

## **EXHIBIT A**

### **SCOPE OF WORK**

Albany County is working towards the achievement of numerous State goals, including the reduction of energy use intensity at their facilities of producing 70% of New York's electricity using renewable energy resources by 2030. In support of the goals, Albany County and the New York Power Authority have entered into an agreement working towards the installation of a solar PV systems at various County facilities.

The Authority was engaged by the County to support the procurement process for a renewable energy developer. The recommended developer would be responsible for site design, including final PV system size each project site. The County will then enter into a Power Purchase Agreement ("PPA") for each project location, under which the developer will own, maintain, and operate the solar array, while the County purchases the energy produced from the solar array.

After award the portfolio lost a majority of the project sites due to unforeseen conditions and project economics. The remaining location's capacity had been reduced along with facing other items highlights below:

- FAA review dictates 250 ft exclusion zone around radar tower requiring system re-design, and reduction in capacity
- Interconnection process results in higher than anticipated interconnect costs
  1. Utility guidance if project sized at or below 1.87MWdc interconnect costs reduced substantially
- Solar panel prices increased ~40% in Q1-2022 due to Department of Commerce investigation into dumping of Chinese panels
- Inflationary pressure
- Significant cost inflation for materials (racking, wiring, etc.) combined with project size reduction of ~50% has increased construction costs materially
- The Q3 2022 price did not include an assumed PILOT fee. The Q1 2023 price included an assumed PILOT fee of \$3,399/MWac per year (middle of the NYSERDA proposed range)
- The engineering procurement and construct ("EPC") price has increased materially, and the delivery schedule has extended out.

The Grant fund will only be made payable directly to Albany County after the project has received Committee review for Legislative approval. The County is to provide the Authority with a copy of the executed Power Purchase Agreement, the Permission to Operate from the utility and Commercial Operation Date from the vendor to show successful implementation of the project. The funds are to be returned to the Authority if no project from RFP Q20-6961MH is successfully implemented and operational by the termination date set forth in the Grant Agreement.

**EXHIBIT B**

**GRANT DISBURSEMENT REQUISITION FORM**

New York Power Authority  
Attn.: Accounts Payable  
Email: APInvoices@NYPA.gov

*With a **copy** of such Grant Disbursement Requisition Form to:*

New York Power Authority  
123 Main Street  
White Plains, NY 10601  
Attn: \_\_\_\_\_

RE:     INSERT PROJECT NAME  
          NAME OF GRANTEE ("Grantee")

Dear Accounts Payable/Mr. or Ms. \_\_\_\_\_:

Enclosed please find \_\_\_\_\_'s (insert name of Grantee) request  
for payment/reimbursement, in the amount of  
\$\_\_\_\_\_, representing Grantee's request for:

- ☐ An initial disbursement of Grant Funds as described in the Grantee's General Project Plan;
- ☐ A subsequent disbursement of Grant Funds for eligible expenses as described in the Grantee's General Project Plan; or
- ☐ Final disbursement of Grant Funds.

**CERTIFICATION**

I hereby warrant and represent to the Power Authority of the State of New York ("Authority") that:

- 1) To the best of my knowledge, information and belief, the expenditures for which the Grantee is seeking payment and/or reimbursement comply with the requirements of

the Agreement between Authority and the Grantee, are eligible expenses, and do not duplicate reimbursement or disbursement of costs and/or expenses from the Authority or any other source. These findings will be subject to audit by the Authority or any Authority representative or designee.

- 2) I have the authority to submit this payment requisition on behalf of the Grantee. The Project, or portion thereof for which this invoice relates, has been completed in the manner outlined in the Agreement.
- 3) There have been no materially adverse changes in the financial condition of the Grantee, except as disclosed in writing to Authority as of the date of submission of the Application to the date hereof.
- 4) All prior Grant Funds that have been disbursed by Authority and expended by the Grantee prior to the date hereof have been used by Grantee for the purposes set forth in the approved scope of work.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

Name of Entity: \_\_\_\_\_

Title: \_\_\_\_\_