



The following documentation is an electronically-submitted vendor response to an advertised solicitation from the *West Virginia Purchasing Bulletin* within the Vendor Self-Service portal at wvOASIS.gov. As part of the State of West Virginia's procurement process, and to maintain the transparency of the bid-opening process, this documentation submitted online is publicly posted by the West Virginia Purchasing Division at WVPurchasing.gov with any other vendor responses to this solicitation submitted to the Purchasing Division in hard copy format.

Header 5

List View

- General Information**
- Contact
- Default Values
- Discount
- Document Information
- Clarification Request

Procurement Folder: 1047522

Procurement Type: Central Purchase Order

Vendor ID: VS0000018934

Legal Name: SOLARMAX LED INC

Alias/DBA:

Total Bid: \$30,594.00

Response Date: 06/16/2022

Response Time: 11:54

Responded By User ID: solarmax

First Name: Jackson

Last Name: Yu

Email: jyu@solarmaxtech.com

Phone: 9513000788

SO Doc Code: CRFQ

SO Dept: 0803

SO Doc ID: DOT2200000176

Published Date: 6/3/22

Close Date: 6/16/22

Close Time: 13:30

Status: Closed

Solicitation Description: Flood Lights and Mounts 1022B180

Total of Header Attachments: 5

Total of All Attachments: 5



Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

**State of West Virginia
 Solicitation Response**

Proc Folder: 1047522
Solicitation Description: Flood Lights and Mounts 1022B180
Proc Type: Central Purchase Order

Solicitation Closes	Solicitation Response	Version
2022-06-16 13:30	SR 0803 ESR06162200000007874	1

VENDOR
 VS0000018934
 SOLARMAX LED INC

Solicitation Number: CRFQ 0803 DOT2200000176
Total Bid: 30594
Response Date: 2022-06-16
Response Time: 11:54:42
Comments:

FOR INFORMATION CONTACT THE BUYER
 John W Estep
 304-558-2566
 john.w.estep@wv.gov

Vendor Signature X **FEIN#** **DATE**

All offers subject to all terms and conditions contained in this solicitation

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	Large Square Double LED Flood Lights	60.00000	EA	199.950000	11997.00

Comm Code	Manufacturer	Specification	Model #
39111611			

Commodity Line Comments: Lead Time is 60-90 days ARO.
 Model: 300WoT-NVS-S5-00-5070-T402-C-BZ
 Please refer to Cover Letter and supporting docs attached.

Extended Description:
 Large Square Double LED Flood Lights

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
2	Hardware Mounting Kit	60.00000	EA	0.000000	0.00

Comm Code	Manufacturer	Specification	Model #
31162300			

Commodity Line Comments: Lead Time is 60-90 days ARO.
 Hardware Mounting Kit included.

Extended Description:
 Hardware Mounting Kit for Large Square Double LED Flood Lights

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
3	Large Square Single LED Flood Lights	60.00000	EA	309.950000	18597.00

Comm Code	Manufacturer	Specification	Model #
39111611			

Commodity Line Comments: Lead Time is 60-90 days ARO.
 Model: 145WoT-NVS-S5-00-5070-T402-C-BZ
 Please refer to Cover Letter and supporting docs attached.

Extended Description:
 Large Square Single LED Flood Lights

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
4	Hardware Mounting Kit	60.00000	EA	0.000000	0.00

Comm Code	Manufacturer	Specification	Model #
31162300			

Commodity Line Comments: Lead Time is 60-90 days ARO.
 Hardware Mounting Kit included.

Extended Description:
 Hardware Mounting Kit for Large Square Single Flood LED Lights



LARGE SQUARE DOUBLE AND SINGLE FLOOD LIGHTS
CHARLESTON, WV

Charleston, WV

Department of Administration
Purchasing Division
2019 Washington Street East
Charleston, WV 25305-0130

Attn: John Estep
John.w.estep@wv.gov

Date: June 15th, 2022

Re: Project DOT2200000176 Large Square Double and Single Flood Lights

Dear Mr. Estep,

SolarMax LED Inc. is submitting the following intent to bid for the City of Charleston **Project DOT2200000176 Large Square Double and Single Flood Lights** with a bid opening of Thursday June 16th, 2021 at 1:30 EST. We are submitting OT series flood light models for Line Items 1-4 in the bid schedule.

Our proposed models below comply with the Specifications Section 3.0 – General Requirements, with a comparison in this table.

Specifications	3.1.1 Large Square Double LED Flood	Specifications	3.1.3 Large Square Single LED Flood
Proposed Model:	300WoT-NVS-S5-00-5070-T402-C-BZ	Proposed Model:	145WoT-NVS-S5-00-5070-T402-C-BZ
UL, DLC Certification	Complies – UL, DLC Listing	UL, DLC Certification	Complies – UL, DLC Listing
At least 300W	300W	At least 150W	145W* (Note, lumen output provides higher efficacy and energy savings with lower wattage)
40,500 - 50,000 Lms	48,053 Lms	20,000 – 26,000 Lms	23,992 Lms
120-277VAC	120-277VAC	120-277VAC	120-277VAC
-40°F to 104°F	-40°F to +122°F	-40°F to 104°F	-40°F to +122°F
5 year warranty	5 year warranty	5 year warranty	5 year warranty
At least 5000K CCT	5000K CCT	At least 5000K CCT	5000K CCT

In addition, we are providing the following support documents with our bid:

- SolarMax LED OT Area Light Spec Sheet
- SolarMax LED OT Area Light Brochure
- 5 year warranty statement

We look forward to the bid opening. Thank you.

