

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



ADDENDUM I

Addendum I to Contract No. SC-21-21 between the VIRGIN ISLANDS WATER AND POWER AUTHORITY (the "Authority") and BBC ELECTRICAL SERVICES (hereinafter called the "the Contractor").

This Addendum I to Contract No. SC-21-21 is entered into on this 7 day of December 2020, by and between the Authority and the Contractor. The Authority and the Contractor shall hereinafter be jointly referred to as the "Parties".

WHEREAS, the Parties on November 21, 2020, entered into Contract No. SC-21-21, for the replacement of 600 wood poles with composite poles on distribution feeders and complete other related work on the island of St. John. A copy of said contract is attached hereto and made a part hereof as Appendix "A"; and

WHEREAS, per the terms of the agreement the Contractor was to perform services on the island of St. John for THIRTYTWO MILLION, EIGHT HUNDRED EIGHTY-SIX THOUSAND, FOUR HUNDRED FORTY-SEVEN DOLLARS and 50/100 (\$32,886,447.50); and

WHEREAS, the Contractor has been approved to purchase materials and pay for related project services up to THREE MILLION DOLLARS and 00/100 (\$3,000,000.00) inclusive of a six and a half percent (6 ½%) finance charge. This will result in an increase on the contract amount from \$32,886,447.50 to a total not to exceed \$35,886,447.50; and

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WHEREAS, the Parties agree to amend the CONSIDERATION to reflect that for the Contractor's performance of the Work, the Authority shall pay to the Contractor the amount not to exceed THIRTY-FIVE MILLION, EIGHT HUNDRED EIGHTY-SIX THOUSAND, FOUR HUNDRED FORTY-SEVEN DOLLARS and 50/100 (\$35,886,447.50).

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 Addendum I constitute an integral part of the Parties' agreement, that upon notice from the Authority.
2. That the Contractor shall purchase materials and pay for related project services for the Cat F Hardening Project on the Authority's behalf.
3. That Clause 3 entitled "**Consideration**" is amended to reflect an increase of up to THREE MILLION DOLLARS and 00/100 (\$3,000,000.00) inclusive of a six and a half percent (6 ½%) finance charge to purchase materials and pay for related project services, for a total consideration not to exceed THIRTY FIVE MILLION, EIGHT HUNDRED EIGHTY-SIX THOUSAND, FOUR HUNDRED FORTY-SEVEN DOLLARS and 50/100 (\$35,886,447.50) for the Contractor's performance of the Work.
4. That these provisions do not usurp, nor in any way amend the terms and conditions of the Contract, except as specifically stated herein.
5. Except as expressly amended herein, all other terms and conditions of the Contract remain in full force and effect.



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

Bryan Sings By: Chris Couch BBC ELECTRICAL SERVICES
WITNESS Date 12/7/20
CHRIS COUCH
Chief Financial Officer

Reece Somme By: Lawrence J. Kupfer V.I. WATER AND POWER AUTHORITY
WITNESS Date 12/7/2020
LAWRENCE J. KUPFER
Executive Director (CEO)

APPROVED AS TO LEGAL SUFFICIENCY:

Sharnelle M. Samuel 12/03/2020
Sharnelle M. Samuel, Esq. Date
Acting General Counsel

Attachment