FORTY-TWO THOUSAND FOUR HUNDRED-FORTY-SIX DOLLARS AND THIRTY-EIGHT CENTS (\$6,942,446.38)** for the aforementioned work to be known as an **AMENDATORY AGREEMENT 2**.

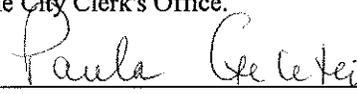
BE IT FURTHER RESOLVED that a Certificate from the Chief Financial Officer has been attached to this Resolution, showing the availability of funds to satisfy the aforesaid award of contract from Account Nos. C-04-21-RES-000-719.

September 26, 2025 12:33 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						LACCA	X					
CROUCH	X				X		MARSHALL	X					
DUNSTON	X					X	SHABAZZ	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: SEPTEMBER 17, 2025


 /s/ Paula Geletei, City Clerk