



South Coast Air Quality Management District

South Coast
AQMD

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SPECIAL MEETING OF THE ADMINISTRATIVE COMMITTEE

Committee Members

Dr. William A. Burke, Chair
Council Member Ben Benoit, Vice Chair
Mayor Judith Mitchell
Dr. Clark E. Parker, Sr.
Council Member Michael Cacciotti

**March 8, 2019 ♦ 1:00 p.m. ♦ Conference Room CC-8
21865 Copley Drive, Diamond Bar, CA 91765**

Teleconference Locations

11461 West Sunset Boulevard
The Brentwood Room 1
Los Angeles, CA 90049

Rolling Hills Estates City Hall
4045 Palos Verdes Dr. North
Rolling Hills Estates, CA 90274

South Pasadena City Hall
City Clerk's Office
1414 Mission Street
South Pasadena, CA 91030

Wildomar City Hall
23873 Clinton Keith Rd, Ste. 201
Wildomar, CA 92595

(The public may attend at any location listed above.)

Call-in for listening purposes only is available by dialing:

Toll Free: 866-244-8528

Listen Only Passcode: 5821432

In addition, a webcast is available for viewing and listening at:

<http://www.aqmd.gov/home/library/webcasts>

AGENDA

Members of the public may address this body concerning any agenda item before or during consideration of that item (Gov't. Code Section 54854.3(a)). Please provide a Request to Address the Committee card to the Committee Secretary if you wish to address the Committee on an agenda item. If no cards are available, please notify SCAQMD staff or a Board Member of your desire to speak. All agendas for special meetings are posted at District Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 24 hours in advance of the special meeting. Speakers may be limited to three (3) minutes each.

CALL TO ORDER

DISCUSSION ITEMS – Items 1 through 7:

- | | | | |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|------------|
| 1. | Board Members' Concerns (<i>No Motion Required</i>)
<i>Any member of the Governing Board, on his or her own initiative may raise a concern to the Administrative Committee regarding any SCAQMD items or activities.</i> | Dr. William A. Burke
Committee Chair | |
| 2. | Chairman's Report of Approved Travel (<i>No Motion Required</i>) | Dr. Burke | pg. 1 |
| 3. | Report of Approved Out-of-Country Travel
(<i>No Motion Required</i>) | Wayne Nastri
Executive Officer | |
| 4. | Review April 5, 2019 Governing Board Agenda | Wayne Nastri | pgs. 2-9 |
| 5. | Approval of Compensation for Board Member Assistant(s)/
Consultant(s) (Any material, if submitted, will be distributed at
the meeting.) (<i>Motion Requested if Proposal Made</i>) | Dr. Burke | |
| 6. | Status Report on Major Ongoing and Upcoming Projects for
Information Management (<i>No Motion Required</i>)
<i>Information Management is responsible for data systems management
services in support of all SCAQMD operations. This action is to
provide the monthly status report on major automation contracts and
planned projects.</i> | Ron Moskowitz
ADEO/CIO,
Information
Management | pgs. 10-20 |
| 7. | Report of RFPs Scheduled for Release in April
(<i>No Motion Required</i>)
<i>This report summarizes the RFPs for budgeted services over \$75,000
scheduled to be released for advertisement for the month of April.</i> | Sujata Jain
ADEO/Finance | pgs. 21-23 |

ACTION ITEMS - Items 8 through 12:

APRIL ITEMS

- | | | | |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|------------|
| 8. | Execute Contract for Consultant Services for SCAQMD's High
School Air Quality Educational Program (<i>Motion Requested</i>)
<i>At the February 1, 2019, meeting, the Board approved the release of an
RFP to solicit proposals from individuals and organizations to provide
assistance with SCAQMD's High School Air Quality Educational
Program. Four proposals were submitted to the Administrative
Committee for consideration at its March 8, 2019 meeting. After the
Committee interviewed representatives of each of the firms,
[CONTRACTOR] was selected for recommendation to the full Board.
This action is to execute a contract with [CONTRACTOR] for an
amount not to exceed \$500,000 for a one-year contract with an option
for up to two one-year term renewals, upon satisfactory performance, at
the Board's discretion. Funding for the initial year will be from the BP
Arco Settlement Project Fund (46). Funding for the two optional years
will be subject to future Board approval.</i> | Derrick J. Alatorre
DEO, Legislative,
Public Affairs &
Media | pgs. 24-27 |
| 9. | Issue RFP to Solicit Proposals and Execute Contract for Media,
Advertising and Public Outreach Campaign for 2019/20 Check
Before You Burn Program (<i>Motion Requested</i>)
<i>This action is to issue an RFP not to exceed \$250,000 to solicit</i> | Derrick J. Alatorre | pgs. 28-65 |

proposals from advertising agencies, media/public relations firms or other organizations with the necessary expertise to plan and execute a comprehensive media, advertising and public outreach campaign to promote awareness of and compliance with SCAQMD's 2019/20 Check Before You Burn program. The one-year contract will be funded from the Rule 1309.1 Priority Reserve Fund (36), and will include an option for renewal, with Board approval, for two additional one-year contracts.

10. Recommendation to Appoint Member to SCAQMD Local Government & Small Business Assistance Advisory Group
(Motion Requested)
Council Member Benoit recommends the Committee review and appoint Marc Ang to serve on the Local Government & Small Business Assistance Advisory Group. Derrick J. Alatorre pgs. 66-67
11. Remove Various Fixed Assets from SCAQMD Inventory
(Motion Requested)
SCAQMD Administrative Policies and Procedures No. 20 requires each organizational unit to review fixed assets for obsolescence and disposal every six months. This action is to approve removal of surplus equipment determined to be obsolete, non-operational and not worth repairing. Sujata Jain pgs. 68-71
12. Transfer and Appropriate Funds, Issue Solicitations, and Execute Purchase Orders and Contracts for AB 617 Implementation
((Motion Requested))
In January and June 2018, the Board recognized revenue from CARB for AB 617 expenditures. Based on an assessment of the AB 617 program including input from multiple community steering group meetings, there is a need to reallocate funds and realign expenditures between Offices and Major Objects. These actions are to transfer and appropriate funds, issue solicitations, and execute contracts and purchase orders for equipment and services to implement the AB 617 program in the three Year 1 communities. Jason Low
ADEO, Science & Technology
Advancement pgs. 72-115

WRITTEN REPORT:

13. Local Government & Small Business Assistance Advisory Group Minutes for the December 14, 2018 Meeting
(No Motion Required)
Attached for information only are the Local Government & Small Business Assistance Advisory Group minutes for the December 14, 2018 meeting. Derrick J. Alatorre pgs. 116-118

OTHER MATTERS:

14. Public Comment
At a special meeting, no other business may be considered (Gov't Code Section 54956). Each speaker will be afforded three minutes to address the Committee on items on this agenda. (Gov't Code Section 54954.3).
15. **Next Meeting Date:** April 12, 2019 at 10:00 a.m.

ADJOURNMENT

Document Availability

All documents (i) constituting non-exempt public records, (ii) relating to an item on an agenda for a special meeting, and (iii) having been distributed to at least a majority of the Committee after the agenda is posted, are available prior to the meeting for public review at the South Coast Air Quality Management District, Public Information Center, 21865 Copley Drive, Diamond Bar, CA 91765.

Americans with Disabilities Act

The agenda and documents in the agenda packet will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Govt. Code Section 54954.2(a)). Disability-related accommodations will also be made available to allow participation in the Special Administrative Committee meeting. Any accommodations must be requested as soon as practicable. Requests will be accommodated to the extent feasible. Please contact Nancy Velasquez at 909-396-2557 from 7 a.m. to 5:30 p.m. Tuesday through Friday, or send the request to nvelasquez@aqmd.gov.



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Item 2

BOARD MEETING DATE: April 5, 2019

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee met March 8, 2019 and reviewed the proposed agenda for the April 5, 2019 Board meeting. The Committee also discussed various issues detailed in the Committee report. The next Administrative Committee meeting is April 12, 2019, at 10:00 a.m., in CC-8.

RECOMMENDED ACTION:
Approve this report.

Dr. William A. Burke, Chair
Administrative Committee

NV

Attendance:

[Will be inserted subsequent to the March 8, 2019 Administrative Committee meeting.]

Administrative Committee Discussion Items:

[Will be inserted subsequent to the March 8, 2019 Administrative Committee meeting.]

Report on Board Member Travel Authorized by the Chairman at the March 8, 2019 Administrative Committee meeting:

DATE	TRAVELER	DESTINATION	PURPOSE
March 20-21, 2019	Mayor Judith Mitchell	Sacramento, CA	Mayor Mitchell will attend the monthly CARB Board Meeting as the SCAQMD Board Representative.

3/1/19 4:06 PM

Item 4

DRAFT

MEETING, APRIL 5, 2019

A meeting of the South Coast Air Quality Management District Board will be held at 9:00 a.m., in the Auditorium at SCAQMD Headquarters, 21865 Copley Drive, Diamond Bar, California.

The agenda and documents in the agenda packet will be made available upon request in appropriate alternative formats to assist persons with a disability. Disability-related accommodations will also be made available to allow participation in the Board meeting. Any accommodations must be requested as soon as practicable. Requests will be accommodated to the extent feasible. Please telephone the Clerk of the Boards Office at (909) 396-2500 from 7:00 a.m. to 5:30 p.m. Tuesday through Friday.

All documents (i) constituting non-exempt public records, (ii) relating to an item on the agenda, and (iii) having been distributed to at least a majority of the Governing Board after the agenda is posted, are available prior to the meeting for public review at the South Coast Air Quality Management District Clerk of the Boards Office, 21865 Copley Drive, Diamond Bar, CA 91765.

Please note: This is a draft agenda and is subject to change.

CALL TO ORDER

- Pledge of Allegiance
- Opening Comments: William A. Burke, Ed.D., Chair
Other Board Members
Wayne Nastri, Executive Officer

Staff/Phone (909) 396-

CONSENT CALENDAR (Items 1 through XX)

Note: Consent Calendar items held for discussion will be moved to Item No. XX

- | | | |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 10559. | Approve Minutes of March 1, 2019 Board Meeting | Garzaro/2500 |
| 10562. | Set Public Hearings May 3, 2019 to Consider Adoption of and/or Amendments to SCAQMD Rules and Regulations | Nastri/3131 |
| 10548. | Set Public Hearing May 3, 2019 to Certify Revised Final Environmental Assessment, Amend Rule 1106 – Marine Coating Operations, as set forth in Proposed Amended Rule 1106 - Marine and Pleasure Craft Coating Operations, and Rescind Rule 1106.1 - Pleasure Craft Coating Operations | Rees/2856 |

The proposed amendment is two-fold: first, Rule 1106.1 is proposed to be rescinded and second, Rule 1106 will subsume the requirements of Rule 1106.1 - Pleasure Craft Coating Operations, and revises VOC content limits for pretreatment wash primers, antenna, repair and maintenance thermoplastic, inorganic zinc, and specialty marking coatings in order to align limits with U.S. EPA Control Techniques Guidelines and other California air districts, and adds new categories for marine aluminum antifoulant, mist, nonskid and organic zinc coatings and marine deck primer sealant. The proposed amendment also adds provisions for pollution prevention measures, enhanced enforceability, and to promote clarity and consistency. This action is to adopt the Resolution: 1) Certifying the Revised Final Environmental Assessment for Proposed Amended Rule 1106 – Marine and Pleasure Craft Coating Operations and rescinding of Rule 1106.1 – Pleasure Craft Coating Operations; 2) Amending Rule 1106 – Marine Coating Operations; and 3) Rescinding Rule 1106.1 – Pleasure Craft Coating Operations. (Reviewed: Stationary Source Committee, March 15, 2019)

10573. Set Public Hearing May 3, 2019 to Adopt Executive Officer's FY 2019-20 Proposed Goals and Priority Objectives, and Draft Budget; and Determine that Proposed Amendments to Regulation III – Fees Are Exempt from CEQA and Amend Regulation III

Nastri/3131

The Executive Officer's Proposed Goals and Priority Objectives, and Draft Budget for FY 2019-20 have been developed and are recommended for adoption. The Draft Budget includes implementation of the phased fee increase adopted by the Board on June 2, 2017 to continue cost recovery efforts. In addition, staff is proposing amendments to Regulation III – Fees. The amendments include: 1) Pursuant to Rule 320, an increase of most fees by x.x% consistent with the Consumer Price Index; 2) new fees which are necessary to meet the requirements of recently adopted rules and state mandates; and 3) new or increased fees which are necessary to provide more specific cost recovery for other regulatory actions taken by the agency. Staff also recommends other proposed changes to Regulation III, which have no fee impact, but include clarifications, deletions, or corrections to existing rule language. The fee increases have been presented at a public consultation meeting in March and will be presented at a Budget Study Session, Budget Advisory Committee meeting and public consultation meeting in April with recommendations and comments provided to the Board. This action is to: 1) Adopt the Executive Officer's Proposed Goals and Priority Objectives, and Draft Budget for FY 2019-20; 2) Determine that the proposed amendments to Regulation III - Fees are exempt from the California Environmental Quality Act; and 3) Amend Regulation III. (Reviewed: Special Governing Board Meeting/Budget Study Session, April xx, 2019)

Budget/Fiscal Impact

10569. Execute Contracts to Conduct Natural Gas Engine and Vehicle Research Projects

Miyasato/3249

The DOE, National Renewable Energy Laboratory (NREL), CEC and SCAQMD partnered to launch a research effort to increase efficiency of natural gas engines for medium- and heavy-duty engines and vehicles. In September 2018, NREL issued an RFP to solicit proposals to conduct natural gas engine and vehicle research projects to achieve these goals. Staff identified four proposals that align well with AQMP priorities to reduce NOx and PM emissions from transportation sources. This action is to execute contracts in an amount not to exceed \$1,700,000 from the Clean Fuels Program Fund (31) to cost-share these four projects. (Reviewed: Technology Committee, March 15, 2019; Recommended for Approval)

10570. Issue RFP to Establish Endowment to Support Graduate Student Scholarship Fund **Miyasato/3249**

Staff seeks to issue an RFP to solicit bids to support university graduate student scholarships that will, in part, train students entering the workforce, along with guidance from SCAQMD, on the emerging issues and latest research related to air quality and climate change. Relevant areas of study will include, but are not limited to: emissions and air quality impacts, health impacts of air pollution, climate change impacts, sustainable transportation and energy, and improving policy to achieve clean air standards and stabilize GHG emissions. This action is to issue an RFP to solicit bids to establish a university graduate scholarship endowment on air quality and climate change research. (Reviewed: Technology Committee, March 15, 2019; Recommended for Approval)

10565. Transfer and Appropriate Funds, Issue Solicitations, and Execute Purchase Orders and Contracts for AB 617 Implementation **Low/2269**

In January and June 2018, the Board recognized revenue from CARB for AB 617 expenditures. Based on an assessment of the AB 617 program including input from multiple community steering group meetings, there is a need to reallocate funds and realign expenditures between Offices and Major Objects. These actions are to transfer and appropriate funds, issue solicitations, and execute contracts and purchase orders for equipment and services to implement the AB 617 program in the three year one communities. (Reviewed: Administrative Committee, March 8, 2019; Recommended for Approval)

10557. Issue RFP to Solicit Proposals and Execute Contract for Media, Advertising and Public Outreach Campaign for 2019/20 Check Before You Burn Program **Alatorre/3122**

This action is to issue an RFP not to exceed \$250,000 to solicit proposals from advertising agencies, media/public relations firms or other organizations with the necessary expertise to plan and execute a comprehensive media, advertising and public outreach campaign to promote awareness of and compliance with SCAQMD's 2019/20 Check Before You Burn program. The one-year contract will be funded from the Rule 1309.1 Priority Reserve Fund (36), and will include an option for renewal, with Board approval, for two additional one-year contracts. (Reviewed: Administrative Committee, March 8, 2019; Recommended for Approval)

10578. **Execute Contract for Consultant Services for SCAQMD's High School Air Quality Educational Program** **Alatorre/3122**

At the February 1, 2019, meeting, the Board approved the release of an RFP to solicit proposals from individuals and organizations to provide assistance with SCAQMD's High School Air Quality Educational Program. Three proposals were submitted to the Administrative Committee for consideration at its March 8, 2019 meeting. After the Committee interviewed representatives of each of the firms, [CONTRACTOR] was selected for recommendation to the full Board. This action is to execute a contract with [CONTRACTOR] for an amount not to exceed \$500,000 for a one-year contract with an option for up to two one-year term renewals, upon satisfactory performance, at the Board's discretion. Funding for year one service will be from the BP Arco Settlement Project Fund (46). Future funding for FYs 2019-20 and 2020-21 will be subject to Board approval. (Reviewed: Administrative Committee, March 8, 2019; Recommended for Approval)

10551. **Remove Various Fixed Assets from SCAQMD Inventory** **Jain/2804**

SCAQMD Administrative Policies and Procedures No. 20 requires each organizational unit to review fixed assets for obsolescence and disposal every six months. This action is to approve removal of surplus equipment determined to be obsolete, non-operational and not worth repairing. (Reviewed: Administrative Committee, March 8, 2019; Recommended for Approval)

10455. **Approve Contract Awards and Modifications as Approved by MSRC** **McCallon**

Items XX through XX - Information Only/Receive and File

10440. **Legislative, Public Affairs, and Media Report** **Alatorre/3122**

This Report highlights the February 2019 outreach activities of the Legislative, Public Affairs and Media Office, which includes: Major Events, Community Events/Public Meetings, Environmental Justice Update, Speakers Bureau/Visitor Services, Communications Center, Public Information Center, Business Assistance, Media Relations and Outreach to Business and Federal, State, and Local Government. (No Committee Review)

10574. **Hearing Board Report** **Prussack/2500**

This reports the actions taken by the Hearing Board during the period of February 1 through February 28, 2019. (No Committee Review)

10510. **Civil Filings and Civil Penalties Report** **Gilchrist/3459**
- This reports the monthly penalties from February 1 through February 28, 2019, and legal actions filed by the General Counsel's Office from February 1 through February 28, 2019. An Index of District Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, March 15, 2019)
10479. **Lead Agency Projects and Environmental Documents Received by SCAQMD** **Nakamura/3105**
- This report provides, for the Board's consideration, a listing of CEQA documents received by the SCAQMD between February 1, 2019 and February 28, 2019, and those projects for which the SCAQMD is acting as lead agency pursuant to CEQA. (Reviewed: Mobile Source Committee, March 15, 2019)
10576. **Report of RFPs Scheduled for Release in April** **Jain/2804**
- This report summarizes the RFPs for budgeted services over \$75,000 scheduled to be released for advertisement for the month of April. (Reviewed: Administrative Committee, March 8, 2019)
10516. **Rule and Control Measure Forecast** **Fine/2239**
- This report highlights SCAQMD rulemaking activities and public hearings scheduled for 2019. (No Committee Review)
10571. **Status Report on Major Ongoing and Upcoming Projects for Information Management** **Moskowitz/3329**
- Information Management is responsible for data systems management services in support of all SCAQMD operations. This action is to provide the monthly status report on major automation contracts and planned projects. (Reviewed: Administrative Committee, March 8, 2019)

XX. Items Deferred from Consent Calendar

BOARD CALENDAR

10417. **Administrative Committee (Receive & File)** **Chair: Burke** **Nastri/3131**
10466. **Legislative Committee (Receive & File)** **Chair: Mitchell** **Alatorre/3122**
10391. **Mobile Source Committee (Receive & File)** **Chair: Parker** **Fine/2239**
10535. **Stationary Source Committee (Receive & File)** **Chair: Benoit** **Tisopulos/3123**

10371. Technology Committee (Receive & File) **Chair: Buscaino Miyasato/3249**
10427. Mobile Source Air Pollution Reduction Review Committee (Receive & File) **Board Liaison: Benoit Berry/2363**
10560. California Air Resources Board Monthly Report (Receive & File) **Board Rep: Mitchell Garzaro/2500**

PUBLIC HEARING

10575. Certify Final Subsequent Environmental Assessment and Amend Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines **Nakamura/3105**

The adoption Resolution of the Final 2016 AQMP directed staff to achieve additional NOx emission reductions and to transition the RECLAIM program to a command-and-control regulatory structure as soon as practicable. Proposed Amended Rule 1134 applies to RECLAIM and non-RECLAIM stationary gas turbines and is being amended to update NOx emission limits to reflect current BARCT, establish ammonia emission limits, and provide implementation timeframes to facilitate the transition of the NOx RECLAIM program to a command-and-control regulatory structure. The proposed amended rule also establishes provisions for monitoring, reporting, and recordkeeping. Other provisions are incorporated to remove obsolete provisions and provide clarifications. This action is to adopt the Resolution: 1) Certifying the Final Subsequent Environmental Assessment for Proposed Amended Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines, and 2) Amending Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines. (Reviewed: Stationary Source Committee, February 15, 2019)

PUBLIC COMMENT PERIOD – (Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3)

BOARD MEMBER TRAVEL – (No Written Material)

Board member travel reports have been filed with the Clerk of the Boards, and copies are available upon request.

CONFLICT OF INTEREST DISCLOSURES – (No Written Material)

CLOSED SESSION - (No Written Material)

Gilchrist/3459

ADJOURNMENT

*****PUBLIC COMMENTS*****

Members of the public are afforded an opportunity to speak on any agenda item before consideration of that item. Please notify the Clerk of the Board, (909) 396-2500, if you wish to do so. All agendas are posted at SCAQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 72 hours in advance of the meeting. At the end of the agenda, an opportunity is also provided for the public to speak on any subject within the SCAQMD's authority. Speakers will be limited to a total of three (3) minutes for the Consent Calendar and Board Calendar and three (3) minutes or less for other agenda items.

Note that on items listed on the Consent Calendar and the balance of the agenda any motion, including action, can be taken (consideration is not limited to listed recommended actions). Additional matters can be added and action taken by two-thirds vote, or in the case of an emergency, by a majority vote. Matters raised under the Public Comment Period may not be acted upon at that meeting other than as provided above.

Written comments will be accepted by the Board and made part of the record, provided 25 copies are presented to the Clerk of the Board. Electronic submittals to cob@aqmd.gov of 10 pages or less including attachment, in MS WORD, PDF, plain or HTML format will also be accepted by the Board and made part of the record if received no later than 5:00 p.m., on the Tuesday prior to the Board meeting.

ACRONYMS

AQ-SPEC = Air Quality Sensor Performance Evaluation Center

AQIP = Air Quality Investment Program

AQMP = Air Quality Management Plan

AVR = Average Vehicle Ridership

BACT = Best Available Control Technology

BARCT = Best Available Retrofit Control Technology

Cal/EPA = California Environmental Protection Agency

CARB = California Air Resources Board

CEMS = Continuous Emissions Monitoring Systems

CEC = California Energy Commission

CEQA = California Environmental Quality Act

CE-CERT =College of Engineering-Center for Environmental Research and Technology

CNG = Compressed Natural Gas

CO = Carbon Monoxide

DOE = Department of Energy

EV = Electric Vehicle

FY = Fiscal Year

GHG = Greenhouse Gas

HRA = Health Risk Assessment

LEV = Low Emission Vehicle

LNG = Liquefied Natural Gas

MATES = Multiple Air Toxics Exposure Study

MOU = Memorandum of Understanding

MSERCs = Mobile Source Emission Reduction Credits

MSRC = Mobile Source (Air Pollution Reduction) Review Committee

NATTS =National Air Toxics Trends Station

NESHAPS = National Emission Standards for Hazardous Air Pollutants

NGV = Natural Gas Vehicle

NOx = Oxides of Nitrogen

NSPS = New Source Performance Standards

NSR = New Source Review

OEHHA = Office of Environmental Health Hazard Assessment

PAMS = Photochemical Assessment Monitoring Stations

PEV = Plug-In Electric Vehicle

PHEV = Plug-In Hybrid Electric Vehicle

PM10 = Particulate Matter \leq 10 microns

PM2.5 = Particulate Matter \leq 2.5 microns

RECLAIM=Regional Clean Air Incentives Market

RFP = Request for Proposals

RFQ = Request for Quotations

SCAG = Southern California Association of Governments

SIP = State Implementation Plan

SOx = Oxides of Sulfur

SOON = Surplus Off-Road Opt-In for NOx

SULEV = Super Ultra Low Emission Vehicle

TCM = Transportation Control Measure

ULEV = Ultra Low Emission Vehicle

U.S. EPA = United States Environmental Protection Agency

VOC = Volatile Organic Compound

ZEV = Zero Emission Vehicle

DRAFT

BOARD MEETING DATE: April 5, 2019

AGENDA NO.

