



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

**Addendum II**

Addendum II to Contract No. SC-39-21 between the **VIRGIN ISLANDS WATER AND POWER AUTHORITY** (the "Authority") and **THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA** (hereinafter called the "Contractor").

This Addendum II to Contract No. SC-39-21 is entered into on this 5th day of August 2022, 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 June 25, 2021, entered into Contract No. SC-39-21 (the "Contract"), to provide professional services to the Authority for the purpose of performing on-site archaeological monitoring, during the construction of Feeder 7E underground duct Cruz Bay, St. John U.S. Virgin Islands. A copy of said Contract is attached hereto and made a part hereof as Appendix "A";

**WHEREAS**, the Parties on August 11, 2021, entered into Addendum I, to amend Section 5 of the Contract entitled "Business License" to reflect that the Contractor is an educational organization, which pursuant to 27 V.I.C. §306, is exempt from obtaining a business license. A copy of said Contract is attached hereto and made a part hereof as Appendix "B";

**WHEREAS**, the Parties agree to amend the "Scope of Work" ("Work") due to finding of human remains, to include:

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1) Cemetery Mitigation and Archaeological Monitoring- such cemetery remediation Work shall include:

- analysis of remains;
- removal and reburial of remains; and
- town hall meetings.

2) Analysis and Report Production for Archaeological Monitoring- additional archaeological work is needed to keep the Cruz Bay Underground Project, Feeder 7E in compliance with Federal Emergency Management Agency Environmental Planning and Historic Preservation (FEMA EHP) requirements. Such Work shall include:

- Laboratory analysis; and
- Report preparation.

**WHEREAS**, due to additional Work, the Contract Consideration shall increase in an amount of Two Hundred Twenty-One Thousand Three Hundred Fifty-Three Dollars and 00/100 (\$221,353.00) for the Cemetery Mitigation and Archaeological Monitoring Work and Twenty Thousand Four Hundred Fifty-Two Dollars and 22/100 (\$20,452.22) for the Analysis and Report Product for Archaeological Monitoring Work, for a total cost of Two Hundred Forty-One Thousand Eight Hundred Five Dollars and 22/100 (\$241,805.22). A copy of said additional Work is attached hereto and made a part hereof as Exhibit "A" and Exhibit "B"; and

**WHEREAS**, the Parties now agree to extend the term of the Contract to expire December 31, 2022;



**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 II constitute an integral part of the Parties' agreement;
2. That Section 1 entitled "**Scope of Work**" is amended to reflect that the Contractor shall provide Cemetery Mitigation and Archaeological Monitoring Work and Analysis and Report Production for Archaeological Monitoring Work;
3. That Section 2, entitled "**Consideration**" is increased in an amount not to exceed Two Hundred Forty-One Thousand Eight Hundred Five Dollars and 22/100 (\$241,805.22), thereby resulting in an increase in the total Contract Consideration under SC-39-21 in an amount not to exceed Four Hundred Thirteen Thousand Two Hundred Fourteen Dollars and 38/100 (\$413,214.38);
4. That Section 4, entitled "**Term**" is extended to expire on December 31, 2022; and
5. That these provisions do not usurp, nor in any way amend the terms and conditions of the Contract, except as specifically stated herein.

**SIGNATURE PAGE TO FOLLOW**

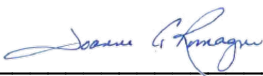
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**IN WITNESS WHEREOF**, the Parties hereto duly execute this Addendum II on the  
day, month, and year first above written.

University of Tennessee at Chattanooga

  
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WITNESS


By:  07/26/2022  
\_\_\_\_\_  
Dr. Joanne G. Romagni Date  
Vice Chancellor for Research

V.I. WATER & POWER AUTHORITY

  
\_\_\_\_\_  
WITNESS

By:  08.5.2022  
\_\_\_\_\_  
Andrew L. Smith  
Executive Director (CEO)

APPROVED AS TO LEGAL SUFFICIENCY:

 July 22, 2022  
\_\_\_\_\_  
Aysha R. Gregory  
Deputy General Counsel

Attachment