

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- Woodward Library located at 944 E Perrin Ave, Fresno CA 93720 (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:

2. Description of Change.

Scope Changes (ITC Eligible)

Canopy Height Increase

- Increase all canopy heights from 10’ to 14’ to stay clear of dump truck path-of-travel

Adverse Geotechnical Conditions

- Addition of 2 permanent casings due to caving soils encountered during drilling.

Scope Changes (Non-ITC Eligible)

ADA Upgrades

- Saw cut damaged asphalt, remove and haul away on area measuring 813sq. Ft.
- Water down, grade, and compact sub grade prior to paving.
- Pave back with 3” of new asphalt to match existing asphalt grade.
- Concrete Wing Ramp:
 - Saw cut damaged concrete, remove and haul away on area measuring 17sq. Ft.
 - Form, grade, and compact sub grade prior to laying new concrete.
 - Replace with 4” thick new concrete with 3500PSI.

Description	Current PPA Rate	Total PPA Increase	New PPA Rate
Scope Change – ADA Upgrades, Adverse Geotechnical Conditions, and Canopy Height Increase	\$0.2331	\$0.0200	\$0.2531

i. 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.

ii. Extension for Good Cause

At Purchaser’s request, Provider has delayed commencement of the Work until after November 4th, 2025. 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	\$0.2531	11	\$0.2531
2	\$0.2531	12	\$0.2531
3	\$0.2531	13	\$0.2531
4	\$0.2531	14	\$0.2531
5	\$0.2531	15	\$0.2531
6	\$0.2531	16	\$0.2531
7	\$0.2531	17	\$0.2531
8	\$0.2531	18	\$0.2531
9	\$0.2531	19	\$0.2531
10	\$0.2531	20	\$0.2531

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*	\$8.33		--
2	\$7.53		--
3	\$6.68		--
4	\$5.95		--
5	\$5.26		--
6	\$5.21	5 th Anniversary	\$4.71
7	\$5.17	6 th Anniversary	\$4.67
8	\$5.12	7 th Anniversary	\$4.62
9	\$5.07	8 th Anniversary	\$4.57
10	\$5.03	9 th Anniversary	\$4.53
11	\$4.98	10 th Anniversary	\$4.48
12	\$4.94	11 th Anniversary	\$4.44
13	\$4.89	12 th Anniversary	\$4.39
14	\$4.85	13 th Anniversary	\$4.35
15	\$4.80	14 th Anniversary	\$4.31
16	\$4.76	15 th Anniversary	\$4.26
17	\$4.72	16 th Anniversary	\$4.22
18	\$4.67	17 th Anniversary	\$4.18
19	\$4.63	18 th Anniversary	\$4.13
20	\$4.59	19 th Anniversary	\$4.09

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) 01/19/26

Guaranteed Commercial Operation Date: the later of (i) Permission To Operate from the Local Electric Utility plus +60 days, or (ii) 06/23/2026

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