

R 1289/19

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 **WEATHERBY CONSTRUCTION & RENOVATION CORP** with offices located at 147 North Iowa Ave., Atlantic City, New Jersey 08401, hereinafter referred to as "**CONSULTANT**", pursuant to Resolution No. 363 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. 144 adopted February 18, 2026, the **CITY** entered into an Agreement with **CONSULTANT** for **CITY HALL CONCESSION STAND CONSTRUCTION PROJECT** in the amount of **THREE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$375,000.00)**; and

WHEREAS, it is necessary to change the scope of work to include **SUBSTITUTE KE COUNTER FOR CUSTOM MILLWORK COUNTER AND SWING DOOR**, in the amount of **SEVENTY-FOUR THOUSAND NINE HUNDRED EIGHTY-NINE DOLLARS (\$74,989.00)** 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. 144 adopted by the Council of the **CITY** on February 18, 2026 is hereby amended to include the above referenced change in scope outlined in Resolution No. 363 adopted by Council on May 13, 2026, in the amount of **SEVENTY-FOUR THOUSAND NINE HUNDRED EIGHTY-NINE DOLLARS (\$74,989.00)** to be known as **AMENDATORY AGREEMENT No. 1**.

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: 6-24-26

WITNESS:

Christy McCann

WEATHERBY CONSTRUCTION &
RENOVATION CORP

By: Marilyn Weatherby
President

Marilyn Weatherby
(PLEASE PRINT NAME ABOVE)

DATE: 6/12/26

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

Date: 6/15/26

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

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

I CERTIFY that on June 12, 2026,

Michael Weatherby, 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
Weatherby Construction & Renovation Corp.
(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

Secretary or Asst. Secretary

June 12, 2026

WENDY M NICOL
Notary Public, State of New Jersey
My Commission Expires
April 28, 2027

Resolution of the City of Atlantic City

No. 363

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

Revised 5/12/2026

Prepared by City Solicitor's Office

Council Member RANDOLPH presents the following Resolution:

RESOLUTION AUTHORIZING AN AMENDATORY AGREEMENT WITH WEATHERBY CONSTRUCTION & RENOVATION CORP. IN THE AMOUNT \$74,989.00

WHEREAS, by Resolution No. 144 of 2026, the City of Atlantic City entered into an Agreement with **WEATHERBY CONSTRUCTION & RENOVATION CORP.** for **CITY HALL CONCESSION CONSTRUCTION STAND PROJECT** in the amount of **THREE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$375,000.00)**; and

WHEREAS, it is necessary to change the scope of work to include **SUBSTITUTE KE COUNTER FOR CUSTOM MILLWORK COUNTER AND SWING DOOR** in the amount of **SEVENTY-FOUR THOUSAND NINE HUNDRED EIGHTY-NINE DOLLARS (\$74,989.00)** for a total amount not to exceed to be known as **AMENDATORY AGREEMENT No. 1**; and

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 **WEATHERBY CONSTRUCTION & RENOVATION CORP.** in the amount of **SEVENTY-FOUR THOUSAND NINE HUNDRED EIGHTY-NINE DOLLARS (\$74,989.00)** for a new total not to exceed **FOUR HUNDRED FORTY-NINE THOUSAND NINE HUNDRED EIGHTY-NINE DOLLARS (\$449,989.00)** for the aforementioned work to be known as an **AMENDATORY AGREEMENT No. 1**.

BE IT FURTHER RESOLVED that a Certification from the Chief Financial Officer is attached to this Resolution, showing the availability of funds from and specifying the line-item appropriation from the 2026 Budget to satisfy the aforesaid award of an Amendatory Agreement.

June 3, 2026 11:29 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