



South Coast Air Quality Management District

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

ADMINISTRATIVE COMMITTEE MEETING

Committee Members

Dr. William A. Burke, Chair
Council Member Ben Benoit, Vice Chair
Council Member Judith Mitchell
Council Member Michael Cacciotti

August 14, 2020 ♦ 10:00 a.m.

Pursuant to Governor Newsom's Executive Orders N-25-20 (March 12, 2020) and N-29-20 (March 17, 2020), the South Coast AQMD Administrative Committee meeting will only be conducted via video conferencing and by telephone. Please follow the instructions below to join the meeting remotely.

INSTRUCTIONS FOR ELECTRONIC PARTICIPATION AT BOTTOM OF AGENDA

Join Zoom Webinar Meeting - from PC or Laptop

<https://scaqmd.zoom.us/j/92255904416>

Zoom Webinar ID: 922 5590 4416 (applies to all)

Teleconference Dial In

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One tap mobile

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Audience will be able to provide public comment through telephone or Zoom connection during public comment periods.

PUBLIC COMMENT WILL STILL BE TAKEN

AGENDA

Members of the public may address this body concerning any agenda item before or during consideration of that item (Gov't. Code Section 54954.3(a)). If you wish to speak, raise your hand on Zoom or press Star 9 if participating by telephone. All agendas for regular meetings are posted at South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 72 hours in advance of the regular meeting. Speakers may be limited to three (3) minutes each.

CALL TO ORDER

DISCUSSION ITEMS – Items 1 through 10:

1. Board Members' Concerns (***No Motion Required***)
Any member of the Governing Board, on his or her own initiative may raise a concern to the Administrative Committee regarding any South Coast AQMD items or activities. Dr. William A. Burke
Committee Chair
2. Chairman's Report of Approved Travel (***No Motion Required***) Dr. Burke
3. Report of Approved Out-of-Country Travel
(***No Motion Required***) Wayne Nastri
Executive Officer
4. Review September 4, 2020 Governing Board Agenda Wayne Nastri pgs. 1-11
5. Approval of Compensation for Board Member Assistant(s)/
Consultant(s) (Any material, if submitted, will be distributed at the
meeting.) (***Motion Requested if Proposal Made***) Dr. Burke
6. Update on South Coast AQMD Inclusion, Diversity and Equity
Efforts (***No Motion Required***) Wayne Nastri pgs. 12-21
*Staff will provide an update on current and future efforts for our internal
processes and programs, and to improve how we work with communities.*
7. Budget and Economic Outlook Update (Presentation in Lieu of
Board Letter) (***No Motion Required***) Jill Whynot
Chief Operating
Officer
*Staff will provide an update on economic indicators and key South Coast
AQMD metrics.*
8. South Coast AQMD's FY 2019-20 Fourth Quarter ended June 30,
2020 Budget vs. Actual (Unaudited) (***No Motion Required***) Sujata Jain
Chief Financial
Officer, Finance
*Staff will provide a comparison of budget vs. actual for revenues and
expenditures for the fourth quarter which ended June 30, 2020.*
9. Report of RFPs/RFQs Scheduled for Release in September
(***No Motion Required***) Sujata Jain pgs. 22-25
*This report summarizes the RFPs/RFQs for budgeted services over
\$100,000 scheduled to be released for advertisement for the month of
September.*
10. Status Report on Major Ongoing and Upcoming Projects for
Information Management (***No Motion Required***) Ron Moskowitz pgs. 26-35
Chief Information
Officer, Information
Management
*Information Management is responsible for data systems management
services in support of all South Coast AQMD operations. This action is to
provide the monthly status report on major automation contracts and
planned projects.*

ACTION ITEMS – Items 11 through 14:

SEPTEMBER ITEMS

11. Amend Contract to Provide Short- and Long-Term Systems Development, Maintenance and Support Services
(Motion Requested)
South Coast AQMD currently has contracts with several companies for short- and long-term systems development, maintenance and support services. These contracts are periodically amended as additional needs are defined. This action is to amend contracts previously approved by the Board to add additional funding for needed development and maintenance work in an amount not to exceed \$65,000 for AgreeYa Solutions, \$55,000 for Prelude Systems, \$219,790 for Sierra Cybernetics, and \$220,000 for Varsun eTechnologies. Funding is available in Information Management’s FY 2020-21 Budget.

Ron Moskowitz pgs. 36-38
12. Appoint Alternate Medical Member to Hearing Board
(Motion Requested)
On June 7, 2019, the Governing Board directed staff to recruit for the vacant Alternate Medical Member position on the South Coast AQMD Hearing Board. Twelve applications were submitted between July 2019 through April 2020, with two candidates meeting the required qualifications. As required by state law, an appointed Hearing Board Advisory Committee (Advisory Committee) reviewed the application materials for both candidates. The Advisory Committee agreed to waive their interview of the candidates and recommended that the candidates move forward for interviews with the Governing Board’s Administrative Committee. The Administrative Committee will interview the candidates at its August 14, 2020 meeting for a final recommendation to the full Governing Board in September.

Faye Thomas pgs. 39-40
Clerk of the Boards
13. Issue RFP for Legislative Representation in Sacramento, California
(Motion Requested)
The current contracts for legislative representation in Sacramento, California expire on December 31, 2020. This action is to issue an RFP for legislative consulting services for South Coast AQMD in Sacramento for 2021. The RFP will also indicate that the services contract(s) may be extended for up to two additional one-year terms. Total expenditures for the contract(s) shall not exceed \$365,000 for the initial one-year period.