REPORT: Status Report on Major Ongoing and Upcoming Projects for Information Management

SYNOPSIS: Information Management is responsible for data systems management services in support of all SCAQMD operations. This action is to provide the monthly status report on major automation contracts and planned projects.

COMMITTEE: Administrative, March 8, 2019, Reviewed

RECOMMENDED ACTION:
Receive and file.

Wayne Nastri
Executive Officer

RMM:MAH:XC:agg

Background

Information Management (IM) provides a wide range of information systems and services in support of all SCAQMD operations. IM's primary goal is to provide automated tools and systems to implement Board-approved rules and regulations, and to improve internal efficiencies. The annual Budget specifies projects planned during the fiscal year to develop, acquire, enhance, or maintain mission-critical information systems.

Summary of Report

The attached report identifies each of the major projects/contracts or purchases that are ongoing or expected to be initiated within the next six months. Information provided for each project includes a brief project description and the schedule associated with known major milestones (issue RFP/RFQ, execute contract, etc.).

Attachment

Information Management Status Report on Major Ongoing and Upcoming Projects During the Next Six Months

ATTACHMENT
April 5, 2019 Board Meeting
Information Management Status Report on Major Ongoing and
Upcoming Projects During the Next Six Months

Project	Brief Description	Budget	Completed Actions	Upcoming Milestones
Implementation of Enterprise Geographic Information System (EGIS) Phase II	Continue to support accomplishment of the agency's mission through the effective and cost-efficient implementation of EGIS and related technologies		<ul style="list-style-type: none"> • Purchased ESRI extensions for OnBase • Completed all six prioritized EGIS projects: <ul style="list-style-type: none"> ○ GIS Data Development ○ System Documentation ○ Portal/Mobile Development ○ Completed OnBase Expansion and GIS Integration ○ Completed CLASS GIS Integration ○ Completed One-click Site Report 	
Telecommunications Services	Select vendor(s) to provide local, long distance, telemetry, internet, cellular services, and phone system maintenance for a three-year period	\$750,000	<ul style="list-style-type: none"> • Released RFP October 5, 2018 • Board Approval January 4, 2019 • Executed contracts February 28, 2019 	<ul style="list-style-type: none"> • Migrate and upgrade services April 2019
Office 365 Implementation	Acquire and implement Office 365 for SCAQMD staff	\$350,000	<ul style="list-style-type: none"> • Pre-assessment evaluation and planning completed • Board action approved funding on October 5, 2018 • Developed implementation and migration plan • Acquired Office 365 licenses 	<ul style="list-style-type: none"> • Implement Office 365 email (Exchange) and migrate all users • Implement Office 365 file storage (OneDrive for Business) and migrate users • Implement Office 365 internal website (SharePoint) and migrate existing content

Project	Brief Description	Budget	Completed Actions	Upcoming Milestones
Permitting System Automation Phase 1	New Web application to automate the filing of all permit applications with immediate processing and issuance of permits for specific application types: Dry Cleaners, Gas Stations and Automotive Spray Booths	\$694,705	<ul style="list-style-type: none"> • Phase 1 Automated 400A form filing, application processing, and online permit generation for Dry Cleaner module deployed to production completed • Facility ID Creation Module deployed to production completed • Phase 1.1 Automated 400A form filing, application processing, and online permit generation for Automotive Spray Booth and Gas Station Modules deployed to production completed • Enhanced calculations of sensitive receptor distances • Enhanced processing of school locations with associated parcels • Upgraded GIS Map integration and enhanced sensitive receptor identification and distance measurement work 	<ul style="list-style-type: none"> • Continue Phase 1.1 project outreach support • Enhance calculations of sensitive receptor distances • Deploy new version of system to production

Project	Brief Description	Budget	Completed Actions	Upcoming Milestones
Permitting System Automation Phase 2	Enhanced Web application to automate filing process of Permit Applications, Rule 222 equipment, and registration process for IC Engines; implement electronic permit folder and workflow for internal SCAQMD users	\$525,000	<ul style="list-style-type: none"> • December 2017 Board action approved initial Phase 2 funding • May 2018 Phase 2 project startup and detail planning completed • Business process model approved • Development of Negative Air Machines, Boilers/Water Heaters/Process Heaters, Cooling Towers, Portable Heaters, and Food Ovens filing process completed • October 5, 2018 Board action approved remaining Phase 2 funding • Code development for Boilers, Heaters, Ovens, Baghouses, and IC Engines completed • Application submittals, and form filing of Char Broilers, Small Boilers, and Oil Wells processing completed • Wireframes and user stories for Tar Pots/Tar Kettles, Asphalt Day Tankers, and Asphalt Pavement Heaters completed 	<ul style="list-style-type: none"> • User testing of completed Rule 222 forms including Negative Air Machines, Boilers/Water Heaters/Process Heaters, Cooling Towers, Portable Heaters, and Food Ovens • User testing of new set of Rule 222 forms including Tar Pots, Asphalt Tankers, Asphalt Heaters, and Aqueous Urea Storage • Deployment of new version of application to Stage Server for user testing • Wireframes, user stories, and code development for new set of Rule 222 forms including Agricultural Engines, IC Engines at Radio Tower, Diesel Fuel Boiler, and Fuel Cell with Heater

Project	Brief Description	Budget	Completed Actions	Upcoming Milestones
Permitting System Automation Phase 2 (Continued)			<ul style="list-style-type: none"> • Development of new set of Rule 222 forms including Tar Pots, Asphalt Tankers, Asphalt Heaters, Agricultural Engines, and Diesel Fuel Boilers • Wireframes, user stories, and code development for Micro Turbines, Storage of Odorants, and Storage of Aqueous Urea Solutions 	
Information Technology Review Implementation	Complete Board requested Information Technology review and initiate work on implementation of key recommendations	\$75,000	<ul style="list-style-type: none"> • Initiated Implementation Planning and Resource Requirements for key recommendations • Conducted recruitment process to fill Systems & Programming Supervisor position • Completed Microsoft Project Plan training for all IM Managers, Supervisors and Secretaries • Established Information Technology Steering Committee, members and charter • Configured and deployed Project Management software for IM team 	<ul style="list-style-type: none"> • Office 365 deployment

Project	Brief Description	Budget	Completed Actions	Upcoming Milestones
Permit Application Status and Dashboard Statistics	New Web application to allow engineers to update intermediate status of applications; create dashboard display of status summary with link to FIND for external user review	\$100,000	<ul style="list-style-type: none"> • December 2017 Board action approved funding • April 2018 project startup and detail planning completed • June 2018 wireframe and user story approved for Release 1 • User story and wireframe approved for application search module • User stories approved and coding completed for Dashboard Data Entry screens • Code development for Release 1 completed • Code development for application search module completed • User acceptance testing for data capture module completed • User acceptance testing for user reports completed • Internal deployment of application for engineers to populate application related data completed 	<ul style="list-style-type: none"> • Deployment of External application (and linked to FIND) for regulated community to view application related data

Project	Brief Description	Budget	Completed Actions	Upcoming Milestones
Agenda Tracking System Replacement	Replace aging custom agenda tracking system with state-of-the-art, cost-effective Enterprise Content Management (ECM) system, which is fully integrated with OnBase, SCAQMD's agency-wide ECM system	\$86,600	<ul style="list-style-type: none"> • Released RFP December 4, 2015 • Awarded contract April 1, 2016 • Continued parallel testing • Conducted survey of stakeholder satisfaction • As a result of the survey responses, the decision was made to develop a custom user interface for the application • Revised project scope to include custom user interface • Developed plan and schedule for revised scope 	Identify funding source
Document Conversion Services	Document Conversion Services to convert paper documents stored at SCAQMD facilities to electronic storage in OnBase	\$83,000	<ul style="list-style-type: none"> • Released RFQ October 5, 2018 • Approved qualified vendors January 4, 2019 • Converted over 350,000 rule administrative record documents for Planning and Rules 	<ul style="list-style-type: none"> • Execute purchase orders for scanning services • Convert over 1,000,000 contract documents for Technology Advancement Office (TAO)
Replace Your Ride (RZR)	New Web application to allow residents to apply for incentives to purchase newer, less polluting vehicles	\$301,820	<ul style="list-style-type: none"> • Phase 2 Fund Allocation, Administration and Management Reporting modules deployed and in production 	<ul style="list-style-type: none"> • Phase 3 user approval for production • Implementation of Electric Vehicle Service Equipment and alternative mode of transportation in the RZR application

Project	Brief Description	Budget	Completed Actions	Upcoming Milestones
Replace Your Ride (RZR) (continued)			<ul style="list-style-type: none"> • Final Phase 2 user requested enhancements: VIN Number, Case Manager, Auto e-mail and document library updates deployed to production • Phase 3 Data Migration development work completed 	<ul style="list-style-type: none"> • Approval of data migration • Approval of Phase 3 move to production
SCAQMD Mobile Application for iOS devices Phase 2	Enhancement of Mobile application with addition of Enhanced Notifications, Complaint Filing and Facility Information Detail	\$100,000	<ul style="list-style-type: none"> • Project Charter released • Proposal received • Task order issued 	<ul style="list-style-type: none"> • System design
SCAQMD Mobile Application for Android devices Phase 1	New mobile application for Android devices which will have the same functionality as the new iOS application	\$75,000	<ul style="list-style-type: none"> • Project Charter released • Proposal received • Task order issued • System design completed 	<ul style="list-style-type: none"> • System development
FIND System Replacement	Update and replace Facility Information Detail (FIND) application	\$148,150	<ul style="list-style-type: none"> • Task order issued, evaluated and awarded • Detail project planning completed • Wireframe approved • Development completed • Automated Testing completed • Beta testing completed • User outreach and training completed • System moved to production 	<ul style="list-style-type: none"> • Phase 2 requirements gathering

Project	Brief Description	Budget	Completed Actions	Upcoming Milestones
Legal Division New System Development	Develop new web-based case management system for Legal Division to replace existing JWorks System	\$500,000	<ul style="list-style-type: none"> • Task order issued, evaluated and awarded • Project initiated and project charter finalized • Business Process Model completed • Functional and system design completed • Data model received 	<ul style="list-style-type: none"> • Mock-up and code development for Sprint 1 – NOV tracking and MSPAP case management • Data model review
Flare Event Notification – Rule 1118	Develop new web-based application to comply with Rule 1118 to improve current flare notifications to the public and staff	\$100,000	<ul style="list-style-type: none"> • Vision and Scope issued • Charter Document and proposal approved • Task order to be issued • Requirement gathering for Sprint 1 & 2 completed • System Design for Sprint 1 & 2 completed • Requirement gathering for Sprint 3 completed • System design for Sprint 3 completed • Compliance integration design completed 	<ul style="list-style-type: none"> • Data model approval for Sprint 1, 2, and 3 • Begin Sprint 4: Implementation of Sprint 1 and 2

Project	Brief Description	Budget	Completed Actions	Upcoming Milestones
VW Environmental Mitigation Action Plan Project	CARB has assigned SCAQMD to develop web applications for two projects: Zero-Emission Class 8 Freight and Port Drayage Truck Project & Combustion Freight and Marine Project. SCAQMD is responsible for developing a web application for both incentive programs, and maintaining a database that will be queried for reporting perspectives for CARB	\$650,000 (Budget Estimate pending grant approval)	<ul style="list-style-type: none"> • Draft Charter Document issued 	<ul style="list-style-type: none"> • Approve timeline and milestones • Approve Charter • Budget Transfer • Approve qualifying vendor • Requirement gathering • Functional and system design
AQ-SPEC Cloud Platform	Develop a cloud-based platform to manage and visualize data collected by low-cost sensors		<ul style="list-style-type: none"> • Task Order Issued • Proposals Received • Task Order Awarded • Business Requirements Gathering Completed • System Architecture Approved 	<ul style="list-style-type: none"> • Sprint 1 Implementation
PeopleSoft Electronic Requisition	SCAQMD is implementing electronic requisition for PeopleSoft Financials. This will allow submittal of requisitions online. Additional benefits include tracking of multiple levels of approval, electronic archival of requisition documents, pre-encumbrance of budget, and streamlined workflow.		<ul style="list-style-type: none"> • Project Charter Approved • Task Order Issued • Proposal Received • Task Order Awarded • Requirement Gathering for Sprint 1 Completed • Design for Sprint 1 Completed • Code Development for Sprint 1 	<ul style="list-style-type: none"> • UAT for Sprint 1 • Design for Sprint 2

Project	Brief Description	Budget	Completed Actions	Upcoming Milestones
Renewal of HP Server Maintenance & Support	Purchase of maintenance and support services for servers and storage devices	\$120,000	<ul style="list-style-type: none"> • Board approval March 1, 2019 	<ul style="list-style-type: none"> • Execute contract April 30, 2019

Projects that have been completed are shown below.

Completed Projects	
Project	Date Completed
Website & Evaluation Improvements	January 6, 2018
Information Technology Review	January 31, 2018
Prequalify Vendor List for PCs, Network Hardware, etc.	February 3, 2018
Renewal of HP Server Maintenance & Support	April 6, 2018
Implementation of Enterprise Geographic Information System (EGIS) Phase I	May 30, 2018
Fiber Cable Network Infrastructure Upgrade	May 30, 2018
Air Quality Index Rewrite and Migration	June 29, 2018
AQMD Mobile Application for iOS devices Phase 1	November 2, 2018
CLASS Database Software Licensing and Support	November 30, 2018

Item 7

DRAFT

BOARD MEETING DATE: April 5, 2019

AGENDA NO.

PROPOSAL: Report of RFPs Scheduled for Release in April

SYNOPSIS: This report summarizes the RFPs for budgeted services over \$75,000 scheduled to be released for advertisement for the month of April.

COMMITTEE: Administrative, March 8, 2019, Reviewed

RECOMMENDED ACTION:

Approve the release of RFPs for the month of April.

Wayne Natri
Executive Officer

SJ:tm

Background

At its January 8, 2010 meeting, the Board approved a revised Procurement Policy and Procedure. Under the revised policy, RFPs for budgeted items over \$75,000, which follow the Procurement Policy and Procedure, no longer require individual Board approval. However, a monthly report of all RFPs over \$75,000 is included as part of the Board agenda package and the Board may, if desired, take individual action on any item. The report provides the title and synopsis of the RFP, the budgeted funds available, and the name of the Deputy Executive Officer/Asst. Deputy Executive Officer responsible for that item. Further detail including closing dates, contact information, and detailed proposal criteria will be available online at <http://www.aqmd.gov/grants-bids> following Board approval on April 5, 2019.

Outreach

In accordance with SCAQMD's Procurement Policy and Procedure, a public notice advertising the RFPs and inviting bids will be published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County's Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin.

Additionally, potential bidders may be notified utilizing SCAQMD's own electronic listing of certified minority vendors. Notice of the RFPs will be emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on the Internet at SCAQMD's website (<http://www.aqmd.gov>) where it can be viewed by making the selection "Grants & Bids."

Proposal Evaluation

Proposals received will be evaluated by applicable diverse panels of technically-qualified individuals familiar with the subject matter of the project or equipment and may include outside public sector or academic community expertise.

Attachment

Report of RFP Scheduled for Release in April 2019

**April 5, 2019 Board Meeting
Report on RFP Scheduled for Release on April 5, 2019**

(For detailed information visit SCAQMD's website at <http://www.aqmd.gov/nav/grants-bids> following Board approval on April 5, 2019)

STANDARDIZED SERVICES

RFP#P2019-19 Issue RFP for SCAQMD Elevator
Modernization Project

OLVERA/2309

This action is to issue an RFP from interested and qualified contractors for the elevator modernization project. The project is to modernize the elevators with energy efficient gearless technology, digital controls, advanced dispatching and AC-drive system. Funds for this project will come from the Undesignated Fund Balance.

DRAFT

BOARD MEETING DATE: April 5, 2019

AGENDA NO.

PROPOSAL: Execute Contract for Consultant Services for SCAQMD's High School Air Quality Educational Program

SYNOPSIS: At the February 1, 2019, meeting, the Board approved the release of an RFP to solicit proposals from individuals and organizations to provide assistance with SCAQMD's High School Air Quality Educational Program. Four proposals were submitted to the Administrative Committee for consideration at its March 8, 2019 meeting. After the Committee interviewed representatives of each of the firms, [CONTRACTOR] was selected for recommendation to the full Board. This action is to execute a contract with [CONTRACTOR] for an amount not to exceed \$500,000 for a one-year contract with an option for up to two one-year term renewals, upon satisfactory performance, at the Board's discretion. Funding for the initial year will be from the BP Arco Settlement Project Fund (46). Funding for the two optional years will be subject to future Board approval.

COMMITTEE: Administrative, March 8, 2019; Recommended for Approval

RECOMMENDED ACTION:

Authorize the Chairman to execute a one-year contract with [CONTRACTOR] for consultant services for the SCAQMD's High School Air Quality Educational Program for an amount not to exceed \$500,000 from the BP Arco Settlement Project Fund (46).

Wayne Nastri
Executive Officer

DJA:KH:LT:RAR

Background

SCAQMD has a long history of educational outreach to teachers and students in the South Coast Air Basin through programs and events, especially within environmental justice communities. These activities have been effective in raising awareness about SCAQMD and air quality issues among teachers and students, reaching several thousand

program and event participants. Additionally, SCAQMD's outreach efforts to high school students has yielded exponential benefits as participants in programs have shared information with their families, communities and peers.

In 2019, SCAQMD seeks to implement an air quality educational program at 100 high schools in environmental justice communities within its jurisdiction.

At the February 1, 2019, meeting, the Board approved the release of an RFP to solicit proposals from individuals and organizations to provide assistance with SCAQMD's High School Air Quality Educational Program.

Outreach

In accordance with SCAQMD's Procurement Policy and Procedure, a public notice advertising the RFP and inviting bids was published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County's Press Enterprise newspapers.

Additionally, potential bidders may have been notified utilizing SCAQMD's own electronic listing of certified minority vendors. Notice of the RFP was also emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on the Internet at SCAQMD's website (<http://www.aqmd.gov>).

Bid Evaluation

Seven proposals were received in response to the RFP. The proposals were evaluated and scored by a three-member evaluation panel. Of the seven proposals evaluated, four were considered technically qualified and were forwarded to the Administrative Committee for consideration. The attached matrix presents the scores and total proposal costs for the firms interviewed by the Administrative Committee.

The evaluation panel consisted of one Deputy Executive Officer, one Senior Public Affairs Manager, and one representative from California State University, Los Angeles. Of the three panelists, two are Hispanic and one is Asian; one is male and two are female.

Proposal

After interviewing the three firms, and reviewing written materials submitted as part of the proposals, the Administrative Committee recommends to the Board the selection of [CONTRACTOR] firm for one year of consultant services for the SCAQMD's High School Air Quality Educational Program for an amount not to exceed \$500,000 from the BP Arco Settlement Project Fund (46). An option for two one-year contract renewals will be contingent on satisfactory performance, approval of subsequent budgets, and Board approval.

Resource Impacts

Sufficient funding is available from the BP Arco Settlement Project Fund (46) for this contract.

Attachment

RFP #P2019-11 Scores and Costs Matrix

RFP #P2019-11 Scores and Costs Matrix

Firm	Technical Score	Cost Score	Additional Points	Total Score	Cost
Arellano Associates	58	16.5	15	89.5	\$498,191.00
Gladstein, Neandross & Associates	60	16.3	15	91.3	\$499,522.64
Global Inheritance	56	30.0	15	101	\$343,300.00
Lee Andrews Group	60	16.3	15	91.3	\$500,000.00

Item 9

DRAFT

BOARD MEETING DATE: April 5, 2019

AGENDA NO.

PROPOSAL: Issue RFP to Solicit Proposals and Execute Contract for Media, Advertising and Public Outreach Campaign for the 2019/20 Check Before You Burn Program

SYNOPSIS: This action is to issue an RFP not to exceed \$250,000 to solicit proposals from advertising agencies, media/public relations firms or other organizations with the necessary expertise to plan and execute a comprehensive media, advertising and public outreach campaign to promote awareness of and compliance with SCAQMD's 2019/20 Check Before You Burn program. The one-year contract will be funded from the Rule 1309.1 Priority Reserve Fund (36), and will include an option for renewal, with Board approval, for two additional one-year contracts.

COMMITTEE: Administrative, March 8, 2019; Recommended for Approval

RECOMMENDED ACTION:

Authorize the issuance of RFP #2019-17 to solicit proposals for a Media, Advertising and Public Outreach Campaign for the 2019/20 Check Before You Burn program in an amount not to exceed \$250,000, from the Rule 1309.1 Priority Reserve Fund (36).

Wayne Nastri
Executive Officer

SA:NKW

Background

SCAQMD's Check Before You Burn program and its regulatory framework, Rule 445 – Wood-Burning Devices, are key measures in the agency's AQMP to achieve the federal health-based air quality standard for PM2.5. Check Before You Burn and Rule 445 seek to reduce PM2.5 emissions from wood burning in residential fireplaces and wood-burning devices from November 1 through the end of February each year on days when unhealthy air quality is forecasted.

For the past six years, SCAQMD has contracted with media/public relations firms through a competitive bid process to plan and execute comprehensive outreach campaigns to:

- Increase awareness of and support for SCAQMD's Check Before You Burn program;
- Promote awareness of and compliance with no-burn days; and
- Promote signups to AirAlerts.org.

The campaigns have achieved tens of millions of impressions and thousands of AirAlerts signups through paid advertisements, "earned media" (news coverage) and community events, thus significantly boosting awareness of the program.

Proposal

For the 2019/20 Check Before You Burn season, SCAQMD needs to build on the outreach momentum gained over the past several years. Staff recommends contracting with a public relations/media/advertising firm to design and implement a comprehensive outreach campaign to promote the Check Before You Burn Program.

The RFP statement of work would include the following tasks:

1. Develop an overall campaign plan, including a means for quantifying the success of the campaign;
2. Develop all creative content;
3. Negotiate and execute all media buys on behalf of SCAQMD;
4. Seek value-added components to the media buys;
5. Conduct research to support the goals of the campaign; and
6. Produce a final report.

The entire period of performance for the contractor is expected to be approximately eight months. Following execution of a contract, approximately four months will be spent planning and preparing for the campaign. Campaign ads will run from November 1, 2019 to February 29, 2020. The contractor will submit a final report following the end of the campaign.

Proposals will be reviewed and evaluated by a diverse, technically qualified panel in accordance with criteria contained in the attached RFP. The panel is expected to be comprised of a Deputy Executive Officer, or their designee, a manager from SCAQMD's Legislative and Public Affairs team, a member of SCAQMD's Media office staff involved in coordination of the contractor's efforts, and a member of a public agency that oversees similar types of outreach work. If requested by the Administrative Committee, top-scoring bidders will be interviewed by the committee for selection of a contractor.

The total budget is up to \$250,000, which encompasses all costs including labor costs for the contractor and any subcontractors, creative and production costs, media buys, and any other direct costs. The contractor will not receive commissions from any media

outlets as part of this campaign.

Outreach

In accordance with SCAQMD's Procurement Policy and Procedure, a public notice advertising the RFP and inviting bids will be published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and the Riverside County's Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Air Basin.