Sincerely,

Jackson Yu
Project Management Director



Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

State of West Virginia
 Centralized Request for Quote
 Highways

Proc Folder: 1047522			Reason for Modification:
Doc Description: Flood Lights and Mounts 1022B180			
Proc Type: Central Purchase Order			
Date Issued	Solicitation Closes	Solicitation No	Version
2022-06-03	2022-06-16 13:30	CRFQ 0803 DOT2200000176	1

BID RECEIVING LOCATION

BID CLERK
 DEPARTMENT OF ADMINISTRATION
 PURCHASING DIVISION
 2019 WASHINGTON ST E
 CHARLESTON WV 25305
 US

VENDOR

Vendor Customer Code:
Vendor Name : SolarMax LED Inc.
Address : 3080
Street : 12th St
City : Riverside
State : CA **Country :** USA **Zip :** 92507
Principal Contact : Jackson Yu
Vendor Contact Phone: (951)300-0788 **Extension:** 5405

FOR INFORMATION CONTACT THE BUYER
 John W Estep
 304-558-2566
 john.w.estep@wv.gov

Vendor Signature X  **FEIN# 46-3186529** **DATE 6/14/2022**

All offers subject to all terms and conditions contained in this solicitation

ADDITIONAL INFORMATION**REQUEST FOR QUOTATION:**

The West Virginia Purchasing Division is soliciting bids on behalf of West Virginia Division of Highways to establish a contract for the one-time purchase of double and single flood lights with hardware necessary for installation. Per the Bid Requirements, Specifications, Terms and Conditions attached to this solicitation.

INVOICE TO		SHIP TO	
DIVISION OF HIGHWAYS DISTRICT TEN 270 HARDWOOD LN PRINCETON WV US		DIVISION OF HIGHWAYS *(please see note below) DISTRICT TEN 270 HARDWOOD LN PRINCETON WV US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Large Square Double LED Flood Lights	60.00000	EA	\$199.95	\$11,997.00

Comm Code	Manufacturer	Specification	Model #
39111611	SolarMax LED Inc.	300W, 110-277VAC, CCT5000K CRI70, 48,053Lm, Type IV	300WoT-NVS-S5-00-5070-T402-C-BZ

Extended Description:

Large Square Double LED Flood Lights

INVOICE TO		SHIP TO	
DIVISION OF HIGHWAYS DISTRICT TEN 270 HARDWOOD LN PRINCETON WV US		DIVISION OF HIGHWAYS DISTRICT TEN 270 HARDWOOD LN PRINCETON WV US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
2	Hardware Mounting Kit	60.00000	EA	Mounting Kit Included in Line 1 Price	

Comm Code	Manufacturer	Specification	Model #
31162300	SolarMax LED Inc.	Yoke Mount	Mounting Kit Included in Line 1 Price Catalog Code 'C'

Extended Description:

Hardware Mounting Kit for Large Square Double LED Flood Lights

*Estimated lead time 60-90 days ARO

INVOICE TO		SHIP TO	
DIVISION OF HIGHWAYS DISTRICT TEN 270 HARDWOOD LN PRINCETON WV US		DIVISION OF HIGHWAYS <i>*(please see note below)</i> DISTRICT TEN 270 HARDWOOD LN PRINCETON WV US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
3	Large Square Single LED Flood Lights	60.00000	EA	\$309.95	\$18,597.00

Comm Code	Manufacturer	Specification	Model #
39111611	SolarMax LED Inc.	145W, 110-277VAC, CCT5000K CRI70, 23992Lm, Type IV	145WoT-NVS-S5-00-5070-T402-C-BZ

Extended Description:
Large Square Single LED Flood Lights

INVOICE TO		SHIP TO	
DIVISION OF HIGHWAYS DISTRICT TEN 270 HARDWOOD LN PRINCETON WV US		DIVISION OF HIGHWAYS DISTRICT TEN 270 HARDWOOD LN PRINCETON WV US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
4	Hardware Mounting Kit	60.00000	EA	Mounting Kit Included in Line 3 Price	

Comm Code	Manufacturer	Specification	Model #
31162300	SolarMax LED Inc.	Yoke Mount	Mounting Kit Included in Line 3 Price Catalog Code 'C'

Extended Description:
Hardware Mounting Kit for Large Square Single Flood LED Lights **Estimated lead time 60-90 days ARO*

SCHEDULE OF EVENTS

Line	Event	Event Date
1	Tech Questions due by 10:00am	2022-06-09

	Document Phase	Document Description	Page
DOT2200000176	Final	Flood Lights and Mounts 1022B180	4

ADDITIONAL TERMS AND CONDITIONS

See attached document(s) for additional Terms and Conditions



LED AREA LIGHT

OT SERIES



www.solarmaxled.com
led@solarmaxtech.com
T: 951-300-0788 ■ F: 909-595-7388
3080 12th St., Riverside, CA 92507

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Spec Sheet is subject to change without notice.
Rev. date: 2022-06-14

Project Name:

Project Number:

Note:

Date:

OT SERIES LED AREA LIGHTING

75W_{oT} - 420W_{oT}

250W - 1500W HPS EQUIVALENT

Project Name:

Date:

Project Number:

Note:

Features

APPLICATION

Parking lots, Pathways, Walkways,
Parks, Sports courts, Airports

OPTICS

CCT 3000K, 4000K, 5000K
Efficiency up to 170lm/W

DRIVER

Standard 0-10V dimmable driver

HOUSING

Die-cast aluminium alloy
IP 65 rating

OPERATIONAL TEMPERATURE

Ambient temperature range: -40°F to +122°F

MOUNTING

Easy and secure mounting to poles and walls
Withstand up to 3G vibration per ANSI C136.31

ELECTRICAL

Power Factor > 90%
THD < 20%
LED lifetime up to L85/100,000 hours at 25°C ambient
Additional surge protection devices are available
Per ANSI/IEEE C62.41.2

CONTROL

Photocell: through 3- & 7-pin receptacle

Dimming Photocell: on/off based on daylight
3 dimming levels (30%, 50%, 70%) with 3 start times (10pm, 12am, 2am) are settable through 10-position selector switch

Motion sensor: multi-level dimming based on motion and/or daylight contribution
Detection height up to 40'; programmer order separately

Wireless Control System: on/off switching, dimming, power metering, light scheduling, status monitoring

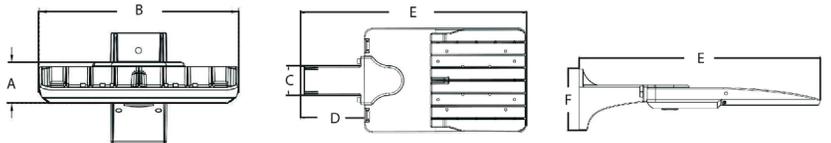
WARRANTY

Standard 5-year warranty
Optional 10-year warranty

CERTIFICATIONS/LISTINGS



Product Dimensions



	75W - 145W	180W - 230W	300W - 420W
A	2.2"	2.2"	3"
B	10.6"	13.7"	14"
C	3"	3"	3"
D	6.5"	6.5"	6.5"
E	23"	26.7"	30"
F	5.9"	5.9"	5.9"
Packaging	23" * 11" * 2.2"	26.7" * 15" * 2.2"	30" * 14" * 3"
Net Weight	11 lbs	12 lbs	23 lbs
EPA	1.45 ft ²	2.31 ft ²	2.6 ft ²

OT SERIES LED AREA LIGHTING

Project Name:

75WoT - 420WoT 250W - 1500W HPS EQUIVALENT

Date:

Project Number:

Note:

Ordering Information

EXAMPLE: 75WoT-NVS-S5-00-4070-T302-A-BZ-10



A	B	C	D	E
Watts	Voltage	LED Chips	Control	CCT and CRI
75 WoT 115 WoT 145 WoT 180 WoT 200 WoT 230 WoT 300 WoT 420 WoT	NVS 100-277V HVS 347-480V	L3 S5	00 Without Sensor PH Photocell PH4 Dimming Photocell SN Motion Sensor Integrated sensor only for 120-277V External sensor for 340-480V WC Wireless Control System	3070 3000K 70 CRI 4070 4000K 70 CRI 5070 5000K 70 CRI 3080 3000K 80 CRI 4080 4000K 80 CRI 5080 5000K 80 CRI

F	G	H	I
Distribution	Mounting	Finish	Option
T302 Type III T402 Type IV T502 Type V	A Slipfitter B Adjustable Pole Mount C Yoke Mount D Slide & Lock Square/Round Pole Mount G Trunnion Mount	BZ Bronze BK Black WH White SG Silver Grey	10 10-year warranty SPD10 SPD 10KV SPD20 SPD 20KV P3 NEMA 3-pin Receptacle P7 NEMA 7-pin Receptacle FA Field Adjustment HSS House Side Shield BS Bird Spike

Technical Specifications

	Model	Watts	Equivalence	Lumen Output								
				3000K			4000K			5000K		
				T302	T402	T502	T302	T402	T502	T302	T402	T502
SIZE 1	75WoT, L3 75WoT, S5	75W	250W HPS	10,119 12,049	9,871 11,995	10,655 12,385	10,442 12,434	10,186 12,378	10,655 12,780	10,765 12,819	10,501 12,761	10,984 13,176
	115WoT, L3 115WoT, S5	115W	320W HPS	14,162 18,325	14,587 18,321	14,644 18,634	14,614 18,910	15,053 18,906	15,112 19,229	15,066 19,495	15,518 19,491	15,579 19,824
	145WoT, L3 145WoT, S5	145W	400W HPS	15,395 22,537	17,297 22,552	17,536 23,067	15,887 23,257	17,849 23,272	18,096 23,804	16,378 23,976	18,401 23,992	18,656 24,540
SIZE 2	180WoT, L3 180WoT, S5	180W	400W HPS	24,109 29,319	23,929 29,860	24,199 30,216	24,879 30,255	24,692 30,813	24,972 31,181	25,648 31,191	25,456 31,766	25,744 32,145
	200WoT, L3 200WoT, S5	200W	600W HPS	26,374 32,523	26,254 32,969	26,241 33,532	27,216 33,561	27,092 34,021	27,079 34,602	28,058 34,599	27,930 35,074	27,916 35,672
	230WoT, L3 230WoT, S5	230W	750W HPS	29,255 36,815	29,253 36,834	28,662 37,195	30,189 37,990	30,187 38,009	29,577 38,282	31,123 39,165	31,121 39,185	30,492 39,569
SIZE 3	300WoT, L3 300WoT, S5	300W	1000W HPS	35,595 47,157	36,807 45,170	36,616 48,021	36,731 48,661	37,982 46,611	37,784 49,554	37,868 50,167	39,157 48,053	38,953 51,087
	420WoT, S5	420W	1500W HPS	61,663	59,410	63,267	63,631	61,307	62,286	65,599	63,203	67,305

OT SERIES LED AREA LIGHTING

75W_{oT} - 420W_{oT}

250W - 1500W HPS EQUIVALENT

Project Name:

Date:

Project Number:

Note:

Mounting

TYPE A
Slipfitter



TYPE B
Adjustable Pole Mount



TYPE C
U Shape Bracket



TYPE D
Slide & Lock Mount
for Square/Round Poles

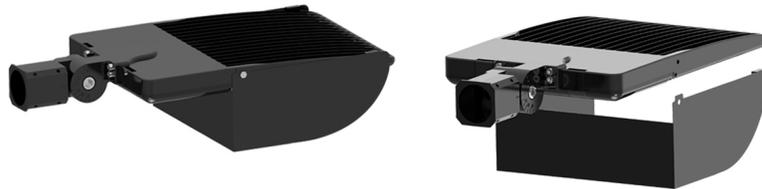


TYPE G
Trunnion Mount



Accessory

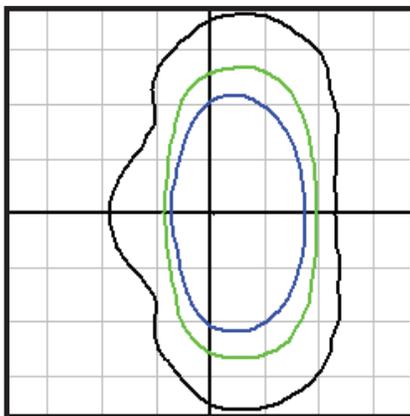
HOUSE SIDE SHIELD



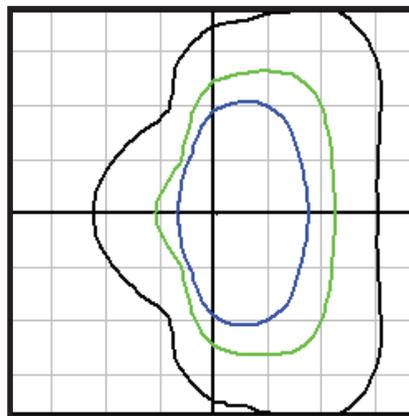
Photometrics

The plot is in units of mounting height of 20'.

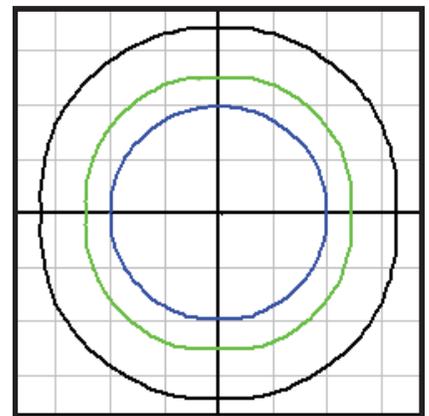
Black 0.1 fc Green 0.5 fc Blue 1 fc



TYPE III



TYPE IV



TYPE V



www.solarmaxled.com
led@solarmaxtech.com
T: 951-300-0788 ■ F: 909-595-7388
3080 12th St., Riverside, CA 92507

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Rev. date: 2022-06-14

OT SERIES LED AREA LIGHTING

75WoT - 420WoT

250W - 1500W HPS EQUIVALENT

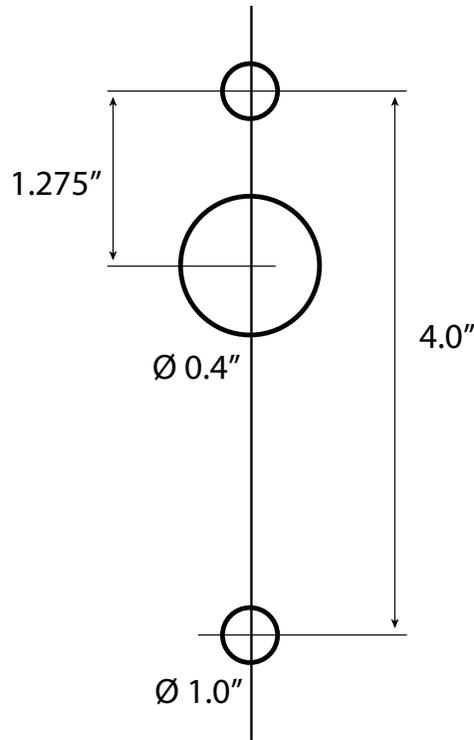
Project Name:

Date:

Project Number:

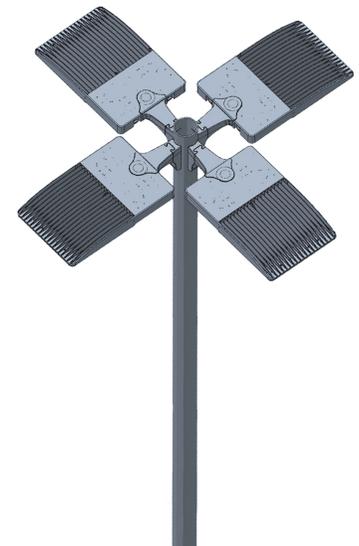
Note:

Pole Mount Drilling Pattern



Pole Dimensions

Fixture Configuration	Acceptable Outside Pole Dimension					
	Single	2 @ 180°	2 @ 90°	3 @ 90°	3 @ 120°	4 @ 90°
Type D Square Pole Mount	4-6" OD	4-6" OD	4-6" OD	4-6" OD	N/A	4-6" OD
Type D Round Pole Mount	4-6" OD	4-6" OD	4-6" OD	4-6" OD	4-6" OD	4-6" OD



Type D Square Mount 4 @ 90°



**Solar
MAX**
LED Lighting

50W-145W LED
Replace 100W-400W HPS



180W-230W LED
Replace 400W-750W HPS



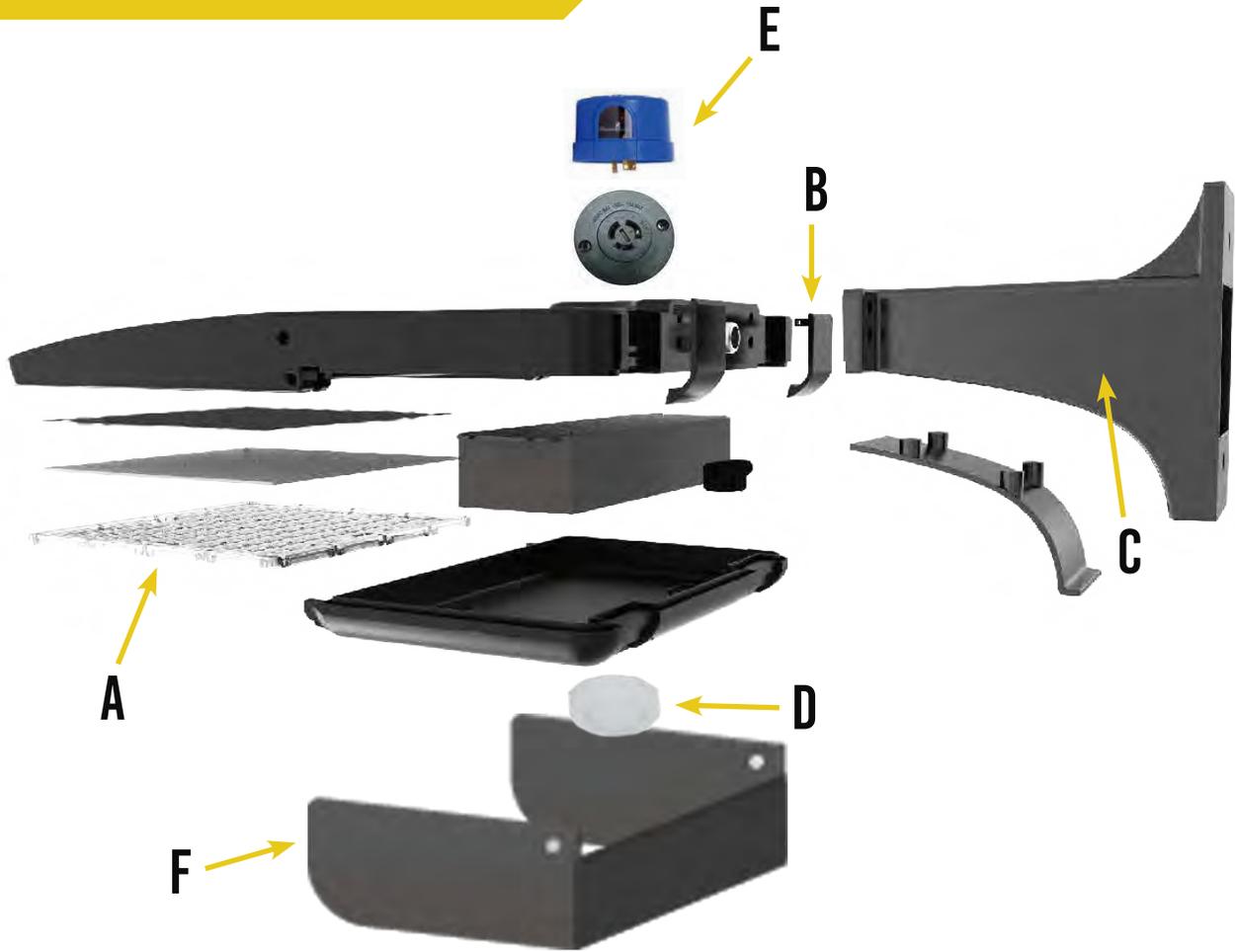
300W-420W LED
Replace 1000W-1500W HPS



SOLARMAX LED OT SERIES AREA LIGHT

PARKING LOTS - WALKWAYS - SPORTS COURTS - BUILDINGS - ROOFTOPS

FEATURES



- A High Efficacy**
Up to 170 lm/W
- B Toolless Entry**
Easy for installation and maintenance
- C Mounting Brackets**
Easy for installation and maintenance
- D Energy Saving Upgrade**
Optional motion sensors
- E Control**
Optional receptacles with photocell
- F Glare Control**
Optional House Side Shield



Slip Fitter Mount

Adjustable Pole Mount

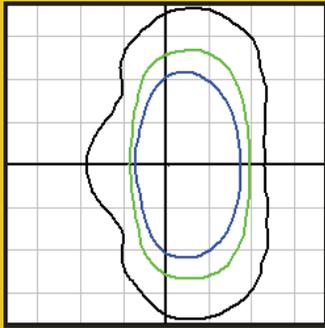
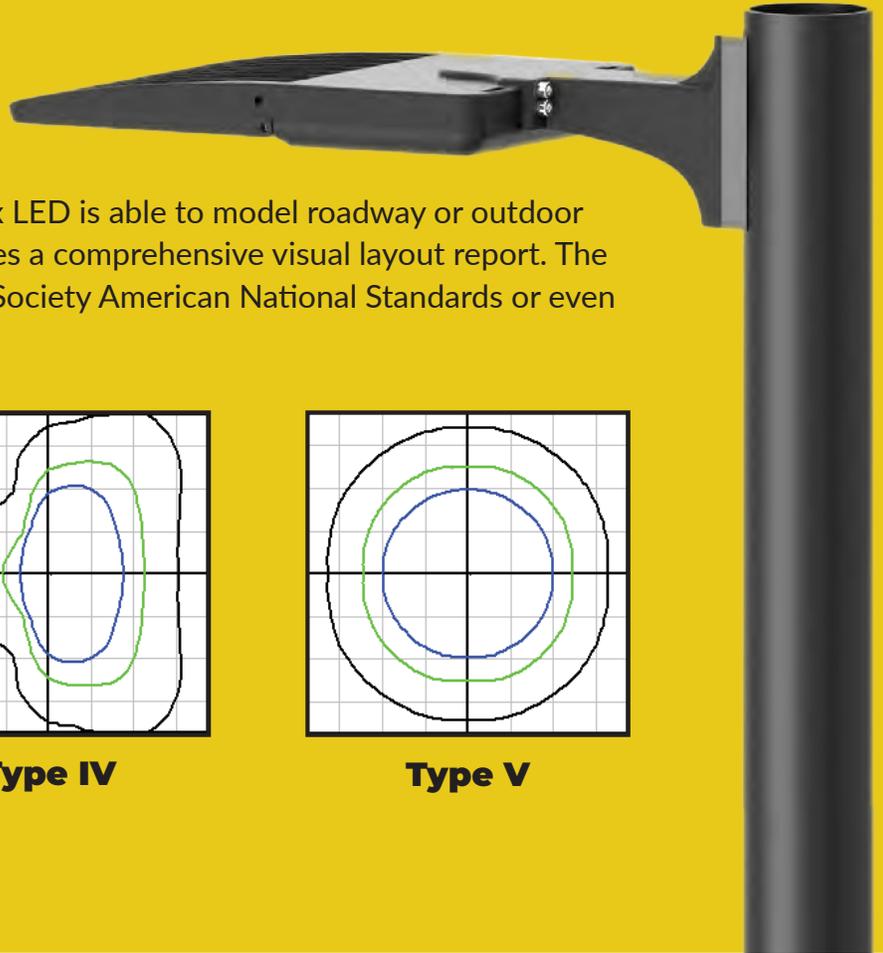
U-Shape Mount

Slide & Lock for Square/Round Pole

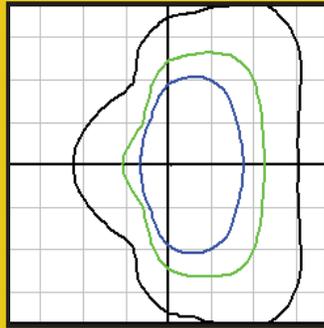
Trunnion Mount

PHOTOMETRIC DESIGNS

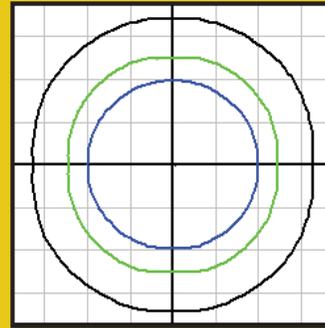
Based on your design criteria, SolarMax LED is able to model roadway or outdoor layout, calculate light levels and provides a comprehensive visual layout report. The design meets illuminating Engineering Society American National Standards or even more specific requirements.



Type III



Type IV



Type V

Black 0.1 fc Green 0.5 fc Blue 1.0 fc

APPLICATIONS

The OT Series Area Light is designed to be adapt to different industries needs and standards. With low (50W, 115W) to high (300W, 420W) wattage ranges, our luminaire has diversives uses from parking lots to tennis courts to seaports.



Walkways & Parking Lots



Outdoor Sports Courts



Building Walls & Rooftops



PROJECT REFERENCES



ONTARIO INTERNATIONAL AIRPORT

📍 Ontario, CA

📅 Completed June 2018

SolarMax LED converted 600+ exterior pole lights to LED area luminaires in 4 parking lots. The area lights contained embedded PIR occupancy dimming sensors. These reduced energy consumption by additional 50% when the lot is vacant and immediately resume to full brightness when motion is detected.



CITY OF INDUSTRY

📍 Industry, CA

📅 Completed Oct. 2020

The existing 400W HPS area lighting in 3 parking lots, were replaced with 200W LED area lights. The city saw 50+% increase in energy savings and virtually no maintenance. Even though the poles are around the parking area, the forward and wide-spread lens enables illumination spreading over the whole parking lot, achieving outstanding uniformity.



CITY OF CARSON

📍 Carson, CA

📅 Completed May 2018

Included 3 buildings and 9 parks that cover over 80% of the city's exterior lighting. SolarMax was required to survey, design, comply with both IES and CA-Title 24 regulation, fabricate and deliver over 1,000 units of the special CCT 4,000K LED luminaires to meet SCE lighting incentive program deadline.

Other Area Light Clients

- ▶ City of Lake Worth Beach, FL
- ▶ City of Redlands, CA
- ▶ City of Thousand Oaks, CA
- ▶ Santa Clarita Metrolink Station, CA
- ▶ San Jacinto College, CA





ABOUT

SolarMax LED, specialized in lighting and signage, is an innovative subsidiary of SolarMax Technology, a worldwide leader in energy services. We combine technical expertise with industry experience to deliver energy efficient products and solutions. SolarMax LED has become the trusted partner for many public, industrial and commercial entities in North America.

CLIENTS



GIVING BACK TO THE COMMUNITY

As a green company, SolarMax not only makes efforts to minimize energy consumption by converting buildings to solar energy and LED lighting, but also contributes to the community by supporting high schools, universities, hospitals and nonprofit organizations.

CHARITY - In the past four years, SolarMax has provided gifts and food to the local Women’s Homeless Shelter around Christmas time. SolarMax has donated 7,000 shoes for families in need through Riverside School District.

SUSTAINABILITY - As an active advocate for sustainability, SolarMax took initiatives to equip our facility with solar panels, LED lighting and EV charging stations in reducing the environmental impact of electricity use.

SCHOLARSHIPS - SolarMax has held career technical education program in high school and offers scholarships to students who wish to further their education. The program helps educate about our responsibility to reduce our environmental impact.





WHY SOLARMAX LED?



HIGH QUALITY PRODUCTS



PROJECT MANAGEMENT EXPERIENCE



INDUSTRY EXPERTISE



TECHNICAL PROFESSIONALS



RESPONSIVE CUSTOMER SERVICE



STATEMENT OF LIMITED WARRANTY
FOR SOLARMAX LED, INC.
STANDARD LED LIGHTING PRODUCTS
FOR SHIPMENTS WITHIN THE UNITED STATES AND CANADA
01/01/2018