Derrick J. Alatorre pgs. 41-81
DEO, Legislative,
Public Affairs &
Media
14. Amend Contract for Consultant Services for Why Healthy Air Matters Program, and Environmental Justice Program, to add funds to these programs **(Motion Requested)**
At the August 7, 2020 meeting, the Board discussed the expansion of the WHAM Program as well as additional education programs. These actions are to amend the contract for consultant services for WHAM in the amount of \$1,500,000 for the year beginning April 18, 2020 and ending April 19, 2021, and approve amending contract for additional consultant services for the Environmental Justice Program in the amount of \$200,000 in funding for additional education programs.

Derrick J. Alatorre

WRITTEN REPORT:

15. Local Government & Small Business Assistance Advisory Group Minutes for the May 8, 2020 Meeting
(No Motion Required)
Attached for information only are the Local Government & Small Business Assistance Advisory Group minutes for the May 8, 2020 meeting.
- Derrick J. Alatorre pgs. 82-86

OTHER MATTERS:

16. Other Business
Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may ask a question for clarification, may make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter, or may take action to direct staff to place a matter of business on a future agenda. (Govt Code Section 54954.2)
- Dr. Burke
17. Public Comment
At the end of the regular meeting agenda, an opportunity is provided for the public to speak on any subject within the Committee's authority that is not on the agenda. Speakers may be limited to three (3) minutes each.
18. **Next Meeting Date:** September 11, 2020 at 10:00 a.m.

CLOSED SESSION – (NO WRITTEN MATERIAL)

Bayron Gilchrist
General Counsel

CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

It is necessary for the Board to recess to closed session pursuant to Government Code Sections 54956.9(a) and 54956.9(d)(4) to consider initiation of litigation (one case).

ADJOURNMENT

Americans with Disabilities Act and Language Accessibility

Disabilities and language-related accommodations can be requested to allow participation in the Administrative Committee meeting. The agenda will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov't Code Section 54954.2(a)). In addition, other documents may be requested in alternative formats and languages. Any disability or language-related accommodation must be requested as soon as practicable. Requests will be accommodated unless providing the accommodation would result in a fundamental alteration or undue burden to the District. Please contact Nancy Velasquez at (909) 396-2557 from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to nvelasquez@aqmd.gov.

Document Availability

All documents (i) constituting non-exempt public records, (ii) relating to an item on an agenda for a regular meeting, and (iii) having been distributed to at least a majority of the Committee after the agenda is posted, are available by contacting Nancy Velasquez at (909) 396-2557, or send the request to nvelasquez@aqmd.gov.

INSTRUCTIONS FOR ELECTRONIC PARTICIPATION

Instructions for Participating in a Virtual Meeting as an Attendee

As an attendee, you will have the opportunity to virtually raise your hand and provide public comment.

Before joining the call, please silence your other communication devices such as your cell or desk phone. This will prevent any feedback or interruptions during the meeting.

Please note: During the meeting, all participants will be placed on Mute by the host. You will not be able to mute or unmute your lines manually.

After each agenda item, the Chairman will announce public comment.

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.

A countdown timer will be displayed on the screen for each public comment.

If interpretation is needed, more time will be allotted.

Once you raise your hand to provide public comment, your name will be added to the speaker list. Your name will be called when it is your turn to comment. The host will then unmute your line.

Directions for Video ZOOM on a DESKTOP/LAPTOP:

- If you would like to make a public comment, please click on the **“Raise Hand”** button on the bottom of the screen.
- This will signal to the host that you would like to provide a public comment and you will be added to the list.

Directions for Video Zoom on a SMARTPHONE:

- If you would like to make a public comment, please click on the **“Raise Hand”** button on the bottom of your screen.
- This will signal to the host that you would like to provide a public comment and you will be added to the list.

Directions for TELEPHONE line only:

- If you would like to make public comment, please **dial *9** on your keypad to signal that you would like to comment.



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[Back to Agenda](#)

Item 4

8/7/20 6:20 PM

DRAFT AGENDA

MEETING, SEPTEMBER 4, 2020

A meeting of the South Coast Air Quality Management District Board will be held at 9:00 AM.

Pursuant to Governor Newsom's Executive Orders N-25-20 (March 12, 2020) and N-29-20 (March 17, 2020), the Governing Board meeting will only be conducted via video conferencing and by telephone. Please follow the instructions below to join the meeting remotely.

ELECTRONIC PARTICIPATION INFORMATION (Instructions provided at bottom of the agenda)

Join Zoom Meeting - from PC, Laptop or Phone

<https://scaqmd.zoom.us/j/93128605044>

Meeting ID: 931 2860 5044 (applies to all)

Teleconference Dial In +1 669 900 6833 or +1 253 215 8782

One tap mobile +16699006833,,97364562763# or +12532158782,,93128605044#

Audience will be allowed to provide public comment through telephone or Zoom connection.

PUBLIC COMMENT [Back to Agenda](#) IS TAKEN

Questions About an Agenda Item

- The name and telephone number of the appropriate staff person to call for additional information or to resolve concerns is listed for each agenda item.
- In preparation for the meeting, you are encouraged to obtain whatever clarifying information may be needed to allow the Board to move expeditiously in its deliberations.

Meeting Procedures

- The public meeting of the South Coast AQMD Governing Board begins at 9:00 a.m. The Governing Board generally will consider items in the order listed on the agenda. However, any item may be considered in any order.
- After taking action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

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 at South Coast AQMD's web page (www.aqmd.gov).

Americans with Disabilities Act and Language Accessibility

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A webcast of the meeting is available for viewing at:

<http://www.aqmd.gov/home/news-events/webcast>

Cleaning the air that we breathe...

