



RESOLUTION No. 18-501

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AND AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE AMENDMENT NO. 1 TO AGREEMENT 5 ENTITLED "SOLAR OPERATIONS AND MAINTENANCE" (RESOLUTION 16-178) BETWEEN THE COUNTY OF NEVADA AND SUNPOWER CORPORATION, SYSTEMS

WHEREAS, Nevada County entered into Agreement 2 "Solar Installation Agreement" on April 26, 2016 through Resolution 16-177 with SunPower Corporation, Systems to engineer, procure, and construct five solar energy generation projects and Resolution 16-178 approved and authorized Agreement 5 "Solar Operations and Maintenance" which provides for SunPower to perform preventive maintenance and inspections, testing, and corrective maintenance for these solar energy generation facilities; and

WHEREAS, the Lake of the Pines Wastewater Treatment Plant (10984 Riata Way, Auburn, CA) required a change in equipment from a tracking system to a Ground Fixed Title (GFT) and the Carl F. Bryan II Juvenile Hall (15434 Highway 49, Nevada City, CA) required a module change to a higher wattage X series 345W module that affects the equipment description in the original Agreement; and

WHEREAS, the parties desire to amend Agreement 5 to correctly identify the equipment as installed.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Supervisors approves and authorizes the Chair of the Board to execute, in substantially the form attached hereto, Amendment No. 1 to Agreement 5 "Solar Operations and Maintenance" between the County of Nevada and SunPower Corporation, Systems and that in all other respects the prior agreement of the parties shall remain in full force and effect except as amended.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 9th day of October, 2018, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Edward Scofield, Chair

10/09/2018 cc: Facilities*
AC* (Hold)

11/01/2018 cc: Facilities*
IGS*
Building*
AC* (Release)

**AMENDMENT NO. 1 TO SOLAR OPERATIONS AND MAINTENANCE AGREEMENT 5
BETWEEN THE COUNTY OF NEVADA AND SUNPOWER CORPORATION, SYSTEMS**

THIS AMENDMENT is executed this 9th day of October, 2018 by and between SUNPOWER CORPORATION, SYSTEMS ("Contractor") and COUNTY OF NEVADA ("Customer"). Said Amendment will amend the prior agreement between the parties entitled SOLAR OPERATIONS AND MAINTENANCE entered into on April 26, 2016 by Resolution No. 16-178.

WHEREAS, said Agreement 5 provides for the Contractor to perform preventive maintenance and inspections, testing, and corrective maintenance for five solar energy generation facilities; and

WHEREAS, the Lake of the Pines Wastewater Treatment Plant (10984 Riata Way, Auburn, CA) and the Carl F. Bryan II Juvenile Hall (15434 Highway 49, Nevada City, CA) required a change in equipment that will affect the equipment description; and

WHEREAS, both parties desire to amend the Agreement to provide for these changes.

NOW, THEREFORE, the parties hereto agree as follows:

1. This amendment shall be effective as of October 9, 2018.
2. **EXHIBIT A. Section 2. "Description of System"** is hereby amended and replaced in its entirety by the following:

1. Description of System:	a) Admin Center – 469.8 kWdc, Carport b) Wayne Brown CF – 313.2 kWdc, Carport c) Carl Bryan JH – 93.15 kWdc, Roof Single Tilt d) WWTP LOP – 365.4 kWdc, Ground Fixed Tilt e) Ranch – 1200.6 kWdc, Ground Fixed Tilt
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3. That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

APPROVED AS TO FORM:
COUNTY COUNSEL

By: 

COUNTY OF NEVADA

By: 
Honorable Edward C. Scofield
Chair of the Board of Supervisors

ATTEST:

By: 
Julie Patterson Hunter
Clerk of the Board of Supervisors

SUNPOWER CORPORATION, SYSTEMS:

By: 