Additionally, potential bidders may be notified utilizing SCAQMD's own electronic listing of certified minority vendors. Notice of the RFP will be emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on the Internet at SCAQMD's website (<http://www.aqmd.gov>) where it can be viewed by making the selection "Grants & Bids."

Proposed Budget

The budget for the 2019/20 Check Before You Burn campaign is up to \$250,000.

Resource Impacts

Sufficient funds are available in the Rule 1309.1 Priority Reserve Fund (36) for this outreach program.

Attachment

RFP #2019-17



SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

REQUEST FOR PROPOSALS

MEDIA, ADVERTISING AND PUBLIC OUTREACH CAMPAIGN FOR CHECK BEFORE YOU BURN PROGRAM

P2019-17

South Coast Air Quality Management District (SCAQMD) requests proposals for the following purpose according to terms and conditions attached. In the preparation of this Request for Proposals (RFP) the words "Proposer," "Contractor," "Consultant," "Bidder" and "Firm" are used interchangeably.

PURPOSE

The purpose of the RFP is to solicit proposals from advertising agencies, media/public relations firms or other organizations with the necessary expertise to plan and execute a comprehensive media, advertising and public outreach initiative to promote awareness of and compliance with the SCAQMD's Check Before You Burn program for the 2019/20 fall/winter season.

INDEX - The following are contained in this RFP:

Section I	Background/Information
Section II	Contact Person
Section III	Schedule of Events
Section IV	Participation in the Procurement Process
Section V	Statement of Work/Schedule of Deliverables
Section VI	Required Qualifications
Section VII	Proposal Submittal Requirements
Section VIII	Proposal Submission
Section IX	Proposal Evaluation/Contractor Selection Criteria
Section X	Funding
Section XI	Sample Contract

Attachment A - Participation in the Procurement Process

Attachment B - Certifications and Representations

SECTION I: BACKGROUND/INFORMATION

The purpose of this RFP is to solicit proposals from advertising agencies, media/public relations firms or other organizations with the necessary expertise to plan and execute a comprehensive media, advertising and public outreach campaign to promote awareness of and compliance with SCAQMD's Check Before You Burn program from November 1, 2019 through February 29, 2020.

Agency Background

The [SCAQMD](#) was created by the California Legislature in 1977 to combine individual county

air pollution agencies in Southern California into one regional agency, with jurisdiction across all of Orange County and major portions of Los Angeles, San Bernardino and Riverside counties. The agency is governed by a 13-member Governing Board consisting of county supervisors, city council members and state appointees.

SCAQMD is responsible for regulating air emissions primarily from stationary sources of air pollution, such as factories, oil refineries, chemical plants, gasoline stations and dry cleaners. SCAQMD regulates more than 28,000 such businesses operating in the Southland.

State law also requires the SCAQMD to periodically develop an Air Quality Management Plan (AQMP) that outlines how the South Coast region will achieve state and federal ambient air quality standards, or at a minimum demonstrate that all feasible measures are being implemented to meet state air quality standards.

Fine particulate matter (PM2.5) is a serious public health threat associated with a wide range of adverse health effects, including increased emergency room visits and hospitalizations, as well as increased risk of heart attacks and premature deaths. Southern California has some of the worst PM2.5 air pollution in the nation and although smoke from wood-burning devices is not the largest PM2.5 source, it does impact air quality. Specifically, fireplaces and other wood-burning devices in the Southland have been estimated to emit more than five tons of PM2.5 per day in the South Coast Air Basin.

Regulatory Background – Rule 445

In March 2008, SCAQMD adopted [Rule 445 – Wood-Burning Devices](#), to reduce PM2.5 emissions from residential wood-burning devices. Under Rule 445, from November 1 through the end of February, when PM2.5 is forecast to reach unhealthful levels, residents are prohibited from burning wood in their fireplaces for a 24-hour period or longer, if consecutive No-Burn days are declared. Typically the wood burning prohibition applies to the entire South Coast Air Basin.

Check Before You Burn

SCAQMD's [Check Before You Burn program](#) is the public education and outreach component of Rule 445. The campaign seeks to educate residents of the South Coast Air Basin about the hazards of wood smoke and encourage their compliance with No-Burn days. See the [2018 news release](#) for more information.

Past and Current Initiatives

Under recent campaigns, comprehensive outreach efforts were executed including conducting quantitative research and focus groups; developing messages in English and Spanish; purchasing radio, cable TV, cinema, and digital advertising; producing video PSAs; securing earned media coverage; direct marketing; participating in community outreach events; crafting social media posts; and presenting at various SCAQMD meetings.

NOTE: Bidders should not assume that program elements or methods used previously by SCAQMD and its contractors must continue. SCAQMD encourages the development of innovative approaches to enhance and improve prior Check Before You Burn initiatives.

Scope of Work – See Section V

Goals

1. Increase awareness of and support for SCAQMD's Check Before You Burn program
2. Promote awareness of and compliance with [No-Burn Days](#)
3. Increase signups to SCAQMD's [AirAlerts](#) air quality forecasts and notifications

Audience

The overall audience includes all residents of the South Coast Air Basin, but specifically the more than 1 million households that actively burn wood in their fireplaces.

Timeframe

The entire period of performance for the Contractor is expected to be approximately eight months. Following anticipated selection of a contractor by SCAQMD's Governing Board in July 2019, approximately two months will be spent planning and preparing for the campaign. The campaign will be live from Nov. 1, 2019 through Feb. 28, 2020. The Contractor will complete and submit to SCAQMD a final report during March 2020.

Since the CONTRACTOR will have approximately two months -- from August to early October -- to plan the entire campaign and produce all creative materials, bidders should submit a detailed RFP that includes an overall strategy, specific proposed media buys, sample creative material and a plan for campaign research. In addition, the campaign plan must be designed and implemented such that advertising, media and other outreach for the Check Before You Burn program begin no later than Nov. 1, 2019.

Partnerships

SCAQMD is seeking a cost-effective campaign that will achieve the greatest value for its investment. As such, prospective Contractors may want to consider partnerships with a media organization, discounted agency fees, etc. to maximize SCAQMD's dollars.

Number of awards

One award is anticipated under this RFP.

Budget and Contractor compensation

The maximum amount available for the campaign, including Contractor labor, any subcontractors, creative and production costs, media buys, direct costs, etc., is \$250,000.

The SCAQMD anticipates issuing a fixed-priced contract. The Contractor will invoice SCAQMD on a monthly basis for labor, media buys and production costs. The Contractor will pay media outlets for advertising. The Contractor will not receive any commissions from the media outlets for ad buys.

Review process

Before implementation, the final plan and all creative material will be reviewed and approved by SCAQMD's Deputy Executive Officer for Legislative, Public Affairs and Media, and SCAQMD's Executive Officer.

Support from SCAQMD

SCAQMD will provide technical and background information to help support the campaign, such as:

- Detailed information on SCAQMD's Check Before You Burn program.
- Samples of existing SCAQMD collateral on air quality, Air Alerts, Check Before You Burn, etc. Proposers should review SCAQMD's AirAlerts website at AirAlerts.org; and its general website at www.aqmd.gov.

SECTION II: CONTACT PERSON:

All questions regarding the RFP must be e-mailed to Kim White at SCAQMD, at kwhite@aqmd.gov **no later than 5 p.m. on April 23. Questions will be answered by e-mail and posted to SCAQMD's RFP webpage at <http://www.aqmd.gov/grants-bids>. General questions about the RFP process and sample contract should be directed to Dean Hughbanks, SCAQMD Procurement Manager, at 909- 396-2808.

SECTION III: SCHEDULE OF EVENTS

April 5, 2019 – RFP Released

April 16, 2019 at 10:30 a.m. – Bidder's Conference

April 23, 2019 at 5 p.m. – Deadline for questions

May 8, 2019 -- Proposals Due – **No Later Than 1:00 pm**

May 15, 2019 – Panel Evaluations

June 14, 2019 – SCAQMD Administrative Committee Meeting and Interviews

July 12, 2019 – Governing Board Approval

August 2, 2019 – Anticipated Contract Execution

November 1, 2019 to Feb. 29, 2020 – Campaign live

*Participation in the Bidder's Conference is optional. Such participation would assist in notifying potential bidders of any updates or amendments. The Bidder's Conference will be held in Room CC-6 at the SCAQMD Headquarters in Diamond Bar, California at 10:30 a.m. on April 16, 2019. Please contact Brandee Keith at 909-396-3952 or bkeith@aqmd.gov by close of business on April 10 if you plan to attend.

SECTION IV: PARTICIPATION IN THE PROCUREMENT PROCESS

It is the policy of SCAQMD to ensure that all businesses including minority business enterprises, women business enterprises, disabled veteran business enterprises and small businesses have a fair and equitable opportunity to compete for and participate in SCAQMD contracts. Attachment A to this RFP contains definitions and further information.

SECTION V: STATEMENT OF WORK/SCHEDULE OF DELIVERABLES

A. Statement of Work

1. Using the detailed campaign plan presented in the RFP, and incorporating any feedback from SCAQMD’s Governing Board and DEO for Legislative, Public Affairs & Media, finalize an overall campaign plan to promote awareness of and compliance with the Check Before You Burn program during the 2019/20 season.
2. Produce all creative material needed for the campaign.
3. Negotiate and execute all media buys on behalf of SCAQMD.
4. Seek value-ads to the media buys, such as additional spots, interviews, etc.
5. Design and execute a research strategy to quantify the effectiveness of the campaign, specifically: increase in awareness of and/or support for the Check Before You Burn program; increase in compliance with No-Burn alerts; and increase in subscriptions to AirAlerts.org.
6. Seek positive earned-media coverage of the Check Before You Burn program and No-Burn alerts.
7. Monitor all ad flights and ensure any missed ads are made up.
8. Provide to SCAQMD on a regular basis statistics including paid and earned media impressions.
9. Produce a final report for SCAQMD on the campaign.

B. Schedule of Deliverables

Month	August 2019	Sept. 2019	Oct. 2019	Nov. 2019	Dec. 2019	Jan. 2020	Feb. 2020	March 2020
Kickoff meeting with SCAQMD CBYB team	X							
Completion of Task No. 1-2	X	X						
SCAQMD review and approval of Task No. 1-2	X	X						
Completion of Task No. 3-6		X	X	X	X	X	X	
All elements of campaign LIVE; complete Task No. 7-8				X	X	X	X	
Completion of Task No. 9								X

SECTION VI: REQUIRED QUALIFICATIONS

Proposers under this solicitation should have significant demonstrated experience in:

- Executing marketing campaigns for government agencies or non-profits seeking to increase awareness of their agency or organization;
- Successfully promoting behavior change that benefits public health or society at large;
- Quantifying behavior changes resulting from marketing campaigns;
- Developing and implementing advertising campaigns specifically for TV, print, radio, Internet and social media;
- Negotiating the best ad rates and “added value” elements such as additional ad spots, etc.; and
- Monitoring advertising campaigns, including optimizing ad timing/placement if warranted, ensuring that any missed ads are made up.

SECTION VII: PROPOSAL SUBMITTAL REQUIREMENTS

Submitted proposals must follow the format outlined below and all requested information must be supplied. Failure to submit proposals in the required format will result in elimination from proposal evaluation. SCAQMD may modify the RFP or issue supplementary information or guidelines during the proposal preparation period prior to the due date. Please check our website for updates (<http://www.aqmd.gov/grants-bids>). The cost for developing the proposal is the responsibility of the Contractor, and shall not be chargeable to SCAQMD.

Each proposal must be submitted in three separate volumes:

- Volume I - Technical Proposal
- Volume II - Cost Proposal
- Volume III - Certifications and Representations included in Attachment B to this RFP, must be completed and executed by an authorized official of the Contractor.

A separate cover letter including the name, address, and telephone number of the contractor, and signed by the person or persons authorized to represent the Firm should accompany the proposal submission. Firm contact information as follows should also be included in the cover letter:

1. Address and telephone number of office in, or nearest to, Diamond Bar, California.
2. Name and title of Firm's representative designated as contact.

A separate Table of Contents should be provided for Volumes I and II.

VOLUME I - TECHNICAL PROPOSAL

DO NOT INCLUDE ANY COST INFORMATION IN THE TECHNICAL VOLUME

Summary (Section A) - State overall approach to meeting the objectives and satisfying the scope of work to be performed, the sequence of activities, and a description of methodology or techniques to be used.

Campaign Design (Section B) - This section comprises the body of the technical proposal. The proposer should describe their proposed campaign in detail, addressing all project requirements as specified in RFP sections I and V above. **This section should indicate proposed media buys and total impressions from each media category, i.e. TV, Internet, print, etc.**

Program Schedule (Section C) – Provide a projected time schedule and milestones for all elements of the campaign.

Proposer Qualifications (Section D) - Describe the technical capabilities of the Firm, including other similar campaigns performed during the last five years, particularly those for non-profit or governmental organizations, demonstrating ability to successfully complete the project. .

References (Section E) -- List references of prior clients, preferably those for whom similar campaigns were planned/executed. Include contact name, title, and telephone number for any references listed.

Assigned Personnel (Section F) - Provide the following information about the staff to be assigned to this project:

1. Describe the proposed management structure and organization of the proposed team.
2. List all key personnel assigned to the project by level and name. Provide a resume or similar statement of the qualifications of the lead person and all persons assigned to the project. Substitution of project manager or lead personnel will not be permitted without prior written approval of SCAQMD.
3. Provide a statement indicating whether or not 90% of the work will be performed within the geographical boundaries of SCAQMD.

Subcontractors (Section G) - This project may require subcontractors. List any subcontractors that will be used and the work to be performed by them.

Conflict of Interest (Section H) - Address possible conflicts of interest with other clients affected by actions performed by the Firm on behalf of SCAQMD. Although the Proposer will not be automatically disqualified by reason of work performed for such clients, SCAQMD reserves the right to consider the nature and extent of such work in evaluating the proposal.

Additional Data (Section I) - Provide other essential data that may assist in the evaluation of this proposal.

VOLUME II - COST PROPOSAL

Name and Address - The Cost Proposal must list the name and complete address of the Proposer in the upper left-hand corner.

Cost Proposal – SCAQMD anticipates awarding a fixed price contract. Cost information must be provided as listed below:

1. Detail must be provided by the following categories:
 - A. Labor – List the total number of hours and the hourly billing rate for each level of professional staff.
 - B. Media Buy – Provide an estimate of the cost of each media buy. Please note that SCAQMD will not allow the selected contractor to receive a commission from any media outlet.
 - C. Subcontractor Costs - List subcontractor costs and identify subcontractors by name. Itemize subcontractor charges per hour, day or task.
 - D. Production Costs – List the cost for production of all ads.
 - E. Other Direct Costs –Itemize any direct costs that will be incurred by the campaign.
2. It is the policy of the SCAQMD to receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services. SCAQMD will give preference, where appropriate, to vendors who certify that they will provide “most favored customer” status to the SCAQMD. To receive preference points, Proposer shall certify that SCAQMD is receiving “most favored customer” pricing in the Business Status Certifications page of Volume III, Attachment B – Certifications and Representations.

VOLUME III - CERTIFICATIONS AND REPRESENTATIONS (see Attachment B to this RFP)

Certifications and Representations included in Attachment B to this RFP should be executed by an authorized official of the Proposer.

SECTION VIII: PROPOSAL SUBMISSION

All proposals must be submitted according to specifications set forth in the section above, and this section. Failure to adhere to these specifications may be cause for rejection of the proposal.

Signature - All proposals must be signed by an authorized representative of the Proposer.

Due Date – **All proposals are due no later than 1:00 p.m., May 8, 2019, and should be directed to:**

Procurement Unit
 South Coast Air Quality Management District
 21865 Copley Drive
 Diamond Bar, CA 91765-4178

(909) 396-3520

Submittal - The Proposer shall submit four (4) complete copies of the proposal in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the Proposer and the words "Request for Proposals P2019-17."

Late bids/proposals will not be accepted under any circumstances. Any correction or resubmission done by the Proposal will not extend the submittal due date.

Grounds for Rejection - A proposal may be immediately rejected if:

- It is not prepared in the format described, or
- It is signed by an individual not authorized to represent the Firm.

Modification or Withdrawal - Once submitted, proposals cannot be altered without the prior written consent of SCAQMD. All proposals shall constitute firm offers and may not be withdrawn for a period of ninety (90) days following the last day to accept proposals.

SECTION IX: PROPOSAL EVALUATION/CONTRACTOR SELECTION CRITERIA

- A. Proposals will be evaluated by a panel of two to four SCAQMD staff members and the outside panel member familiar with the subject matter of the project. The panel shall be appointed by the Executive Officer or his designee. In addition, the evaluation panel may include one communications professional from outside SCAQMD. The panel will recommend several finalists to the SCAQMD’s Administrative Committee for final selection of one Contractor.
- B. Each member of the evaluation panel shall be accorded equal weight in his or her rating of proposals. The evaluation panel members shall evaluate the proposals according to the specified criteria and numerical weightings set forth below.

1. Scoring

Campaign Design 50
 The review panel will assign a score of up to 50 points to each proposal based on sections A, B and C in the required technical proposal detailed in section VII, Part I.

Proposer Qualifications 25
 The review panel will assign a score of up to 25 points to each proposal based on sections D, E and F in the required technical proposal detailed in Section VII, Part I.

Value-Added Elements 15
 The review panel will assign a score of up to 15 points for value-added features such as a discount on Contractor’s standards, rates, media partnerships, etc.

Cost 10
 Ten (10) points will be awarded to the lowest-cost proposal. All other cost

proposals will receive points on a prorated basis. For example, if the lowest cost proposal is \$1,000 it will receive the full 10 points. If the next lowest proposal is \$1,100 it will receive nine (9) points reflecting the fact that it is 10% higher than the lowest cost. (90% of 10 points = 9 points)

TOTAL **100**

(c) Additional Points

Small Business or Small Business Joint Venture	10
DVBE or DVBE Joint Venture	10
Use of DVBE or Small Business Subcontractors	7
Low-Emission Vehicle Business	5
Local Business (Non-Federally Funded Projects Only)	5
Off-Peak Hours Delivery Business	2
Most Favored Customer	2

The cumulative points awarded for small business, DVBE, use of small business or DVBE subcontractors, low-emission vehicle business, local business, and off-peak hours delivery business shall not exceed 15 points. Most Favored Customer status incentive points shall be added, as applicable for a total of 17 points.

Self-Certification for Additional Points

The award of these additional points shall be contingent upon Proposer completing the Self-Certification section of Attachment B – Certifications and Representations and/or inclusion of a statement in the proposal self-certifying that Proposer qualifies for additional points as detailed above.

2. To receive additional points in the evaluation process for the categories of Small Business or Small Business Joint Venture, DVBE or DVBE Joint Venture or Local Business (for non-federally funded projects), the proposer must submit a self-certification or certification from the State of California Office of Small Business Certification and Resources at the time of proposal submission certifying that the proposer meets the requirements set forth in Section IV. To receive points for the use of DVBE and/or Small Business subcontractors, at least 25 percent of the total contract value must be subcontracted to DVBEs and/or Small Businesses. To receive points as a Low-Emission Vehicle Business, the proposer must demonstrate to the Executive Officer, or designee, that supplies and materials delivered to SCAQMD are delivered in vehicles that operate on either clean-fuels or if powered by diesel fuel, that the vehicles have particulate traps installed. To receive points as a Local Business, the proposer must affirm that it has an ongoing business within the South Coast AQMD at the time of bid/proposal submittal and that 90% of the work related to the contract will be performed within the South Coast AQMD. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points. Federally funded projects are not eligible for local business

incentive points. To receive points as an Off-Peak Hours Delivery Business, the proposer must submit, at proposal submission, certification of its commitment to delivering supplies and materials to SCAQMD between the hours of 10:00 a.m. and 3:00 p.m. To receive points for Most Favored Customer status, the proposer must submit, at proposal submission, certification of its commitment to provide most favored customer status to the SCAQMD. The cumulative points awarded for small business, DVBE, use of Small Business or DVBE Subcontractors, Local Business, Low-Emission Vehicle Business and Off-Peak Hour Delivery Business shall not exceed 15 points.

3. The lowest cost proposal will be awarded the maximum cost points available and all other cost proposals will receive points on a prorated basis. For example if the lowest cost proposal is \$1,000 and the maximum points available are 30 points, this proposal would receive the full 30 points. If the next lowest cost proposal is \$1,100 it would receive 27 points reflecting the fact that it is 10% higher than the lowest cost (90% of 30 points = 27 points).
- C. During the selection process the evaluation panel may wish to interview some proposers for clarification purposes only. No new material will be permitted at this time. Additional information provided during the bid review process is limited to clarification by the Proposer of information presented in his/her proposal, upon request by SCAQMD.
 - D. The Executive Officer or Governing Board may award the contract to a Proposer other than the Proposer receiving the highest rating in the event the Governing Board determines that another Proposer from among those technically qualified would provide the best value to SCAQMD considering cost and technical factors. The determination shall be based solely on the Evaluation Criteria contained in the Request for Proposal (RFP), on evidence provided in the proposal and on any other evidence provided during the bid review process.
 - E. Selection will be made based on the above-described criteria and rating factors. The selection will be made by and is subject to Executive Officer or Governing Board approval. Proposers may be notified of the results by letter.
 - F. The Governing Board has approved a Bid Protest Procedure which provides a process for a Bidder or prospective Bidder to submit a written protest to SCAQMD Procurement Manager in recognition of two types of protests: Protest Regarding Solicitation and Protest Regarding Award of a Contract. Copies of the Bid Protest Policy can be secured through a request to SCAQMD Procurement Department.
 - G. The Executive Officer or Governing Board may award contracts to more than one proposer if in (his or their) sole judgment the purposes of the (contract or award) would best be served by selecting multiple proposers.
 - H. If additional funds become available, the Executive Officer or Governing Board may increase the amount awarded. The Executive Officer or Governing Board may also select additional proposers for a grant or contract if additional funds become available.
 - I. Disposition of Proposals – Pursuant to SCAQMD’s Procurement Policy and Procedure, SCAQMD reserves the right to reject any or all proposals. All proposals become the

property of SCAQMD, and are subject to the California Public Records Act. One copy of the proposal shall be retained for SCAQMD files. Additional copies and materials will be returned only if requested and at the proposer's expense.

SECTION X: FUNDING

The total funding for the work contemplated by this RFP, including Contractor labor, media buys, ad production, direct costs, etc., will be a maximum of **\$250,000** for the 2019/20 Check Before You Burn season with an option to renew the contract twice, for the 2020/21 and 2021/22 Check Before You Burn seasons, for an estimated total amount of \$1750,000.

SECTION XI: SAMPLE CONTRACT

A sample contract to carry out the work described in this RFP is available on SCAQMD's website at <http://www.aqmd.gov/grants-bids> or upon request from the RFP Contact Person (Section II).

ATTACHMENT A

PARTICIPATION IN THE PROCUREMENT PROCESS

A. It is the policy of South Coast Air Quality Management District (SCAQMD) to ensure that all businesses including minority business enterprises, women business enterprises, disabled veteran business enterprises and small businesses have a fair and equitable opportunity to compete for and participate in SCAQMD contracts.

B. Definitions:

The definition of minority, women or disadvantaged business enterprises set forth below is included for purposes of determining compliance with the affirmative steps requirement described in Paragraph G below on procurements funded in whole or in part with federal grant funds which involve the use of subcontractors. The definition provided for disabled veteran business enterprise, local business, small business enterprise, low-emission vehicle business and off-peak hours delivery business are provided for purposes of determining eligibility for point or cost considerations in the evaluation process.