CALL TO ORDER

- Pledge of Allegiance

- Roll Call

- 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

- | | | |
|--|---|----------------------|
| 11019. | Approve Minutes of August 7, 2020 Board Meeting | Thomas/3268 |
| | | |
| 11036. | Set Public Hearing October 2, 2020 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations | Nastri/3131 |
| | | |
| 11035. | Set Public Hearing October 2, 2020 to Certify Final Environmental Assessment and Adopt Rule 1179.1 – NOx Emission Reductions from Combustion Equipment at Publicly Owned Treatment Works Facilities | Nakamura/3105 |
| | | |
| Proposed Rule (PR) 1179.1 was developed to establish BARCT requirements for combustion equipment located at Publicly Owned Treatment Works facilities. PR 1179.1 establishes NOx, CO, and VOC emission limits for boilers, turbines, and engines. PR 1179.1 also includes provisions for emissions monitoring, reporting, and recordkeeping. This action is to adopt the Resolution: 1) Certifying the Final Environmental Assessment for Proposed Rule 1179.1 – NOx Emission Reductions from Combustion Equipment at Publicly Owned Treatment Works Facilities; and 2) Adopting Rule 1179.1 – NOx Reductions from Combustion Equipment at Publicly Owned Treatment Works Facilities. (Reviewed: Stationary Source Committee, August 21, 2020) | | |

Budget/Fiscal Impact

11015. Adopt Resolution Recognizing Funds for FY 2019-20 Community Air Protection Program Incentives and Reimburse General Fund for Administrative Costs **Berry/2363**

In June 2020, South Coast AQMD executed a grant agreement (G19-MCAP-03) with CARB to receive FY 2019-20 (Year 3) Community Air Protection Program (CAPP) incentive funds in the amount of \$69,824,849, including 6.25% in administrative funds. This action is to adopt a Resolution recognizing CAPP revenue up to \$70 million from CARB into the Community Air Protection AB 134 Fund (77). The revenue will be used to support incentive projects that reduce emissions and improve public health in communities with high burdens of cumulative pollutant exposure, such as those consistent with the goals of AB 617, subject to Board approval. Eligible projects include those submitted under the Carl Moyer and Proposition 1B-Goods Movement Programs, projects consistent with Community Air Protection Incentives Guidelines, and other incentive projects and programs included in an approved Community Emissions Reduction Program. This action is to also reimburse the General Fund for administrative costs incurred implementing the CAPP grant. (Reviewed: Technology Committee, August 21, 2020; Recommended for Approval)

11033. Establish Special Revenue Fund, Recognize Revenue, Transfer Funds, Amend and Execute Contracts to Demonstrate Class 8 Battery Electric Trucks, Retrofit Ocean-Going Vessel, Deploy Fuel Cell Transit Buses and Reimburse General Fund **Miyasato/3249**

South Coast AQMD has been awarded up to \$37,821,301 from U.S. EPA. These actions are to establish the U.S. EPA Targeted Airshed Special Revenue Fund (85); recognize revenue from the Clean Air Technology Initiative Program up to \$500,000 into the GHG Reduction Projects Special Revenue Fund (67), up to \$25,906,601 into Fund 85, and up to \$11,414,700 into the Clean Shipping Technology Demonstration Special Revenue Fund (83); recognize revenue from the San Pedro Bay Ports up to \$300,000 into Fund 83; transfer up to \$2,205,000 from Clean Fuels Program Fund (31) into Fund 85; and transfer up to \$300,000 from the Air Quality Investment Fund (27) into Fund 83. These actions are to also: 1) amend a contract adding \$500,000 from Fund 67 and execute contracts for \$21,635,681 to demonstrate battery electric trucks and infrastructure and for administrative project implementation from Fund 85; 2) execute an MOU with the San Pedro Bay Ports; 3) execute a contract for \$11,474,000 to retrofit an ocean-going vessel from Fund 83; 4) execute a contract for \$6,111,601 to deploy fuel cell transit buses from Fund 85; and 5) reimburse the General Fund for administrative costs. (Reviewed: Technology Committee, August 21, 2020; Recommended for Approval)

11023. **Recognize Revenue, Transfer Funds, and Approve Budget and Expenditures for California Natural Gas Vehicle Partnership Activities and Projects** **Miyasato/3249**

The Board established the California Natural Gas Vehicle Partnership (CNGVP) to promote greater deployment of natural gas vehicles in California. These actions are to: 1) recognize revenue from participating and future CNGVP Members; 2) transfer \$25,000 from the Clean Fuels Program Fund (31) into the Natural Gas Vehicle Partnership Fund (40) for South Coast AQMD's two-year membership for FYs 2020-21 and 2021-22; 3) approve the FYs 2020-21 and 2021-22 CNGVP Budget; and 4) authorize the Executive Officer to approve individual expenditures, as approved by the CNGVP, for FYs 2020-21 and 2021-22 up to \$75,000 but not to exceed \$225,000 for each fiscal year. (Reviewed: Technology Committee, August 21, 2020; Recommended for Approval)

11018. **Establish Special Revenue Fund, Recognize Funds, Execute Contract for Installation and Maintenance of Air Filtration Systems and Reimburse General Fund for Administrative Costs** **Miyasato/3249**

In May 2019, the Board recognized \$7,100,000 into the Air Filtration Fund (75) from the Aliso Supplemental Environmental Project (SEP) Fund to install air filtration systems at schools in Environmental Justice communities in Los Angeles County. To facilitate program tracking and auditing, these actions are to establish the Aliso Canyon Air Filtration Special Revenue Fund (84), recognize \$7,100,000 into Fund 84 instead of Fund 75, authorize the Chairman to execute a contract with IQAir North America for installation and maintenance of air filtration systems at schools in the amount not to exceed \$6,745,000 from Fund 84, and reimburse the General Fund for administrative costs up to \$355,000 from Fund 84. (Reviewed: Technology Committee, August 21, 2020; Recommended for Approval)

