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CHANGE ORDER NO. 1

THIS CHANGE ORDER, 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 DEKBON COMMUNITY DEVELOPMENT CORP., with offices located at 6649 Black Horse Pike, Egg Harbor Township, New Jersey, 08234, hereinafter referred to as "DEKBON", pursuant to Resolution No. 478 adopted by the Council of the CITY on August 17, 2016 a copy of which is attached hereto and made a part hereof.

WHEREAS, the CITY and DEKBON entered into an Agreement authorized by Resolution No. 589 adopted by the Council of the CITY on August 12, 2015, for a FULL GUT REHABILITATION OF 707 NORTH MICHIGAN AVENUE in the amount of EIGHTY THOUSAND DOLLARS (\$80,000.00); and

WHEREAS, it is necessary to do extra work/request supplemental funding described as follows: (see attached Supplemental Funding Request) in the amount of TWENTY-SIX THOUSAND THREE HUNDRED NINETY DOLLARS (\$26,390.00) for a new total to not exceed ONE HUNDRED SIX THOUSAND THREE HUNDRED NINETY DOLLARS (\$106,390.00) to be known as CHANGE ORDER 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, in consideration of the mutual covenants contained herein, the parties agree that the agreement authorized by Resolution No. 589 adopted by the Council of the CITY on August 12, 2015, is hereby changed to include the above referenced section in the amount of TWENTY-SIX THOUSAND THREE HUNDRED NINETY DOLLARS (\$26,390.00) for a new total not to exceed ONE HUNDRED SIX THOUSAND THREE HUNDRED NINETY DOLLARS (\$106,390.00) to be known as CHANGE ORDER NO. 1.

DEKBON 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 Exhibit "A" attached hereto and made a part hereof, involving Affirmative Action and minority business participation and will remain so for the term of this Agreement, and failure to continue in compliance shall be deemed a breach of this Agreement.

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

The within Change Order is effective as of the date of the Mayor's signature.

IN WITNESS WHEREOF, the CITY and DEKBON have caused this Agreement 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: Donald A. Guardian
Donald A. Guardian, Mayor

DATE: 9/5/17

WITNESS:

Kim White

DEKBON COMMUNITY DEVELOPMENT CORP.

By: OTERO JONES
(PLEASE PRINT NAME ABOVE)

Date: 8/21/17

The within Agreement approved as to form and execution.

Date: 8-31-17

By: Michael J. Perugini
Michael J. Perugini
Deputy City Solicitor

STATE OF)

) ss.

COUNTY OF)

I CERTIFY that on August 21, 2017,
Kim White, 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 DSKBON Community Dev. 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

[Signature]
Secretary or Asst. Secretary

_____, 2017

Notary Public of New Jersey
(Seal attached)

Resolution of the City of Atlantic City

No. 478

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

Factual contents certified to by

Assistant City Solicitor /s/ Benjamin J. Kaufman

Director/s/ Elizabeth Terenik, Planning & Development

Prepared by City Solicitor's Office

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

DEKBON COMMUNITY DEVELOPMENT CORP. – SUPPLEMENTAL FUNDING FOR 707 N. MICHIGAN AVENUE – CHANGE ORDER NO. 1

WHEREAS, by Resolution No. 589 of 2015 the City of Atlantic City entered into an agreement with **DEKBON COMMUNITY DEVELOPMENT CORP.** for **FULL GUT REHABILITATION OF 707 NORTH MICHIGAN AVENUE** for a total sum of **EIGHTY THOUSAND DOLLARS (\$80,000.00)**; and

WHEREAS, it has become necessary to provide additional funding as follows:

SEE ATTACHED SUPPLEMENTAL FUNDING REQUEST – TWENTY-SIX THOUSAND THREE HUNDRED NINETY DOLLARS (\$26,390.00) for a new total not to exceed **ONE HUNDRED SIX THOUSAND THREE HUNDRED NINETY DOLLARS (\$106,390.00)**; to be known as **CHANGE ORDER 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 **DEKBON COMMUNITY DEVELOPMENT CORP.** to **INCLUDE** the aforementioned work to be known as **CHANGE ORDER No. 1**; and

BE IT FURTHER RESOLVED that a Certificate from the Chief Financial Officer is attached to this Resolution, showing the availability of funds and specifying the line item appropriation from the 2016 Budget to satisfy the aforesaid.

sh August 3, 2017 9:13 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.
CHENG	X						MARSH	X					
DELGADO	X						RANDOLPH	X				X	
GILLIAM	X						SHABAZZ	X					X
KURTZ	X						TIBBITT	X					
							SMALL, 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 07, 2016

/s/ Rhonda Williams, City Clerk