

Upgrades, Scope and/or Schedule Change Acknowledgment

This Acknowledgment is made in accordance with Section 11 of the Special Conditions, as defined in that Energy Service Agreement – Solar, between the County of Fresno, a political subdivision of the State of California (“Purchaser”) and FFP BTM Solar, LLC (Provider”), dated December 12th, 2023 (the “Agreement”) for Fresno County- Behavioral Health and Wellness located at 5555 E Olive Ave, Fresno, CA 93727 (the “Project”). Upon execution by both Purchaser and Provider, this Acknowledgment shall be effective as of _____, 2026 (the “Acknowledgment Effective Date”).

1. Type of Change:

- Distribution Upgrades (ITC Eligible)
- Scope Changes (ITC Eligible)
- Scope Changes (Non-ITC Eligible)
- Day for Day Extension
- Extension for Good Cause
- Other: Rate increase outside of the scope changes in Schedule 2

2. Description of Change.

i. Scope Changes (ITC Eligible)

Canopy Height Increase

- Increase array A and B canopy height from 10’ to 14’ to stay clear of fire lane access.

Description	Current PPA Rate	Total PPA Increase	New PPA Rate
Scope Change – Canopy Height Increase	\$0.1619	0.0006	\$0.1625

ii. Early Termination Fee

The kWh Rate and the Early Termination Values (due to the kWh Rate being updated) set forth in Schedule 2 of the Special Conditions shall be updated per Section 3 below.

iii. Extension for Good Cause

At Purchaser’s request, Provider has delayed commencement of the Work until the ongoing site upgrades work are completed around June 2026. Accordingly, the Guaranteed Construction Start Date and the Guaranteed Commercial Operation Dates shall be extended to reflect such delay.

3. kWh Rate and Early Termination Fee.

PPA Rate Table

Term Year	kWh Rate (\$/kWh)	Term Year	kWh Rate (\$/kWh)
1	\$0.1625	11	\$0.1625
2	\$0.1625	12	\$0.1625
3	\$0.1625	13	\$0.1625
4	\$0.1625	14	\$0.1625
5	\$0.1625	15	\$0.1625
6	\$0.1625	16	\$0.1625
7	\$0.1625	17	\$0.1625
8	\$0.1625	18	\$0.1625
9	\$0.1625	19	\$0.1625
10	\$0.1625	20	\$0.1625

Early Termination Fee

Early Termination Occurs in Year:	Column 1 Early Termination Fee where Purchaser does <u>not</u> take Title to the System (\$/Wdc including costs of removal)	Purchase Date Occurs on the 91st day following: (Each “Anniversary” below shall refer to the anniversary of the Commercial Operation Date)	Column 2 Early Termination Fee where Purchaser takes Title to the System (\$/Wdc, does <u>not</u> include costs of removal)
1*	\$5.81		--
2	\$5.36		--
3	\$4.85		--
4	\$4.41		--
5	\$4.01		--
6	\$3.99	5 th Anniversary	\$3.49
7	\$3.98	6 th Anniversary	\$3.48
8	\$3.96	7 th Anniversary	\$3.46
9	\$3.94	8 th Anniversary	\$3.44
10	\$3.93	9 th Anniversary	\$3.43
11	\$3.91	10 th Anniversary	\$3.41
12	\$3.89	11 th Anniversary	\$3.39
13	\$3.87	12 th Anniversary	\$3.37
14	\$3.86	13 th Anniversary	\$3.36

15	\$3.84	14 th Anniversary	\$3.34
16	\$3.82	15 th Anniversary	\$3.32
17	\$3.81	16 th Anniversary	\$3.31
18	\$3.79	17 th Anniversary	\$3.29
19	\$3.77	18 th Anniversary	\$3.27
20	\$3.76	19 th Anniversary	\$3.26

4. Updated Guaranteed Construction Start Date and Guaranteed Commercial Operation Date

The Parties hereby agree that the Guaranteed Construction Start Date and the Guaranteed Commercial Operation Date as defined in the Agreement are updated as follows:

Guaranteed Construction Start Date: the later of (i) Permit Issuance + 90 days, or (ii) 06/01/2026

Guaranteed Commercial Operation Date: the later of (i) Permission To Operate from the Local Electric Utility plus +60 days, or (ii) 03/26/2027

5. Notwithstanding anything to the contrary in the Agreement, the Parties acknowledge and agree that Purchaser shall be solely responsible for providing and maintaining a fully ADA-compliant parking lot, including all accessibility features required to meet the latest applicable federal, state, and local codes and standards. Provider shall have no obligation to construct, modify, or otherwise perform any ADA-related work in connection with the Project.

The Parties hereby acknowledge and confirm the terms set forth herein as of the Acknowledgment Effective Date.

County of Fresno, a political subdivision
of the State of California

FFP BTM Solar, LLC

By: _____
Name: Garry Bredefeld
Title: Chairman of the Board of Supervisors of
the County of Fresno
Date: _____

By: 
Name: Ruben Fontes
Title: President
Date: 2/27/2026

ATTEST
Bernice E. Seidel
Clerk of the Board of Supervisors
County of Fresno, State of California

By _____
Deputy

For accounting use only:

Org No.: 8935
Account No.: 7431
Fund No.: 1045
Subclass No. 10000