1. "Women business enterprise" (WBE) as used in this policy means a business enterprise that meets all of the following criteria:
 - a. a business that is at least 51 percent owned by one or more women, or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more women.
 - b. a business whose management and daily business operations are controlled by one or more women.
 - c. a business which is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign-based business.
2. "Disabled veteran" as used in this policy is a United States military, naval, or air service veteran with at least 10 percent service-connected disability who is a resident of California.
3. "Disabled veteran business enterprise" (DVBE) as used in this policy means a business enterprise that meets all of the following criteria:
 - a. is a sole proprietorship or partnership of which at least 51 percent is owned by one or more disabled veterans or, in the case of a publicly owned business, at least 51 percent of its stock is owned by one or more disabled veterans; a subsidiary which is wholly owned by a parent corporation but only if at least 51 percent of the voting stock of the parent corporation is owned by one or more disabled veterans; or a joint venture in which at least 51 percent of the joint venture's management and control and earnings are held by one or more disabled veterans.
 - b. the management and control of the daily business operations are by one or more disabled veterans. The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business.

- c. is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.
4. "Local business" as used in this policy means a company that has an ongoing business within geographical boundaries of SCAQMD at the time of bid or proposal submittal and performs 90% of the work related to the contract within the geographical boundaries of SCAQMD and satisfies the requirements of subparagraph H below.
5. "Small business" as used in this policy means a business that meets the following criteria:
- a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
- A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or
 - A manufacturer with 100 or fewer employees.
- b. Manufacturer means a business that is both of the following:
- 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.
 - 2) Classified between Codes 311000 and 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.
6. "Joint ventures" as defined in this policy pertaining to certification means that one party to the joint venture is a DVBE or small business and owns at least 51 percent of the joint venture.
7. "Low-Emission Vehicle Business" as used in this policy means a company or contractor that uses low-emission vehicles in conducting deliveries to SCAQMD. Low-emission vehicles include vehicles powered by electric, compressed natural gas (CNG), liquefied natural gas (LNG), liquefied petroleum gas (LPG), ethanol, methanol, hydrogen and diesel retrofitted with particulate matter (PM) traps.
8. "Off-Peak Hours Delivery Business" as used in this policy means a company or contractor that commits to conducting deliveries to SCAQMD during off-peak traffic hours defined as between 10:00 a.m. and 3:00 p.m.
9. "Benefits Incentive Business" as used in this policy means a company or contractor that provides janitorial, security guard or landscaping services to SCAQMD and commits to

providing employee health benefits (as defined below in Section VIII.D.2.d) for full time workers with affordable deductible and co-payment terms.

10. "Minority Business Enterprise" as used in this policy means a business that is at least 51 percent owned by one or more minority person(s), or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more or minority persons.
 - a. a business whose management and daily business operations are controlled by one or more minority persons.
 - b. a business which is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign-based business.
 - c. "Minority person" for purposes of this policy, means a Black American, Hispanic American, Native-American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian (including a person whose origins are from India, Pakistan, and Bangladesh), Asian-Pacific-American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, and Taiwan).

11. "Most Favored Customer" as used in this policy means that the SCAQMD will receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services.

12. "Disadvantaged Business Enterprise" as used in this policy means a business that is an entity owned and/or controlled by a socially and economically disadvantaged individual(s) as described by Title X of the Clean Air Act Amendments of 1990 (42 U.S.C. 7601 note) (10% statute), and Public Law 102-389 (42 U.S.C. 4370d)(8% statute), respectively;
 - a Small Business Enterprise (SBE);
 - a Small Business in a Rural Area (SBRA);
 - a Labor Surplus Area Firm (LSAF); or
 - a Historically Underutilized Business (HUB) Zone Small Business Concern, or a concern under a successor program.

- C. Under Request for Quotations (RFQ), DVBEs, DVBE business joint ventures, small businesses, and small business joint ventures shall be granted a preference in an amount equal to 5% of the lowest cost responsive bid. Low-Emission Vehicle Businesses shall be granted a preference in an amount equal to 5 percent of the lowest cost responsive bid. Off-Peak Hours Delivery Businesses shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid. Local businesses (if the procurement is not funded in whole or in part by federal grant funds) shall be granted a preference in an amount equal to 2% of the lowest cost responsive bid. Businesses offering Most Favored Customer status shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid.

- D. Under Request for Proposals, DVBEs, DVBE joint ventures, small businesses, and small business joint ventures shall be awarded ten (10) points in the evaluation process. A non-DVBE or large business shall receive seven (7) points for subcontracting at least twenty-five (25%) of the total contract value to a DVBE and/or small business. Low-Emission Vehicle Businesses shall be awarded five (5) points in the evaluation process. On procurements which are not funded in whole or in part by federal grant funds local businesses shall receive five (5) points. Off-Peak Hours Delivery Businesses shall be awarded two (2) points in the evaluation process. Businesses offering Most Favored Customer status shall be awarded two (2) points in the evaluation process.
- E. SCAQMD will ensure that discrimination in the award and performance of contracts does not occur on the basis of race, color, sex, national origin, marital status, sexual preference, creed, ancestry, medical condition, or retaliation for having filed a discrimination complaint in the performance of SCAQMD contractual obligations.
- F. SCAQMD requires Contractor to be in compliance with all state and federal laws and regulations with respect to its employees throughout the term of any awarded contract, including state minimum wage laws and OSHA requirements.
- G. When contracts are funded in whole or in part by federal funds, and if subcontracts are to be let, the Contractor must comply with the following, evidencing a good faith effort to solicit disadvantaged businesses. Contractor shall submit a certification signed by an authorized official affirming its status as a MBE or WBE, as applicable, at the time of contract execution. SCAQMD reserves the right to request documentation demonstrating compliance with the following good faith efforts prior to contract execution.
1. Ensure Disadvantaged Business Enterprises (DBEs) are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
 2. Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
 3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and Local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
 4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
 5. Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

6. If the prime contractor awards subcontracts, require the prime contractor to take the above steps.

- H. To the extent that any conflict exists between this policy and any requirements imposed by federal and state law relating to participation in a contract by a certified MBE/WBE/DVBE as a condition of receipt of federal or state funds, the federal or state requirements shall prevail.

- I. When contracts are not funded in whole or in part by federal grant funds, a local business preference will be awarded. For such contracts that involve the purchase of commercial off-the-shelf products, local business preference will be given to suppliers or distributors of commercial off-the-shelf products who maintain an ongoing business within the geographical boundaries of SCAQMD. However, if the subject matter of the RFP or RFQ calls for the fabrication or manufacture of custom products, only companies performing 90% of the manufacturing or fabrication effort within the geographical boundaries of SCAQMD shall be entitled to the local business preference.

- J. In compliance with federal fair share requirements set forth in 40 CFR Part 33, SCAQMD shall establish a fair share goal annually for expenditures with federal funds covered by its procurement policy.

ATTACHMENT B:
CERTIFICATIONS AND REPRESENTATIONS



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

Business Information Request

Dear SCAQMD Contractor/Supplier:

South Coast Air Quality Management District (SCAQMD) is committed to ensuring that our contractor/supplier records are current and accurate. If your firm is selected for award of a purchase order or contract, it is imperative that the information requested herein be supplied in a timely manner to facilitate payment of invoices. In order to process your payments, we need the enclosed information regarding your account. **Please review and complete the information identified on the following pages, remember to sign all documents for our files, and return them as soon as possible to the address below:**

**Attention: Accounts Payable, Accounting Department South Coast Air
Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178**

If you do not return this information, we will not be able to establish you as a vendor. This will delay any payments and would still necessitate your submittal of the enclosed information to our Accounting department before payment could be initiated. Completion of this document and enclosed forms would ensure that your payments are processed timely and accurately.

If you have any questions or need assistance in completing this information, please contact Accounting at (909) 396-3777. We appreciate your cooperation in completing this necessary information.

Sincerely,

Sujata Jain
Assistant Deputy Executive Officer
Finance

DH:tm

Enclosures: Business Information Request
 Disadvantaged Business Certification
 W-9
 Form 590 Withholding Exemption Certificate
 Federal Contract Debarment Certification
 Campaign Contributions Disclosure
 Direct Deposit Authorization

REV 1/18



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

BUSINESS INFORMATION REQUEST

Business Name	
Division of	
Subsidiary of	
Website Address	
Type of Business <i>Check One:</i>	<input type="checkbox"/> Individual <input type="checkbox"/> DBA, Name _____, County Filed in _____ <input type="checkbox"/> Corporation, ID No. _____ <input type="checkbox"/> LLC/LLP, ID No. _____ <input type="checkbox"/> Other _____

REMITTING ADDRESS INFORMATION

Address			
City/Town			
State/Province		Zip	
Phone	() - Ext	Fax	() -
Contact		Title	
E-mail Address			
Payment Name if Different			

All invoices must reference the corresponding Purchase Order Number(s)/Contract Number(s) if applicable and mailed to:

**Attention: Accounts Payable, Accounting Department
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178**

BUSINESS STATUS CERTIFICATIONS

Federal guidance for utilization of disadvantaged business enterprises allows a vendor to be deemed a small business enterprise (SBE), minority business enterprise (MBE) or women business enterprise (WBE) if it meets the criteria below.

- is certified by the Small Business Administration or
- is certified by a state or federal agency or
- is an independent MBE(s) or WBE(s) business concern which is at least 51 percent owned and controlled by minority group member(s) who are citizens of the United States.

Statements of certification:

As a prime contractor to SCAQMD, (name of business) will engage in good faith efforts to achieve the fair share in accordance with 40 CFR Section 33.301, and will follow the six affirmative steps listed below **for contracts or purchase orders funded in whole or in part by federal grants and contracts.**

1. Place qualified SBEs, MBEs, and WBEs on solicitation lists.
2. Assure that SBEs, MBEs, and WBEs are solicited whenever possible.
3. When economically feasible, divide total requirements into small tasks or quantities to permit greater participation by SBEs, MBEs, and WBEs.
4. Establish delivery schedules, if possible, to encourage participation by SBEs, MBEs, and WBEs.
5. Use services of Small Business Administration, Minority Business Development Agency of the Department of Commerce, and/or any agency authorized as a clearinghouse for SBEs, MBEs, and WBEs.
6. If subcontracts are to be let, take the above affirmative steps.

Self-Certification Verification: Also for use in awarding additional points, as applicable, in accordance with SCAQMD Procurement Policy and Procedure:

Check all that apply:

- | | |
|---------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| <input type="checkbox"/> Small Business Enterprise/Small Business Joint Venture | <input type="checkbox"/> Women-owned Business Enterprise |
| <input type="checkbox"/> Local business | <input type="checkbox"/> Disabled Veteran-owned Business Enterprise/DVBE Joint Venture |
| <input type="checkbox"/> Minority-owned Business Enterprise | <input type="checkbox"/> Most Favored Customer Pricing Certification |

Percent of ownership: _____ %

Name of Qualifying Owner(s): _____

State of California Public Works Contractor Registration No. _____ . MUST BE INCLUDED IF BID PROPOSAL IS FOR PUBLIC WORKS PROJECT.

I, the undersigned, hereby declare that to the best of my knowledge the above information is accurate. Upon penalty of perjury, I certify information submitted is factual.

NAME

TITLE

TELEPHONE NUMBER

DATE

Definitions

Disabled Veteran-Owned Business Enterprise means a business that meets all of the following criteria:

- is a sole proprietorship or partnership of which is at least 51 percent owned by one or more disabled veterans, or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more disabled veterans; a subsidiary which is wholly owned by a parent corporation but only if at least 51 percent of the voting stock of the parent corporation is owned by one or more disabled veterans; or a joint venture in which at least 51 percent of the joint venture’s management and control and earnings are held by one or more disabled veterans.
- the management and control of the daily business operations are by one or more disabled veterans. The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business.
- is a sole proprietorship, corporation, partnership, or joint venture with its primary headquarters office located in the United States and which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.

Joint Venture means that one party to the joint venture is a DVBE and owns at least 51 percent of the joint venture. In the case of a joint venture formed for a single project this means that DVBE will receive at least 51 percent of the project dollars.

Local Business means a business that meets all of the following criteria:

- has an ongoing business within the boundary of SCAQMD at the time of bid application.
- performs 90 percent of the work within SCAQMD’s jurisdiction.

Minority-Owned Business Enterprise means a business that meets all of the following criteria:

- is at least 51 percent owned by one or more minority persons or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more minority persons.
- is a business whose management and daily business operations are controlled or owned by one or more minority person.
- is a business which is a sole proprietorship, corporation, partnership, joint venture, an association, or a cooperative with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign business.

“Minority” person means a Black American, Hispanic American, Native American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian American (including a person whose origins are from India, Pakistan, or Bangladesh), Asian-Pacific American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, or Taiwan).

Small Business Enterprise means a business that meets the following criteria:

- a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
 - **A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or**
 - A manufacturer with 100 or fewer employees.
- b. Manufacturer means a business that is both of the following:
 - 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.
 - 2) Classified between Codes 311000 to 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.

Small Business Joint Venture means that one party to the joint venture is a Small Business and owns at least 51 percent of the joint venture. In the case of a joint venture formed for a single project this means that the Small Business will receive at least 51 percent of the project dollars.

Women-Owned Business Enterprise means a business that meets all of the following criteria:

- is at least 51 percent owned by one or more women or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more women.
- is a business whose management and daily business operations are controlled or owned by one or more women.
- is a business which is a sole proprietorship, corporation, partnership, or a joint venture, with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign business.

Most Favored Customer as used in this policy means that the SCAQMD will receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services.

Form **W-9**
(Rev. November 2017)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the
requester. Do not
send to the IRS.

Print or type. See Specific instructions on page 3.	<p>1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.</p> <p>2 Business name/disregarded entity name, if different from above</p>	
	<p>3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.</p> <p><input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate</p> <p><input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____</p> <p>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</p> <p><input type="checkbox"/> Other (see instructions) ▶ _____</p>	<p>4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from FATCA reporting code (if any) _____</p> <p><small>(Applies to accounts maintained outside the U.S.)</small></p>
	<p>5 Address (number, street, and apt. or suite no.) See instructions.</p> <p>6 City, state, and ZIP code</p> <p>7 List account number(s) here (optional)</p>	<p>Requester's name and address (optional)</p>

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Social security number					
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Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABL E accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee ¹ The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor ⁴
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

***Note:** The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

TAXABLE YEAR

CALIFORNIA FORM

2018 Withholding Exemption Certificate

590

The payee completes this form and submits it to the withholding agent. The withholding agent keeps this form with their records.

Withholding Agent Information

Name _____

Payee Information

Name _____

SSN or ITIN FEIN CA Corp no. CA SOS file no.

Address (apt./sta., room, PO box, or PMB no.) _____

City (if you have a foreign address, see instructions.) _____

State _____ ZIP code _____

Exemption Reason

Check only one box.

By checking the appropriate box below, the payee certifies the reason for the exemption from the California income tax withholding requirements on payment(s) made to the entity or individual.

- Individuals — Certification of Residency:**
I am a resident of California and I reside at the address shown above. If I become a nonresident at any time, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.
- Corporations:**
The corporation has a permanent place of business in California at the address shown above or is qualified through the California Secretary of State (SOS) to do business in California. The corporation will file a California tax return. If this corporation ceases to have a permanent place of business in California or ceases to do any of the above, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.
- Partnerships or Limited Liability Companies (LLCs):**
The partnership or LLC has a permanent place of business in California at the address shown above or is registered with the California SOS, and is subject to the laws of California. The partnership or LLC will file a California tax return. If the partnership or LLC ceases to do any of the above, I will promptly inform the withholding agent. For withholding purposes, a limited liability partnership (LLP) is treated like any other partnership.
- Tax-Exempt Entities:**
The entity is exempt from tax under California Revenue and Taxation Code (R&TC) Section 23701 _____ (insert letter) or Internal Revenue Code Section 501(c) _____ (insert number). If this entity ceases to be exempt from tax, I will promptly notify the withholding agent. Individuals cannot be tax-exempt entities.
- Insurance Companies, Individual Retirement Arrangements (IRAs), or Qualified Pension/Profit-Sharing Plans:**
The entity is an insurance company, IRA, or a federally qualified pension or profit-sharing plan.
- California Trusts:**
At least one trustee and one noncontingent beneficiary of the above-named trust is a California resident. The trust will file a California fiduciary tax return. If the trustee or noncontingent beneficiary becomes a nonresident at any time, I will promptly notify the withholding agent.
- Estates — Certification of Residency of Deceased Person:**
I am the executor of the above-named person's estate or trust. The decedent was a California resident at the time of death. The estate will file a California fiduciary tax return.
- Nonmilitary Spouse of a Military Servicemember:**
I am a nonmilitary spouse of a military servicemember and I meet the Military Spouse Residency Relief Act (MSRRA) requirements. See instructions for General Information E, MSRRA.

CERTIFICATE OF PAYEE: Payee must complete and sign below.

To learn about your privacy rights, how we may use your information, and the consequences for not providing the requested information, go to ftb.ca.gov/forms and search for **1131**. To request this notice by mail, call 800.852.5711.

Under penalties of perjury, I declare that I have examined the information on this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. I further declare under penalties of perjury that if the facts upon which this form are based change, I will promptly notify the withholding agent.

Type or print payee's name and title _____ Telephone (____) _____

Payee's signature ► _____ Date _____

2017 Instructions for Form 590

Withholding Exemption Certificate

References in these instructions are to the California Revenue and Taxation Code (R&TC).

General Information

Registered Domestic Partners (RDP) – For purposes of California income tax, references to a spouse, husband, or wife also refer to a Registered Domestic Partner (RDP) unless otherwise specified. For more information on RDPs, get FTB Pub. 737, Tax Information for Registered Domestic Partners.

A Purpose

Use Form 590, Withholding Exemption Certificate, to certify an exemption from nonresident withholding.

Form 590 does not apply to payments of backup withholding. For more information, go to ftb.ca.gov and search for **backup withholding**.

Form 590 does not apply to payments for wages to employees. Wage withholding is administered by the California Employment Development Department (EDD). For more information, go to edd.ca.gov or call 888.745.3886.

Do not use Form 590 to certify an exemption from withholding if you are a **Seller of California real estate**. Sellers of California real estate use Form 593-C, Real Estate Withholding Certificate, to claim an exemption from the real estate withholding requirement.

The following are excluded from withholding and completing this form:

- The United States and any of its agencies or instrumentalities.
- A state, a possession of the United States, the District of Columbia, or any of its political subdivisions or instrumentalities.
- A foreign government or any of its political subdivisions, agencies, or instrumentalities.

B Income Subject to Withholding

California Revenue and Taxation Code (R&TC) Section 18662 requires withholding of income or franchise tax on payments of California source income made to nonresidents of California.

Withholding is required on the following, but is not limited to:

- Payments to nonresidents for services rendered in California.
- Distributions of California source income made to domestic nonresident partners, members, and S corporation shareholders and allocations of California source income made to foreign partners and members.
- Payments to nonresidents for rents if the payments are made in the course of the withholding agent's business.
- Payments to nonresidents for royalties from activities sourced to California.

- Distributions of California source income to nonresident beneficiaries from an estate or trust.
- Endorsement payments received for services performed in California.
- Prizes and winnings received by nonresidents for contests in California.

However, withholding is optional if the total payments of California source income are \$1,500 or less during the calendar year.

For more information on withholding get FTB Pub. 1017, Resident and Nonresident Withholding Guidelines. To get a withholding publication, see Additional Information.

C Who Certifies this Form

Form 590 is certified by the payee. California residents or entities exempt from the withholding requirement should complete Form 590 and submit it to the withholding agent before payment is made. The withholding agent is then relieved of the withholding requirements if the agent relies in good faith on a completed and signed Form 590 unless notified by the Franchise Tax Board (FTB) that the form should not be relied upon.

An incomplete certificate is invalid and the withholding agent should not accept it. If the withholding agent receives an incomplete certificate, the withholding agent is required to withhold tax on payments made to the payee until a valid certificate is received. In lieu of a completed exemption certificate, the withholding agent may accept a letter from the payee as a substitute explaining why they are not subject to withholding. The letter must contain all the information required on the certificate in similar language, including the under penalty of perjury statement and the payee's taxpayer identification number (TIN). The withholding agent must retain a copy of the certificate or substitute for at least five years after the last payment to which the certificate applies, and provide it upon request to the FTB.

If an entertainer (or the entertainer's business entity) is paid for a performance, the entertainer's information must be provided. **Do not** submit the entertainer's agent or promoter information.

The grantor of a grantor trust shall be treated as the payee for withholding purposes. Therefore, if the payee is a grantor trust and one or more of the grantors is a nonresident, withholding is required. If all of the grantors on the trust are residents, no withholding is required. Resident grantors can check the box on Form 590 labeled "Individuals — Certification of Residency."

D Definitions

For California nonwage withholding purposes, **nonresident** includes all of the following:

- Individuals who are not residents of California.
- Corporations not qualified through the California Secretary of State (CA SOS) to do business in California or having no permanent place of business in California.
- Partnerships or limited liability companies (LLCs) with no permanent place of business in California.
- Any trust without a resident grantor, beneficiary, or trustee, or estates where the decedent was not a California resident.

Foreign refers to non-U.S.

For more information about determining resident status, get FTB Pub. 1031, Guidelines for Determining Resident Status. Military servicemembers have special rules for residency. For more information, get FTB Pub. 1032, Tax Information for Military Personnel.

Permanent Place of Business:

A corporation has a permanent place of business in California if it is organized and existing under the laws of California or it has qualified through the CA SOS to transact intrastate business. A corporation that has not qualified to transact intrastate business (e.g., a corporation engaged exclusively in interstate commerce) will be considered as having a permanent place of business in California only if it maintains a permanent office in California that is permanently staffed by its employees.

E Military Spouse Residency Relief Act (MSRRA)

Generally, for tax purposes you are considered to maintain your existing residence or domicile. If a military servicemember and nonmilitary spouse have the same state of domicile, the MSRRA provides:

- A spouse shall not be deemed to have lost a residence or domicile in any state solely by reason of being absent to be with the servicemember serving in compliance with military orders.
- A spouse shall not be deemed to have acquired a residence or domicile in any other state solely by reason of being there to be with the servicemember serving in compliance with military orders.

Domicile is defined as the one place:

- Where you maintain a true, fixed, and permanent home.
- To which you intend to return whenever you are absent.

A military servicemember's nonmilitary spouse is considered a nonresident for tax purposes if the servicemember and spouse have the same domicile outside of California and the spouse is in California solely to be with the servicemember who is serving in compliance with Permanent Change of Station orders.

California may require nonmilitary spouses of military servicemembers to provide proof that they meet the criteria for California personal income tax exemption as set forth in the MSRRA.

Income of a military servicemember's nonmilitary spouse for services performed in California is not California source income subject to state tax if the spouse is in California to be with the servicemember serving in compliance with military orders, and the servicemember and spouse have the same domicile in a state other than California.

For additional information or assistance in determining whether the applicant meets the MSRRA requirements, get FTB Pub. 1032.

- The partnership ceases to have a permanent place of business in California.
- The LLC ceases to have a permanent place of business in California.
- The tax-exempt entity loses its tax-exempt status.

If any of these situations occur, then withholding may be required. For more information, get Form 592, Resident and Nonresident Withholding Statement, Form 592-B, Resident and Nonresident Withholding Tax Statement, and Form 592-V, Payment Voucher for Resident and Nonresident Withholding.

Specific Instructions

Payee Instructions

Enter the withholding agent's name.

Enter the payee's information, including the TIN and check the appropriate TIN box.

You must provide a valid TIN as requested on this form. The following are acceptable TINs: social security number (SSN); individual taxpayer identification number (ITIN); federal employer identification number (FEIN); California corporation number (CA Corp no.); or CA SOS file number.

Private Mail Box (PMB) – Include the PMB in the address field. Write "PMB" first, then the box number. Example: 111 Main Street PMB 123.

Foreign Address – Follow the country's practice for entering the city, county, province, state, country, and postal code, as applicable, in the appropriate boxes. **Do not** abbreviate the country name.

