

AMENDMENT NO. 2

SUBRECIPIENT AGREEMENT

BETWEEN

THE VIRGIN ISLANDS HOUSING FINANCE AUTHORITY

AND

THE VIRGIN ISLANDS WATER AND POWER AUTHORITY

This Amendment No. 2 is made this 7 date of ^{May}~~April~~ 2025 by and between the Virgin Islands Housing Finance Authority ("VIHFA") and the Virgin Islands Water and Power Authority ("VIWAPA").

WHEREAS, on July 2, 2024, the VIHFA and VIWAPA entered into a Subrecipient Agreement for the Propane Supply Infrastructure Acquisition, **Subrecipient Agreement No.: SA-DR(VIWAPA)-002-2024**) funded through the Community Development Block Grant Mitigation ("CDBG-MIT") Grant; and

WHEREAS, on August 1, 2024, the VIHFA and VIWAPA executed **Amendment No 1 of Subrecipient Agreement No. SA-DR(VIWAPA)-002-2024**, to capture a correction to the date of the Terms of the Agreement in the SRA and removal of the requirements for windstorm insurance; and

WHEREAS VIHFA is revising the Key Performance Indicators for the Subrecipient to include clarification of the qualitative and quantitative measures as well as Summary Table A on pages 42 through 44 of the original Agreement.

NOW THEREFORE in consideration of the mutual covenants herein contained and intending to be legally bound by this Agreement. the parties hereto do covenant and agree as follows:

- Section 1.** This Amendment replaces the fuel reserve requirement on Section 4.D. on page 6 and in Exhibit B's Summary Table. VIWAPA shall maintain a fuel reserve sufficient for a minimum of five days' burn rate at all times during the year at both sites. To demonstrate compliance, VIWAPA must submit with its Monthly Status Report:
- (1) A "Fuel Model" report showing the current month's actual burn rate and a three-month forecast;
 - (2) A separate memorandum explaining any month with more than three separate instances of the reserve falling below five days, for five or more consecutive days, including the cause and steps to prevent recurrence.
- Section 2.** This Amendment replaces Exhibit B's "A. Summary Table" on pages 42 through 44. This is attached herein.

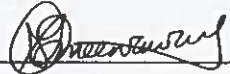
Section 3. All other requirements and provisions of the Subrecipient Agreement between VIHFA and VIWAPA shall remain in full force and effect.

WITNESSES:

VIRGIN ISLANDS WATER AND POWER
AUTHORITY, **SUBRECIPIENT**

(1) Claudia Charles

BY: Karl Knight
Karl Knight


(2) 

Executive Director
DATE: 4/29/2025

WITNESSES:

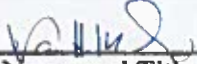
VIRGIN ISLANDS HOUSING FINANCE
AUTHORITY, **SUBRECIPIENT**
DEPARTMENT: CDBG-MIT

(1) 
Damali Rogers

BY: 
Dayna Clendinen
Chief Disaster Recovery Officer/ Chief Operating
Officer

(2) 
Bilinda Fontaine

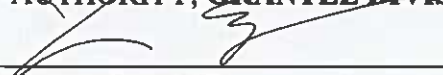
DATE: May 6, 2025

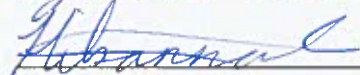
REVIEWED AND APPROVED FOR LEGAL SUFFICIENCY		
<u></u>	Special Counsel	April 3, 2025
Name and Title		Date

WITNESSES:

VIRGIN ISLANDS HOUSING FINANCE
AUTHORITY, **GRANTEE DIVISION:**

(1) 

BY: 
Eugene Jones, Jr.
Executive Director

(2) 

