

### **APPENDIX 13- FORM OF CHANGE ORDER**

(For use when the Parties mutually agree upon and execute the Change Order pursuant to Section 6.1)

**PROJECT NAME:** USVIWAPA 36MW Gross Capacity Power Facility and 9MW/18MWH BESS **CHANGE ORDER NUMBER:** \_\_\_\_\_

**OWNER:** US Virgin Islands Water and Power Authority **DATE OF CHANGE ORDER:** \_\_\_\_\_

**CONTRACTOR:** Wartsila North America, Inc.

**DATE OF AGREEMENT:**  
\_\_\_\_\_, 2020

**CONTRACT NUMBER:**

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**The Agreement between the Parties listed above is changed as follows:** *(attach additional documentation if necessary)*

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#### **Adjustment to Contract Amount**

The original Contract Price was .....US\$ \_\_\_\_\_  
Net change by previously authorized Change Orders (# \_\_\_\_\_) .....US\$ \_\_\_\_\_  
The Contract Price prior to this Change Order was .....US\$ \_\_\_\_\_  
The Contract Price will be (increased) (decreased) (unchanged) by this Change Order in the amount of .....US\$ \_\_\_\_\_  
The new Contract Price including this Change Order will be .....US\$ \_\_\_\_\_  
Gross Receipt Taxes deducted from this Contract Price increase (if applicable).....US\$ \_\_\_\_\_

#### **Adjustment to dates in Project Schedule**

The following dates are modified *(list all dates modified; insert N/A if no dates modified)*:

The Substantial Completion Deadline for the BESS will be (increased)(decreased)(unchanged) by \_\_\_\_\_ ( ) calendar days.

The Substantial Completion Deadline for the BESS as of the date of this Change Order therefore is \_\_\_\_\_, 20\_\_.

The Substantial Completion Deadline for the Plant will be (increased)(decreased)(unchanged) by \_\_\_\_\_ ( ) calendar days.

The Substantial Completion Deadline for the Plant as of the date of this Change Order therefore is \_\_\_\_\_, 20\_\_.

*(Attach additional documentation if necessary)*

Impact on Milestone Payment Schedule:

Impact on Performance Guarantees:

Impact on Technical Specifications:

Other impacts to liability or obligations of Contractor or Owner under the Agreement:

Upon execution of this Change Order by Owner and Contractor, the above-referenced change shall become a valid and binding part of the original Agreement without exception or qualification, unless noted in this Change Order. Except as modified by this and any previously issued Change Orders, all other terms and conditions of the Agreement shall remain in full force and effect. This Change Order is executed by each of the Parties' duly authorized representatives.

Owner:

Contractor

V.I. WATER AND POWER AUTHORITY

WARTSILA NORTH AMERICA, INC.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Executive Director (or his or her designee)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date of Signing

\_\_\_\_\_  
Date of Signing

APPROVED AS TO LEGAL SUFFICIENCY:

\_\_\_\_\_  
General Counsel (or his or her designee)