11014. **Recognize Revenue and Appropriate Funds for Rule 1180, U.S. EPA Community Scale and NASA Citizen Science Programs, and Issue Purchase Orders and/or Contracts** **Low/2269**

South Coast AQMD is conducting air pollution measurements near refineries and surrounding communities and will receive over \$4.5 million in revenue for annual operation and maintenance of the Rule 1180 community air monitoring network in 2020. South Coast AQMD was also awarded up to \$452,776 from NASA to improve the interpretation of PM2.5 measurements from satellites using low-cost sensors. These actions are to: 1) recognize revenue and appropriate funds of up to \$2,253,935 from annual operation fees paid by three refineries and reallocate up to \$1,931,114 to Science & Technology Advancement's (STA's) FYs 2020-21 and/or 2021-22 Budgets for Rule 1180; 2) reallocate up to \$65,000 to STA's FYs 2020-21 and/or 2021-22 Budgets for the U.S. EPA Community Scale Program; 3) recognize additional revenue and appropriate funds of up to \$118,488 in STA's FYs 2020-21 and/or 2021-22 Budgets for the NASA Citizen Science Program; and 4) issue purchase orders and/or contracts for air quality monitoring in communities. (Reviewed: Administrative Committee, August 14, 2020; Recommended for Approval)

11026. **Amend Contract to Provide Short- and Long-Term Systems Development, Maintenance and Support Services** **Moskowitz/3329**

South Coast AQMD currently has contracts with several companies for short- and long-term systems development, maintenance and support services. These contracts are periodically amended as additional needs are defined. This action is to amend contracts previously approved by the Board to add additional funding for needed development and maintenance work in an amount not to exceed \$65,000 for AgreeYa Solutions, \$55,000 for Prelude Systems, \$219,790 for Sierra Cybernetics, and \$220,000 for Varsun eTechnologies. Funding is available in Information Management's FY 2020-21 Budget. (Reviewed: Administrative Committee, August 14, 2020; Recommended for Approval)

11027. **Issue RFP for Legislative Representation in Sacramento, California** **Alatorre/3122**

The current contracts for legislative representation in Sacramento, California expire on December 31, 2020. This action is to issue an RFP for legislative consulting services for South Coast AQMD in Sacramento for 2021. The RFP will also indicate that the contract(s) may be extended for up to two additional one-year terms. Total expenditures for the contract(s) shall not exceed \$365,000 for the initial one-year period. (Reviewed: Administrative Committee, August 14, 2020; Recommended for Approval)

- XXXX. **Amend Contract for Consultant Services for Why Healthy Air Matters Program, and Environmental Justice Program, to add funds to these programs** **Alatorre/3122**

At the August 7, 2020 meeting, the Board discussed the expansion of the WHAM Program as well as additional education programs. These actions are to amend the contract for consultant services for WHAM in the amount of \$1,500,000 for the year beginning April 18, 2020 and ending April 19, 2021, and approve amending contract for additional consultant services for the Environmental Justice Program in the amount of \$200,000 in funding for additional education programs. (Reviewed: Administrative Committee, August 14, 2020; Recommended for Approval)

10991. **Appoint Alternate Medical Member to Hearing Board** **Thomas/3268**

On June 7, 2019, the Governing Board directed staff to recruit for the vacant Alternate Medical Member position on the South Coast AQMD Hearing Board. Twelve applications were submitted between July 2019 through April 2020, with two candidates meeting the required qualifications. As required by state law, an appointed Hearing Board Advisory Committee (Advisory Committee) reviewed the application materials for both candidates. The Advisory Committee agreed to waive their interview of the candidates and recommended that the candidates move forward for interviews with the Governing Board's Administrative Committee. The Administrative Committee will interview the candidates at its August 14, 2020 meeting for a final recommendation to the full Governing Board in September. (Reviewed: Administrative Committee, August 14, 2020; Recommended for Approval)

10892. Approve Contract Modifications as Approved by MSRC

McCallon

Items XX through XX - Information Only/Receive and File

10851. Legislative, Public Affairs, and Media Report

Alatorre/3122

This report highlights the July 2020 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)

10997. Hearing Board Report

Prussack/2500

This reports the actions taken by the Hearing Board during the period of July 1 through July 31, 2020. (No Committee Review)

10981. Civil Filings and Civil Penalties Report

Gilchrist/3459

This reports the monthly penalties from June 1, 2020 through July 31, 2020, and legal actions filed by the General Counsel's Office from June 1 through June 31, 2020. An Index of South Coast AQMD Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, August 21, 2020)

10898. FY 2019-20 Contract Activity

Jain/2804

This report lists the number of contracts let during FY 2019-20, the respective dollar amounts, award type, and the authorized contract signatory for the South Coast AQMD. This report includes the data provided in the March 2020 report covering contract activity for the first six months of FY 2019-20. (No Committee Review)

10806. **Lead Agency Projects and Environmental Documents Received** **Nakamura/3105**
This report provides a listing of CEQA documents received by the South Coast AQMD between July 1, 2020 and July 31, 2020, and those projects for which the South Coast AQMD is acting as lead agency pursuant to CEQA. (Reviewed: Mobile Source Committee, August 21, 2020)
11030. **Report of RFPs/RFQs Scheduled for Release in September** **Jain/2804**
This report summarizes the RFPs/RFQs for budgeted services over \$100,000 scheduled to be released for advertisement for the month of September. (Reviewed: Administrative Committee, August 14, 2020)
10777. **Rule and Control Measure Forecast** **Fine/2239**
This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2020. (No Committee Review)
11028. **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 South Coast AQMD operations. This action is to provide the monthly status report on major automation contracts and planned projects. (Reviewed: Administrative Committee, August 14, 2020)

