

## CONTRACT AMENDMENT 2

This Amendment (the "Amendment") is made this 11th day of May, 2022 by and between:

JOHNSON CONTROLS, INC. ("JCI")  
6 AERIAL WAY  
SYOSSET, NY 11791

and

THE BOARD OF EDUCATION OF THE  
SOUTH HUNTINGTON SCHOOL DISTRICT  
("Customer" or the "District")  
60 WESTON STREET  
HUNTINGTON STATION, NY 11746

### RECITALS

**WHEREAS**, JCI and Customer are parties to a Performance Contract, dated June 18<sup>th</sup>, 2020 (the "Original Agreement"); and Contract Amendment 1, dated November 5, 2021 ("Amendment 1", and together with the Original Agreement, the "Agreement");

**WHEREAS**, JCI and Customer desire to amend the terms of the Agreement as set forth below;

**NOW, THEREFORE**, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. The Agreement shall be amended in accordance with the following:
  - a. On Page 35 of the agreement, under "**ECM 10: Water Conservation**", remove the following:

**Water Bottle Re-filing Station**

**Memorial Junior High School**

Johnson Controls shall replace exiting wall mounted water fountain in café (Room 504) with new high efficient Water Bottle Refilling Station.

- b. On Page 45 of the Agreement, under **EXHIBIT 2: Measurement and Verification Methodologies**, and under "I" of the Amendment 1, remove **Table 2.2.1: Summary of M&V Options for Calculating Guarantee Year 1 Project Benefits** in its entirety and replace with following:

ECM #	Proposed Measures	Electricity Savings			M&V Option	Thermal Savings		M&V Option	Total Savings
		kW	kWh/yr	\$/yr		MMBtu/yr	\$/yr		
ECM 1	Lighting - Interior Retrofit	355	931,161	\$179,213	A	(2,068)	\$(17,889)	C	\$161,324
ECM 2	Lighting - Exterior Retrofit	0	66,752	\$9,768	A	0	\$0		\$9,768
ECM 3	Building Envelope - Weatherization	0	3,696	\$553	A	2,791	\$24,307	C	\$24,860
ECM 4	Window Film	0	43,414	\$6,446	A	7,597	\$65,756	C	\$72,202
ECM 5.1	Energy Management System - Temperature Setback	0	0	\$0		7,908	\$68,885	C	\$68,885
ECM 5.2	Energy Management System - Demand Controlled Ventilation	0	5,871	\$837	B	1,105	\$9,304	C	\$10,140
ECM 5.3	Energy Management System - Relief Hood / Gravity Damper Controls	0	2,080	\$308	B	402	\$3,503	C	\$3,811
ECM 6	Pumping System - VFD on HW Pumps	27	26,072	\$4,183	A	0	\$0		\$4,183
ECM 7	Heating System - Boiler Replacement	0	0	\$0		6,001	\$50,704	C	\$50,704
ECM 8	Heating System - Pipe and Valve Insulation	0	0	\$0		1,158	\$10,024	C	\$10,024
ECM 9	Refrigeration Compressor Controllers	0	12,640	\$1,848	A	0	\$0		\$1,848
ECM 10	Water Conservation	0	163	\$24	A	2,167	\$18,586	C	\$18,610
ECM 11	Refrigerator Equipment Upgrades	0	38,791	\$5,705	A	0	\$0		\$5,705
ECM 12	Renewable Energy- Photovoltaic Generation	0	1,453,322	\$215,385	B	0	\$0		\$215,385
ECM 13	Plug Load Controllers	0	234,272	\$34,803	A	0	\$0		\$34,803
ECM 14	Vending Machine Controllers	0	20,742	\$3,101	A	0	\$0		\$3,101
ECM 15	Heating System - DHW Replacement	0	0	\$0		281	\$2,343	C	\$2,343
ECM 16	AC Compressor Controllers	0	25,782	\$3,697	A	0	\$0		\$3,697
ECM 17	Unit Ventilator Upgrade	0	33,629	\$4,976	A	81	\$702	C	\$5,677
	<b>Totals</b>	<b>383</b>	<b>2,898,385</b>	<b>\$470,848</b>		<b>27,424</b>	<b>\$236,223</b>		<b>\$707,071</b>

- c. On the top of Page 46 of the Agreement, under EXHIBIT 2: Measurement and Verification Methodologies, and under "j" of Amendment 1, remove Table 2.2.2: Summary of M&V Options for Calculating Construction Period and Guarantee Years 2-18 Project Benefits in its entirety and replace with following:

ECM #	Proposed Measures	Electricity Savings			Thermal Savings		Total Savings	M&V Option
		kW	kWh/yr	\$/yr	MMBtu/yr	\$/yr		
ECM 1	Lighting - Interior Retrofit	355	931,161	\$179,213	(2,068)	\$(17,889)	\$161,324	A
ECM 2	Lighting - Exterior Retrofit	0	66,752	\$9,768	0	\$0	\$9,768	A
ECM 3	Building Envelope - Weatherization	0	3,696	\$553	2,791	\$24,307	\$24,860	A
ECM 4	Window Film	0	43,414	\$6,446	7,597	\$65,756	\$72,202	A
ECM 5.1	Energy Management System - Temperature Setback	0	0	\$0	7,908	\$68,885	\$68,885	B
ECM 5.2	Energy Management System - Demand Controlled Ventilation	0	5,871	\$837	1,105	\$9,304	\$10,140	B
ECM 5.3	Energy Management System - Relief Hood / Gravity Damper Controls	0	2,080	\$308	402	\$3,503	\$3,811	B
ECM 6	Pumping System - VFD on HW Pumps	27	26,072	\$4,183	0	\$0	\$4,183	A
ECM 7	Heating System - Boiler Replacement	0	0	\$0	6,001	\$50,704	\$50,704	A
ECM 8	Heating System - Pipe and Valve Insulation	0	0	\$0	1,158	\$10,024	\$10,024	A
ECM 9	Refrigeration Compressor Controllers	0	12,640	\$1,848	0	\$0	\$1,848	A
ECM 10	Water Conservation	0	163	\$24	2,167	\$18,586	\$18,610	A
ECM 11	Refrigerator Equipment Upgrades	0	38,791	\$5,705	0	\$0	\$5,705	A
ECM 12	Renewable Energy- Photovoltaic Generation	0	1,453,322	\$215,385	0	\$0	\$215,385	B
ECM 13	Plug Load Controllers	0	234,272	\$34,803	0	\$0	\$34,803	A
ECM 14	Vending Machine Controllers	0	20,742	\$3,101	0	\$0	\$3,101	A
ECM 15	Heating System - DHW Replacement	0	0	\$0	281	\$2,343	\$2,343	A
ECM 16	AC Compressor Controllers	0	25,782	\$3,697	0	\$0	\$3,697	A
ECM 17	Unit Ventilator Upgrade	0	33,629	\$4,976	81	\$702	\$5,677	A
	<b>Totals</b>	<b>383</b>	<b>2,898,385</b>	<b>\$470,848</b>	<b>27,424</b>	<b>\$236,223</b>	<b>\$707,071</b>	

- d. On the top of Page 74 of the Agreement, under EXHIBIT 3: Measured Project Benefits, and under “n” of the Amendment 1, remove Table 2.3.1 Measured Project Benefits Summary in its entirety and replace with following:

ECM #	Proposed Measures	Electricity Savings			Thermal Savings		Total Savings
		kW	kWh/yr	\$/yr	MMBtu/yr	\$/yr	\$/yr
ECM 1	Lighting - Interior Retrofit	355	931,161	\$179,213	(2,068)	\$(17,889)	\$161,324
ECM 2	Lighting - Exterior Retrofit	0	66,752	\$9,768	0	\$0	\$9,768
ECM 3	Building Envelope - Weatherization	0	3,696	\$553	2,791	\$24,307	\$24,860
ECM 4	Window Film	0	43,414	\$6,446	7,597	\$65,756	\$72,202
ECM 5.1	Energy Management System - Temperature Setback	0	0	\$0	7,908	\$68,885	\$68,885
ECM 5.2	Energy Management System - Demand Controlled Ventilation	0	5,871	\$837	1,105	\$9,304	\$10,140
ECM 5.3	Energy Management System - Relief Hood / Gravity Damper Controls	0	2,080	\$308	402	\$3,503	\$3,811
ECM 6	Pumping System - VFD on HW Pumps	27	26,072	\$4,183	0	\$0	\$4,183
ECM 7	Heating System - Boiler Replacement	0	0	\$0	6,001	\$50,704	\$50,704
ECM 8	Heating System - Pipe and Valve Insulation	0	0	\$0	1,158	\$10,024	\$10,024
ECM 9	Refrigeration Compressor Controllers	0	12,640	\$1,848	0	\$0	\$1,848
ECM 10	Water Conservation	0	163	\$24	2,167	\$18,586	\$18,610
ECM 11	Refrigerator Equipment Upgrades	0	38,791	\$5,705	0	\$0	\$5,705
ECM 12	Renewable Energy- Photovoltaic Generation	0	1,453,322	\$215,385	0	\$0	\$215,385
ECM 13	Plug Load Controllers	0	234,272	\$34,803	0	\$0	\$34,803
ECM 14	Vending Machine Controllers	0	20,742	\$3,101	0	\$0	\$3,101
ECM 15	Heating System - DHW Replacement	0	0	\$0	281	\$2,343	\$2,343
ECM 16	AC Compressor Controllers	0	25,782	\$3,697	0	\$0	\$3,697
ECM 17	Unit Ventilator Upgrade	0	33,629	\$4,976	81	\$702	\$5,677
	<b>Totals</b>	<b>383</b>	<b>2,898,385</b>	<b>\$470,848</b>	<b>27,424</b>	<b>\$236,223</b>	<b>\$707,071</b>

