

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



AMENDMENT I

This Amendment I to Contract SC-02-23 is hereby entered into this ____ day of October 2023 between the **VIRGIN ISLANDS WATER AND POWER AUTHORITY** (herein referred to as the "Authority") and **MARCO ST. CROIX, INC.** (herein referred to as the "Contractor"). The Authority and the Contractor shall hereinafter be jointly referred to as "the Parties."

WHEREAS, on September 13, 2022, the Parties entered Contract SC-02-23 (the "Contract"), wherein the Contractor agreed to supply and install approximately 10,800 Linear Feet (LF) of 6-inch C-900 PVC DR-14 water main for the completion of the Hannah's Rest Waterline Rehabilitation Project to include all materials, equipment, and labor, on St. Croix, US Virgin Islands. A copy of said Contract is attached hereto and made a part hereof as Appendix "A";

WHEREAS, the Parties wish to amend the Contract 'Term' to extend the contract for one- year to expire on September 3, 2024; and

WHEREAS, the Parties further agree to amend the Contract 'Payment Terms' to allow for payments to equalize the 20% payment increments as shown below:

| <u>Project Milestone</u> | <u>Amount</u> | <u>Retainage</u> |
|---------------------------------|-----------------------|-------------------------|
| Mobilization | \$319,639.60 | \$- |
| Material Acquisition | \$431,586.36 | \$- |
| 20% Completion | \$489,131.21 | \$48,913.12 |
| 40% Completion | \$489,131.21 | \$48,913.12 |
| 60% Completion | \$489,131.21 | \$48,913.12 |
| 80% Completion | \$489,131.21 | \$48,913.12 |
| 100% Completion | \$489,131.20 | \$48,913.12 |
| Total | \$3,196,936.00 | |

These milestones are based on Section 4 of Contract, "Terms of Payment" now reflecting the 20% payment increments. Retainage total to be paid upon final acceptance of work.

AMB SB

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 Amendment I constitute an integral part thereof;
2. That Section 2 of the Contract entitled "Term", is amended to reflect the one-year time extension expire on September 3, 2024;
3. That Section 4 of the Contract entitled "Terms of Payment", is amended to reflect the equalized 20% payment increments and retainage total to be paid upon final acceptance of work;
4. 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
5. That except as expressly amended herein, all other terms and conditions of the Contract remain in full force and effect.

SIGNATURE PAGE TO FOLLOW


AMB SB

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


WITNESS

MARCO ST. CROIX, INC.
By:  07-10-2024
SHAWN BAPTISTE Date
President


WITNESS

V.I. WATER AND POWER AUTHORITY
By:  07/17/2024
ASHLEY BRYAN Date
Interim Executive Director (CEO)

APPROVED AS TO LEGAL SUFFICIENCY:


DIONNE G. SINCLAIR
General Counsel

Attachments