XX. Items Deferred from Consent Calendar

BOARD CALENDAR

11007. **Administrative Committee (Receive & File)** **Chair: Burke** **Nastri/3131**
10971. **Investment Oversight Committee (Receive and File)** **Chair: Cacciotti** **Jain/2804**
10781. **Legislative Committee** **Chair: Mitchell** **Alatorre/3122**
10759. **Mobile Source Committee (Receive & File)** **Chair: Burke** **Fine/2239**
10912. **Stationary Source Committee (Receive & File)** **Chair: Benoit** **Dejbakhsh/2618**
10832. **Technology Committee (Receive & File)** **Chair: Buscaino** **Miyasato/3249**

10793. Mobile Source Air Pollution Reduction Review Committee (Receive & File) Board Liaison: Benoit Berry/2363

10949. California Air Resources Board Monthly Report (Receive & File) Board Rep: Mitchell Thomas/2500

Staff Presentation/Board Discussion

11016. Status Report on Regulation XIII - New source Review Dejbakhsh/2618

This report presents the state and federal Final Determination of Equivalency for January 2018 through December 2018. As such, it provides information regarding the status of Regulation XIII – New Source Review in meeting state and federal NSR requirements and shows that South Coast AQMD’s NSR program is in final compliance with applicable state and federal requirements from January 2018 through December 2018. (Reviewed: Stationary Source Committee, August 21, 2020)

XXX. Budget and Economic Outlook Update (*Presentation In Lieu of Board Letter*) Whynot/3104

Staff will provide an update on economic indicators and key South Coast AQMD metrics. (Reviewed: Administrative Committee, August 14, 2020)

PUBLIC HEARINGS

11031. Determine That Proposed Amendments to Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, and Revisions to Clean Air Furnace Rebate Program Are Exempt from CEQA; Amend Rule 1111 and Approve Revisions to Clean Air Furnace Rebate Program Nakamura/3105

Rule 1111 establishes a NOx emission limit of 14 ng/J for residential and commercial gas furnaces. Proposed Amended Rule 1111 will extend the compliance date from October 1, 2020 to September 30, 2021 for weatherized and high altitude furnaces. The proposed amendments would also include an exemption for gas-electric dual fuel systems with low-NOx furnaces (40 ng/J) installed at higher altitudes until September 30, 2022. Staff is also recommending modifications to Clean Air Furnace Rebate program. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, and revisions to Clean Air Furnace Rebate Program are exempt from the requirements of the California Environmental Quality Act; 2) Amending Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces; and 3) Revising the Clean Air Furnace Rebate program to incentivize installation of 14 ng/J furnaces and electric heat pumps. (Reviewed: Stationary Source Committee, June 19 and August 21, 2020)

11005. Receive and File 2019 Annual Report on AB 2588 Program and Approve Updates to Facility Prioritization Procedure for AB 2588 Program, AB 2588 and Rule 1402 Supplemental Guidelines, and Public Notification Procedures Rees/2856

The Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588) requires local air pollution control districts to prepare an annual report. The report provides the public with information regarding South Coast AQMD programs to reduce emissions of toxic air contaminants. This annual update describes the various activities in 2019 to satisfy the requirements of AB 2588 and Rule 1402, such as quadrennial emissions reporting and prioritization, the preparation and review of Air Toxics Inventory Reports, Health Risk Assessments, Voluntary Risk Reduction Plans, Risk Reduction Plans, and additional South Coast AQMD activities related to air toxics. Staff is also updating the Facility Prioritization Procedure for the AB 2588 Program, AB 2588 and Rule 1402 Supplemental Guidelines, and Public Notification Procedures to correct typographical errors and to provide additional information and clarification. These actions are to receive and file the 2019 Annual Report on the AB 2588 Air Toxics "Hot Spots" Program and approve revisions to the Facility Prioritization Procedure, AB 2588 and Rule 1402 Supplemental Guidelines, and Public Notification Procedures. (Reviewed: Stationary Source Committee, August 21, 2020)

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.

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. Persons wishing to speak may do so remotely via Zoom or telephone. To provide public comments via a Desktop/Laptop or Smartphone, click on the “Raise Hand” at the bottom of the screen, or if participating via Dial-in/Telephone Press *9. This will signal to the host that you would like to provide a public comment and you will be added to the list.

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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. Individuals who wish to submit written or electronic comments must submit such comments to the Clerk of the Board, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765-4178, (909) 396-2500, or to cob@aqmd.gov, on or before 5:00 p.m. on the Tuesday prior to the Board meeting.

