

AMENDMENT NO. 2 TO FORM OF CONTRACT

Contractor: **Cherry Street Asset Management Holdings, LLC**

Contract No. **City of Atlanta FC-9696, Solar Energy Program**

Address: **1000 Marietta Street NW, #290**
City, State **Atlanta, GA 30318**

Telephone: **(404) 747-589-1830**

E-mail: michael@cherrystreetenergy.com

Contact: **Michael Chanin**
CEO

W I T N E S S E T H

WHEREAS, Fulton County (“County”) entered into a Contract with **Cherry Street Asset Management Holdings, LLC** to provide financing of installation and operation of solar technology, dated April 1, 2020, on behalf of the Department of Real Estate Asset Management; and

WHEREAS, the purpose for this amendment is to amend the existing contract to provide battery back-up power and demand management at the Metropolitan Library Resilience Hub at no cost to the County.; and

WHEREAS, the Contractor has performed satisfactorily over the period of the contract; and

WHEREAS, this amendment was approved by the Fulton County Board of Commissioners on **July 10, 2024, BOC Item #24- 0474.**

NOW, THEREFORE, the County and the Contractor agree as follows:

This Amendment No. 2 to Form of Contract is effective as of the 10th day of July, 2024, between the County and **Cherry Street Asset Management Holdings, LLC**, who agree that all Services specified will be performed in accordance with this Amendment No. 2 to Form of Contract and the Contract Documents.

1. **SCOPE OF WORK TO BE PERFORMED:** To provide battery back-up power and demand management at the Metropolitan Library Resilience Hub at no cost to the County located at 1332 Metropolitan Parkway, Atlanta, GA 30310.

The original contract provides solar panels at County-owned facilities at no cost

to the County. Cherry Street Asset Management Holdings, LLC owns and operates the panels, and the County pays a \$.07/kWh price for the electricity that is on less than what we pay Georgia Power. We will pay a separate fee for the electricity provided by the battery, which is still less than the county's average Georgia Power rate. A portion of the battery's cost is being bought down from a grant for the Resilience Hub.

Resilience Hubs are placing that community members can go to get information about preparing for and recovering from natural disasters. If there is a power outage in the community, the Resilience Hub at the Metropolitan Library will now have back-up power so that community members can gather indoors, charge their devices, and get information about other resources that are available. The Department of Real Estate and Asset Management anticipates launching the Resilience Hub early 2025.

2. **COMPENSATION:** The services described will be at no additional cost to Fulton County. The cost and term will remain the same as the original intent.
3. **LIABILITY OF COUNTY:** This Amendment No. 2 to Form of Contract shall not become binding on the County and the County shall incur no liability upon same until such agreement has been executed by the Chair to the Commission, attested to by the Clerk to the Commission and delivered to Contractor.
4. **EFFECT OF AMENDMENT NO. 2 TO FORM OF CONTRACT:** Except as modified by this Amendment No. 2 to Form of Contract, the Contract, and all Contract Documents, remain in full force and effect.

[INTENTIONALLY LEFT BLANK]

IN WITNESS THEREOF, the Parties hereto have caused this Contract to be executed by their duly authorized representatives as attested and witnessed and their corporate seals to be hereunto affixed as of the day and year date first above written.

OWNER:

CONSULTANT:

FULTON COUNTY, GEORGIA

**CHERRY STREET ASSET
MANAGEMENT HOLDINGS, LLC**

DocuSigned by:

Robert L. Pitts

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

Signed by:

Michael Chanin

Michael Chanin
CEO

ATTEST:

ATTEST:

DocuSigned by:

Tonya R. Grier

Tonya R. Grier
Clerk to the Commission

Secretary/
Assistant Secretary

(Affix County Seal)

(Affix Corporate Seal)

APPROVED AS TO FORM:

ATTEST:

DocuSigned by:

Patrick O'Connor

Office of the County Attorney

DocuSigned by:

Shirley Wilson

Notary Public

APPROVED AS TO CONTENT:

County: Fulton

Signed by:

Joseph Davis

Joseph N. Davis, Director
Department of Real Estate and Asset
Management

Commission Expires: December 15, 2026

(Affix Notary Seal) Signed by:



ITEM#: _____ RCS: _____	ITEM#: 24-0474 RM7/10/2024
RECESS MEETING	REGULAR MEETING

Certificate Of Completion

Envelope Id: 828B82AB584743F08CFC9C4F3EA120CB Status: Completed
Subject: Exhibit 1 Amendment No. 2 to Form of Contract- Cherry Street
Parcel ID:
Employee Name:
Source Envelope:
Document Pages: 3 Signatures: 6 Envelope Originator:
Certificate Pages: 6 Initials: 0 Jakeiah Johnson
AutoNav: Enabled Stamps: 1 141 Pryor Street
Envelopeld Stamping: Enabled Purchasing & Contract Compliance, Suite 1168
Time Zone: (UTC-05:00) Eastern Time (US & Atlanta, GA 30303
Canada) jakeiah.johnson@fultoncountyga.gov
IP Address: 99.91.121.21

Record Tracking

Status: Original Holder: Jakeiah Johnson Location: DocuSign
8/14/2024 10:35:15 AM jakeiah.johnson@fultoncountyga.gov
Security Appliance Status: Connected Pool: StateLocal
Storage Appliance Status: Connected Pool: Fulton County Government Location: DocuSign

Signer Events

Michael Chanin
michael@cherrystreetenergy.com
CEO
Cherry Street Energy
Security Level: Email, Account Authentication (None)

Signature

Signed by:
[Signature]
74299E9F5823451...
Signature Adoption: Drawn on Device
Using IP Address: 104.28.55.232
Signed using mobile

Timestamp

Sent: 8/14/2024 10:52:19 AM
Resent: 8/14/2024 10:53:12 AM
Resent: 8/16/2024 9:31:54 AM
Viewed: 8/16/2024 9:53:33 AM
Signed: 8/16/2024 9:53:59 AM

Electronic Record and Signature Disclosure:
Accepted: 8/16/2024 9:53:33 AM
ID: f6cdcb07-ab85-471c-b1af-aca56bfe011e

Olivia Wilson
olivia@cherrystreetenergy.com
Security Level: Email, Account Authentication (None)

DocuSigned by:
[Signature]
9DDE7851ECDE4B1...



