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AMENDMENT No. 1 OF PROFESSIONAL SERVICES CONTRACT

THIS AMENDMENT made as of the 14th day of July, 2021 in the Territory of the Virgin Islands, by and between the Government of the Virgin Islands **DEPARTMENT OF PROPERTY AND PROCUREMENT**, on behalf of the **DEPARTMENT of EDUCATION** of 1834 Kongens Gade, St. Thomas, U.S. Virgin Islands 00802 (hereinafter referred to as "Government") and **BROADBAND VI, LLC d/b/a VI E-CELL BROADBAND VI** whose address is 6006 Estate Peters Rest Suite 2, Christiansted, VI 00820 (hereinafter referred to as "Contractor").

Both parties witness to being duly authorized to execute this agreement and will attest accordingly when and where necessary.

WITNESSETH

WHEREAS, pursuant to **Contract No. P065DOET21** approved by the Governor on March 25, 2021, (which constitute and are hereinafter referred to as the "Contract"), the Government contracted with the Contractor to provide internet access and Wide Area Network (WAN) broadband bandwidth to the Department of Education's ("VIDE" or "Department") schools and facilities in the St. Thomas-St. John ("STTJ") and St. Croix ("STX") School Districts including the administrative offices under the Schools and Libraries Program of the Universal Service Fund commonly known as Education Rate or "E-Rate Program" and

WHEREAS, the Contract expires pursuant to its terms on **June 30, 2023**; and

WHEREAS, the parties desire to amend the Contract, particularly Addendum II (Compensation) to include the correct bandwidth capacity at the STTJ Head Quarters Network Operations Center (NOC) which resulted in the increase of the compensation by **One Hundred Fifteen Thousand Two Hundred Dollars and Zero Cents (\$115,200.00)** in Addendum II (Compensation); and

NOW THEREFORE, for mutual and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

Contract No. P097DOET21

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1. Paragraph No. 3 – Compensation is hereby amended to increase the compensation by One Hundred Fifteen Thousand, Two Hundred Dollars and Zero Cents (\$115,200.00) for a total amount not to exceed **ONE MILLION NINE HUNDRED SEVENTY-ONE THOUSAND, EIGHT HUNDRED SIXTEEN DOLLARS AND ZERO CENTS (\$1,971,816.00)** by deleting all of the existing language contained therein and replacing it with new language as follows:

“The Government, in consideration of the satisfactory performance of the services described in Addendum I (Scope of Work) agrees to pay Contractor the sum not to exceed **ONE HUNDRED NINETY-SEVEN THOUSAND, ONE HUNDRED EIGHTY-ONE DOLLARS AND SIXTY CENTS (\$197,181.60)** which is the Government’s ten percent (10%) cost share or match of the total cost of **ONE MILLION NINE HUNDRED SEVENTY-ONE THOUSAND, EIGHT HUNDRED SIXTEEN DOLLARS AND ZERO CENTS (\$1,971,816.00)** in accordance with the provisions set forth in Amended Addendum II (Compensation) attached hereto and made a part of this Contract. The remaining Ninety (90%) of the cost for the provision of Services shall be borne directly by USAC as outlined in Paragraph 28 (Billing Procedures and Payment). The one-year renewal option shall be at a cost in amount not to exceed **NINE HUNDRED EIGHTY-FIVE THOUSAND, NINE HUNDRED EIGHT DOLLARS AND ZERO CENTS (\$ 985,908.00).**”

2. Addendum II of the Contract is revised by deleting all terms contained therein and inserting in lieu thereof all of the terms contained in the new Addendum II attached hereto as Exhibit “A”.
3. This Amendment is subject to the approval of the Governor of the Virgin Islands and to the appropriation and availability of funds.
4. Except as expressly amended in this Amendment, all terms of the Contract remain in full force and effect.



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IN WITNESS WHEREOF, the Parties have hereunto set their hands on the day and year first above written.

WITNESSES

GOVERNMENT OF THE VIRGIN ISLANDS

Racquel Berry-Benjamin
Racquel Berry - Benjamin
Commissioner
Department of Education

05/13/2021
Date

Anthony D. Thomas
Anthony D. Thomas, Commissioner
Department of Property & Procurement

6/10/2021
Date

CONTRACTOR

William Neville
William Neville, Chief Executive Officer
Broadband VI, LLC d/b/a VI E-CELL Broadband VI

4/30/21
Date

Corporate Seal, if Contractor is a corporation)

APPROVED:

Honorable Albert Bryan Jr.

Date: 7/14/21

GOVERNOR OF THE VIRGIN ISLANDS

APPROVED AS TO LEGAL SUFFICIENCY
DEPARTMENT OF JUSTICE BY: Carol E. McDougal Date 6/16/2021
Assistant Attorney General

PURCHASE ORDER NO. _____

Contract No. P097DOET21

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