ACRONYMS

AQ-SPEC = Air Quality Sensor Performance Evaluation Center	NESHAPS = National Emission Standards for Hazardous Air Pollutants
AQIP = Air Quality Investment Program	NGV = Natural Gas Vehicle
AQMP = Air Quality Management Plan	NOx = Oxides of Nitrogen
AVR = Average Vehicle Ridership	NSPS = New Source Performance Standards
BACT = Best Available Control Technology	NSR = New Source Review
BARCT = Best Available Retrofit Control Technology	OEHHA = Office of Environmental Health Hazard Assessment
Cal/EPA = California Environmental Protection Agency	PAMS = Photochemical Assessment Monitoring Stations
CARB = California Air Resources Board	PEV = Plug-In Electric Vehicle
CEMS = Continuous Emissions Monitoring Systems	PHEV = Plug-In Hybrid Electric Vehicle
CEC = California Energy Commission	PM10 = Particulate Matter ≤ 10 microns
CEQA = California Environmental Quality Act	PM2.5 = Particulate Matter ≤ 2.5 microns
CE-CERT =College of Engineering-Center for Environmental Research and Technology	RECLAIM=Regional Clean Air Incentives Market
CNG = Compressed Natural Gas	RFP = Request for Proposals
CO = Carbon Monoxide	RFQ = Request for Quotations
DOE = Department of Energy	RFQQ=Request for Qualifications and Quotations
EV = Electric Vehicle	SCAG = Southern California Association of Governments
EV/BEV = Electric Vehicle/Battery Electric Vehicle	SIP = State Implementation Plan
FY = Fiscal Year	SOx = Oxides of Sulfur
GHG = Greenhouse Gas	SOON = Surplus Off-Road Opt-In for NOx
HRA = Health Risk Assessment	SULEV = Super Ultra Low Emission Vehicle
LEV = Low Emission Vehicle	TCM = Transportation Control Measure
LNG = Liquefied Natural Gas	ULEV = Ultra Low Emission Vehicle
MATES = Multiple Air Toxics Exposure Study	U.S. EPA = United States Environmental Protection Agency
MOU = Memorandum of Understanding	VOC = Volatile Organic Compound
MSERCs = Mobile Source Emission Reduction Credits	ZEV = Zero Emission Vehicle
MSRC = Mobile Source (Air Pollution Reduction) Review Committee	
NATTS =National Air Toxics Trends Station	

INSTRUCTIONS FOR ELECTRONIC PARTICIPATION

Instructions for Participating in a Virtual Meeting as an Attendee

As an attendee, you will have the opportunity to virtually raise your hand and provide public comment.

Before joining the call, please silence your other communication devices such as your cell or desk phone. This will prevent any feedback or interruptions during the meeting.

Please note: During the meeting, all participants will be placed on Mute by the host. You will not be able to mute or unmute your lines manually.

After each agenda item, the Chairman will announce public comment.

Speakers may be limited to a total of 3 minutes for the entirety of the consent calendar plus board calendar, and three minutes or less for each of the other agenda items.

A countdown timer will be displayed on the screen for each public comment.

If interpretation is needed, more time will be allotted.

Once you raise your hand to provide public comment, your name will be added to the speaker list. Your name will be called when it is your turn to comment. The host will then unmute your line.

Directions for Video ZOOM on a DESKTOP/LAPTOP:

- If you would like to make a public comment, please click on the “**Raise Hand**” button on the bottom of the screen.
- This will signal to the host that you would like to provide a public comment and you will be added to the list.

Directions for Video Zoom on a SMARTPHONE:

- If you would like to make a public comment, please click on the “**Raise Hand**” button on the bottom of your screen.
- This will signal to the host that you would like to provide a public comment and you will be added to the list.

Directions for TELEPHONE line only:

- If you would like to make public comment, please **dial *9** on your keypad to signal that you would like to comment.

Update on South Coast AQMD Inclusion, Diversity and Equity Efforts

Administrative Committee

August 14, 2020

Recent Actions

- Public statement after George Floyd's murder and internal statement to all employees
- Extensive employee input through anonymous survey and team meetings
- Reached out to potential speakers
- Compiled workforce statistics
- Applied to join Government Alliance of Race and Equity (GARE)
- Asked for volunteers for Inclusion, Diversity and Equity Advisory (IDEA) panel

Social Media Statement

We stand with our Black colleagues, partners and the entire Black Community in the wake of the horrific murder of George Floyd. This is not a new battle. Black men and women have been fighting for equality and basic human rights for generations, and we cannot begin to understand the amount of anger, fear, frustration and grief that they face every day.

At the same time, we are inspired by the millions of people across the country making history by peacefully protesting racism and injustice, raising their voices to call for positive and lasting change. These past weeks have shown us that this is not just a moment, but a real movement. Peaceful demonstrations do evoke action. There is power in unity.

In our work, we have seen firsthand how Black communities, as well as other communities of color have not experienced equal treatment in all areas of life, including environmental protection. And while South Coast AQMD has strived to provide a place where voices could be heard, there is so much more we can, and must, do.

Moving forward, we will strive to build stronger bridges with and between our communities, break down barriers that prevent diverse voices from effectively participating to address inequalities and encourage greater community conversations and ideas that can help us learn and grow. We know that we must listen to those that have been ignored and marginalized because of their skin color.

Without them, we can't truly be impactful. We will continue to use our voices to support the Black Community and all communities of color until there is real change.

Black Lives Matter.

Internal Statement

- Highlights from Dr. Burke's comments at Board meeting
- We need to do more and be part of the change
- Want to be known as a place of diversity and inclusion
- Collectively, and in time, we will be part of the change

Key Themes from Employee Input

- Black Lives Matter; all lives matter
- There are pervasive systemic biases and cultural insensitivities that need to be corrected
- Appreciation that we will work on these issues, but efforts need to be meaningful, sustained, measurable and result in real change
- Need to improve recruitment, retention, staff development, promotional processes and provide training at all levels
- Evaluate and revise all practices, policies, outreach

Key Themes, con't.