- e. On the top of Page 75 of the Agreement, under EXHIBIT 3: Measured Project Benefits, and under “e” of the Amendment 1, remove Table 2.3.2: Detailed breakdown required by 8 N.Y.C.R.R. §155.20(d)(4) in its entirety and replace with following:

ECM #	Proposed Measure	Energy Savings	Costs	Payback
ECM 1	Lighting - Interior Retrofit	\$161,324	\$1,903,646	11.8
ECM 2	Lighting - Exterior Retrofit	\$9,768	\$245,524	25.1
ECM 3	Building Envelope - Weatherization	\$24,860	\$332,284	13.4
ECM 4	Window Film	\$72,202	\$630,431	8.7
ECM 5.1	Energy Management System - Temperature Setback	\$68,885	\$1,221,207	17.7
ECM 5.2	Energy Management System - Demand Controlled Ventilation	\$10,140	\$4,492	0.4
ECM 5.3	Energy Management System - Relief Hood / Gravity Damper Control	\$3,811	\$36,254	9.5
ECM 6	Pumping System - VFD on HW Pumps	\$4,183	\$38,705	9.3
ECM 7	Heating System - Boiler Replacement	\$50,704	\$5,542,817	109.3
ECM 8	Heating System - Pipe and Valve Insulation	\$10,024	\$120,751	12.0
ECM 9	Refrigeration Compressor Controllers	\$1,848	\$14,576	7.9
ECM 10	Water Conservation	\$18,610	\$126,299	6.8
ECM 11	Refrigerator Equipment Upgrades	\$5,705	\$115,001	20.2
ECM 12	Renewable Energy- Photovoltaic Generation	\$215,385	\$3,873,860	18.0
ECM 13	Plug Load Controllers	\$34,803	\$101,800	2.9
ECM 14	Vending Machine Controllers	\$3,101	\$8,915	2.9
ECM 15	Heating System - DHW Replacement	\$2,343	\$130,186	55.6
ECM 16	AC Compressor Controllers	\$3,697	\$8,455	2.3
ECM 17	Unit Ventilator Upgrade	\$5,677	\$1,121,302	197.5

  

Annual Energy Savings	\$707,071
Annual O&M Savings	\$180,874
Arch./Engineering Fees	\$467,295
Total Project Cost	\$16,043,799
Rebates	\$174,750
Simple Payback (Yrs)	17.87

2. Nothing contained herein shall be deemed a waiver of any of the terms, provisions or conditions of the Agreement.

3. Except as expressly provided in this Amendment, all other terms, conditions and provisions of the Agreement shall continue in full force and effect as provided therein.

4. In executing this Amendment, the parties acknowledge that they have the authority to enter into this Amendment, and that all necessary action has been taken to cause this Amendment to become legal, valid and binding.

5. This Agreement may be executed in any number of counterparts, all of which when taken together shall constitute one single agreement between the parties.

IN WITNESS WHEREOF, JCI and Customer have entered this Amendment, effective as of the date first set forth above.

**BOARD OF EDUCATION OF THE  
SOUTH HUNTINGTON SCHOOL DISTRICT**

**JOHNSON CONTROLS, INC.**

Signature: 

Signature: 

Printed Name: Nicholas R. Ciappetta, J.D.  
President, Board of Education

Printed Name: ROBERT J. STEELE

Title: President BOC

Title: AREA GENERAL MANAGER

Date: 6/16/22

Date: 6/24/22