Exemption Reason – Check the box that reflects the reason why the payee is exempt from the California income tax withholding requirement.

Withholding Agent Instructions

Do not send this form to the FTB. The withholding agent retains this form for a minimum of five years or until the payee's status changes, and must provide this form to the FTB upon request.

The payee must notify the withholding agent if any of the following situations occur:

- The individual payee becomes a nonresident.
- The corporation ceases to have a permanent place of business in California or ceases to be qualified to do business in California.

Additional Information

Website: For more information go to ftb.ca.gov and search for **nonwage**.

MyFTB offers secure online tax account information and services. For more information and to register, go to ftb.ca.gov and search for **myftb**.

Telephone: 888.792.4900 or 916.845.4900, Withholding Services and Compliance phone service

Fax: 916.845.9512

Mail: WITHHOLDING SERVICES AND COMPLIANCE MS F182
FRANCHISE TAX BOARD
PO BOX 942867
SACRAMENTO CA 94267-0651

For questions unrelated to withholding, or to download, view, and print California tax forms and publications, or to access the TTY/TDD numbers, see the information below.

Internet and Telephone Assistance

Website: ftb.ca.gov

Telephone: 800.852.5711 from within the United States
916.845.6500 from outside the United States

TTY/TDD: 800.822.6268 for persons with hearing or speech impairments

Asistencia Por Internet y Teléfono

Sitio web: ftb.ca.gov

Teléfono: 800.852.5711 dentro de los Estados Unidos
916.845.6500 fuera de los Estados Unidos

TTY/TDD: 800.822.6268 para personas con discapacidades auditivas o de habla

Certification Regarding Debarment, Suspension, and Other Responsibility Matters

The prospective participant certifies to the best of its knowledge and belief that it and the principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them or commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction: violation of Federal or State antitrust statute or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Typed Name & Title of Authorized Representative

Signature of Authorized Representative Date

I am unable to certify to the above statements. My explanation is attached.



CAMPAIGN CONTRIBUTIONS DISCLOSURE

In accordance with California law, bidders and contracting parties are required to disclose, at the time the application is filed, information relating to any campaign contributions made to South Coast Air Quality Management District (SCAQMD) Board Members or members/alternates of the MSRC, including: the name of the party making the contribution (which includes any parent, subsidiary or otherwise related business entity, as defined below), the amount of the contribution, and the date the contribution was made. 2 C.C.R. §18438.8(b).

California law prohibits a party, or an agent, from making campaign contributions to SCAQMD Governing Board Members or members/alternates of the Mobile Source Air Pollution Reduction Review Committee (MSRC) of more than \$250 while their contract or permit is pending before SCAQMD; and further prohibits a campaign contribution from being made for three (3) months following the date of the final decision by the Governing Board or the MSRC on a donor's contract or permit. Gov't Code §84308(d). For purposes of reaching the \$250 limit, the campaign contributions of the bidder or contractor plus contributions by its parents, affiliates, and related companies of the contractor or bidder are added together. 2 C.C.R. §18438.5.

In addition, SCAQMD Board Members or members/alternates of the MSRC must abstain from voting on a contract or permit if they have received a campaign contribution from a party or participant to the proceeding, or agent, totaling more than \$250 in the 12-month period prior to the consideration of the item by the Governing Board or the MSRC. Gov't Code §84308(c).

The list of current SCAQMD Governing Board Members can be found at SCAQMD website (www.aqmd.gov). The list of current MSRC members/alternates can be found at the MSRC website (<http://www.cleantransportationfunding.org>).

SECTION I.

Contractor (Legal Name): _____

DBA, Name _____, County Filed in _____

Corporation, ID No. _____

LLC/LLP, ID No. _____

List any parent, subsidiaries, or otherwise affiliated business entities of Contractor:
(See definition below).

SECTION II.

Has Contractor and/or any parent, subsidiary, or affiliated company, or agent thereof, made a campaign contribution(s) totaling \$250 or more in the aggregate to a current member of the South Coast Air Quality Management Governing Board or member/alternate of the MSRC in the 12 months preceding the date of execution of this disclosure?

Yes No **If YES, complete Section II below and then sign and date the form. If NO, sign and date below. Include this form with your submittal.**

Name of Contributor _____

_____ Governing Board Member or MSRC Member/Alternate _____ Amount of Contribution _____ Date of Contribution

Name of Contributor _____

_____ Governing Board Member or MSRC Member/Alternate _____ Amount of Contribution _____ Date of Contribution

Name of Contributor _____

_____ Governing Board Member or MSRC Member/Alternate _____ Amount of Contribution _____ Date of Contribution

Name of Contributor _____

_____ Governing Board Member or MSRC Member/Alternate _____ Amount of Contribution _____ Date of Contribution

I declare the foregoing disclosures to be true and correct.

By: _____

Title: _____

Date: _____

DEFINITIONS

Parent, Subsidiary, or Otherwise Related Business Entity (2 Cal. Code of Regs., §18703.1(d).)

- (1) Parent subsidiary. A parent subsidiary relationship exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation.
- (2) Otherwise related business entity. Business entities, including corporations, partnerships, joint ventures and any other organizations and enterprises operated for profit, which do not have a parent subsidiary relationship are otherwise related if any one of the following three tests is met:
 - (A) One business entity has a controlling ownership interest in the other business entity.
 - (B) There is shared management and control between the entities. In determining whether there is shared management and control, consideration should be given to the following factors:
 - (i) The same person or substantially the same person owns and manages the two entities;
 - (ii) There are common or commingled funds or assets;
 - (iii) The business entities share the use of the same offices or employees, or otherwise share activities, resources or personnel on a regular basis;
 - (iv) There is otherwise a regular and close working relationship between the entities; or
 - (C) A controlling owner (50% or greater interest as a shareholder or as a general partner) in one entity also is a controlling owner in the other entity.



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178 (909) 396-2000 •
www.aqmd.gov

Direct Deposit Authorization

STEP 1: Please check all the appropriate boxes

- | | |
|------------------------------------------------------------------------|------------------------------------------------|
| <input type="checkbox"/> Individual (Employee, Governing Board Member) | <input type="checkbox"/> New Request |
| <input type="checkbox"/> Vendor/Contractor | <input type="checkbox"/> Cancel Direct Deposit |
| <input type="checkbox"/> Changed Information | |

STEP 2: Payee Information

Last Name		First Name		Middle Initial	Title
Vendor/Contractor Business Name (if applicable)					
Address				Apartment or P.O. Box Number	
City		State	Zip	Country	
Taxpayer ID Number		Telephone Number		Email Address	

Authorization

- I authorize South Coast Air Quality Management District (SCAQMD) to direct deposit funds to my account in the financial institution as indicated below. I understand that the authorization may be rejected or discontinued by SCAQMD at any time. If any of the above information changes, I will promptly complete a new authorization agreement. If the direct deposit is not stopped before closing an account, funds payable to me will be returned to SCAQMD for distribution. This will delay my payment.
- This authorization remains in effect until SCAQMD receives written notification of changes or cancellation from you.
- I hereby release and hold harmless SCAQMD for any claims or liability to pay for any losses or costs related to insufficient fund transactions that result from failure within the Automated Clearing House network to correctly and timely deposit monies into my account.

STEP 3:

You must verify that your bank is a member of an Automated Clearing House (ACH). Failure to do so could delay the processing of your payment. You must attach a voided check or have your bank complete the bank information and the account holder must sign below.

To be Completed by your Bank

Staple Voided Check Here	Name of Bank/Institution				
	Account Holder Name(s)				
	Saving Checking		Account Number	Routing Number	
	Bank Representative Printed Name		Bank Representative Signature		Date
	ACCOUNT HOLDER SIGNATURE:				Date

For SCAQMD Use Only

Input By _____

Date _____



**South Coast Air Quality Management District
Legislative, Public Affairs & Media
Memorandum**

DATE: March 8, 2019
TO: Administrative Committee
FROM: Derrick Alatorre
Deputy Executive Officer
SUBJECT: New Committee Member Request -
Local Government & Small Business Assistant Advisory Group

The District's Local Government & Small Business Assistance Advisory Group (LGSBA) is comprised of 20 members representing local government (7), small business (5), general public (5), as well as three Governing Board members.

LGSBA Chair Benoit recommends the individual listed below to serve on the LGSBA Advisory Group, and Dr. Burke concurs with his recommendation:

NEW Candidate	Affiliation	Representing
Marc Ang		Public

The new member will serve a four-year term, which will be April 2019 – April 2023. Attached for your review is the bio for Mr. Ang.

DA:FW:jf
Attachment

Marc Ang is a Financial Planner, who founded Mangus Finance, focused on helping families and businesses with his expertise in estate planning, especially in high net worth considerations. His other specialty areas include special needs planning for preservation of government benefits, life and disability insurance, and long term care for seniors.



Previously, Marc was a Financial Planner with Prudential and an Assistant Vice President at Credit Suisse in Private Banking and Wealth Management, based in New York. Marc has a Bachelors Degree from Pepperdine University and a Masters Degree from Columbia University.

Marc is focused on helping charities and nonprofits in minority communities, especially Asian Americans and students. He focuses on his philanthropy through his professional organization, Asian Industry B2B (AIB), serving as Development Director of a Camp Pendleton military charity, Words of Comfort Hope and Promise, serving as ambassador of autism charities like Talk About Curing Autism and OC Autism, and volunteers his time and his organization resources to Santa Claus Inc, Hope Through Housing, Boy Scouts of America and Asians for Miracle Marrow Matches.

Item 11

DRAFT

BOARD MEETING DATE: April 5, 2019

AGENDA NO.

PROPOSAL: Remove Various Fixed Assets from SCAQMD Inventory

SYNOPSIS: SCAQMD Administrative Policies and Procedures No. 20 requires each organizational unit to review fixed assets for obsolescence and disposal every six months. This action is to approve removal of surplus equipment and motor vehicles determined to be obsolete, non-operational and not worth repairing.

COMMITTEE: Administrative, March 8, 2019; Recommended for Approval

RECOMMENDED ACTION:

Declare the items on Attachments A and B as surplus and authorize removal of these items from the fixed assets inventory through donation, auction process, salvage, or dismantlement for parts.

Wayne Nastri
Executive Officer

SJ:tm

Background

SCAQMD Administrative Policies and Procedures No. 20 establishes procedures for the approval, purchasing, tagging, physical inventory, and disposal of fixed assets. This policy requires the review of the fixed assets and controlled items for obsolescence and disposal every six months. The list of equipment appearing on Attachment A represents old, obsolete and non-operational equipment that could not be repaired. The list of vehicles appearing on Attachment B represents vehicles that are non-operational and not worth repairing. These vehicles have been driven an average of over 98,000 miles. Equipment and vehicles purchased with federal funds are being disposed of in accordance with applicable federal regulations.

Proposal

Staff is recommending that assets on Attachments A and B, as in the past, be surplused through the surplus process and properly disposed. Equipment will be auctioned, donated or dismantled for parts and the motor vehicles will be disposed of through auction.

Resource Impacts

Miscellaneous revenue from auction sales will be recorded in the General Fund. The total original cost of \$885,845.99 for the fixed assets in Attachments A and B was accounted for, depreciated, and reported in the annual audited financial statements.

Attachments

- A. Obsolete or Non-repairable Equipment
- B. Obsolete or Non-repairable Motor Vehicles

ATTACHMENT A
Obsolete or Non-repairable Equipment

Asset ID	Tag#	Description	Cost	Date Purchased	Net Book Value **	Disposition
00002760	0038598	TRAILER CARGO 5TH WHEEL	\$ 13,742.37	6/28/1996	\$ 0.00	Scrap/Auction (1)
00001378	0015489	SAMPLE PRECONCENTRATOR 7100GC	30,095.69	12/5/1997	0.00	Scrap/Auction (1)
00002735	0015763	SAMPLER CANISTER ENTECH	6,870.00	12/10/1998	0.00	Scrap/Auction (1)
00002782	E000010 *	SAMPLER ANDERSEN RAAS 2.5	10,500.00	1/29/1999	0.00	Scrap/Auction (1)
00002784	E000012 *	SAMPLER ANDERSEN RAAS 2.5	10,500.00	1/29/1999	0.00	Scrap/Auction (1)
00002788	E000016 *	SAMPLER ANDERSEN RAAS 2.5	10,500.00	1/29/1999	0.00	Scrap/Auction (1)
00003090	0016478	ANALYZER, HORIBA APMA-360CE CO	5,013.72	7/21/2000	0.00	Scrap/Auction (1)
00003397	0016522	AIR GENERATION SYS AADCO 737R	7,464.09	1/1/2002	0.00	Scrap/Auction (1)
00003557	E000179 *	GAS CHROMATOGRAPH SYSTEM	49,439.03	1/1/2003	0.00	Scrap/Auction (1)
000000003731	0016631	ANALYZER, SO2, THERMO ENVIRON	6,197.31	1/1/2006	0.00	Scrap/Auction (1)
000000003733	0016633	ANALYZER, SO2, THERMO ENVIRON	6,197.31	1/1/2006	0.00	Scrap/Auction (1)
000000003787	E000327 *	CALIBRATION SYSTEM AMBIENT MON	14,804.48	1/1/2007	0.00	Scrap/Auction (1)
000000003809	0016647	AMBIENT MONITOR CALBRATION SYS	14,804.48	1/1/2007	0.00	Scrap/Auction (1)
000000003908	E000349 *	AIR MONITORING CALIBRATION SYS	15,865.70	1/1/2008	0.00	Scrap/Auction (1)
000000003944	E000379 *	AUTO SAMPLE CANISTER 16-POSITION	10,858.44	6/3/2008	0.00	Scrap/Auction (1)
000000003974	E000381 *	THERMO TRACE-LEVEL S02 ANALYZE	11,715.69	10/14/2008	0.00	Scrap/Auction (1)
000000003977	E000377 *	GENERATOR HYDROGEN CHRYSALISII	14,462.19	10/14/2008	0.00	Scrap/Auction (1)
000000003991	0016721	ANALYZER AMBIENT NOX	8,791.26	6/23/2009	0.00	Scrap/Auction (1)
000000004095	E000428 *	MICROWAVE DIGESTION SYSTEM	24,951.66	5/6/2010	0.00	Donate (2)
000000004122	E000429 *	ANALYZER SPECIATION W/HPLC	38,797.14	5/12/2010	0.00	Scrap/Auction (1)
000000004206	E0016825 *	DATALOGGER AMBIENT AIR ESC8832	7,753.55	2/24/2011	0.00	Scrap/Auction (1)
000000004283	E000512 *	GENERATOR, HYDROGEN GAS	6,753.23	12/13/2011	0.00	Scrap/Auction (1)
000000004284	16928/16536	PUMP VACCUM, EDWARDS EXT225HI	5,398.61	12/16/2011	0.00	Disposed (3)
000000004604	0017007	FD31-GAS SPECTROSCOPY, ANLYZR	91,881.08	1/29/2015	37,198.23	Donate (2)
		Total Obsolete or Non-repairable Equipment	\$ 423,357.03		\$ 37,198.23	

* Assets purchased with federal funds.

** Net Book Value represents historical cost reduced by estimated depreciation. It is expected that some revenue will realized upon sale at auction.

(1) Usable parts will be removed and the remainder will be auctioned and scrapped.

(2) Equipment will be donated.

(3) Disposed prior to the Board approval. Met with staff to reinforce disposal procedures and will conduct training.

ATTACHMENT B
Obsolete or Non-repairable Motor Vehicles

Asset ID	Tag#	Description	Cost	Date Purchased	Net Book Value **	Disposition
00001868	38545	1991 GMC 1 Ton Step Van	\$ 53,457.20	6/7/1991	\$ 0.00	Auction (3)
00001880	38559	1992 GMC 4x4 P/U	16,433.13	1/8/1992	0.00	Auction (1)
00002858	38602	1999 Ford 8 Passenger Van	27,500.00	3/31/1999	0.00	Auction (1)
00003160	38685	2000 Ford Crown Victoria	30,926.32	1/31/2001	0.00	Auction (1)
00003478	38748	2002 Ford Crown Victoria	22,483.12	5/24/2002	0.00	Auction (1)
000000003684	D000001 *	Ford F350 Cargo Van	34,079.28	1/31/2005	0.00	Auction (1)
000000003841	H0002 *	2007 Honda Civic GX	25,866.66	1/1/2007	0.00	Auction (1)
000000003872	38796	2006 Honda Civic GX	25,866.67	1/1/2007	0.00	Auction (1)
000000003889	38813	2007 Honda Civic GX	25,866.66	1/1/2007	0.00	Auction (1)
000000004117	38838	2010 Honda Civic GX	25,452.22	5/7/2010	0.00	Auction (2)
	QF10	2010 Ford Escape Plug In	37,830.00	10/13/2010	0.00	Auction (2)
000000004229	E000441 *	2010 Honda Civic GX	27,841.35	1/1/2011	0.00	Auction (2)
000000004367	38943	2012 Coda (White)	41,053.60	8/16/2012	0.00	Auction (3)
000000004368	38940	2012 Coda (Silver)	41,053.60	8/16/2012	0.00	Auction (3)
000000004496	H00014 *	2013 Honda Civic GX	26,779.15	10/25/2013	0.00	Auction (2)
Total Obsolete or Non-repairable Motor Vehicles			\$ 462,488.96		\$ 0.00	

* Assets purchased with federal funds.

** Net Book Value represents historical cost reduced by estimated depreciation. It is expected that some revenue will realized upon sale at auction.

Miles on these vehicles have an average of 98,000. These vehicles repairment cost exceeds value of the vehicles.

(1) Miles on these eight vehicles have an average of 141,000. These vehicles repairment cost exceeds value of the vehicles.

(2) Miles on these four vehicles have an average of 80,000. These vehicles were involved in collision and repairment cost exceeds value of the vehicles.

(3) Miles on these three vehicles have an average of 8,000. These vehicles were used for demonstration or emergency response and replacement parts are not available by the manufacturers.

DRAFT

BOARD MEETING DATE: April 5, 2019

AGENDA NO.

PROPOSAL: Transfer and Appropriate Funds, Issue Solicitations, and Execute Purchase Orders and Contracts for AB 617 Implementation

SYNOPSIS: In January and June 2018, the Board recognized revenue from CARB for AB 617 expenditures. Based on an assessment of the AB 617 program including input from multiple community steering group meetings, there is a need to reallocate funds and realign expenditures between Offices and Major Objects. These actions are to transfer and appropriate funds, issue solicitations, and execute contracts and purchase orders for equipment and services to implement the AB 617 program in the three Year One communities.

COMMITTEE: Administrative, March 8, 2019; Recommended for Approval

RECOMMENDED ACTIONS:

1. Transfer and appropriate funds in an amount up to \$900,000 from Planning, Rule Development and Area Source's FYs 2018-19 and/or 2019-20 Budgets, Professional and Special Services Major Object, to Science & Technology Advancement's FYs 2018-19 and/or 2019-20 Budgets, Capital Outlay and Professional and Special Services Major Objects, for AB 617 expenditures as set forth in Tables 1 and 2.
2. Appropriate funds up to \$456,000 into Science & Technology Advancement's and Information Management's FYs 2018-19 and/or 2019-20 Budgets, Capital Outlays and Professional and Special Services Major Objects, for AB 617 expenditures as set forth in Tables 1 and 2.
3. Authorize the Procurement Manager, in accordance with SCAQMD Procurement Policy and Procedure, as listed in Table 1, to execute purchase orders for the following:
 - a. Two MAGIC™ condensation particle counters from Aerosol Devices Inc.;
 - b. One GRIMM particulate matter monitor from GRIMM Technologies, Inc.;
 - c. One photoacoustic extinctionmeter for black carbon measurements from Droplet Measurement Technologies, Inc.;
 - d. One Markes pre-concentrator system from Markes International, Inc.;
 - e. Up to 35 sampling containers from Entech Instruments, Inc.; and
 - f. One nCLD AL² for NO/NO₂/NO_x monitor from ECO PHYSICS, Inc.

4. Authorize the Procurement Manager, in accordance with SCAQMD Procurement Policy and Procedure, as listed in Table 1, to do the following:
 - a. Issue an RFQ(s), or a purchase order(s) based on prior-bid, last-price, for one continuous CO monitor and one continuous ozone monitor; and
 - b. If an RFQ(s) is issued in 4a, based on the results of the RFQ(s), execute a subsequent purchase order(s) for the monitors.
5. Authorize the Executive Officer or Procurement Manager to execute contracts or purchase orders, as deemed appropriate, for server and storage services from vendors in the SCAQMD's List of Prequalified Vendors to Provide Computer, Network, Printer, Hardware and Software, and Audio Visual Equipment, as listed in Table 1.
6. Issue RFP #P2019-20 in an amount not to exceed \$900,000 to solicit proposals to develop an environmental chamber for initiating a sensor performance verification program and to develop a pilot program for a sensor library for communities.
7. Authorize the Executive Officer to execute sole source contracts, using funds from Science & Technology Advancement's FYs 2018-19 and/or 2019-20 Budgets, Professional and Special Services, as listed in Table 2 and as follows:
 - a. Aclima, Inc., for mobile VOC and black carbon measurements in an amount up to \$160,000; and
 - b. Aerodyne Research, Inc., for ship emissions measurements in an amount up to \$450,000.

Wayne Natri
Executive Officer

MMM:JCL:AP:ld

Background

In January and June 2018, the Board recognized revenue from CARB for AB 617 expenditures and approved adding new positions and funding allocations for contracts, equipment purchases (capital outlays), and other services and supplies for initial AB 617 work. In July 2018, the Board approved a list of four communities for CARB's consideration for first-year AB 617 communities. In September 2018, the CARB Board selected 10 communities statewide for emissions monitoring and/or community emissions reduction plans, including three communities for the South Coast: Wilmington/West Long Beach/Carson; East Los Angeles Neighborhoods/Boyle Heights/West Commerce; and Muscoy/San Bernardino. All three communities will have emissions monitoring and community emission reduction plans. Community steering committees have been formed for each area, and meetings are ongoing to provide input on these efforts. By July 1, 2019, SCAQMD must put air monitoring systems in place and be able to send data to CARB's data repository system. Staff is in

the process of drafting community air monitoring plans and has purchased initial monitoring equipment using first-year AB 617 funding. In addition to emissions monitoring and community emissions reduction plans, AB 617 requires major efforts in accelerated Best Available Retrofit Control Technology (BARCT) rule-making and statewide emissions reporting.

Based on an assessment of the AB 617 program, including input from multiple Community steering committee meetings, there is a need to reallocate some funds. Cost savings of approximately \$96,000 have resulted from the purchase of air monitoring equipment. Staff has also determined that the purchase of a gas chromatograph/mass spectrometer system for conducting field measurements of VOCs and other gaseous pollutants is not needed for the current communities; this resulted in an additional \$200,000 in cost savings that can be used for air monitoring equipment that is more appropriate to the AB 617 communities. In addition, the use of funds for BARCT and CEQA analysis originally allocated in the Planning, Rule Development and Areas Sources Office in the amount of \$900,000 will be delayed to subsequent fiscal years, and staff proposes reallocating these funds to the Science & Technology Advancement Office. This is due to the timing of the Community Emissions Reduction Plans (CERPs) and the need to conduct future BARCT analysis and review. Lastly, in January 2018, the Board awarded \$160,000 to the Desert Research Institute for conducting hexavalent chromium surveys, but this contract amendment was not executed due to limitations of the monitoring capabilities provided by this vendor. Consequently, there is a total of \$1,356,000 in cost savings that staff proposes to reallocate to satisfy required monitoring needs for AB 617 implementation in the three Year One communities.

