

A-1784 TG

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 **LEXA CONCRETE, LLC** located at 11 Commerce Way Drive, Hammonton, New Jersey 08037, hereinafter referred to as "**CONSULTANT**", pursuant to Resolution No. 65 adopted by the Council of the **CITY** on January 21, 2026, a copy of which is attached hereto and made a part hereof.

WHEREAS, by Resolution No. 817 adopted December 3, 2024, the City of Atlantic City entered into an agreement with **LEXA CONCRETE LLC** for **BALTIC AVENUE PAVING FROM MAINE AVE TO MISSOURI AVE** in the amount of **TWO MILLION EIGHT HUNDRED TWENTY-THREE THOUSAND SEVEN HUNDRED EIGHTY-NINE DOLLARS AND SEVENTY CENTS (\$2,823,789.70)**; and

WHEREAS, it is necessary for a change in the scope of work for manhole reconstruction, hatch reconstruction, concrete collar, and roof drain replacement and to extend the term for an additional sixty-two (62) calendar days for the work to be Federally participating and this is a zero-sum change, to be known as an **AMENDATORY AGREEMENT 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. 817 adopted

~~by the Council of the CITY on December 3, 2024, is hereby amended to include the above~~
referenced expanded Scope of Services at no additional cost to be 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 and 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.

[SIGNATURE PAGE TO FOLLOW]

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: 3-2-26

WITNESS:

Kayla Lent

LEXA CONCRETE, LLC.

By: Alex O. Gherardi
President

Alex O. Gherardi, Mg Member

(PLEASE PRINT NAME ABOVE)

DATE: 2/25/26

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

Date: 3/2/26

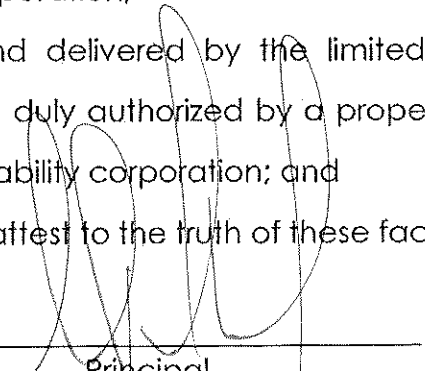
By: Peter T. Sallata
Peter T. Sallata, Esq.
Assistant City Solicitor

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

I CERTIFY that on January 1, 2026, personally came before me Alex O. Gherardi, a principal of the Limited Liability Corporation, and this person acknowledged under oath, to my satisfaction, that:

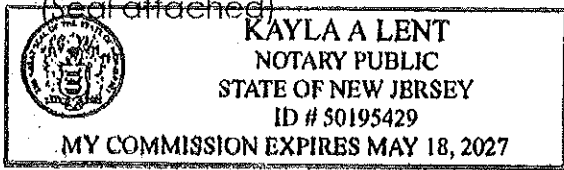
- (a) this person is a principal of Lexa Concrete, LLC
(the limited liability corporation named in this document);
- (b) this person has the power and authority to sign this document on behalf of the limited liability corporation;
- (c) this document was signed and delivered by the limited liability corporation as its voluntary act duly authorized by a proper action of the principals of the limited liability corporation; and
- (d) this person signed this proof to attest to the truth of these facts.

Signed and sworn to before me on


Principal
Alex O. Gherardi, Mg Member

February 25th, 2026

Kayla Lent
Notary Public of
(Seal attached)



Resolution of the City of Atlantic City

No. 65

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 Alitarakwe

Prepared by City Solicitor's Office

REVISED 1/21/2026

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

**RESOLUTION TO AWARD AN AMENDATORY AGREEMENT TO LEXA CONCRETE LLC.,
FOR AN EXTENSION OF TIME AND ADDITIONAL WORK
NO ADDITIONAL COST**

WHEREAS, by Resolution No. 817-B adopted December 3, 2024, the City of Atlantic City entered into an agreement with **LEXA CONCRETE LLC** for **BALTIC AVENUE PAVING FROM MAINE AVE TO MISSOURI AVE** in the amount of **TWO MILLION EIGHT HUNDRED TWENTY-THREE THOUSAND SEVEN HUNDRED EIGHTY-NINE DOLLARS AND SEVENTY CENTS (\$2,823,789.70)**; and

WHEREAS, it is necessary to extend the time period of the agreement an additional sixty-two (62) calendar days due to unforeseen project delays including weather and unknown utility conditions; and

WHEREAS, it is necessary for a change in the scope of work for manhole reconstruction, hatch reconstruction, concrete collar, and roof drain replacement for the work to be Federally participating and this is a zero sum change, to be known as an **AMENDATORY AGREEMENT 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 **LEXA CONCRETE LLC** extending the agreement for sixty-two (62) calendar days and for the aforementioned work to be known as an **AMENDATORY AGREEMENT 1**.

February 12, 2026 9:15 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: JANUARY 21, 2026

Paula Geletei

/s/ Paula Geletei, City Clerk