Sent: 8/16/2024 9:54:00 AM
Viewed: 8/16/2024 10:49:29 AM
Signed: 8/16/2024 10:51:19 AM

Signature Adoption: Pre-selected Style
Using IP Address: 174.163.41.207

Electronic Record and Signature Disclosure:
Accepted: 7/31/2024 11:09:15 AM
ID: a1344fb3-5ab5-48e6-91c1-c71f5a218e55

Jakeiah Johnson
jakeiah.johnson@fultoncountyga.gov
APA
Security Level: Email, Account Authentication (None)

Completed

Using IP Address: 99.91.121.21
Signed using mobile

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Viewed: 8/16/2024 7:28:59 PM
Signed: 8/16/2024 7:29:35 PM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Signer Events	Signature	Timestamp
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Joseph Davis
 Joseph.Davis@fultoncountyga.gov
 Director
 Security Level: Email, Account Authentication (None)

Signed by:

 B20354A88008422...
 Signature Adoption: Pre-selected Style
 Using IP Address: 69.236.118.50
 Signed using mobile

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 Viewed: 8/16/2024 7:29:59 PM
 Signed: 8/16/2024 7:30:09 PM

Electronic Record and Signature Disclosure:
 Accepted: 8/16/2024 7:29:59 PM
 ID: c269b213-68bb-467a-b5af-8819e43b8e33

Patrick O'Connor
 patrick.oconnor@fultoncountyga.gov
 Security Level: Email, Account Authentication (None)

DocuSigned by:

 68048F0EDCEC451...
 Signature Adoption: Pre-selected Style
 Using IP Address: 74.174.59.10

Sent: 8/16/2024 7:30:12 PM
 Viewed: 8/20/2024 10:37:20 AM
 Signed: 8/20/2024 10:40:10 AM

Electronic Record and Signature Disclosure:
 Accepted: 8/20/2024 10:37:20 AM
 ID: 275829b0-7fe3-4437-a743-f360e4700a45

Nikki Peterson
 Nikki.Peterson@fultoncountyga.gov
 Chief Deputy Clerk to the Board of Commissioners
 Fulton County Government
 Security Level: Email, Account Authentication (None)

Completed
 Using IP Address: 68.208.197.4

Sent: 8/20/2024 10:40:13 AM
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 Signed: 8/20/2024 10:47:45 AM

Electronic Record and Signature Disclosure:
 Accepted: 11/27/2017 1:39:37 PM
 ID: b7ce88ee-0c66-4f3a-bfee-705e0af602d8

Robert L. Pitts
 Michael.OConnor@fultoncountyga.gov
 Security Level: Email, Account Authentication (None)

DocuSigned by:

 BA715B1A26544E7...
 Signature Adoption: Pre-selected Style
 Using IP Address: 68.208.197.4

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 Signed: 8/20/2024 10:51:14 AM

Electronic Record and Signature Disclosure:
 Not Offered via DocuSign

Tonya R. Grier
 Tonya.Grier@fultoncountyga.gov
 Clerk to the Commission
 Fulton County
 Security Level: Email, Account Authentication (None)

DocuSigned by:

 EEC476C4837648D...
 Signature Adoption: Pre-selected Style
 Using IP Address: 74.174.59.10

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 Signed: 8/20/2024 2:00:44 PM

Electronic Record and Signature Disclosure:
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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp
Carbon Copy Events		
Khandi Flowers khandi.flowers@fultoncountyga.gov Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 8/20/2024 2:00:46 PM Viewed: 8/20/2024 2:53:39 PM
Mark Hawks mark.hawks@fultoncountyga.gov Chief Assistant Purchasing Agent Purchasing and Contract Compliance Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 8/20/2024 2:00:48 PM
Dian DeVaughn Dian.DeVaughn@fultoncountyga.gov Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 8/20/2024 2:00:50 PM Viewed: 8/21/2024 10:54:06 AM
Witness Events		
Signature		
Timestamp		
Notary Events		
Signature		
Timestamp		
Envelope Summary Events		
	Status	Timestamps
Envelope Sent	Hashed/Encrypted	8/14/2024 10:52:19 AM
Envelope Updated	Security Checked	8/14/2024 10:53:12 AM
Envelope Updated	Security Checked	8/14/2024 10:53:12 AM
Envelope Updated	Security Checked	8/16/2024 9:31:53 AM
Certified Delivered	Security Checked	8/20/2024 2:00:30 PM
Signing Complete	Security Checked	8/20/2024 2:00:44 PM
Completed	Security Checked	8/20/2024 2:00:50 PM
Payment Events		
Status		
Timestamps		
Electronic Record and Signature Disclosure		

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Required hardware and software

Operating Systems:	Windows® 2000, Windows® XP, Windows Vista®; Mac OS® X
Browsers:	Final release versions of Internet Explorer® 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari™ 3.0 or above (Mac only)
PDF Reader:	Acrobat® or similar software may be required to view and print PDF files
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	Allow per session cookies

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