Proposal

This action is to transfer and appropriate the cost savings identified above in an amount up to \$1,356,000 as follows: 1) transfer and appropriate \$900,000 from Planning, Rule Development and Area Source's FYs 2018-19 and/or 2019-20 Budgets, Professional and Special Services Major Object, to Science & Technology Advancement's FYs 2018-19 and/or 2019-20 Budgets, Capital Outlay and Professional and Special Services Major Objects; and 2) appropriate funds up to \$456,000 into Science & Technology Advancement's and Information Management's FYs 2018-19 and/or 2019-20 Budgets, Capital Outlays and Professional and Special Services Major Objects.

Sole Source Purchase Orders

Several pieces of monitoring and measurement equipment are required for AB 617 implementation, which are only available from single manufacturers or vendors. The Procurement Manager, in accordance with SCAQMD Procurement Policy and Procedure, will execute sole source purchase orders not to exceed \$213,000 for these various pieces of equipment, as listed in Table 1.

Solicitation or Prior-Bid, Last-Price Purchase Orders

A continuous CO monitor and a continuous ozone monitor, as listed in Table 1, are required for AB 617 implementation. The Procurement Manager, in accordance with SCAQMD Procurement Policy and Procedure, will issue an informal RFQ(s) or execute purchase orders based on prior-bid, last-price for the monitors. If an RFQ(s) is issued, based on the results of the RFQ, the Procurement Manager will execute a subsequent purchase order(s) for the monitors.

Server and Storage Services

Additional server and storage services for AB 617 implementation are required for the expected increased need for laboratory data processing and storage that will be generated from the program. The Executive Officer or Procurement Manager will execute contracts or purchase orders, as appropriate, for these services, as listed in Table 1, from the SCAQMD's List of Prequalified Vendors to Provider Computer, Network, Printer, Hardware and Software, and Audio Visual Equipment. The List of Prequalified Vendors was approved by the Board in February 2018 for a two-year period.

Issue RFP

AB 617 is expected to require use of low-cost sensors for measuring particle and gaseous pollutants in communities. There is a need to categorize commercially available sensors based on their performance and applications. Staff proposed to expand AQ-SPEC and create a performance verification program for air quality sensors. This idea has been widely endorsed by a broad range of stakeholders. Under such a program, the AQ-SPEC would obtain the new technologies, test them using standardized protocols, and verify their appropriateness for specific applications (e.g., community and fence-line monitoring) based upon well-established performance and application criteria. Staff has also been working on the development of a sensor library to allow communities in the South Coast Air Basin (Basin) to assess air quality conditions in their area using sensors provided by the SCAQMD. Under this program, all sensors would be calibrated by staff before and after community deployment to ensure that the collected data are of the highest quality. This, in turn, would allow for information gathering to look at potential future AB 617 communities. RFP #P2019-20 will solicit qualified contractors to develop an environmental chamber to initiate a sensor performance verification and a sensor library program within AQ-SPEC. The RFP evaluation panel proposed will consist of four internal panelists made up of one Atmospheric Measurements Manager, one Program Supervisor, one Air Quality Specialist and one Air Quality Chemist. Funds for these proposed projects would not exceed \$900,000, as listed in Table 1.

Sole Source Contracts

The Executive Officer will execute sole source contracts with Aclima, Inc., for mobile VOC and black carbon measurements and with Aerodyne Research, Inc., for ship emissions measurements, as listed in Table 2.

Sole Source Justification

Section VIII.B.2 of the Procurement Policy and Procedure identifies provisions under which sole source awards can be made.

The requests for sole source awards are made under provision VIII.B.2.c.(1), the desired services are available from only the sole source based on the unique experience and capabilities of the proposed contractor or contractor team. Aerosol Devices Inc. is the only manufacturer of MAGIC™ CPC instruments in the U.S. and whose products have a long history of scientific evaluation and testing. Droplet Measurement Technologies, Inc., is the only manufacturer of photoacoustic extinctionmeter instruments in the U.S. and whose products have a long history of scientific evaluation and testing.

The requests for sole source awards are made under provision VIII.B.2.c.(2), the project involves the use of proprietary technology. GRIMM Technologies, Inc., is the only manufacturer of instruments used to conduct very precise isokinetic sampling of mobile particle mass and counts on mobile platforms. A Markes auto sampler and thermal desorber will be added to existing SCAQMD Markes pre-concentrator system; software and communications between the three pieces of equipment is proprietary. The sampling containers will be used with an Entech robotic auto sampler, which is configured for dimensions specific to their sampling containers. ECO PHYSICS, Inc., is the only manufacturer of instruments used to conduct fast response measurements of NO, NO₂ and NO_x for mobile monitoring applications.

The requests for sole source awards are made under provision VIII.B.2.c.(1), the desired services are available from only the sole source based on the unique experience and capabilities of the proposed contractor or contractor team; (2) the project involves the use of proprietary technology; and (3) the contractor has ownership of key assets required for project performance. Aclima, Inc., is the only contractor capable of delivering hyperlocal black carbon, VOC and other air pollution data using a scalable mobile platform that combines leading-edge sensor technology and machine learning to generate high-resolution maps. Aerodyne Research, Inc., is the exclusive distributor of the Vocus Time of Flight PTR-MS (proton transfer reaction mass spectrometer) instruments that will be used to measure aromatic hydrocarbons and higher molecular sulfur compounds at the detection levels required for this project.

Benefits to SCAQMD

The contracts, equipment and related services and supplies as described in this Board letter allows SCAQMD to fulfill the legislative directives of AB 617, which will result in benefits to environmental justice communities and to all of the residents in the Basin. The development of a performance verification and sensor library program within AQ-SPEC will provide credible and objective information to aid in decision-making for the benefit of developers, manufacturers, other air districts, community and academic

groups, the general public and other users. This will strengthen SCAQMD's role as the leading agency in the area of air quality sensor development and applications.

Resource Impacts

Funding from CARB's Community Air Protection Program under AB 617 will provide sufficient resources to implement SCAQMD's AB 617 Program.

Attachments

Table 1 - FYs 2018-19 and/or 2019-20 Proposed Capital Outlay Expenditures and Laboratory Supply Expenditures for AB 617

Table 2 - FYs 2018-19 and/or 2019-20 Proposed Contracts for AB 617

RFP #P2019-20 – For a Characterization Chamber System for Testing Air Monitoring Sensor Devices

Table 1
FYs 2018-19 and/or 2019-20 Proposed Capital Outlay and Laboratory Supply Expenditures for AB 617

Description	Org Unit	Account	Quantity	Estimated Amount	Contracting Method
MAGIC™ Condensation Particle Counter	STA	77000	2	\$35,000	Sole Source
GRIMM Particulate Matter Monitor	STA	77000	1	35,000	Sole Source
Photoacoustic Extinctionmeter for Black Carbon Measurements	STA	77000	1	55,000	Sole Source
Markes Pre- Concentrator System	STA	77000	1	51,000	Sole Source
Sampling Container	STA	68050	Up to 35	15,000	Sole Source
ECO PHYSICS nCLD AL ² NO/NO ₂ /NO _x Monitor	STA	77000	1	22,000	Sole Source
Continuous CO Monitor	STA	77000	1	15,000	RFQ or Prior Bid, Last Price
Continuous Ozone Monitor	STA	77000	1	18,000	RFQ or Prior Bid, Last Price
Server and Storage	IM	77000	1	50,000	Already Approved Vendors
AQ-SPEC Chamber*	STA	77000	0.5	450,000	RFP
Total				\$746,000	

Note: Listed expenditures may be appropriated in the Services and Supplies Major Object as warranted.

*\$450,000 for the development of the first half of the chamber has already been approved by the Board in December 2018. Staff is seeking Board approval to fund the remaining part of the chamber system through the savings described in this Board letter.

Table 2
FYs 2018-19 and/or 2019-20 Proposed Contracts for AB 617

Contractor	Description	Org Unit	Account	Estimated Amount
Aclima, Inc.	Mobile VOC and BC measurements	STA	67450	\$160,000
Aerodyne Research, Inc.	Ship emissions measurements	STA	67450	450,000
			Total	Up to \$610,000



SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

REQUEST FOR PROPOSALS

FOR A CHARACTERIZATION CHAMBER SYSTEM FOR TESTING AIR MONITORING SENSOR DEVICES

P2019-20

South Coast Air Quality Management District (SCAQMD) requests proposals for the following purpose according to terms and conditions attached. In the preparation of this Request for Proposals (RFP) the words "Proposer," "Contractor," "Consultant," "Bidder" and "Firm" are used interchangeably.

PURPOSE

The purpose of this Request for Proposals (RFP) is to solicit qualified firms to submit proposals for the development of a fully-integrated characterization chamber system for testing air monitoring sensor devices under controlled laboratory conditions. This chamber system will be operated under the SCAQMD's Air Quality Sensor Performance Evaluation Center (AQ-SPEC) program. The chamber system will be set-up inside the SCAQMD laboratory or in another dedicated area, and will be used to test the performance of commercially available particle and gaseous sensors. Targeted particle and gaseous pollutants include carbon monoxide (CO), ozone (O₃), nitrogen oxides (NO_x), particulate matter (PM_{2.5} and PM₁₀), volatile organic compounds (VOCs), hydrogen sulfide (H₂S) and methane (CH₄). Sensors shall be tested under known target or interferent concentrations and different temperature and relative humidity levels.

INDEX - The following are contained in this RFP:

Section I	Background/Information
Section II	Contact Person
Section III	Schedule of Events
Section IV	Participation in the Procurement Process
Section V	Statement of Work/Schedule of Deliverables
Section VI	Required Qualifications
Section VII	Proposal Submittal Requirements
Section VIII	Proposal Submission
Section IX	Proposal Evaluation/Contractor Selection Criteria
Section X	Funding
Section XI	Sample Contract

Attachment A - Participation in the Procurement Process

Attachment B - Certifications and Representations

SECTION I: BACKGROUND/INFORMATION

The SCAQMD is the air pollution control agency for all of Orange County and the urban portions of Los Angeles, Riverside and San Bernardino counties.

Within the SCAQMD, the AQ-SPEC program was established in 2014 and during the summer of 2015, the program successfully developed and implemented the first characterization chamber system in the U.S. for testing commercially available, consumer-grade air monitoring sensors and reporting the evaluation results to the general public. AB 617 and other upcoming state and local regulation programs may use low-cost sensors for measuring particle and gaseous pollutants in communities. Therefore, there is a need to categorize commercially available sensors based on their performance and applications and enhance the AQ-SPEC program to create a performance verification program for air quality sensors. This idea has been widely endorsed by a broad range of stakeholders. Thus, the AQ-SPEC program is in need of procuring a second environmental chamber system for testing, calibrating and characterizing large numbers of commercially available air monitoring sensor devices.

Under such program, AQ-SPEC would obtain the new technologies, test them using standardized protocols, and verify their appropriateness for specific applications (e.g., community and fence-line monitoring) based upon well-established performance and application criteria. Staff has also been working on the development of a sensor library program to allow communities to assess air quality conditions in their area using sensors provided by AQ-SPEC. Under this program, all sensors would be calibrated by staff before and after community deployment to ensure that the collected data are of the highest quality. Thus, SCAQMD would like to solicit qualified contractors to develop a characterization chamber system to initiate a sensor performance verification and a sensor library program within the AQ-SPEC group.

SECTION II: CONTACT PERSON:

Questions regarding the content or intent of this RFP or on procedural matters should be addressed to:

Vasileios Papapostolou
Program Supervisor, AQ-SPEC
SCAQMD
21865 Copley Drive
Diamond Bar, CA 91765-4178
(909) 396-2254

SECTION III: SCHEDULE OF EVENTS

Date	Event
April 5, 2019	RFP Released
April 19, 2019	Bidder's Conference*
May 8, 2019	Proposals Due to SCAQMD - No Later Than 4:00 P.M. PDT
May 9 – May 17, 2019	Proposal Evaluations
May 17, 2019	Interviews, if required
June 7, 2019	Governing Board Approval
July 5, 2019	Anticipated Contract Execution

*Participation in the Bidder's Conference is **required**. Such participation would assist in notifying potential Bidders of any updates or amendments. The Bidder's Conference will be held in Conference Room CC3-5 at SCAQMD Headquarters in Diamond Bar, California at 10:00 a.m. on Friday, April 19, 2019. Please contact Vasileios Papapostolou at (909) 396-2254 by close of business on Friday, April 12, 2019 if you plan to attend.

SECTION IV: PARTICIPATION IN THE PROCUREMENT PROCESS

It is the policy of SCAQMD to ensure that all businesses including minority business enterprises, women business enterprises, disabled veteran business enterprises and small businesses have a fair and equitable opportunity to compete for and participate in SCAQMD contracts. Attachment A to this RFP contains definitions and further information.

SECTION V: STATEMENT OF WORK/SCHEDULE OF DELIVERABLES

STATEMENT OF WORK

Under the direction of the SCAQMD, the Contractor will provide a fully-integrated characterization chamber system to SCAQMD for testing, calibrating and characterizing large numbers (20 sensors or more simultaneously; indicative individual sensor dimensions: 12x12x12 inches) of commercially available air monitoring sensors. The sensor devices to be tested measure criteria pollutants, air toxics, and other particle and gaseous pollutants of interest. Testing parameters shall include but are not limited to sensor accuracy, precision, bias, response time, short and long-term drift, aging, lifetime, interference, pressure effect and overall performance under controlled environmental conditions.

The chamber system shall consist of five components:

1st Component (Main Component): Chamber

The chamber shall:

- Be leak-free and be able to be operated in static and dynamic mode, and in steady-state
- Generate stable and reproducible known target and interferent dust/aerosol and gaseous concentrations under extreme cold and hot temperatures combined with humidity, altitude and vibration
- Mimic a wide range of climatic conditions including variable winds and dust
- Provide an aging test room with the capability of testing sensors for extended periods of time under hot, cold, dry, and humid conditions
- Generate minimal particle and gas losses
- Accommodate testing of both reactive and non-reactive gases and air toxics, including a wide variety of volatile organic compounds (VOCs)
- Carry access ports, multiple sampling ports and adjustable shelves
- Accommodate all sensor data communication and transmittance options (e.g., WiFi, Ethernet, Bluetooth, computer PC) and access options between inside and outside of the chamber
- Carry sensor power supply access option between inside and outside of the chamber
- Provide for excess chamber air to be routed to a laboratory fume hood
- Include a dry air purge system to achieve low relative humidity
- Include a fast Temperature and Relative Humidity change rate system
- Include a Temperature and Relative Humidity cycling testing feature
- Include demineralizer(s)

- Include a color touch-screen controller

2nd Component - Dilution Air system (scrubbing and calibrator):

- The dilution air system shall be able to provide high-flow, particle-free, gas-free, dry air capable of diluting aerosol/dust and gas concentrations inside the chamber as well as gas concentration in the dilution calibrator.
- The dilution calibrator shall be able to accommodate various levels of dilution (from very low to very high) of aerosol/dust and gas concentrations with dilution air by maintaining a balanced chamber flow.

3rd Component – Particle Generation system:

The chamber system shall include:

- Artificial aerosol generation system(s) for fine and ultrafine particles coupled with an aerosol charge neutralizer
- Mechanical Dispenser(s) of dust/coarse particles

4th Component - Reference Instrumentation:

The chamber system shall include:

- Regulatory-grade (e.g., FEM) continuous/semi-continuous monitors for measuring:
 - Ozone, Nitrogen Oxides, Carbon Monoxide and Sulfur Dioxide
 - PM2.5 and PM10 mass concentration
- Research-grade continuous/semi-continuous monitors for measuring:
 - Carbon Dioxide, Hydrogen Sulfide, Methane, and Total/Speciated Volatile Organic Compounds (e.g., GC-FID system; spectroscopic/spectrometric instrument; other)
 - Particle count concentration, size distribution and fractionation

5th Component – Chamber System Software:

A fully integrated custom computer software (compatible with MS Windows and MS Office) shall be developed and provided on two copies on CD or other acceptable format and also installed on a high-end (large processor and memory) computer PC to control all chamber, dilution air system, particle generation, reference instrumentation, weather sensor(s) and air quality sensor(s) operational parameters and functionalities. The chamber and all components shall be remotely accessible via the computer software. This system should be provided with two 21" computer monitors and one large screen TV monitor to visualize all data and information.

EQUIPMENT AND SERVICES TO BE FURNISHED BY THE CONTRACTOR

Contractor shall provide with the chamber system the following:

1. All accessories and specialized tools required for operation and necessary servicing of the chamber system for a period of one year after completion of acceptance testing.
2. Two (2) color hard copies of the operating manual, two (2) color hard copies of the service manual and two (2) color hard copies of the electronic schematic and flow diagram of the entire system.
3. Two (2) copies of all available performance reports for testing conducted by the manufacturer.
4. Two (2) copies of a complete list of components and spare parts including current prices.

5. A list of Contractor's standard rates for time and travel of his/her service personnel.
6. The Contractor shall provide delivery and training schedules within 30 days of contract approval.

TRAINING

Contractor shall provide training that shall include operation, routine servicing, calibration, repair, preventive maintenance and non-routing servicing, using schematics, flow diagrams and written trouble shooting guidelines. Training must be itemized in the proposal.

WARRANTY

1. Specifications: Contractor shall provide a written warranty that, for a period of a least one year following its acceptance, the chamber system, including its components, will meet the requirements listed above and will comply with the physical and performance specifications listed hereinafter. If there is a failure of any component or chamber system part during the warranty period, the Contractor shall agree to replace such component or part at no cost in time to arrive at the South Coast Air Quality Management District within 72 hours of notification of the Contractor.
2. Field Service: In the event the chamber system develops a malfunction which cannot be solved by the application of routine servicing procedures described in the operating and service manual or by replacement of a part supplied under the warranty, Contractor shall agree to place the chamber system into proper operating condition within seven days after the arrival of service personnel. During the first year following acceptance by the SCAQMD, Contractor shall agree to make no charge for this service at any location within the jurisdiction of the SCAQMD and to provide this service in time to comply with the terms of the warranty concerning total operating hours per year.
3. Components and Spare Parts: Contractor shall agree to supply, on request, components and spare parts for the characterization chamber for at least ten years following the date of acceptance by the SCAQMD. Contractor shall agree to place parts Contractor manufactured in the hands of the SCAQMD within 15 days of receipt of the order. In the case of spare parts which the Contractor does not manufacture, Contractor shall agree to either of the following: (1) place the parts requested in the hands of the SCAQMD within 45 days of receipt of the first order and within 15 days of receipt of subsequent orders, or (2) find and identify to the SCAQMD, within 15 days a convenient, reliable source of supply which will place parts in the hands of the SCAQMD within 30 days of the receipt of the order.

Contractor shall warrant all replacement parts to be of quality equal or superior to the components in the original chamber. Repairs or replacements accomplished under the warranty during the last 90 days of the warranty year shall be further warranted for a minimum period of 90 days following completion of the work or delivery of replacement parts.

Contractor shall agree not to make any unreasonable increases in the prices of components and spare parts and in no case more than those necessary to offset actual increases in costs of labor and materials. Contractor shall warrant that the price charged the SCAQMD for components and spare parts are no higher than the prices charged to the Contractor's most favored customer.

As part of the response to this RFP, Contractor shall provide an annual estimated cost of spare parts after expiration on the warranty period. The annual estimated cost shall be based on an anticipated 10-year life and Contractor supplied failure rates. Contractor must provide supporting documentation to substantiate the failure rates quoted.

ACCEPTANCE TESTING

The chamber system will be required to pass acceptance testing. Within ten days after the delivery of all chamber system components and set-up, the acceptance test shall be initiated. The acceptance test shall consist of checking the chamber system for compliance with the requirements listed above and those listed under this "STATEMENT OF WORK". The duration of the acceptance test shall be 30 days minimum and 60 days maximum. Representatives of the Contractor shall have the option, but not the requirement, of setting up the chamber and making it ready for acceptance testing.

If the chamber system does not meet the specifications listed, the chamber system will be rejected and the Contractor will have one opportunity to repair or replace the chamber system to cure all defects. The chamber system will be returned to Contractor freight collect. If the chamber system fails, except for external causes, within a 30-day period, Contractor shall be given the opportunity to make any necessary corrections or replacements, including the entire chamber system, if necessary, after which another 30-day test shall be initiated. If, by the end of 70 days after the beginning of the first 30-day test, the chamber system has not met all specifications, including a 30-day period of continuous operation (with allowance for shut-downs due to external causes) followed by compliance with the performance specifications and the acceptance tests, the chamber shall be rejected and the order canceled.

PAYMENT

Payment will be made within thirty (30) days after the completion of the acceptance test.

SHIPMENT

The chamber system ordered, complete with all components, accessories, specialized tools, manuals, calibration reports and parts lists, shall be shipped, transportation prepaid, to:

South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4182

Science and Technology Advancement
Attn.: Vasileios Papapostolou
Air Quality Sensor Performance Evaluation Center
Monitoring & Analysis Division

Contractor shall be responsible for any damage sustained by the chamber system and/or its components and accessories during shipment.

SCHEDULE OF DELIVERABLES

Contractor shall deliver the entire chamber system including all five components described above to SCAQMD by October 9, 2019.

TECHNICAL SUPPORT – SERVICE AGREEMENT

For the first two years of the chamber system operation, Contractor shall be responsible for regular preventive maintenance of the characterization chamber system, all functions related to the testing of the sensors, and the custom computer software. This will include chamber system operation maintenance, software maintenance and support for potential bug fixing and

system upgrades as and when requested. SCAQMD personnel will continue to be responsible for all matters related to reference and testing Instrumentation (instrument service, new instrument installation, troubleshooting and preventive maintenance).

SECTION VI: REQUIRED QUALIFICATIONS

- A. Contractor of the offered chamber system shall have demonstrated experience in the fabrication of characterization chambers or similar environmental enclosures, the development of custom software for air quality monitoring and calibration applications of the types being sought, the customization and integration of hardware components relating to air quality monitoring applications, and shall supply strong evidence of his/her financial and technical capabilities. The Contractor shall supply the names, addresses and phone numbers or point of contact of at least four users of the chamber system being offered or of similar products.
- B. Proposer must submit the following:
1. Resumes or similar statement of qualifications of person or persons who may be designated as Lead for this project.
 2. List of staff members involved with copies of their resumes attached.
 3. Summary of proposer's general qualifications to meet required qualifications and fulfill statement of work, including additional Company personnel and resources beyond those of the designated Lead and staff members.

SECTION VII: PROPOSAL SUBMITTAL REQUIREMENTS

Submitted proposals must follow the format outlined below and all requested information must be supplied. Failure to submit proposals in the required format will result in elimination from proposal evaluation. SCAQMD may modify the RFP or issue supplementary information or guidelines during the proposal preparation period prior to the due date. Please check our website for updates (<http://www.aqmd.gov/grants-bids>). The cost for developing the proposal is the responsibility of the Contractor, and shall not be chargeable to SCAQMD.

Each proposal must be submitted in three separate volumes:

- Volume I - Technical Proposal
- Volume II - Cost Proposal
- Volume III - Certifications and Representations included in Attachment B to this RFP, must be completed and executed by an authorized official of the Contractor.

A separate cover letter including the name, address, and telephone number of the Contractor, and signed by the person or persons authorized to represent the Firm should accompany the proposal submission. Firm contact information as follows should also be included in the cover letter:

1. Address and telephone number of office in, or nearest to, Diamond Bar, California.
2. Name and title of Firm's representative designated as contact.

A separate Table of Contents should be provided for Volumes I and II.

VOLUME I - TECHNICAL PROPOSAL

DO NOT INCLUDE ANY COST INFORMATION IN THE TECHNICAL VOLUME

Summary (Section A) - State overall approach to meeting the objectives and satisfying the scope of work to be performed, the sequence of activities, and a description of methodology or techniques to be used.

Program Schedule (Section B) - Provide projected milestones or benchmarks for completing the project (to include reports) within the total time allowed.

Project Organization (Section C) - Describe the proposed management structure, program monitoring procedures, and organization of the proposed team. Provide a statement detailing your approach to the project, specifically address the Firm's ability and willingness to commit and maintain staffing to successfully complete the project on the proposed schedule.