- There needs to be transparency and accountability
- Need an Equity Officer and/or committee
- Numerous suggestions for how to work with youth, provide internships, mentorships, scholarships, and other opportunities
- Suggestions to improve outreach and how we work with communities and others
- Volunteer and community service opportunities

Government Alliance of Race and Equity (GARE)

- National network of government working to achieve racial equity and advance opportunities for all
- Key actions:
 - Making a commitment to achieving racial equity
 - Focusing on the power and influence of their own institutions
 - Working in partnership with others
- Tools and training
- Develop and implement a plan for the agency

Inclusion, Diversity and Equity Advisory Panel

- Formed an employee-driven panel to gather relevant information and develop ideas to promote a more inclusive, diverse and equitable workplace
- Panel includes ethnic diversity, gender representation and position diversity
- Panel will present recommendations to the Executive Council
- May use subcommittees with other volunteers to evaluate internal and external policies and programs

Future Actions

- Looking forward to recommendations from IDEA committee
- Begin GARE program
- Kori Carew, a well-known advocate for racial equity confirmed for September 9
 - Other speakers in progress

Summary

- This will be a sustained, long-term effort
- Monthly updates to Administrative Committee - Board member suggestions welcome
- We have a great organization and every employee is valued
- We can, and will, improve inclusion, diversity and equity within our organization and in how we work with our community partners

Item 9

DRAFT

BOARD MEETING DATE: September 4, 2020

AGENDA NO.

PROPOSAL: Report of RFPs/RFQs Scheduled for Release in September

SYNOPSIS: This report summarizes the RFPs/RFQs for budgeted services over \$100,000 scheduled to be released for advertisement for the month of September.

COMMITTEE: Administrative, August 14, 2020, Reviewed

RECOMMENDED ACTION:

Approve the release of RFPs/RFQs for the month of September.

Wayne Natri
Executive Officer

SJ:tm

Background

At its January 10, 2020 meeting, the Board approved a revised Procurement Policy and Procedure. Under the revised policy, RFPs/RFQs for budgeted items over \$100,000, which follow the Procurement Policy and Procedure, no longer require individual Board approval. However, a monthly report of all RFPs/RFQs over \$100,000 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/RFQ, 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 September 4, 2020.

Outreach

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFPs/RFQs 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 South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFPs/RFQs 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 South Coast AQMD'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 RFPs/RFQs Scheduled for Release in September 2020

**September 4, 2020 Board Meeting
Report on RFP/RFQs Scheduled for Release on September 4, 2020**

(For detailed information visit SCAQMD's website at
<http://www.aqmd.gov/nav/grants-bids>
following Board approval on September 4, 2020)

SPECIAL TECHNICAL EXPERTISE

RFP#P2021-XX Issue Request for Proposal to Hire Outside Counsel, Establish a Prequalified List GILCHRIST/3459

From time to time the South Coast AQMD requires the assistance of outside litigation counsel having expertise and experience in areas including, but not limited to, the California Environmental Quality Act, air quality laws, administrative law, the Brown Act, representation of government agencies, constitutional issues, Clean Air Act issues, and complex environmental litigation. A prequalified list was approved by the Governing Board in 2017. This RFP has two purposes: to solicit qualified law firms or sole practitioners in order to establish a prequalified list that General Counsel may use to represent the South Coast AQMD in ongoing and possible future litigation where outside counsel is required in environmental matters; and, to solicit qualified law firms or sole practitioners in order to establish a prequalified list that General Counsel may use to represent the South Coast AQMD in ongoing and possible future litigation where outside counsel is required for general governmental matters. The list will be valid for a three-year period. Funding for this contract will be requested in the FY 2020-21 budget and in subsequent fiscal year budgets in the amount of \$250,000 annually for up to three years.

RFQ 2021-01 Request for Quotation (RFQ) for Compressed Gases and Cryogenic Liquids for the South Coast AQMD Laboratory LOW/2269

To identify and prequalify vendors interested in providing compressed pure gases and or cryogenic liquids to South Coast AQMD Laboratory from November 1, 2020 through June 30, 2023.

Total dollar amount - \$180,000

RFQ 2021-02 Issue RFQ to Establish List of Prequalified Vendors for Mailing Services OLVERA/2309

South Coast AQMD periodically utilizes outside mailing services, including folding, inserting, sealing, removing duplicate addresses, labeling, tabbing and metering, as well as pick-up and delivery of mailing materials. Through this RFQ, South Coast AQMD seeks to establish a prequalified vendor list for mailing services. The list generated by this RFQ process will be used for a three-year period and vendors on the list will be given an opportunity to bid competitively on mailing jobs, as the need arises.

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Item 10

BOARD MEETING DATE: September 4, 2020

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 South Coast AQMD operations. This action is to provide the monthly status report on major automation contracts and planned projects.

COMMITTEE: Administrative, August 14, 2020, 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 South Coast AQMD 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 and Board-approved amendments to the Budget specify projects planned during the fiscal year to develop, acquire, enhance, or maintain mission-critical information systems.

In light of COVID-19 and the related budget impact, we are evaluating all of our projects and delaying non-critical projects as long as possible.

