

VIRGIN ISLANDS WATER AND POWER AUTHORITY
POST OFFICE BOX 1450
SAINT THOMAS
U.S. VIRGIN ISLANDS 00804



AMENDMENT III

This Amendment III to Contract SC-12-23 (hereinafter the "Contract") is entered into on this 7th day of February 2025, by and between the **VIRGIN ISLANDS WATER AND POWER AUTHORITY** (hereinafter the "Authority") and **TRIDENT INDUSTRIES** (hereinafter "the Contractor"). The Authority and the Contractor shall hereinafter be jointly referred to as the "Parties."

WHEREAS, on December 07, 2022, the Parties entered into Contract SC-12-23, wherein the Contractor agreed to the procurement of up to 600 composite poles of type WAPA-5017, fifty (50) feet, seventeen (17) inch diameter and .85 wall thickness. A copy of said Contract is attached hereto and made a part hereof as Exhibit "A";

WHEREAS, on April 24, 2023, the Parties agreed to amend the "Term" of the Contract to expire on December 7, 2023. The Parties further amended the Contract "Consideration" to reflect an increase in the amount of Six Million One Hundred Twenty-Four Thousand Four Hundred Dollars and 00/100 (\$6,124,400.00) for the additional "Scope of Work" for manufacturing and shipping of 800 composite poles, thereby making the total Contract "Consideration" Ten Million Seven Hundred Seventeen Thousand Seven Hundred Dollars and 00/100 (\$10,717,700.00). A copy of said Contract Amendment I is attached hereto and made a part hereof as Exhibit "B";

WHEREAS, on February 27, 2024, the Parties agreed to amend the "Scope of Work" of the Contract for the manufacturing of an additional 2,200 composite poles. The contract was further amended to extend the Contract term to June 30, 2026, and

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increase the contract "Consideration" to Sixteen Million Eight Hundred Forty-Two Thousand One Hundred Dollars and 00/100 (\$16,842,100.00). A copy of said Contract Amendment II is attached hereto and made a part hereof as Exhibit "C"; and

WHEREAS, the Parties now wish to amend the contract to pay the Contractor the cost of Nine Hundred Eighteen Thousand Six Hundred and Sixty Dollars (\$918,660.00) to cover the purchase of 120 poles¹ billed under the following past invoices: 1219132456; 1219132472; 1219132473; 1219132474; 1219132479; 1219132484. A copy of the invoices is attached hereto and made a part hereof as Exhibit "D"; and

NOW THEREFORE, in consideration of the mutual covenants herein and the Parties intending to be legally bound hereby, it is agreed as follows:

1. That the preamble to this Amendment III shall constitute an integral part thereof.
2. That Section 1 of the Contract entitled "Scope of Work" shall be amended to reflect the manufacturing and purchase of an additional 120 composite poles.
3. That Section 2 of the Contract entitled "Term" shall be amended to reflect an effective date of September 23, 2022.
4. That Section 3 of the Contract entitled "Consideration" shall be amended to increase cost in the amount of Nine Hundred Eighteen Thousand Six

¹ The 120 composite poles represent poles purchased during the period of September 23, 2022 to October 6, 2022 and have not been included in the previous pole counts under this contract. However, the poles were deployed as part of the within Composite Pole Project.



Hundred and Sixty Dollars (\$918,660.00); thereby making the total Contract "Consideration" not to exceed Twenty-Eight Million Four Hundred Seventy-Eight Thousand Four Hundred and Sixty Dollars (\$28,478,460.00).

5. That these provisions do not usurp, nor in any way change any other terms and conditions of the Contract, except as specifically stated herein.
6. That except as expressly amended herein, all other terms and conditions of the Contract remain in full force and effect.

Signature Page to Follow

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IN WITNESS WHEREOF, the Parties hereto duly execute this Addendum III on
the day, month, and year first written above.

TRIDENT INDUSTRIES

[Signature] 2/7/25 By: [Signature] 2/7/25
Witness Ted Fotos Date
President



V.I. WATER AND POWER AUTHORITY

[Signature] By: Karl Knight 2/7/2025
Witness Karl Knight Date
Executive Director (CEO)

APPROVED AS TO LEGAL SUFFICIENCY:

[Signature] 12/05/2024
Dionne G. Sinclair Date
General Counsel

Attachments