DATE: 5/7/2025

Exhibit B A. Summary Table

Measure	# or % Progress or Change Targets	Data Source	Reporting Frequency
1. Measure VIWAPA progress on project activities, specifically using acquired assets to mitigate risks to critical infrastructure, particularly in the energy sector.			
Monthly Status Reports	Ensure 100% of the 128 Monthly Status Reports are received on the due date with supplemental documentation listed in the "Data Source" column.	Fully completed Monthly Status Reports	Period: August 2024 through July 2035 Frequency: 20th of each Month
2. Measure VIWAPA financial oversight and ownership with the necessary insurance coverage to adequately protect the assets and the utility from financial losses and prevent operational issues.			
Proof of Ownerships	A fully executed legally binding documentation to confirm the transfer of ownership of assets of both locations to VIWAPA.	Fully executed Purchase Agreement	Period: August 2024 through July 2035 Frequency: Once
Proof of Property Insurance	The complete Insurance policy document for both assets, (coverage, risk and mitigant or payout terms).	Full Policy, Insurance Policy with Riders showing the assets coverage terms and payout.	Period: August 1, 2024, through July 2035 Frequency: Annually, upon renewal or revision
Proof of Flood Insurance	The complete Insurance policy document for both assets, (coverage, risk and mitigant or payout terms).	Full Policy, with Riders showing the assets coverage terms and payout.	Period: August 1, 2024, through July 2035 Frequency: Annually, upon renewal or revision
Proof of Liability of Insurance	The complete Liability of Insurance Policy for both assets (coverage terms, rate, risk and mitigant or payout).	Fully Policy, Liability Insurance Policy with Riders showing the coverage that the asset has.	Period: August 1, 2024, through July 2035 Frequency: Annually, upon renewal or revision
3. Measure how VIWAPA utilizes the acquired assets to mitigate the risks of fuel supply chain disruptions via verified data on procured LPG.			
Validate VIWAPA's is receiving its purchased fuel supply and managing delivery of procured LPG.	Provide 100% of receipts of purchased fuel.	<ul style="list-style-type: none"> • LPG Shoretank Receipts • Diesel Shoretank Receipts 	Period: August 1, 2024, through July 2035 Frequency: 20 th of each month
Demonstrate VIWAPA has current fuel contracts for Diesel and LPG.	Provide 100% of the LPG and Diesel fuel supply contracts as they renew for both facilities.	Fully executed: <ul style="list-style-type: none"> • LPG Fuel Supply Contracts • Diesel Fuel Supply Contracts, agreements 	Period: August 1, 2024, through July 2035 Frequency: 20 th of each month

Measure	# or % Progress or Change Targets	Data Source	Reporting Frequency
Demonstrate storage capacity of LPG and electric generation from LPG.	Provide monthly proof of generation from LPG fuel vs Diesel.	<ul style="list-style-type: none"> Monthly T&D and Production Management Reports LPG Inventory Report Diesel Inventory Reports Fuel Model' report showing the current month's actual burn rate and a three-month forecast. A separate memorandum explaining any month with more than three separate instances of the reserve falling below five days for five or more consecutive days, including the cause and steps to prevent recurrence. 	Period: August 1, 2024, through July 2035 Frequency: 20 th of each month
	VIWAPA shall maintain a fuel reserve sufficient for a minimum of five days' burn rate at all times at both sites during the year.		
4. Measure VIWAPA's long-term strategy for fiscal and operational oversight of the acquired asset for its useful life.			
Develop and supply an Updated, Detailed Strategic Plan with milestones, and KPI's	Timely submission of a current to the year, Strategic Plan.	Official copy of the WAPA Strategic Plan.	Period: At SRA execution through July 2035 Frequency: Annually on Sept 1 and upon renewal.
The acquired assets O&M Strategic Plan	An annual O&M plan for acquired assets with sufficient details of strategy to maximize the performance and extend the lifespan of the funded assets.	<ul style="list-style-type: none"> Certified copy of VIWAPA's O&M Plan Long Term O&M Plan for Major Maintenance with budget and funding source per SRA and Propane Facility Manager Contract (i.e. Saintnals Contract) 	Period: At SRA execution through July 2035. Frequency: Annually on Sept 1, and upon renewal or as amended.
Demonstrate that VIWAPA has obtained current regulatory permits and licenses needed to operate the acquired facility.	Obtain 100% of local/federal permits and licenses for the utility.	CZX-2-14(L) Permit Modification	Period: 60 days post-closing, through July 2035 Frequency: Annually, and upon renewal or as amended
		CZT-1-14(L) Permit Transfer	
		Richmond Facility TPDES Permits, VIR050011	Period: August 2024 through July 2035. Frequency: Annually, and upon renewal or as amended
		Randolph Harley Facility TPDES Permits, VIR050027	
		STT Terminal Facility License, TFL-STT-091	
STX Terminal Facility License, TFL-STX-092	Period: August 2024 through July 2035.		
Air Pollution Control Permit, STT-1-002-23			

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Measure	# or % Progress or Change Targets	Data Source	Reporting Frequency
		Air Pollution Control Permit, STX-1-001-23	Frequency: August 1, and every 3 years (what month and day)
Develop and supply the Integrated Resource Plan that has sufficient detail and incorporates the funded assets.	Furnish the current and to-date IRPs for the VIWAPA.	A certified Integrated Resource Plan ("IRP"), as amended	Period: At SRA execution through July 2035 Frequency: February 2025, and every 3 years