



## Contract Amendment Number 2

**THIS CONTRACT AMENDMENT 2** (hereinafter "Amendment") is made between the People of the State of New York, acting by and through the Commissioner of the Office of General Services (hereinafter "State" or "OGS") whose principal place of business is the 41st Floor, Corning Tower, The Governor Nelson A. Rockefeller Empire State Plaza, Albany, New York 12242, pursuant to authority granted under New York State Finance Law §163, and **Sol Systems, LLC** (hereinafter "Contractor"), with its principal place of business at **1101 Connecticut Avenue NW, Second Floor, Washington, DC 20036**. The foregoing are collectively referred to as the "Parties".

**WITNESSETH:**

**WHEREAS**, the Parties previously entered into Contract ~~PS935AA~~ <sup>PS929AA</sup>, a centralized contract for the acquisition of turnkey solutions, including, but not limited to financing, designing, installing, owning, operating, and maintaining solar photovoltaic systems through the life of a Solar Power Purchase Agreement, and selling the electricity output to Authorized Users (hereinafter "Contract"); and

**WHEREAS**, the Parties wish to amend the Contract to remedy the omission of a reference to Steuben County in the Contract, and to incorporate an updated version of Appendix A, Standard Clauses for New York State Contracts into the Contract.

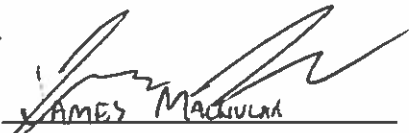
**NOW THEREFORE**, in consideration of the mutual covenants herein contained, the Parties do hereby agree as follows:

1. Section 1.4 of the Contract, entitled "Regions," is hereby amended to add "Steuben" to the list of counties set forth in Region 1, Zone C.
2. The attached Appendix A, Standard Clauses for New York State Contracts dated October 2019 shall replace the Appendix A, Standard Clauses for New York State Contracts dated January 2014 attached to the Contract.
3. The reference in Contract section 3.1 to "Appendix A, Standard Clauses for New York State Contracts, dated January 2014" is hereby amended to refer to "Appendix A, Standard Clauses for New York State Contracts dated October 2019," and all other references in the Contract to "Appendix A" shall be deemed to refer to Appendix A, Standard Clauses for New York State Contracts dated October 2019.
4. Except as herein modified, all terms of Contract PS935AA remain in full force and effect.

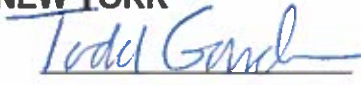
PS929AA

**IN WITNESS WHEREOF**, the Parties have executed this Amendment as of the date last written below. The Parties further hereby certify that original copies of this executed and approved signature page will be affixed, upon final approval, to exact copies of this Amendment being executed simultaneously herewith. The acknowledgment must be fully and properly executed by an authorized person. By signing you certify your express authority to sign on behalf of yourself, your company, or other entity and full knowledge and acceptance of this Amendment, Appendix A - Standard Clauses For New York State Contracts (October 2019), Appendix B (General Specifications), and State Finance Law §139-j and §139-k (Procurement Lobbying), and that all information provided is complete, true and accurate. By signing, Contractor affirms that it understands and agrees to comply with the OGS procedures relative to permissible contacts as required by State Finance Law §139-j (3) and §139-j (6) (b).

**CONTRACTOR**

Signature:   
Printed Name: JAMES MACHULAK  
Title: AUTHORIZED SIGNATORY  
Company Name: SOL SYSTEMS, LLC  
Federal ID: 26-2596125  
NYS Vendor ID: 110D178341  
Date: 4/30/20

**THE PEOPLE OF THE STATE OF NEW YORK**

Signature:   
Printed Name: TODD GARDNER  
Title: CMS 3  
Date: Dec 15, 2020

INDIVIDUAL, CORPORATION, PARTNERSHIP, OR LLC ACKNOWLEDGMENT

STATE OF Washington DC }

COUNTY OF N/A }

SS.:

On the 30<sup>th</sup> day of April in the year 2019, before me personally appeared JAMES MACHUICK known to me to be the person who executed the foregoing instrument, who, being duly sworn by me did depose and say that he maintains an office at 1101 CONNECTICUT AVE NW, and further that:

[Check One]

- If an individual): he executed the foregoing instrument in his/her name and on his/her own behalf.
- If a corporation): he is the \_\_\_\_\_ of \_\_\_\_\_, the corporation described in said instrument; that, by authority of the Board of Directors of said corporation, he is authorized to execute the foregoing instrument on behalf of the corporation for purposes set forth therein; and that, pursuant to that authority, he executed the foregoing instrument in the name of and on behalf of said corporation as the act and deed of said corporation.
- If a partnership): he is the \_\_\_\_\_ of \_\_\_\_\_, the partnership described in said instrument; that, by the terms of said partnership, he is authorized to execute the foregoing instrument on behalf of the partnership for purposes set forth therein; and that, pursuant to that authority, he executed the foregoing instrument in the name of and on behalf of said partnership as the act and deed of said partnership.
- If a limited liability company): he is a duly authorized member of SIL SYSTEMS LLC, the limited liability company described in said instrument; that he is authorized to execute the foregoing instrument on behalf of the limited liability company for purposes set forth therein; and that, pursuant to that authority, he executed the foregoing instrument in the name of and on behalf of said limited liability company as the act and deed of said limited liability company.

[Signature]  
Notary Public

Registration No.

District of Columbia  
Signed and sworn to (or affirmed) before me on  
April 30 by 2019  
[Signature]  
Kazim H. Jesse, Notary Public Seal  
My commission expires August 14, 2024.

