

VIRGIN ISLANDS PUBLIC FINANCE AUTHORITY

SECOND AMENDMENT

THIS IS THE SECOND AMENDMENT TO THE NOVEMBER 30, 2017 CONTRACT (the "Contract") by and between the VIRGIN ISLANDS PUBLIC FINANCE AUTHORITY, an independent instrumentality of the Government of the Virgin Islands ("Government"), (also referred to herein as "VIPFA"), and ERNST & YOUNG PUERTO RICO LLC (also referred to herein as "Consultant"), jointly referred to herein as the "Parties".

WITNESSETH:

WHEREAS, the Contract provides for consulting and other services relative to the recovery of the United States Virgin Islands from physical and economic damage caused by Hurricanes Irma and Maria, including coordination with federal agencies to assist such recovery; and

WHEREAS, the Government of the U.S. Virgin Islands expects to receive recovery funding from the Community Development Block Grant—Disaster Relief ("CDBG-DR") program administered by the federal Department of Housing and Urban Development; and

WHEREAS, federal procurement regulations require that recipients of CDBG-DR funding include in their procurement contracts certain provisions specified by federal regulations, including those attached hereto as Appendix A (the "HUD Riders");

NOW THEREFORE, in consideration of the mutual covenants herein contained, and intending to be legally bound by this written instrument, the parties hereto do covenant and agree to amend Sections 31 and 33 of the Contract ("FEMA Contract Clauses" and "Other Provisions; Order of Precedence") to include the HUD Riders as a new Addendum to the Contract, as follows:

1. Paragraph 31 ("FEMA Contract Clauses") is amended and restated to read as follows:

31. Federal Contract Clauses.

Certain standard contract clauses for grants and contracts required by FEMA and by the Department of Housing and Urban Development are set forth in Addendum III and Addendum IV, respectively, and are incorporated herein by reference.

2. Paragraph 33 (“Other Provisions, Order of Precedence”) is amended and restated to read as follows:

33. Other Provisions; Order of Precedence

Addendum I (Scope of Services), Addendum II (Compensation and Rate Schedule), Addendum III (FEMA Standard Terms and Conditions for Contracts and Grants), and Addendum IV (HUD General Provisions) attached hereto are a part of this Agreement and are incorporated herein by reference.

In the event of a conflict in the terms and conditions of this Agreement, the following order of precedence shall apply: (i) the FEMA Standard Clauses (Addendum III) and HUD General Provisions (Addendum IV); (ii) this Agreement; (iii) the Scope of Services (Addendum I); and (iv) the Terms of Compensation and Rate Schedule (Addendum II).

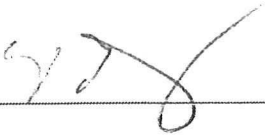
3. A new Addendum (“HUD General Provisions”), attached hereto as Appendix A, is hereby included in the Agreement as Addendum IV.
4. This Second Amendment to the Contract shall be deemed effective as of November 30, 2017.
5. This Second Amendment shall be attached to and made a part of the Contract as Exhibit B.

[Remainder of page intentionally blank; signature page follows]





IN WITNESS WHEREOF, the Parties have hereunder set their hands.

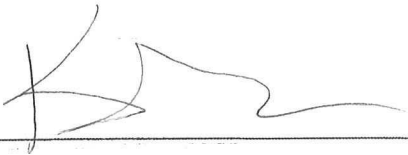
WITNESSES:



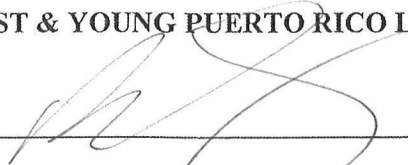
VIRGIN ISLANDS PUBLIC FINANCE
AUTHORITY

By: 

Valdamier O. Collens
Executive Director
Date: August 2, 2018



ERNST & YOUNG PUERTO RICO LLC

By: 

Date:



