



Instructional Equipment Request (IER) Form

FY 2025-2026

IER#0000088

Banner #:

Requisition #:

Title of Submission:	Electric Utility Cart for PATH
Vendor Name:	Pape
Brief Description of Item(s):	Flatbed Utility Cart

Please review all information carefully to ensure timely processing. More information can be found [here](#).

Deadline	Action
10/08/2025	IER forms due to Division Dean
10/15/2025	Division review of IER forms (Dean signature)
10/24/2025	IER forms due to Executive Assistant of Administrative Services (with Dean & VP signature)

Checklist

- ☒ All IER form fields complete
- ☒ Valid quote attached to submission (must be attached before submitting form)
 - **Shipping, installation, and tax** are required on the quote, whenever applicable. This must be provided by the vendor themselves. **Do not split quotes or submit duplicate quotes.**
 - **IMPORTANT:** To comply with state law, purchases between \$ 30,000.00 and \$ 114,800.00 require 3 quotes from 3 different vendors. We're required to proceed with the cheapest option unless a compelling argument can be provided for a more expensive option. If your request is approved, you will be notified *via email* to obtain an **updated quote, two additional quotes**, and complete a [Requisition](#) form. Please monitor your email closely throughout the fiscal year as we **cannot** proceed with your request until these quotes, and any additional requirements, are provided.
 - Purchase requests of \$ 114,800.00 or more must go out for bid* (aka RFP process) and then go to Board for approval. You will be provided further instruction via email after your request is approved.
 - For assistance with quotes, please contact Bill Pagano at bpagano@clpccd.org or (925) 485-5271.
- ☒ IER form, with quote, signed and submitted to Division Dean including:
 - Quote (required)
 - [New Vendor Application](#) (if new vendor*)
 - Copy of [W9](#) (if new vendor*)
 - ***Email Business Office to confirm if vendor is in Banner and if vendor documents are needed**

***Bid Process:** Purchasing submits RFP & selects cheapest bid → Requestor submits [Requisition](#) → Business Office enters Requisition in Banner → Requestor submits Board packet with copy of entered Requisition.

IER Process Flow

1. Completed packet signed and submitted to Division Dean
2. Dean reviews and forwards to Vice President
3. Vice President reviews and forwards to Executive Assistant of Administrative Services
4. Executive Assistant logs requests and forwards to M&O and IT for review
5. RAC reviews and scores requests – scores combined into rankings by Executive Assistant for final review
6. RAC Chair meets with College President to discuss ranked requests
7. College President issues approval memo to RAC
8. RAC notifies requestors via email of approved requests and additional steps (e.g. additional quotes, board, etc.)
9. Requestor submits [Requisition](#) with updated quote(s) (*itemization not required on reqs for IER requests – [see example](#)*)
10. Business Office reviews requisition, enters requisition into Banner, and forwards to Purchasing
11. Purchasing will assist with requests that must go out for bid and requires board approval (requestor will be notified)

Instructional Equipment Definitions

Scheduled Maintenance Instructional Materials Funding:

Allowable Items

Instructional equipment expenditures are eligible if the equipment, library material, or technology is for classroom instruction, student instruction or demonstration, or in the preparation of learning materials in an instructional program. There are five categories that will be used to classify instructional support. Please note that requests are not limited to the examples shown below.

1. **Equipment and Furniture:** instructional equipment and furniture for primary use by students in instructional programs:
 - a. Classroom/laboratory equipment including whiteboard, screen, projector, etc.
 - b. Instructional furniture including desks, tables, podium, chairs, etc.
2. **Information Technology:** instructional information technology equipment for student use in classrooms and/or laboratories including desktops, laptops, monitors, printers, servers, network/wireless infrastructure, AV/TV, multimedia.
3. **Software:** software licenses are allowed but only the initial year is permitted. Other software that are permitted are those that are used in excess of one year and software modifications that add capacity or efficiency to the software that defers obsolescence and results in an extension of the useful life of the software, including registration, counseling, student services, learning management systems for student use.
4. **Adaptive Equipment:** adaptive equipment for ADA/OCR students are allowed to assist them in a learning environment.
5. **Library Material:** databases, online subscriptions, books, periodicals, videos, etc.

Non-Allowable Items

Administrative or non-instructional purposes including equipment being used for administrative or non-instructional purposes is not allowed, including photocopiers, file cabinets, bookcases, computers, networking infrastructure, software licenses.

Lottery Funding:

Allowable Items

Instructional materials: materials used by pupils and their teachers as a learning resource and help pupils acquire facts, skills, or opinions to develop cognitive processes:

1. Laptops and hotspots for students, teachers, and faculty as a learning resource, internet devices
2. May be printed or non-printed, textbooks, technology-based materials, other educational materials, and tests.
3. Basic instructional materials: materials that are designed to be used as a principal learning resource and meets, in organization and content, the basic requirements of the intended course.
4. Technology based materials: basic or supplemental instructional materials designed for use by pupils and teachers as learning resources and that require the availability of electronic equipment in order to be used as a learning resource. o Includes but not limited to software programs, video disks, compact disks, optical disks, video and audiotapes, lesson plans, and databases.
5. Supplies and Materials: Software, books, magazines and periodicals, subscriptions, textbooks, instructional materials printing, instructional supplies including library media, audio visual, instructional food supplies, instructional tests.
6. Other operating expenses: Software licensing fees.
7. Capital Outlay Expenditures: Library books, books replacement, library magazine and periodicals, library nonprint media, instructional software.
8. Basic Needs: Housing and food assistance includes grants to students, housing vouchers, direct payments or reimbursements for housing, efforts to increase enrollment in CalFresh, and provision of food pantries/meal programs or free meals. (Documentation is required to demonstrate the need and proper use of funds).

Measure A Bond Funding:

Allowable Items

1. Upgrade career and vocational classrooms to better prepare students and workers for good- paying jobs.
2. Upgrade classrooms and labs for science, technology, engineering, and math-related fields.
3. Provide or upgrade facilities and resources for career preparation in healthcare, nursing and early childhood education.
4. Upgrade classroom technology.
5. Improve classrooms and resources for paramedic, firefighter and public safety programs.
6. Improve vocational classroom and labs for auto repair, agriculture and environmental science programs.
7. Improve and expand facilities which prepare students for transfer to four-year college and universities.

IE Rubric

RAC evaluates each IE request based on the rubric below. RAC stresses the importance of quality requests. RAC may choose not to rank incomplete IE requests.

Criteria	Strong Evidence	Adequate Evidence	Limited Evidence
LPC Mission & Planning Priorities [Section 2] (5 points) Ranking Scale	Clear and compelling evidence/data that equipment will fully support LPC Mission and Planning Priorities. 4-5	Clear evidence/data that equipment will fully support LPC Mission and Planning Priorities. 2-3	Limited or no evidence/data that equipment will support LPC Mission and Planning Priorities. 0-1
Educational Items: Programmatic Impact and Institutional Support [Section 3] (10 points) Ranking Scale	Clear and compelling evidence/data (as stated in program review) that this equipment will have substantial impact on program curriculum. 8-10	Clear evidence/data (as stated in program review) that this equipment will have substantial impact on program curriculum. 4-7	Limited or no evidence/data (as stated in program review) that this equipment will have an impact on program curriculum. 0-3
Teaching & Learning [Section 4] (10 points) Ranking Scale	Clear and compelling evidence/data that equipment provides much needed or beneficial enhancement to instruction. 8-10	Clear evidence/data that equipment provides enhanced instruction that is not met through current means. 4-7	Limited or no evidence/data that equipment provides enhanced instruction that is not met through current means. 0-3
Safety and/or Org. Effectiveness [Section 5] (5 points) Ranking Scale	Clear and compelling evidence/data that equipment will support safety and/or organizational effectiveness above and beyond current capability. 4-5	Clear evidence/data that equipment will support safety and/or organizational effectiveness beyond current capability. 2-3	Limited or no evidence/data that equipment will support safety and/or organizational effectiveness beyond current capability. 0-1
Outcomes [Section 6] (5 points) Ranking Scale	Clear and compelling evidence/data that equipment will support course and/or program outcomes above and beyond current capability. 4-5	Clear evidence/data that equipment will support course and/or program outcomes beyond current capability. 2-3	Limited or no evidence/data that equipment will support course and/or program outcomes beyond current capability. 0-1

Instructional Equipment Request Form

Name of Requestor: Hirstein, Ellie

Division: PATH

Discipline: Kinesiology

This Equipment Request is: New Equipment or Technology

SECTION 1: Equipment Description

Describe the specific equipment requested and how it will be used to replace, upgrade, or provide new technology to LPC from what is currently in place:

Equipment Location

Building #: L2500

Room #: L2500 North-East Patio

Comments:

This Utility Cart is a new addition to the PATH Division. A utility cart enables faculty and staff to efficiently transport instructional equipment (supplies, medical kits, easy ups, drone technology, hydration supplies, etc.) to athletic fields/course locations, supporting timely and effective instruction. While KIN has access to a Gator to transport a limited amount of supplies/equipment, no other Discipline within PATH has access to it. This new addition would allow for greater application and use by all Disciplines withing PATH (including AJ, AUTO, EMS, FST, KIN/ATHL, NAVI, and WLDT) and would allow for a larger scale of equipment to be transported as needed.

If applicable, describe the legal requirement, mandate, or safety concern related to the purchase of this equipment, making specific reference to legal requirements or regulations:

The only safety concern would be that faculty/staff who had previously never used a utility cart would need to go through the District Utility Cart Safety Training to ensure they know the rules and regulations of how to utilize the cart.

SECTION 2: LPC Mission Statement and LPC Planning Priorities

LPC Mission Statement

Las Positas College is an inclusive, learning-centered, equity-focused environment that offers educational opportunities and support for completion of students' transfer, degree, and career- technical goals while promoting lifelong learning.

LPC Planning Priorities

- Affirm LPC's unwavering commitment to equity by deepening campus-wide engagement, enhancing professional development, embedding equity-minded practices in decision-making, assessment, and accountability processes; and building capacity to resolve inequities.
- Increase student success and completion through sustainable college practices, processes, academic support, removal of barriers, and focused professional development.
- Establish a knowledge base and appreciation for health and wellness in the workplace; create a sense of urgency about wellness; prioritize wellness in decision-making, assessment and accountability; and build capacity to support wellness.

Explain how the equipment supports LPC's Mission Statement and Planning Priorities:

This new cart would support LPC's Mission Statement and Planning Priority in many ways. It would continue LPC's sustainability actions of moving towards an electric fleet, and it would assist in the removal of barriers if we are able to move supplies/equipment without accessibility/mobility concerns. Lastly, a new cart would also align with our Educational and Facilities Master Plans, which emphasize expanded athletic/wellness infrastructure and operational efficiency--specifically identified as a strategic priority in the 2025 FMP as an expansion of athletic and wellness facilities. Investing in a new flatbed utility cart aligns with that growth providing the operational capacity to effectively use expanded spaces by a larger contingent of Disciplines.

SECTION 3: Educational Items | *Program Review*

Specify the educational programs the equipment supports:

This equipment will support the varying courses that PATH offers yearly, including AJ, AUTO, EMS, FST, KIN, NAVI, and WLDT. Additionally, this equipment could support/benefit all programs within KIN/ATHL (including but not limited to: Men's and Women's Basketball, Men's and Women's Soccer, Men's and Women's Water Polo, Women's Volleyball, and Men's and Women's Swim and Dive).

Is the equipment part of an upcoming Program Review? Was it included last year? If not, why? Use language from your Program Review to explain:

This equipment will be a part of the upcoming (2025-2026) Program Review for ATHL and for NAVI. It was also included in both of their 2024-2025 Program Reviews as one of the Program's most important plans/challenges.

SECTION 4: Teaching and Learning

Please use evidence and data that describes how the equipment provides enhancements/benefits to the current level of teaching capabilities:

The benefit of purchasing this new equipment is that we can more reliably provide coverage for all of our programs/Disciplines. KIN/ATHL currently only has one cart as the equipment that is available to support KIN courses for all set-up/take down that happens outside of the 2500 building. Kinesiology and Athletics programs rely on outdoor fields and widely distributed facilities, where equipment needs to be transported over significant distances or up steep grades. AJ, EMS, FST, NAVI, AUTO, and WLDT all have large or heavy supplies/equipment that needs to be transported to exterior spaces (outside of a "normal classroom") that may be a significant distance or up steep grades from their storage location.

Currently, if there is no access to a cart borrowed from another Department, faculty/coaches and staff are forced to either using personal vehicles to transport heavy or bulky items across campus until one is available and, while KIN/ATHL has a cart, if there are two classes happening at once that need access to a cart, multiple carts (with varying capabilities) would be a benefit to the whole Division. KIN/ATHL traditionally has two Classified staff positions to set up/take down, but currently there is not enough staffing for that to be how things are done now. This means that the current procedure for set up of any one class would utilize the KIN cart for the entirety of that class time--at the expense of any other class that may also need a cart to set up/take down. With the understanding that the current understaffed positions put more work back onto the faculty running the course, the addition of a new cart would better benefit the Division to be able to serve multiple people at one time. This new cart would allow for us to be more reliably supported in our endeavors to offer quality classes to our students--leading to less time loss, fatigue, or possible injury, and, instead, more efficiency and preservation of instructional quality.

Detail the impact the equipment has on learning:

A cart reduces set up/take down time, increasing instructional minutes and enhancing program productivity (supporting FTES/FTEF efficiency goals). Divisions are often asked to maximize facility use and enrollments, while ensuring efficient course delivery. By reducing time lost to equipment transport, courses deliver more active instructional time, improving student outcomes and overall efficiency.

Adding in a flatbed utility cart would also grant easy access to larger or more specialized equipment that we previously were unable to definitively utilize, meaning that instructors can design richer, more varied activities. For example, equipment that was impractical to move across large distances in a smaller cart, or impossible to move by hand could be used in strength training modules, sport-specific drills, or adaptive Kinesiology activities. Fire Technology, similarly, often utilizes large/heavy equipment as a part of their Fire Conditioning courses and would benefit from a flatbed to cart tires to/from the Fire Yard and the Outdoor Kinesiology Lab. Administration of Justice has hefty forensic kits, and Emergency Medical Services has a multitude of medical supply kits that could be more easily transported to exterior classroom spaces for certain modules.

With the ability to transport more and varied equipment, faculty and staff can expand activities beyond the minimum required to meet outcomes, introducing advanced drills and cross-training that raise skill proficiency, deeper knowledge, and better understanding of the topics.

Please state the number of classes and students the equipment will impact:

Classes/Sections:56

Students:1325

SECTION 5: Safety and/or Organizational Effectiveness

Describe, in detail, the impact this equipment will have on safety and/or organizational effectiveness:

As previously mentioned, the organizational effectiveness would be greatly enhanced by an updated cart. Without a cart, faculty and staff are forced to manually transport heavy or bulky items across campus, leading to longer set up/take down times and a lack of time efficiency. A cart streamlines these operations, improving that efficiency by enabling timely transport of teaching materials to exterior facilities.

PATH has many of the more "hands-on" disciplines that carry heightened safety and risk management considerations. A quick response to a student injury with medical equipment or personnel is essential. Reliable access to a cart provides rapid access across fields for the Athletic Trainer, and a flatbed cart would provide more than adequate support for an athlete who needs to be transported in a more horizontal manner than a cart with upright seats would allow. This would improve emergency preparedness and align with the Division's responsibility to maintain a safe and inclusive learning environment. It also allows for students with mobility limitations or those participating in adaptive activities, when transportation is needed, ensuring equitable participation for all.

FST and EMS are often transporting heavy supplies/equipment for their courses and, without a cart, students may volunteer to assist in carrying supplies/equipment out to the classroom area. While there are heightened safety considerations that our students consent to within those programs based on the nature of the courses (being able to carry a mannequin to simulate a rescue, etc.), it is our duty to have inherent risk management outside of those "in-class" experiences to lower risk that is completely manageable by providing faculty/staff with a cart to move the supplies/equipment as needed.

SECTION 6: Student Learning Outcomes (SLOs)

Document how the equipment will enable you to surpass your current Student Learning Outcomes:

The addition of a new cart would allow faculty to surpass current SLO benchmarks by increasing active instructional time, expanding the range of instructional activities, and ensuring equitable and safe participation in all learning environments.

Students will have more opportunities for practice and feedback in Athletic or Fire Tech courses that assess student mastery of movement skills and drills and require them to develop increased aerobic fitness, muscular strength and endurance, and improved agility. These drills, tactics, and fitness can be demonstrated at a higher mastery level with the inclusion of supplies/equipment that was previously not able to be carted out to the external classroom spaces/fields.

In Athletic Training Kinesiology courses where outcomes include application of injury-prevention and emergency response skills, the flatbed cart may allow faculty to model and require students to demonstrate best practices in real time with appropriate equipment.

For Aviation courses that require students to safely operate a drone (UAS), a cart would be beneficial for similar reasons--a higher mastery level can be shown if faculty/staff are able to include supplies/equipment that were previously not able to be carted out to the external classroom spaces/fields.

SECTION 7: Total Cost of Ownership | *Maintenance and Sustainability*

Does the new equipment replace older equipment? If so, will you retire/surplus the old equipment? If not, where will you store the older equipment and what are the associated storage costs?

No, this new cart would not replace older equipment.

Detail how the equipment meets or exceeds [LPC's Sustainability Efforts](#):

An electric cart would lower the carbon footprint in support of the "just transitions" of using a rechargeable cart vs. fossil fuels (from faculty/staff using their personal vehicles to transport items), as laid out in the Administrative Procedure AP 3580. This would also align with the LPC Climate Action Plan's assertion of the ongoing plan to transition the campus vehicle fleet to electric models.

Any other additional information?

Cart "style" would allow for a larger amount of transport storage, and for supplies/equipment of larger sizes to be transported.

Operator

Primary operator: LPC PATH Instructors and Staff

Does the work align with current position duties? Yes

Cost to train primary operator: 0.00

Approx. # of hours equipment will be used per month: ~60-70

Comments:

Maintenance and Repairs

Who will perform maintenance and repairs? Rob Barattino

Estimated hours per month: Zero needed per month, but ~1-5 as needed for any specific maintenance requests.

Does the work align with current position duties? Yes

Cost to train for maintenance and repairs: 0.00

SECTION 7: Total Cost of Ownership | *Maintenance and Sustainability (cont'd)*

Lifespan of Equipment: ~10-15 years

FOAP (Budget) for Recurring Costs:	103001	-	34400	-	5647	-	601000
	Fund		Org		Acct		Program

Part A: Initial Start-Up Costs		
Type	Cost	Comments
Equipment or Materials	16,998.00	
Shipping & Delivery Fees	0.00	Local Delivery Included
Installation Costs	0.00	N/A
Miscellaneous Costs	0.00	
Modification to Facilities	0.00	
Operator Training	0.00	
Maintenance/Repair Training	0.00	
Other	0.00	
(Enter as Positive) Discounts	0.00	
Start-Up Total	16,998.00	
Part B: Annual Operating Costs		
Type	Cost	Comments
Service/Maintenance	0.00	As needed for any specific maintenance requests (tires, etc.)
Part Replacement	0.00	
Vendor Calibration or Standardization	0.00	
Storage	0.00	
Supplies	0.00	
Maintenance/Repair Labor	0.00	
Software Licensing	0.00	
Other	0.00	
Annual Total	0.00	
Overall Cost:	16,998.00	

Approvals and Signature Routing

Before signing below, please confirm all fields are filled out and all information provided is correct. Requests must be fully complete, signed, and submitted to your Division Dean by the deadline (see page 1). **Quote must be attached to this form before submitting.** 1  Quote (Preferred Vendor)

Title	Signature	Date
Requestor:	<i>Ellie Hirstein</i>	10/15/2025
Division Dean:	<i>Michael A. McQuiston</i>	10/15/2025
Vice President:	<i>Nan Ho</i>	10/25/2025
College Technology Services Manager:	<i>Stephen Gunderson</i>	10/27/2025
M&O Director:	<i>JOHN SEYBERT</i>	10/27/2025
Vice President, Administrative Services:	<i>Sean Brooks</i>	10/29/2025



**MATERIAL
HANDLING**

Pape Material Handling, SF Bay Area

Rolando A Rodriguez
Industrial Cart Manager
47132 Kato Road
Fremont, CA 94538



10/14/25

Proposal presented to:

Chabot/Las Positas college

Attn: Ellie Hirstein

enhirstein@laspositascollege.edu

(925) 424-1274

7600 Dublin Boulevard, 3rd Floor

Dublin, CA 94568

Proposal for:

Fusion Utility Long Bed Electric Cart, LSV



Imagery is for illustrative purposes only. Actual colors, materials, and configurations may vary based on final design specifications

Make/model-	Fusion Utility Long Bed Electric Cart, LSV
Options-	5.3 kWh Marxon® Lithium-Ion w/ 5-Year Warranty, LSV w Rugged Front Bumper, 6' fixed aluminum Bed, Electric Hydraulic Dumping Bed, Standard 2" Receiver, Rear View Mirror, Pedestrian Noise Emitter+ Back-Up Alarm & Camera, Side & Center Mounted Rearview Mirrors, LED taillights, DOT Glass Windshield With Wiper, Safety Orange 3-Point Seat Belts, Powder & E-Coat Frame, DOT Glass Windshield w Wiper.
Load Capacity-	1,477 lbs
Tow Capacity-	1,100 lbs
Power-	Lithium Battery
Color-	Black

KEY SPECIFICATIONS			
Motor	5kW	Turning Radius	177" (450 cm)
Controller	450 Amp Programmable	Vehicle Capacity	2 People
Drivetrain	16:1 High Speed Rear Axle	Overall Dimensions	150" x 48" x 78" (380cm x 121.9cm x 200.6cm)
Speed	19 mph (30.4 km/h)	Utility Bed Dimensions	71" x 46" x 12" (180.3cm x 116.8cm x 30.5cm)
Battery	51.2V 105Ah Marxon® Lithium-Ion Pack with Heating Module	Utility Bed	Aluminum Dump Bed with Electric Hydraulic Actuated Dump
Charger	Onboard - 20 Amp 120V	Utility Bed Capacity	1,102 lbs (499.8 kg)
Range	31 mi (50km)	Curb Weight	1,322 lbs (599.5 kg)
Battery Level Indicator	Digital Touch Screen	Payload	1,477 lbs (669.6 kg)
Chassis	E-Coat and Powder Coated Steel Frame	Tow Capacity	2,000 Lbs (907.2 kg)
Suspension	Heavy Duty Coil Over Shocks	Electronics	Digital Touch Screen Speedometer, Hazard Switch, USB Power Switch
Ground Clearance	6.5" (16.5 cm) with Standard Wheels and Tires	Body Color	Matte Black
Brakes	4 Wheel Premium Hydraulic Disc Brakes	Seats	Black Bolstered Seats
Park Brake	Electro Magnetic, Automatically Actuated Once Vehicle is Stopped, Released when Accelerator Peddle is Engaged	Warranty	2-Year Full Car / 5-Year Full Battery
Wheels and Tires	Black Aluminum, 225/55-12		



Pape Material Handling, SF Bay Area
Rolando A Rodriguez
Industrial Cart Manager
47132 Kato Road
Fremont, CA 94538

Fusion Util. long bed, LSV

Pricing Proposal

Qty	Description	Per unit	Extended
1	Fusion Util. long bed, LSV, Black (8-16 weeks)	\$16,998.00	\$16,998.00
1	Options, see page 2(under "Options")	INCLUDED	INCLUDED
1	6' fixed aluminum dumping bed	INCLUDED	INCLUDED
1	Manuf. Freight	INCLUDED	INCLUDED
1	Dealer Prep/Install	INCLUDED	INCLUDED
1	Sourcewell Contr. #091024-WVE	INCLUDED	INCLUDED
1	Local Delivery	INCLUDED	INCLUDED
1	Sales Tax @ TBD		TBD
SUBTOTAL			\$16,998.00*

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date below. By providing signature below, the buyer confirms its acceptance of the equipment described & terms & conditions on final page.

\$16,998.00* + taxes

TOTAL PRICE

Sign/Initial

Print Name

Date

PO#(If applicable)

*Sales tax NOT included. Pricing
valid for 30 days.



**MATERIAL
HANDLING**

Pape Material Handling, SF Bay Area
Rolando A Rodriguez
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Fremont, CA 94538

Due to volatility of supply chain, transportation, lead times etc., we reserve the right to revise our pricing in direct correlation to price surcharges/increases received from the OEM. Lease payment quotes are subject to possible interest rate indexing at time of delivery. This sales order/proposal is subject to Pape' Material Handling's Terms and Conditions of Sale effective on the date hereof, which are incorporated in full by this reference. The Terms and Conditions of Sale are available at www.pape.com/terms & will also be sent by mail or email to Buyer upon request.

TERMS & CONDITIONS

All offers and quotations provided by Vendor for Goods and Services remain open for acceptance for 30 days from issuance unless otherwise stated in writing. After this period, Vendor reserves the right to modify or withdraw the offer or quotation in its sole discretion. Customer's issuance of a purchase order ("PO") will operate as its acceptance of these Standard Terms and Conditions ("Terms"). Vendor's acceptance of Customer's PO is expressly made conditional on Customer's assent to these Terms. Any terms or conditions contained in Customer's purchase order or other documents that are inconsistent with or in addition to these Terms are hereby rejected and shall be of no force or effect, unless expressly agreed to in writing by Vendor. Commencement of performance or shipment shall not be construed as acceptance of any of Customer's terms or conditions which are inconsistent with or additional to the Terms. In the event of any conflict between these Terms and those of any purchase order or other document submitted by Customer, these Terms shall control.

"Agreement" shall mean and include: (i) these Terms, and (ii) any mutually agreed commercial terms including, without limitation, price, quantity, and delivery date as set forth in Vendor's quotation, acknowledgment, or confirmation of Customer's PO. "Services" include all services provided by Vendor to Customer and may include design, fabrication, installation, maintenance, or repair services. "Goods" include any products sold to Customer by Vendor and may include, without limitation, equipment, vehicles, machinery, parts, attachments, or any other items.