Qualifications (Section D) - Describe the technical capabilities of the Firm. Provide references of other similar studies or projects performed during the last five years demonstrating ability to successfully complete the work. Include contact name, title, and telephone number for any references listed. Provide a statement of your Firm's background and related experience in performing similar services for other governmental organizations.

Assigned Personnel (Section E) - Provide the following information about the staff to be assigned to this project:

1. List all key personnel assigned to the project by level, name and location. Provide a resume or similar statement describing the background, qualifications and experience of the lead person and all persons assigned to the project. Substitution of project manager or lead personnel will not be permitted without prior written approval of SCAQMD.
2. Provide a spreadsheet of the labor hours proposed for each labor category at the task level.
3. Provide a statement indicating whether or not 90% of the work will be performed within the geographical boundaries of SCAQMD.
4. Provide a statement of education and training programs provided to, or required of, the staff identified for participation in the project, particularly with reference to management consulting, governmental practices and procedures, and technical matters.
5. Provide a summary of your Firm's general qualifications to meet required qualifications and fulfill statement of work, including additional Firm personnel and resources beyond those who may be assigned to the project.

Subcontractors (Section F) - This project may require expertise in multiple technical areas. List any subcontractors that will be used, identifying functions to be performed by them, their related qualifications and experience and the total number of hours or percentage of time they will spend on the project.

Conflict of Interest (Section G) - Address possible conflicts of interest with other clients affected by actions performed by the Firm on behalf of SCAQMD. SCAQMD recognizes that prospective Contractors may be performing similar projects for other clients. Include a complete

list of such clients for the past three (3) years with the type of work performed and the total number of years performing such tasks for each client. Although the Proposer will not be automatically disqualified by reason of work performed for such clients, SCAQMD reserves the right to consider the nature and extent of such work in evaluating the proposal.

Additional Data (Section H) - Provide other essential data that may assist in the evaluation of this proposal.

VOLUME II - COST PROPOSAL

Name and Address - The Cost Proposal must list the name and complete address of the Proposer in the upper left-hand corner.

Cost Proposal – SCAQMD anticipates awarding a fixed price contract. Cost information must be provided as listed below:

1. Detail must be provided by the following categories:
 - A. Labor – The Cost Proposal must list the fully-burdened hourly rates and the total number of hours estimated for each level of professional and administrative staff to be used to perform the tasks required by this RFP. Costs should be estimated for each of the components of the work plan.
 - B. Subcontractor Costs - List subcontractor costs and identify subcontractors by name. Itemize subcontractor charges per hour or per day.
 - C. Travel Costs - Indicate amount of travel cost and basis of estimate to include trip destination, purpose of trip, length of trip, airline fare or mileage expense, per diem costs, lodging and car rental.
 - D. Other Direct Costs -This category may include such items as postage and mailing expense, printing and reproduction costs, etc. Provide a basis of estimate for these costs.
2. It is the policy of the SCAQMD to receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services. SCAQMD will give preference, where appropriate, to vendors who certify that they will provide “most favored customer” status to the SCAQMD. To receive preference points, Proposer shall certify that SCAQMD is receiving “most favored customer” pricing in the Business Status Certifications page of Volume III, Attachment B – Certifications and Representations.

VOLUME III - CERTIFICATIONS AND REPRESENTATIONS (see Attachment B to this RFP)

SECTION VIII: PROPOSAL SUBMISSION

All proposals must be submitted according to specifications set forth in the section above, and this section. Failure to adhere to these specifications may be cause for rejection of the proposal.

Signature - All proposals must be signed by an authorized representative of the Proposer.

Due Date - All proposals are due no later than 4:00 p.m., May 8, 2019, and should be directed to:

Procurement Unit
 South Coast Air Quality Management District
 21865 Copley Drive
 Diamond Bar, CA 91765-4178
 (909) 396-3520

Submittal - Submit four (4) complete copies of the proposal in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the Proposer and the words "Request for Proposals P2019-20."

Late bids/proposals will not be accepted under any circumstances.

Grounds for Rejection - A proposal may be immediately rejected if:

- It is not prepared in the format described, or
- It is signed by an individual not authorized to represent the Firm.

Modification or Withdrawal - Once submitted, proposals cannot be altered without the prior written consent of SCAQMD. All proposals shall constitute firm offers and may not be withdrawn for a period of ninety (90) days following the last day to accept proposals.

SECTION IX: PROPOSAL EVALUATION/CONTRACTOR SELECTION CRITERIA

- A. Proposals will be evaluated by a panel of three to five SCAQMD staff members familiar with the subject matter of the project. The panel shall be appointed by the Executive Officer or his designee. In addition, the evaluation panel may include such outside public sector or academic community expertise as deemed desirable by the Executive Officer. The panel will make a recommendation to the Executive Officer and/or the Governing Board of SCAQMD for final selection of a contractor and negotiation of a contract.
- B. Each member of the evaluation panel shall be accorded equal weight in his or her rating of proposals. The evaluation panel members shall evaluate the proposals according to the specified criteria and numerical weightings set forth below.

1. Proposal Evaluation Criteria

(a) R&D Projects Requiring Technical or Scientific Expertise, or Special Projects Requiring Unique Knowledge or Abilities

Understanding the Problem	25
Technical/Management Approach	30
Contractor Qualifications	15
Previous Experience on Similar Projects	10
Cost	20

TOTAL 100

(b) Additional Points

Small Business or Small Business Joint Venture	10
DVBE or DVBE Joint Venture	10
Use of DVBE or Small Business Subcontractors	7
Low-Emission Vehicle Business	5
Local Business (Non-Federally Funded Projects Only)	5
Off-Peak Hours Delivery Business	2
Most Favored Customer	2

The cumulative points awarded for small business, DVBE, use of small business or DVBE subcontractors, low-emission vehicle business, local business, and off-peak hours delivery business shall not exceed 15 points. Most Favored Customer status incentive points shall be added, as applicable for a total of 17 points.

Self-Certification for Additional Points

The award of these additional points shall be contingent upon Proposer completing the Self-Certification section of Attachment B – Certifications and Representations and/or inclusion of a statement in the proposal self-certifying that Proposer qualifies for additional points as detailed above.

2. To receive additional points in the evaluation process for the categories of Small Business or Small Business Joint Venture, DVBE or DVBE Joint Venture or Local Business (for non-federally funded projects), the proposer must submit a self-certification or certification from the State of California Office of Small Business Certification and Resources at the time of proposal submission certifying that the proposer meets the requirements set forth in Section IV. To receive points for the use of DVBE and/or Small Business subcontractors, at least 25 percent of the total contract value must be subcontracted to DVBEs and/or Small Businesses. To receive points as a Low-Emission Vehicle Business, the proposer must demonstrate to the Executive Officer, or designee, that supplies and materials delivered to SCAQMD are delivered in vehicles that operate on either clean-fuels or if powered by diesel fuel, that the vehicles have particulate traps installed. To receive points as a Local Business, the proposer must affirm that it has an ongoing business within the South Coast AQMD at the time of bid/proposal submittal and that 90% of the work related to the contract will be performed within the South Coast AQMD. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points. Federally funded projects are not eligible for local business incentive points. To receive points as an Off-Peak Hours Delivery Business, the proposer must submit, at proposal submission, certification of its commitment to delivering supplies and materials to SCAQMD between the hours of 10:00 a.m. and 3:00 p.m. To receive points for Most Favored Customer status, the proposer must submit, at proposal submission, certification of its commitment to provide most favored customer status to the SCAQMD. The cumulative points awarded

for small business, DVBE, use of Small Business or DVBE Subcontractors, Local Business, Low-Emission Vehicle Business and Off-Peak Hour Delivery Business shall not exceed 15 points.

3. For procurement of Research and Development (R & D) projects or projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, technical factors including past experience shall be weighted at 80 points and cost shall be weighted at 20 points. A proposal must receive at least 64 out of 80 points on R & D projects and projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, in order to be deemed qualified for award.
 4. The lowest cost proposal will be awarded the maximum cost points available and all other cost proposals will receive points on a prorated basis. For example if the lowest cost proposal is \$1,000 and the maximum points available are 20 points, this proposal would receive the full 20 points. If the next lowest cost proposal is \$1,100 it would receive 18 points reflecting the fact that it is 10% higher than the lowest cost (90% of 20 points = 18 points).
- C. During the selection process the evaluation panel may wish to interview some proposers for clarification purposes only. No new material will be permitted at this time. Additional information provided during the bid review process is limited to clarification by the Proposer of information presented in his/her proposal, upon request by SCAQMD.
 - D. The Executive Officer or Governing Board may award the contract to a Proposer other than the Proposer receiving the highest rating in the event the Governing Board determines that another Proposer from among those technically qualified would provide the best value to SCAQMD considering cost and technical factors. The determination shall be based solely on the Evaluation Criteria contained in the Request for Proposal (RFP), on evidence provided in the proposal and on any other evidence provided during the bid review process.
 - E. Selection will be made based on the above-described criteria and rating factors. The selection will be made by and is subject to Executive Officer or Governing Board approval. Proposers may be notified of the results by letter.
 - F. The Governing Board has approved a Bid Protest Procedure which provides a process for a Bidder or prospective Bidder to submit a written protest to SCAQMD Procurement Manager in recognition of two types of protests: Protest Regarding Solicitation and Protest Regarding Award of a Contract. Copies of the Bid Protest Policy can be secured through a request to SCAQMD Procurement Department.
 - G. The Executive Officer or Governing Board may award contracts to more than one proposer if in (his or their) sole judgment the purposes of the (contract or award) would best be served by selecting multiple proposers.
 - H. If additional funds become available, the Executive Officer or Governing Board may increase the amount awarded. The Executive Officer or Governing Board may also select additional proposers for a grant or contract if additional funds become available.
 - I. Disposition of Proposals – Pursuant to SCAQMD’s Procurement Policy and Procedure, SCAQMD reserves the right to reject any or all proposals. All proposals become the

property of SCAQMD, and are subject to the California Public Records Act. One copy of the proposal shall be retained for SCAQMD files. Additional copies and materials will be returned only if requested and at the proposer's expense.

- J. If proposal submittal is for a Public Works project as defined by State of California Labor Code Section 1720, Proposer is required to include Contractor Registration No. in Attachment B. Proposal submittal will be deemed as non-responsive and Bidder may be disqualified if Contractor Registration No. is not included in Attachment B. Proposer is alerted to changes to California Prevailing Wage compliance requirements as defined in Senate Bill 854 (Stat. 2014, Chapter 28), and California Labor Code Sections 1770, 1771 and 1725.**

SECTION X: FUNDING

The total one time funding for the work contemplated by this RFP will be a maximum **\$900,000**.

SECTION XI: SAMPLE CONTRACT

A sample contract to carry out the work described in this RFP is available on SCAQMD's website at <http://www.aqmd.gov/grants-bids> or upon request from the RFP Contact Person (Section II).

ATTACHMENT A

PARTICIPATION IN THE PROCUREMENT PROCESS

A. It is the policy of South Coast Air Quality Management District (SCAQMD) to ensure that all businesses including minority business enterprises, women business enterprises, disabled veteran business enterprises and small businesses have a fair and equitable opportunity to compete for and participate in SCAQMD contracts.

B. Definitions:

The definition of minority, women or disadvantaged business enterprises set forth below is included for purposes of determining compliance with the affirmative steps requirement described in Paragraph G below on procurements funded in whole or in part with federal grant funds which involve the use of subcontractors. The definition provided for disabled veteran business enterprise, local business, small business enterprise, low-emission vehicle business and off-peak hours delivery business are provided for purposes of determining eligibility for point or cost considerations in the evaluation process.

1. "Women business enterprise" (WBE) as used in this policy means a business enterprise that meets all of the following criteria:
 - a. a business that is at least 51 percent owned by one or more women, or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more women.
 - b. a business whose management and daily business operations are controlled by one or more women.
 - c. a business which is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign-based business.
2. "Disabled veteran" as used in this policy is a United States military, naval, or air service veteran with at least 10 percent service-connected disability who is a resident of California.
3. "Disabled veteran business enterprise" (DVBE) as used in this policy means a business enterprise that meets all of the following criteria:
 - a. is a sole proprietorship or partnership of which at least 51 percent is owned by one or more disabled veterans or, in the case of a publicly owned business, at least 51 percent of its stock is owned by one or more disabled veterans; a subsidiary which is wholly owned by a parent corporation but only if at least 51 percent of the voting stock of the parent corporation is owned by one or more disabled veterans; or a joint venture in which at least 51 percent of the joint venture's management and control and earnings are held by one or more disabled veterans.

- b. the management and control of the daily business operations are by one or more disabled veterans. The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business.
 - c. is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.
4. "Local business" as used in this policy means a company that has an ongoing business within geographical boundaries of SCAQMD at the time of bid or proposal submittal and performs 90% of the work related to the contract within the geographical boundaries of SCAQMD and satisfies the requirements of subparagraph H below. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points.
5. "Small business" as used in this policy means a business that meets the following criteria:
 - a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
 - A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or
 - A manufacturer with 100 or fewer employees.
 - b. Manufacturer means a business that is both of the following:
 - 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.
 - 2) Classified between Codes 311000 and 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.
6. "Joint ventures" as defined in this policy pertaining to certification means that one party to the joint venture is a DVBE or small business and owns at least 51 percent of the joint venture.
7. "Low-Emission Vehicle Business" as used in this policy means a company or contractor that uses low-emission vehicles in conducting deliveries to SCAQMD. Low-emission vehicles include vehicles powered by electric, compressed natural gas (CNG), liquefied natural gas (LNG), liquefied petroleum gas (LPG), ethanol, methanol, hydrogen and diesel retrofitted with particulate matter (PM) traps.

8. "Off-Peak Hours Delivery Business" as used in this policy means a company or contractor that commits to conducting deliveries to SCAQMD during off-peak traffic hours defined as between 10:00 a.m. and 3:00 p.m.
9. "Benefits Incentive Business" as used in this policy means a company or contractor that provides janitorial, security guard or landscaping services to SCAQMD and commits to providing employee health benefits (as defined below in Section VIII.D.2.d) for full time workers with affordable deductible and co-payment terms.
10. "Minority Business Enterprise" as used in this policy means a business that is at least 51 percent owned by one or more minority person(s), or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more or minority persons.
 - a. a business whose management and daily business operations are controlled by one or more minority persons.
 - b. a business which is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign-based business.
 - c. "Minority person" for purposes of this policy, means a Black American, Hispanic American, Native-American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian (including a person whose origins are from India, Pakistan, and Bangladesh), Asian-Pacific-American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, and Taiwan).
11. "Most Favored Customer" as used in this policy means that the SCAQMD will receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services.
12. "Disadvantaged Business Enterprise" as used in this policy means a business that is an entity owned and/or controlled by a socially and economically disadvantaged individual(s) as described by Title X of the Clean Air Act Amendments of 1990 (42 U.S.C. 7601 note) (10% statute), and Public Law 102-389 (42 U.S.C. 4370d)(8% statute), respectively;
a Small Business Enterprise (SBE);
a Small Business in a Rural Area (SBRA);
a Labor Surplus Area Firm (LSAF); or
a Historically Underutilized Business (HUB) Zone Small Business Concern, or a concern under a successor program.

C. Under Request for Quotations (RFQ), DVBEs, DVBE business joint ventures, small businesses, and small business joint ventures shall be granted a preference in an amount equal to 5% of the lowest cost responsive bid. Low-Emission Vehicle Businesses shall be granted a preference in an amount equal to 5 percent of the lowest cost responsive bid.

Off-Peak Hours Delivery Businesses shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid. Local businesses (if the procurement is not funded in whole or in part by federal grant funds) shall be granted a preference in an amount equal to 2% of the lowest cost responsive bid. Businesses offering Most Favored Customer status shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid.

- D. Under Request for Proposals, DVBEs, DVBE joint ventures, small businesses, and small business joint ventures shall be awarded ten (10) points in the evaluation process. A non-DVBE or large business shall receive seven (7) points for subcontracting at least twenty-five (25%) of the total contract value to a DVBE and/or small business. Low-Emission Vehicle Businesses shall be awarded five (5) points in the evaluation process. On procurements which are not funded in whole or in part by federal grant funds local businesses shall receive five (5) points. Off-Peak Hours Delivery Businesses shall be awarded two (2) points in the evaluation process. Businesses offering Most Favored Customer status shall be awarded two (2) points in the evaluation process.
- E. SCAQMD will ensure that discrimination in the award and performance of contracts does not occur on the basis of race, color, sex, national origin, marital status, sexual preference, creed, ancestry, medical condition, or retaliation for having filed a discrimination complaint in the performance of SCAQMD contractual obligations.
- F. SCAQMD requires Contractor to be in compliance with all state and federal laws and regulations with respect to its employees throughout the term of any awarded contract, including state minimum wage laws and OSHA requirements.
- G. When contracts are funded in whole or in part by federal funds, and if subcontracts are to be let, the Contractor must comply with the following, evidencing a good faith effort to solicit disadvantaged businesses. Contractor shall submit a certification signed by an authorized official affirming its status as a MBE or WBE, as applicable, at the time of contract execution. SCAQMD reserves the right to request documentation demonstrating compliance with the following good faith efforts prior to contract execution.
 - 1. Ensure Disadvantaged Business Enterprises (DBEs) are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
 - 2. Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
 - 3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and Local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.

4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
 5. Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
 6. If the prime contractor awards subcontracts, require the prime contractor to take the above steps.
- H. To the extent that any conflict exists between this policy and any requirements imposed by federal and state law relating to participation in a contract by a certified MBE/WBE/DVBE as a condition of receipt of federal or state funds, the federal or state requirements shall prevail.
- I. When contracts are not funded in whole or in part by federal grant funds, a local business preference will be awarded. For such contracts that involve the purchase of commercial off-the-shelf products, local business preference will be given to suppliers or distributors of commercial off-the-shelf products who maintain an ongoing business within the geographical boundaries of SCAQMD. However, if the subject matter of the RFP or RFQ calls for the fabrication or manufacture of custom products, only companies performing 90% of the manufacturing or fabrication effort within the geographical boundaries of SCAQMD shall be entitled to the local business preference. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points.
- J. In compliance with federal fair share requirements set forth in 40 CFR Part 33, SCAQMD shall establish a fair share goal annually for expenditures with federal funds covered by its procurement policy.

ATTACHMENT B



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

Business Information Request

Dear SCAQMD Contractor/Supplier:

South Coast Air Quality Management District (SCAQMD) is committed to ensuring that our contractor/supplier records are current and accurate. If your firm is selected for award of a purchase order or contract, it is imperative that the information requested herein be supplied in a timely manner to facilitate payment of invoices. In order to process your payments, we need the enclosed information regarding your account. **Please review and complete the information identified on the following pages, remember to sign all documents for our files, and return them as soon as possible to the address below:**

**Attention: Accounts Payable, Accounting Department
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178**

If you do not return this information, we will not be able to establish you as a vendor. This will delay any payments and would still necessitate your submittal of the enclosed information to our Accounting department before payment could be initiated. Completion of this document and enclosed forms would ensure that your payments are processed timely and accurately.

If you have any questions or need assistance in completing this information, please contact Accounting at (909) 396-3777. We appreciate your cooperation in completing this necessary information.

Sincerely,

Sujata Jain
Asst. Deputy Executive Officer
Finance

DH:tm

Enclosures: Business Information Request
Disadvantaged Business Certification
W-9
Form 590 Withholding Exemption Certificate
Federal Contract Debarment Certification
Campaign Contributions Disclosure
Direct Deposit Authorization



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

BUSINESS INFORMATION REQUEST

Business Name	
Division of	
Subsidiary of	
Website Address	
Type of Business <i>Check One:</i>	<input type="checkbox"/> Individual <input type="checkbox"/> DBA, Name _____, County Filed in _____ <input type="checkbox"/> Corporation, ID No. _____ <input type="checkbox"/> LLC/LLP, ID No. _____ <input type="checkbox"/> Other _____

REMITTING ADDRESS INFORMATION

Address			
City/Town			
State/Province		Zip	
Phone	() - Ext	Fax	() -
Contact		Title	
E-mail Address			
Payment Name if Different			

All invoices must reference the corresponding Purchase Order Number(s)/Contract Number(s) if applicable and mailed to:

**Attention: Accounts Payable, Accounting Department
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178**

BUSINESS STATUS CERTIFICATIONS

Federal guidance for utilization of disadvantaged business enterprises allows a vendor to be deemed a small business enterprise (SBE), minority business enterprise (MBE) or women business enterprise (WBE) if it meets the criteria below.

- is certified by the Small Business Administration or
- is certified by a state or federal agency or
- is an independent MBE(s) or WBE(s) business concern which is at least 51 percent owned and controlled by minority group member(s) who are citizens of the United States.

Statements of certification:

As a prime contractor to SCAQMD, (name of business) will engage in good faith efforts to achieve the fair share in accordance with 40 CFR Section 33.301, and will follow the six affirmative steps listed below **for contracts or purchase orders funded in whole or in part by federal grants and contracts.**

1. Place qualified SBEs, MBEs, and WBEs on solicitation lists.
2. Assure that SBEs, MBEs, and WBEs are solicited whenever possible.
3. When economically feasible, divide total requirements into small tasks or quantities to permit greater participation by SBEs, MBEs, and WBEs.
4. Establish delivery schedules, if possible, to encourage participation by SBEs, MBEs, and WBEs.
5. Use services of Small Business Administration, Minority Business Development Agency of the Department of Commerce, and/or any agency authorized as a clearinghouse for SBEs, MBEs, and WBEs.
6. If subcontracts are to be let, take the above affirmative steps.

Self-Certification Verification: Also for use in awarding additional points, as applicable, in accordance with SCAQMD Procurement Policy and Procedure:

Check all that apply:

- | | |
|---------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| <input type="checkbox"/> Small Business Enterprise/Small Business Joint Venture | <input type="checkbox"/> Women-owned Business Enterprise |
| <input type="checkbox"/> Local business | <input type="checkbox"/> Disabled Veteran-owned Business Enterprise/DVBE Joint Venture |
| <input type="checkbox"/> Minority-owned Business Enterprise | <input type="checkbox"/> Most Favored Customer Pricing Certification |

Percent of ownership: _____ %

Name of Qualifying Owner(s): _____

State of California Public Works Contractor Registration No. _____ . MUST BE INCLUDED IF BID PROPOSAL IS FOR PUBLIC WORKS PROJECT.

I, the undersigned, hereby declare that to the best of my knowledge the above information is accurate. Upon penalty of perjury, I certify information submitted is factual.

NAME

TITLE

TELEPHONE NUMBER

DATE

Definitions

Disabled Veteran-Owned Business Enterprise means a business that meets all of the following criteria:

- is a sole proprietorship or partnership of which is at least 51 percent owned by one or more disabled veterans, or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more disabled veterans; a subsidiary which is wholly owned by a parent corporation but only if at least 51 percent of the voting stock of the parent corporation is owned by one or more disabled veterans; or a joint venture in which at least 51 percent of the joint venture's management and control and earnings are held by one or more disabled veterans.
- the management and control of the daily business operations are by one or more disabled veterans. The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business.
- is a sole proprietorship, corporation, partnership, or joint venture with its primary headquarters office located in the United States and which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.

Joint Venture means that one party to the joint venture is a DVBE and owns at least 51 percent of the joint venture. In the case of a joint venture formed for a single project this means that DVBE will receive at least 51 percent of the project dollars.

Local Business means a business that meets all of the following criteria:

- has an ongoing business within the boundary of SCAQMD at the time of bid application.
- performs 90 percent of the work within SCAQMD's jurisdiction.

Minority-Owned Business Enterprise means a business that meets all of the following criteria:

- is at least 51 percent owned by one or more minority persons or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more minority persons.
- is a business whose management and daily business operations are controlled or owned by one or more minority person.
- is a business which is a sole proprietorship, corporation, partnership, joint venture, an association, or a cooperative with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign business.