Subject to the exclusions set forth below, SolarMax LED, Inc. ("SolarMax") warrants its Standard LED Lighting Products, including the LED arrays and the LED drivers and integral control devices ("Products(s)"), to be free from defect in material and workmanship (the "General Warranty") for a period of five (5) years from the date of shipment from SolarMax's facilities. The LED arrays in the Product(s) will be considered defective in material or workmanship only if a total of 15% or more of the individual light emitting diodes in the Product(s) fail to illuminate. The painted finish of the Product(s) will be considered defective in material or workmanship only if there is substantial deterioration, in the form of blistering, cracking, or peeling. The painted finish is not warranted against fading or chalking, as Product(s) may naturally fade or chalk over time due to normal aging. Poles and brackets are excluded from the General Warranty. This Statement of Limited Warranty ("Warranty") applies only when the Product(s) are installed in applications in which ambient temperatures are within the range of specified operating temperatures and are operated within the electrical values shown on the LED driver Label. SolarMax will not be responsible under this Warranty for any failure of the Product(s) that results from external causes such as: acts of nature; physical damage; exposure to adverse or hazardous chemical or other substances; use of reactive cleaning agents and/or harsh chemicals to clean the Product(s); environmental conditions; vandalism; fire; power failure, improper power supply, power surges or dips, and/or excessive switching; induced vibration; animal or insect activity; fault or negligence of purchaser, any end user of the Product(s) and/or any third party not engaged by SolarMax; improper or unauthorized use, installation, handling, storage, alteration, maintenance or service, including failure to abide by any product classifications or certifications, or failure to comply with any applicable standards, codes, recommendations, product specification sheets, or instructions of SolarMax; use of the Product(s) with products, processes or materials supplied by any end user or third party; or any other occurrences beyond SolarMax's reasonable control. SolarMax also will not be responsible under this Warranty for any substantial deterioration in the Product finish that is caused by failure to clean, inspect or maintain the finish of the Product(s). If the Product(s) are used on existing foundations, anchorages or structures, the end user is solely responsible for the structural integrity of such existing foundations, anchorages or structures and all consequences arising from their use. Adequate records of operating history, maintenance, and/or testing must be kept by the end user and provided to SolarMax upon request to substantiate that the Product(s) have failed to comply with the terms of this Warranty. Neither polycarbonate nor acrylic material used in the Products is warranted against yellowing, as yellowing may naturally occur over time due to normal aging. The Product(s) are not warranted against costs that may be incurred in connection with changes or modifications to the Product(s) required to accommodate site conditions and/or faulty building construction or design. In addition, the Product(s) are not warranted against cost resulting from installation of a third party components, failures of third party supplied components, or failures of SolarMax supplied Product(s) caused by a third party supplied component. This Warranty only applies to the Product(s) when sold for commercial purposes and does not apply to any consumer product(s), all of which are governed by separate limited warranty terms. If the Product(s) fail to comply with the terms of this Warranty, SolarMax, at its option, will repair or replace the Product(s) with the same or a functionally equivalent Product(s) or component part(s). This Warranty excludes labor and equipment required to remove and/or reinstall original or replacement parts. This Warranty extends only to the Product(s) as delivered to, and is for the sole and exclusive benefit of, the original end user of the Product(s) at the original location. This Warranty may not be transferred or assigned by the original end user. The repair or replacement of any Product(s) or component part within the Product(s) is the sole and exclusive remedy for failure of the Product(s) to comply with the terms of this Warranty and does not extend the Warranty period. Warranty claims regarding the Product(s) must be submitted in writing of the defect or failure to an authorized SolarMax post-sales or customer service representative. Product(s) or component part(s) may be required to be returned for inspection and verification of non-conformance by SolarMax, but no Product(s) or component part(s) will be accepted for inspection, verification or return unless accompanied by a "return authorization number" which can be obtained only from an authorized SolarMax post-sales or customer service representative. SolarMax is not responsible for any costs and expenses incurred in connection with shipment of Product(s) to SolarMax, but SolarMax shall bear all cost and expense incurred in connection with shipment of replacement Product(s) to the customer.

THE FOREGOING WARRANTY TERMS ARE EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES, AND SOLARMAX EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, RELATING DIRECTLY OR INDIRECTLY TO THE PRODUCT(S), WHETHER ORAL, WRITTEN, OR ARISING BY COURSE OF DEALING OR USAGE OF TRADE, INCLUDING ,WITHOUT LIMITATION, ANY WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. NO AGENT, DISTRIBUTOR OR OTHER SUPPLIER OF SOLARMAX PRODUCTS HAS THE AUTHORITY TO MODIFY OR AMEND THIS WARRANTY WITHOUT EXPRESS WRITTEN AUTHORIZATION FROM SOLARMAX.

The total liability of SolarMax on any and all claims of any kind, whether in contract, warranty, tort (including negligence), strict liability or otherwise, arising out of or in connection with, or resulting from, SolarMax's performance or breach of this Warranty, or from SolarMax's sale, delivery, resale, repair, or replacement of any Product(s) or the furnishing of any services, shall in no event exceed the purchase price allocable to the Product(s) that give rise to the claim, and any and all such liability shall terminate upon the expiration of the warranty period specified above.

IN NO EVENT SHALL SOLARMAX BE LIABLE FOR ANY INDIRECT, SPECIAL, INCIDENTAL, CONSEQUENTIAL, EXEMPLARY OR PUNITIVE DAMAGES, EVEN IF INFORMED OF THE POSSIBILITY OF SUCH DAMAGES, WHETHER AS THE RESULT OF BREACH OF CONTRACT, WARRANTY, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY, OR ANY OTHER THEORY, INCLUDING WITHOUT LIMITATION LABOR OR EQUIPMENT REQUIRED TO REMOVE AND/OR REINSTALL ORIGINAL OR REPLACEMENT PARTS, LOSS OF TIME, PROFITS OR REVENUES, LACK OR LOSS OF PRODUCTIVITY, INTEREST CHARGES OR COST OF CAPITAL, COST OF SUBSTITUTE EQUIPMENT, SYSTEMS, SERVICES OR DOWNTIME COSTS, DAMAGE TO OR LOSS OF USE OF PROPERTY OR EQUIPMENT OR ANY INCONVENIENCE ARISING OUT OF ANY BREACH OF THE FOREGOING WARRANTY OR OBLIGATIONS UNDER SUCH WARRANTY.

SolarMax reserves the right to modify or discontinue this Warranty without notice provided that any such modification or discontinuance will only be effective with respect to any Product(s) purchased after such modification or discontinuance.