

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 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 the Fresno County- Hamilton Yard located at 4555 Hamilton Ave, Fresno CA 93702 (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 (Non-ITC Eligible)

Parking Lot Repaving

- Saw cut damaged asphalt, remove and haul away on area measuring 97,784 sq ft
- Water down, grade, and compact sub grade prior to paving.
- Pave back with 3” of new asphalt to match existing asphalt grade.

Description	Current PPA Rate	Total PPA Increase	New PPA Rate
Scope Change – Parking Lot Repaving	\$0.1435	\$0.0224	\$0.1659

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 after the fall. 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	\$0.1659	11	\$0.1659
2	\$0.1659	12	\$0.1659
3	\$0.1659	13	\$0.1659
4	\$0.1659	14	\$0.1659
5	\$0.1659	15	\$0.1659
6	\$0.1659	16	\$0.1659
7	\$0.1659	17	\$0.1659
8	\$0.1659	18	\$0.1659
9	\$0.1659	19	\$0.1659
10	\$0.1659	20	\$0.1659

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*	\$6.69		--
2	\$5.97		--
3	\$5.33		--
4	\$4.74		--
5	\$4.17		--
6	\$4.17	5 th Anniversary	\$3.67
7	\$4.17	6 th Anniversary	\$3.67
8	\$4.16	7 th Anniversary	\$3.66
9	\$4.16	8 th Anniversary	\$3.66
10	\$4.16	9 th Anniversary	\$3.66
11	\$4.16	10 th Anniversary	\$3.66
12	\$4.16	11 th Anniversary	\$3.66
13	\$4.16	12 th Anniversary	\$3.66
14	\$4.15	13 th Anniversary	\$3.65

15	\$4.15	14 th Anniversary	\$3.65
16	\$4.15	15 th Anniversary	\$3.65
17	\$4.15	16 th Anniversary	\$3.65
18	\$4.15	17 th Anniversary	\$3.65
19	\$4.14	18 th Anniversary	\$3.64
20	\$4.14	19 th Anniversary	\$3.64

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) 04/06/26

Guaranteed Commercial Operation Date: the later of (i) Permission To Operate from the Local Electric Utility plus +60 days, or (ii) 11/01/2026

5. For the avoidance of doubt, the change in kWh Rate referenced in this Acknowledgement shall not be included in the maximum total increase to the kWh Rate set forth in Schedule 2 of the Special Conditions.

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