

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



ADDENDUM II

This Addendum II to Contract SC-24-21 is hereby entered into this 14 day of January 2021 between the **VIRGIN ISLANDS WATER AND POWER AUTHORITY** (herein referred to as the "Authority") and **AMERICAN WIRE GROUP, INC.** (herein referred to as the "Contractor"). The Authority and the Contractor shall hereinafter be jointly referred to as "the Parties."

WHEREAS, on March 30, 2021, the Parties entered into Contract SC-24-21, wherein the Contractor agreed to provide the service of consignment of electrical material required for the construction and maintenance of the Authority's Transmission and Distribution System, on three separate islands, St. Thomas, St. John, and St. Croix, U.S. Virgin Islands. A copy of said Contract is attached hereto and made a part hereof as Appendix "A"; and

WHEREAS, on September 8, 2021 the Contractor and the Authority entered into Addendum I to Contract SC-24-21, in which the Parties jointly agreed to amend the scope of work to permit the Contractor to increase the price of specified consignment materials, as well as to supply additional consignment materials. This specified consignment material price increase, and the additional items did not affect the Contract Consideration. A copy of said Addendum I is attached hereto and made a part hereof as "Appendix B";

WHEREAS, the Parties wish to further amend the scope of work to allow flexibility in acquiring materials and equipment due to the need in some instances for a comparable item from a different manufacturer. Stock Inventory Material Bid Sheet revised, attached hereto and identified as Exhibit A; and

WHEREAS, the Parties wish to further amend the terms of payment of the Contract solely with respect to the Hazard Mitigation Underground Project Orders;

NOW THEREFORE, in consideration of the mutual promises and conditions herein, the Parties, intending to be legally bound, agree as follows:

1. That the Preamble to this Addendum II constitute an integral part thereof;
2. That Section 2 of the Contract entitled "Scope of Work" is amended to include the following:

In the event that the Contractor is unable to acquire the requested Product or Products as outlined in the Stock Inventory Bid Sheet (Exhibit A), the Contractor may acquire Products of a comparable price and quality from a different vendor upon the review and approval of the Authority's Project Coordinator.

3. That Section 5 of the Contract entitled "Terms of Payment" is amended solely with respect to the Hazard Mitigation Underground Project Orders and will include the following:

With respect to all Hazard Mitigation Underground Project Orders, the Authority will make payments to the Contractor, upon the review and approval of the Authority's Project Coordinator, according to the following payment process:

- 35% DEPOSIT upon issue of Purchase Order
- 15% ORDER SHIPPED BY CONTRACTOR due in net 45 days from Invoice date
- 50% ORDER RECEIVED BY THE AUTHORITY due in net 45 days from Invoice date

4. The above-referenced amendments will not affect the Contract Consideration;
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; and
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

A handwritten signature, possibly reading "MB", enclosed within a circular scribble.

IN WITNESS WHEREOF, the Parties hereto have duly executed this Addendum on the
day, month, and year first above-written.



WITNESS

AMERICAN WIRE GROUP, INC.

By:

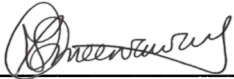

MICHAEL DORFMAN
President

1/14/21

Date


AMERICAN WIRE GROUP
A POWERFUL SOLUTIONS

2980 NE 207 Street, Penthouse
Miami, Florida 33180



WITNESS

V.I. WATER & POWER AUTHORITY

By:


ANDREW L. SMITH
Executive Director (CEO)

02/04/2022

Date

APPROVED AS TO LEGAL SUFFICIENCY:



AYSHA GREGORY, ESQ. Date January 14, 2022
Deputy General Counsel

Attachments