“Minority” person means a Black American, Hispanic American, Native American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian American (including a person whose origins are from India, Pakistan, or Bangladesh), Asian-Pacific American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, or Taiwan).

Small Business Enterprise means a business that meets the following criteria:

- a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
 - **A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or**
 - A manufacturer with 100 or fewer employees.
- b. Manufacturer means a business that is both of the following:
 - 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.
 - 2) Classified between Codes 311000 to 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.

Small Business Joint Venture means that one party to the joint venture is a Small Business and owns at least 51 percent of the joint venture. In the case of a joint venture formed for a single project this means that the Small Business will receive at least 51 percent of the project dollars.

Women-Owned Business Enterprise means a business that meets all of the following criteria:

- is at least 51 percent owned by one or more women or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more women.
- is a business whose management and daily business operations are controlled or owned by one or more women.
- is a business which is a sole proprietorship, corporation, partnership, or a joint venture, with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign business.

Most Favored Customer as used in this policy means that the SCAQMD will receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services.

Request for Taxpayer Identification Number and Certification

**Give Form to the
requester. Do not
send to the IRS.**

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	<p>1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.</p> <hr/> <p>2 Business name/disregarded entity name, if different from above</p> <hr/> <p>3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.</p> <p><input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate</p> <p><input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____</p> <p>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</p> <p><input type="checkbox"/> Other (see instructions) ▶ _____</p>	<p>4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from FATCA reporting code (if any) _____</p> <p><small>(Applies to accounts maintained outside the U.S.)</small></p>
	<p>5 Address (number, street, and apt. or suite no.) See instructions.</p> <hr/> <p>6 City, state, and ZIP code</p> <hr/> <p>7 List account number(s) here (optional)</p>	<p>Requester's name and address (optional)</p> <hr/> <hr/>

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number					
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OR					
Employer identification number					
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	-				

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	<p>Signature of U.S. person ▶ _____</p>	<p>Date ▶ _____</p>
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee ¹ The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor ⁴
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

***Note:** The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

2018 Withholding Exemption Certificate**590**

The payee completes this form and submits it to the withholding agent. The withholding agent keeps this form with their records.

Withholding Agent Information

Name _____

Payee Information

Name _____

 SSN or ITIN FEIN CA Corp no. CA SOS file no.

Address (apt./sta., room, PO box, or PMB no.) _____

City (if you have a foreign address, see instructions.) _____

State _____ ZIP code _____

Exemption Reason**Check only one box.**

By checking the appropriate box below, the payee certifies the reason for the exemption from the California income tax withholding requirements on payment(s) made to the entity or individual.

- Individuals — Certification of Residency:**
I am a resident of California and I reside at the address shown above. If I become a nonresident at any time, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.
- Corporations:**
The corporation has a permanent place of business in California at the address shown above or is qualified through the California Secretary of State (SOS) to do business in California. The corporation will file a California tax return. If this corporation ceases to have a permanent place of business in California or ceases to do any of the above, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.
- Partnerships or Limited Liability Companies (LLCs):**
The partnership or LLC has a permanent place of business in California at the address shown above or is registered with the California SOS, and is subject to the laws of California. The partnership or LLC will file a California tax return. If the partnership or LLC ceases to do any of the above, I will promptly inform the withholding agent. For withholding purposes, a limited liability partnership (LLP) is treated like any other partnership.
- Tax-Exempt Entities:**
The entity is exempt from tax under California Revenue and Taxation Code (R&TC) Section 23701 _____ (insert letter) or Internal Revenue Code Section 501(c) _____ (insert number). If this entity ceases to be exempt from tax, I will promptly notify the withholding agent. Individuals cannot be tax-exempt entities.
- Insurance Companies, Individual Retirement Arrangements (IRAs), or Qualified Pension/Profit-Sharing Plans:**
The entity is an insurance company, IRA, or a federally qualified pension or profit-sharing plan.
- California Trusts:**
At least one trustee and one noncontingent beneficiary of the above-named trust is a California resident. The trust will file a California fiduciary tax return. If the trustee or noncontingent beneficiary becomes a nonresident at any time, I will promptly notify the withholding agent.
- Estates — Certification of Residency of Deceased Person:**
I am the executor of the above-named person's estate or trust. The decedent was a California resident at the time of death. The estate will file a California fiduciary tax return.
- Nonmilitary Spouse of a Military Servicemember:**
I am a nonmilitary spouse of a military servicemember and I meet the Military Spouse Residency Relief Act (MSRRA) requirements. See instructions for General Information E, MSRRA.

CERTIFICATE OF PAYEE: Payee must complete and sign below.To learn about your privacy rights, how we may use your information, and the consequences for not providing the requested information, go to ftb.ca.gov/forms and search for **1131**. To request this notice by mail, call 800.852.5711.

Under penalties of perjury, I declare that I have examined the information on this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. I further declare under penalties of perjury that if the facts upon which this form are based change, I will promptly notify the withholding agent.

Type or print payee's name and title _____ Telephone (____) _____

Payee's signature ► _____ Date _____

2017 Instructions for Form 590

Withholding Exemption Certificate

References in these instructions are to the California Revenue and Taxation Code (R&TC).

General Information

Registered Domestic Partners (RDP) – For purposes of California income tax, references to a spouse, husband, or wife also refer to a Registered Domestic Partner (RDP) unless otherwise specified. For more information on RDPs, get FTB Pub. 737, Tax Information for Registered Domestic Partners.

A Purpose

Use Form 590, Withholding Exemption Certificate, to certify an exemption from nonresident withholding.

Form 590 does not apply to payments of backup withholding. For more information, go to ftb.ca.gov and search for **backup withholding**.

Form 590 does not apply to payments for wages to employees. Wage withholding is administered by the California Employment Development Department (EDD). For more information, go to edd.ca.gov or call 888.745.3886.

Do not use Form 590 to certify an exemption from withholding if you are a **Seller of California real estate**. Sellers of California real estate use Form 593-C, Real Estate Withholding Certificate, to claim an exemption from the real estate withholding requirement.

The following are excluded from withholding and completing this form:

- The United States and any of its agencies or instrumentalities.
- A state, a possession of the United States, the District of Columbia, or any of its political subdivisions or instrumentalities.
- A foreign government or any of its political subdivisions, agencies, or instrumentalities.

B Income Subject to Withholding

California Revenue and Taxation Code (R&TC) Section 18662 requires withholding of income or franchise tax on payments of California source income made to nonresidents of California.

Withholding is required on the following, but is not limited to:

- Payments to nonresidents for services rendered in California.
- Distributions of California source income made to domestic nonresident partners, members, and S corporation shareholders and allocations of California source income made to foreign partners and members.
- Payments to nonresidents for rents if the payments are made in the course of the withholding agent's business.
- Payments to nonresidents for royalties from activities sourced to California.

- Distributions of California source income to nonresident beneficiaries from an estate or trust.
- Endorsement payments received for services performed in California.
- Prizes and winnings received by nonresidents for contests in California.

However, withholding is optional if the total payments of California source income are \$1,500 or less during the calendar year.

For more information on withholding get FTB Pub. 1017, Resident and Nonresident Withholding Guidelines. To get a withholding publication, see Additional Information.

C Who Certifies this Form

Form 590 is certified by the payee. California residents or entities exempt from the withholding requirement should complete Form 590 and submit it to the withholding agent before payment is made. The withholding agent is then relieved of the withholding requirements if the agent relies in good faith on a completed and signed Form 590 unless notified by the Franchise Tax Board (FTB) that the form should not be relied upon.

An incomplete certificate is invalid and the withholding agent should not accept it. If the withholding agent receives an incomplete certificate, the withholding agent is required to withhold tax on payments made to the payee until a valid certificate is received. In lieu of a completed exemption certificate, the withholding agent may accept a letter from the payee as a substitute explaining why they are not subject to withholding. The letter must contain all the information required on the certificate in similar language, including the under penalty of perjury statement and the payee's taxpayer identification number (TIN). The withholding agent must retain a copy of the certificate or substitute for at least five years after the last payment to which the certificate applies, and provide it upon request to the FTB.

If an entertainer (or the entertainer's business entity) is paid for a performance, the entertainer's information must be provided. **Do not** submit the entertainer's agent or promoter information.

The grantor of a grantor trust shall be treated as the payee for withholding purposes. Therefore, if the payee is a grantor trust and one or more of the grantors is a nonresident, withholding is required. If all of the grantors on the trust are residents, no withholding is required. Resident grantors can check the box on Form 590 labeled "Individuals — Certification of Residency."

D Definitions

For California nonwage withholding purposes, **nonresident** includes all of the following:

- Individuals who are not residents of California.
- Corporations not qualified through the California Secretary of State (CA SOS) to do business in California or having no permanent place of business in California.
- Partnerships or limited liability companies (LLCs) with no permanent place of business in California.
- Any trust without a resident grantor, beneficiary, or trustee, or estates where the decedent was not a California resident.

Foreign refers to non-U.S.

For more information about determining resident status, get FTB Pub. 1031, Guidelines for Determining Resident Status. Military servicemembers have special rules for residency. For more information, get FTB Pub. 1032, Tax Information for Military Personnel.

Permanent Place of Business:

A corporation has a permanent place of business in California if it is organized and existing under the laws of California or it has qualified through the CA SOS to transact intrastate business. A corporation that has not qualified to transact intrastate business (e.g., a corporation engaged exclusively in interstate commerce) will be considered as having a permanent place of business in California only if it maintains a permanent office in California that is permanently staffed by its employees.

E Military Spouse Residency Relief Act (MSRRA)

Generally, for tax purposes you are considered to maintain your existing residence or domicile. If a military servicemember and nonmilitary spouse have the same state of domicile, the MSRRA provides:

- A spouse shall not be deemed to have lost a residence or domicile in any state solely by reason of being absent to be with the servicemember serving in compliance with military orders.
- A spouse shall not be deemed to have acquired a residence or domicile in any other state solely by reason of being there to be with the servicemember serving in compliance with military orders.

Domicile is defined as the one place:

- Where you maintain a true, fixed, and permanent home.
- To which you intend to return whenever you are absent.

A military servicemember's nonmilitary spouse is considered a nonresident for tax purposes if the servicemember and spouse have the same domicile outside of California and the spouse is in California solely to be with the servicemember who is serving in compliance with Permanent Change of Station orders.

California may require nonmilitary spouses of military servicemembers to provide proof that they meet the criteria for California personal income tax exemption as set forth in the MSRRA.

Income of a military servicemember's nonmilitary spouse for services performed in California is not California source income subject to state tax if the spouse is in California to be with the servicemember serving in compliance with military orders, and the servicemember and spouse have the same domicile in a state other than California.

For additional information or assistance in determining whether the applicant meets the MSRRA requirements, get FTB Pub. 1032.

Specific Instructions

Payee Instructions

Enter the withholding agent's name.

Enter the payee's information, including the TIN and check the appropriate TIN box.

You must provide a valid TIN as requested on this form. The following are acceptable TINs: social security number (SSN); individual taxpayer identification number (ITIN); federal employer identification number (FEIN); California corporation number (CA Corp no.); or CA SOS file number.

Private Mail Box (PMB) – Include the PMB in the address field. Write "PMB" first, then the box number. Example: 111 Main Street PMB 123.

Foreign Address – Follow the country's practice for entering the city, county, province, state, country, and postal code, as applicable, in the appropriate boxes. **Do not** abbreviate the country name.

Exemption Reason – Check the box that reflects the reason why the payee is exempt from the California income tax withholding requirement.

Withholding Agent Instructions

Do not send this form to the FTB. The withholding agent retains this form for a minimum of five years or until the payee's status changes, and must provide this form to the FTB upon request.

The payee must notify the withholding agent if any of the following situations occur:

- The individual payee becomes a nonresident.
- The corporation ceases to have a permanent place of business in California or ceases to be qualified to do business in California.

- The partnership ceases to have a permanent place of business in California.
- The LLC ceases to have a permanent place of business in California.
- The tax-exempt entity loses its tax-exempt status.

If any of these situations occur, then withholding may be required. For more information, get Form 592, Resident and Nonresident Withholding Statement, Form 592-B, Resident and Nonresident Withholding Tax Statement, and Form 592-V, Payment Voucher for Resident and Nonresident Withholding.

Additional Information

Website: For more information go to ftb.ca.gov and search for **nonwage**.

MyFTB offers secure online tax account information and services. For more information and to register, go to ftb.ca.gov and search for **myftb**.

Telephone: 888.792.4900 or 916.845.4900, Withholding Services and Compliance phone service

Fax: 916.845.9512

Mail: WITHHOLDING SERVICES AND COMPLIANCE MS F182
FRANCHISE TAX BOARD
PO BOX 942867
SACRAMENTO CA 94267-0651

For questions unrelated to withholding, or to download, view, and print California tax forms and publications, or to access the TTY/TDD numbers, see the information below.

Internet and Telephone Assistance

Website: ftb.ca.gov

Telephone: 800.852.5711 from within the United States

916.845.6500 from outside the United States

TTY/TDD: 800.822.6268 for persons with hearing or speech impairments

Asistencia Por Internet y Teléfono

Sitio web: ftb.ca.gov

Teléfono: 800.852.5711 dentro de los Estados Unidos

916.845.6500 fuera de los Estados Unidos

TTY/TDD: 800.822.6268 para personas con discapacidades auditivas o de habla

Certification Regarding Debarment, Suspension, and Other Responsibility Matters

The prospective participant certifies to the best of its knowledge and belief that it and the principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them or commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction: violation of Federal or State antitrust statute or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Typed Name & Title of Authorized Representative

Signature of Authorized Representative Date

I am unable to certify to the above statements. My explanation is attached.



CAMPAIGN CONTRIBUTIONS DISCLOSURE

In accordance with California law, bidders and contracting parties are required to disclose, at the time the application is filed, information relating to any campaign contributions made to South Coast Air Quality Management District (SCAQMD) Board Members or members/alternates of the MSRC, including: the name of the party making the contribution (which includes any parent, subsidiary or otherwise related business entity, as defined below), the amount of the contribution, and the date the contribution was made. 2 C.C.R. §18438.8(b).

California law prohibits a party, or an agent, from making campaign contributions to SCAQMD Governing Board Members or members/alternates of the Mobile Source Air Pollution Reduction Review Committee (MSRC) of more than \$250 while their contract or permit is pending before SCAQMD; and further prohibits a campaign contribution from being made for three (3) months following the date of the final decision by the Governing Board or the MSRC on a donor’s contract or permit. Gov’t Code §84308(d). For purposes of reaching the \$250 limit, the campaign contributions of the bidder or contractor plus contributions by its parents, affiliates, and related companies of the contractor or bidder are added together. 2 C.C.R. §18438.5.

In addition, SCAQMD Board Members or members/alternates of the MSRC must abstain from voting on a contract or permit if they have received a campaign contribution from a party or participant to the proceeding, or agent, totaling more than \$250 in the 12-month period prior to the consideration of the item by the Governing Board or the MSRC. Gov’t Code §84308(c).

The list of current SCAQMD Governing Board Members can be found at SCAQMD website (www.aqmd.gov). The list of current MSRC members/alternates can be found at the MSRC website (<http://www.cleantransportationfunding.org>).

SECTION I.

Contractor (Legal Name): _____

DBA, Name _____, County Filed in _____ Corporation, ID No. _____ LLC/LLP, ID No. _____

List any parent, subsidiaries, or otherwise affiliated business entities of Contractor:
(See definition below).

SECTION II.

Has Contractor and/or any parent, subsidiary, or affiliated company, or agent thereof, made a campaign contribution(s) totaling \$250 or more in the aggregate to a current member of the South Coast Air Quality Management Governing Board or member/alternate of the MSRC in the 12 months preceding the date of execution of this disclosure?

Yes No **If YES, complete Section II below and then sign and date the form. If NO, sign and date below. Include this form with your submittal.**

Campaign Contributions Disclosure, continued:

Name of Contributor _____

Governing Board Member or MSRC Member/Alternate Amount of Contribution Date of Contribution

Name of Contributor _____

Governing Board Member or MSRC Member/Alternate Amount of Contribution Date of Contribution

Name of Contributor _____

Governing Board Member or MSRC Member/Alternate Amount of Contribution Date of Contribution

Name of Contributor _____

Governing Board Member or MSRC Member/Alternate Amount of Contribution Date of Contribution

I declare the foregoing disclosures to be true and correct.

By: _____

Title: _____

Date: _____

DEFINITIONS

Parent, Subsidiary, or Otherwise Related Business Entity (2 Cal. Code of Regs., §18703.1(d).)

- (1) Parent subsidiary. A parent subsidiary relationship exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation.
- (2) Otherwise related business entity. Business entities, including corporations, partnerships, joint ventures and any other organizations and enterprises operated for profit, which do not have a parent subsidiary relationship are otherwise related if any one of the following three tests is met:
 - (A) One business entity has a controlling ownership interest in the other business entity.
 - (B) There is shared management and control between the entities. In determining whether there is shared management and control, consideration should be given to the following factors:
 - (i) The same person or substantially the same person owns and manages the two entities;
 - (ii) There are common or commingled funds or assets;
 - (iii) The business entities share the use of the same offices or employees, or otherwise share activities, resources or personnel on a regular basis;
 - (iv) There is otherwise a regular and close working relationship between the entities; or
 - (C) A controlling owner (50% or greater interest as a shareholder or as a general partner) in one entity also is a controlling owner in the other entity.



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

Direct Deposit Authorization

STEP 1: Please check all the appropriate boxes

- | | |
|------------------------------------------------------------------------|------------------------------------------------|
| <input type="checkbox"/> Individual (Employee, Governing Board Member) | <input type="checkbox"/> New Request |
| <input type="checkbox"/> Vendor/Contractor | <input type="checkbox"/> Cancel Direct Deposit |
| <input type="checkbox"/> Changed Information | |

STEP 2: Payee Information

Last Name		First Name		Middle Initial	Title
Vendor/Contractor Business Name (if applicable)					
Address				Apartment or P.O. Box Number	
City		State	Zip	Country	
Taxpayer ID Number		Telephone Number		Email Address	

Authorization

- I authorize South Coast Air Quality Management District (SCAQMD) to direct deposit funds to my account in the financial institution as indicated below. I understand that the authorization may be rejected or discontinued by SCAQMD at any time. If any of the above information changes, I will promptly complete a new authorization agreement. If the direct deposit is not stopped before closing an account, funds payable to me will be returned to SCAQMD for distribution. This will delay my payment.
- This authorization remains in effect until SCAQMD receives written notification of changes or cancellation from you.
- I hereby release and hold harmless SCAQMD for any claims or liability to pay for any losses or costs related to insufficient fund transactions that result from failure within the Automated Clearing House network to correctly and timely deposit monies into my account.

STEP 3:

You must verify that your bank is a member of an Automated Clearing House (ACH). Failure to do so could delay the processing of your payment. You must attach a voided check or have your bank complete the bank information and the account holder must sign below.

To be Completed by your Bank

Staple Voided Check Here	Name of Bank/Institution				
	Account Holder Name(s)				
	<input type="checkbox"/> Saving <input type="checkbox"/> Checking		Account Number	Routing Number	
	Bank Representative Printed Name		Bank Representative Signature		Date
	ACCOUNT HOLDER SIGNATURE:				Date

For SCAQMD Use Only

Input By _____

Date _____



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

[↑ Back to Agenda](#)

Item 13

LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, DECEMBER 14, 2018 MEETING MINUTES

MEMBERS PRESENT:

Ben Benoit, Mayor Pro Tem, City of Wildomar and LGSBA Chairman
Felipe Aguirre
Paul Avila, P.B.A. & Associates
Geoffrey Blake, Metal Finishers of Southern California
LaVaughn Daniel, DancoEN
Bill LaMarr, California Small Business Alliance
Rita Loof, RadTech International
David Rothbart, Los Angeles County Sanitation District

MEMBERS ABSENT:

Dr. Clark E. Parker, Sr., Senate Rules Committee Appointee
V. Manuel Perez, Supervisor
Janice Rutherford, Supervisor, Second District, San Bernardino County
Rachelle Arizmendi, Mayor Pro Tempore, City of Sierra Madre
Todd Campbell, Clean Energy
John DeWitt, JE DeWitt, Inc.
Eddie Marquez, Roofing Contractors Association
Cynthia Moran, Council Member, City of Chino Hills

SCAQMD STAFF:

Fabian Wesson, Asst. Deputy Executive Officer/Public Advisor
Nancy Feldman, Principal Deputy District Counsel
De Groeneveld, Sr. Information Technology Specialist
Elaine-Joy Hills, AQ Inspector II
Stacy Garcia, Secretary

Agenda Item #1 - Call to Order/Opening Remarks

Chair Ben Benoit called the meeting to order at 12:01 p.m.

Agenda Item #2 – Follow Up/Action Items

Ms. Fabian Wesson updated the LGSBA members regarding the following requests:

- Provide the AB 617 steering committee rosters
The roster for Wilmington/Carson/West Long Beach were e-mailed on December 5, 2018
The roster for San Bernardino/Muscoy were emailed on December 11, 2018
The roster for Boyle Heights/East Los Angeles/West Commerce will be e-mailed once finalized
- Provide the November 28, 2018 AB 617 flyer
The flyer was e-mailed on November 14, 2018
- Supervisor Perez requested a map of the locations of air monitors in his district
The map and locations were e-mailed to Supervisor Perez's staff on December 13, 2018
- Supervisor Perez requested a meeting to discuss any correlation between nosebleeds and PM₁₀
SCAQMD staff is working on scheduling said meeting

Mr. Bill LaMarr inquired about the remaining steering committee roster and why it has not been finalized. Ms. Wesson responded that there have been some drop offs and other issues. Mr. Paul Avila asked if you have to physically live in a community in order to be on the steering committee to which Ms. Wesson responded yes. Ms. Rita Loof asked if trade organizations representing businesses in the AB 617 communities, who do not reside in the community, be on the steering committee. Ms. Wesson stated that legislation mandated that the business owner has to live in the community, even if the business is in the community.

Agenda Item #3 – Approval of November 9, 2018 Meeting Minutes/Review of Follow-Up/Action Items

Chair Benoit called for approval of the November 9, 2018 meeting minutes. The minutes were approved unanimously.

Agenda Item #4 – Approval of Local Government & Small Business Assistance Advisory Group 2018 Accomplishments and Seek Items for 2019 Goals & Objectives

Ms. Wesson presented and requested approval of the 2018 Accomplishments and for items to be included in the 2019 Goals & Objectives.

Ms. Loof recommended information on Rule 1106, before it goes to the Governing Board in April 2019. Ms. Loof also requested clarification on how subscription services works and gave an example that when you go on the website to sign up for rule updates, it does not correlate to public notices or workshops that go out.

Mr. LaMarr requested information on Rules 212 and 1106.

Mr. Harvey Eder commented that a goal should be working towards solar transformation.

Mr. Avila requested a basic presentation on cap & trade credits.

Mr. LaMarr requested presentations on AB 617 to occur in early 2019.

Mr. Aguirre requested information on alternatives to Southern California Edison, as a Community Choice Aggregation (CCA) or for solar power.

Chair Benoit called for approval of the changes to the 2019 Goals and Objectives. The changes were approved unanimously.

Agenda Item #5 – Monthly Report on Small Business Assistance Activities

No comments.

Agenda Item #6 - Other Business

No other business.

Agenda Item #7 - Public Comment

Mr. Harvey Eder commented on solar and Mr. Benoit's involvement.

Agenda Item #8 – Next Meeting Date

The next regular Local Government & Small Business Assistance Advisory Group meeting is scheduled for Friday, January 11, 2019 at 11:30 a.m.

Adjournment

The meeting adjourned at 12:26 p.m.