



AGREEMENT CHANGE ORDER

CHANGE NO. 8

BETWEEN

NATIONAL GRID USA

AND

D&D POWER, INC

FOR

Electric Distribution Work

Unit Price Contract

PURCHASE ORDER NO. 3200302673

December 1, 2017



AGREEMENT CHANGE ORDER NO. 8

THIS AGREEMENT CHANGE NO. 8 made and entered into effective this 1st day of December in the year 2017 by and between National Grid USA (the Company), a Massachusetts corporation, with offices at 40 Sylvan Road, Waltham, MA, 02451; and D&D Power, Inc. (the Contractor), having its office and principal place of business at 16 Hemlock Street, Latham, NY 12110.

WITNESSETH:

WHEREAS, the parties agree to amend the terms and conditions of the Agreement (or "Contract" and associated Purchase Order) previously entered into by the parties on September 15, 2014 and,

WHEREAS, the Contractor has provided Owner with services upon request in accordance with the Purchase Order and Owner has elected to accept conditions for those services effective as of the date of this Purchase Order Change No. 8.

NOW, THEREFORE, in consideration of the terms and conditions previously agreed to and additional considerations incorporated herein, the parties agree that the Purchase Order shall be amended as follows:

1. ARTICLE 3 – TERM AND SCHEDULE

1.1 This Change No. 8 modifies original Agreement Paragraph 3.1 by extending the term two (2) years through March 31, 2020.

2. CHANGE ORDER PROVISIONS:

2.1 In the event any article, phrase, provision, portion or part of the Agreement or Change Order is deemed invalid, against public policy, void or otherwise unenforceable by a court of competent jurisdiction, the parties shall negotiate in good faith an equitable adjustment in the affected provision of the Agreement; however, the validity and enforceability of the remaining parts thereof and any other part or provision of the Agreement shall be otherwise fully enforceable.

2.2 In the absence of Contractor's written acknowledgement of this Agreement Change Order № 8, performance of any part of the work shall be deemed to constitute Contractor's unqualified acceptance of all provisions of this Agreement Change Order № 8.

2.3 Contractor's signed acknowledgement of this Agreement Change Order № 8, in addition to other things, shall operate as a release to Owner of any and all claims

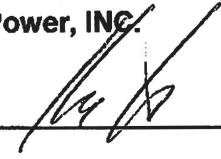
(except those previously tendered and not adjudicated) and of all liability to the Contractor for any and all things done or furnished in connection with the work through and including the date of such acknowledgement.

- 2.4 Owner reserves the right to cancel this contract at any time and for any reason upon a 30 day written notification.
- 2.5 All other terms and conditions of the original agreement and all amendments thereto remain unchanged.

D&D Power, INC.

National Grid USA

Signature _____



Signature _____



Name Ken Loynes

Name _____



Title President & COO

Title _____



Date December 5, 2017

Date _____

