

**APPENDIX 4A - FORM OF PLANT FINAL COMPLETION CERTIFICATE**

WARTSILA NORTH AMERICA, INC. ("Contractor"), under the Engineering, Procurement and Construction Contract, Contract Number \_\_\_\_\_, dated \_\_\_\_\_, 2020 ("Agreement"), between Contractor and US VIRGIN ISLANDS WATER AND POWER AUTHORITY ("Owner"), hereby certifies that in accordance with Section 10.6.1 of the Agreement:

- (a) Contractor has achieved Substantial Completion of the Plant;
- (b) The performance of the Work (except for warranty Work) related to the Plant is complete, including all items in the Punchlist for the Plant, in accordance with the Agreement;
- (c) All Liquidated Damages for the Plant have been paid or are to be deducted from the Plant Final Completion invoice;
- (d) Contractor has delivered to Owner the Documentation that Contractor is required to deliver to Owner for the Plant;
- (e) There exists no Contractor Default;
- (f) Contractor has delivered to Owner (i) a waiver of any and all liens, charges and encumbrances whatsoever of Contractor related to the Plant substantially in the form of Appendix 10 and (ii) a waiver of any and all liens, charges and encumbrances from any Subcontractor with whom Contractor has a Material Subcontract.

Capitalized terms used but not defined herein shall have the respective meanings assigned to them in the Agreement.

IN WITNESS WHEREOF, Contractor has executed and delivered this Plant Final Completion Certificate through its duly authorized representative as of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

WÄRTSILÄ NORTH AMERICA, INC.

By:

\_\_\_\_\_

Name:

\_\_\_\_\_

Title:

\_\_\_\_\_

Owner hereby accepts the foregoing in accordance with the terms of the Agreement.

IN WITNESS WHEREOF, (Owner) has caused this Acceptance Certificate to be executed by its duly authorized representative as of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

US VIRGIN ISLANDS WATER AND POWER  
AUTHORITY

By:

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Name:

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Title:

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