Summary of Report

The attached report identifies 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
September 4, 2020 Board Meeting
Status Report on Major Ongoing and Upcoming Projects for Information Management

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Office 365 Implementation	Acquire and implement Office 365 for South Coast AQMD staff	\$350,000	<ul style="list-style-type: none"> • Pre-assessment evaluation and planning completed • Board approved funding on October 5, 2018 • Developed implementation and migration plan • Acquired Office 365 licenses • Implemented Office 365 email (Exchange) and migrated all users • Trained staff in Office 365 Pro Plus desktop software • Implemented Office 365 Pro Plus, Office Web, and OneDrive for Business 	<ul style="list-style-type: none"> • Implement Office 365 internal website (SharePoint) and migrate existing content
Permitting System Automation Phase 1	New Web application to automate the filing of 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"> • Automated 400A form filing, application processing, and online permit generation for Dry Cleaner, Automotive Spray Booth, and Gas Station Modules deployed to production • Enhanced processing of school locations with associated parcels • Deployed upgraded GIS Map integration and enhanced sensitive receptor identification and distance measurement work • Deployed New version of On Line Application Filing (OLAF) that includes Rule 212(c)(1) Implementation Guidance 	<ul style="list-style-type: none"> • Continue Phase 1.1 project outreach support

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Permitting System Automation Phase 2	Enhanced Web application to automate filing of permit applications, Rule 222 equipment and registration for IC engines; implement electronic permit folder and workflow for internal South Coast AQMD users	\$525,000	<ul style="list-style-type: none"> • Board approved initial Phase 2 funding December 2017 • Board approved remaining Phase 2 funding October 5, 2018 • Report outlining recommendations for automation of Permitting Workflow completed • Developed application submittals and form filing for first nine of 32 400-E forms • Application submittals and form filing for 23 types of equipment under Rule 222 ready for User Testing completed • Deployed to production top three most frequently used Rule 222 forms: Negative Air Machines, Small Boilers, and Charbroilers 	<ul style="list-style-type: none"> • Complete User Testing for first nine 400-E forms • Complete User Acceptance Testing (UAT) and Deployment to production of Emergency IC Engines Form (EICE-RE) • Complete User Acceptance Testing (UAT) and Deployment of remaining 22 Rule 222 forms to production • Complete requirements gathering for Phase II of the project (an additional 10 400-E-XX forms)

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
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 and 3 Fund Allocation, Administration, Management Reporting modules, VIN Number, Case Manager, Auto e-mail and document library updates deployed and in production • Implemented following modifications: Electric Vehicle Service Equipment, email templates, call center hours, additional incentive amounts, VIN Number scramble modifications and replacement option choices to allow staff to process application more efficient 	<ul style="list-style-type: none"> • Implementation of RZR and PeopleSoft Financial integration module
South Coast AQMD Mobile Application Enhancements	Enhancement of Mobile application from SRA based map to grid map. This grid map will allow users to see AQI at a finer resolution.	\$100,000	<ul style="list-style-type: none"> • Vision and scope completed • Project charter released • Task order issued, evaluated, and awarded • Project kick off completed 	<ul style="list-style-type: none"> • UI/UX design and review • Code development under way; currently in Sprint 1 and design phase

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Legal Division New System Development	Develop new web-based case management system for Legal Division to replace existing system	\$500,000	<ul style="list-style-type: none"> • Task order issued, evaluated and awarded • Project charter finalized • Business Process Model completed • Sprint 1, 2 and 3 functional and system design completed • Testing of Sprints 1–3: NOVs, MSPAP, settlements, civil and small claims completed • Sprint 4 functional and design requirements: criminal, bankruptcy, non-NOV cases and check registers completed • Sprint 5 functional and design requirements–investigative assignments completed • Deployed IM servers and User Testing for Sprints 1-5 modules • OnBase and finance integrated • User Acceptance Testing completed • Sprint 6 development, reports, and data migration completed • Parallel testing completed • Deployed to production 	<ul style="list-style-type: none"> • Phase 2 requirements

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
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"> • Project charter released • Task order issued, evaluated and awarded • Requirement gathering and design for Sprint 1, 2, and 3 completed • Sprint 4 and Public Portal implementation completed • Major incident notification deployed • Refinery user training completed • Application demo completed • Deployed to production on December 12, 2019 including major incident reporting on public portal • Phase I Bug fixes deployed to production after initial deployment 	<ul style="list-style-type: none"> • Phase II development (administrative and reporting pages) • Phase II User Acceptance Testing
AQ-SPEC Cloud Platform	Develop a cloud-based platform to manage and visualize data collected by low-cost sensors	\$385,500	<ul style="list-style-type: none"> • Project charter released • Task order issued, evaluated, and awarded • Business requirements gathering completed • System architecture, data storage, and design data ingestion completed • Data transformations, calculations, and averaging completed • Dashboards, microsites, and data migration completed • Release 2 User Acceptance Testing completed 	<ul style="list-style-type: none"> • Deployment to production

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
PeopleSoft Electronic Requisition	South Coast AQMD is implementing an electronic requisition for PeopleSoft Financials. This will allow submittal of requisitions online, tracking multiple levels of approval, electronic archival, pre-encumbrance of budget, and streamlined workflow	\$75,800	<ul style="list-style-type: none"> • Project charter released • Task order issued, evaluated, and awarded • Requirement gathering and system design completed • System setup and code development and user testing for Information Management completed • System setup and code development and User Acceptance Testing completed for Administrative and Human Resources completed • System setup for Technology Advancement Office completed 	<ul style="list-style-type: none"> • Deployment to IM and AHR divisions • TAO training • Integrated User Testing for other divisions
Rule 1403 Enhancements	The Rule 1403 web application automates the Rule 1403 notification process. Enhancements to the system are now required to streamline the process and meet the new rule requirements	\$68,575	<ul style="list-style-type: none"> • Project charter released • Task order issued, evaluated and awarded • Business requirements gathering completed • Phase 1 Development completed • Phase 2 Development completed • System Integration Testing and User Acceptance Testing in Development Environment completed • Deployment for stage testing completed • Completed System Integration Testing and User Acceptance Testing in Stage Environment • Deployed System to Production Environment 	

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Cybersecurity Assessment	Perform a cybersecurity risk assessment, maturity assessment, and penetration testing	\$100,000 (not included in FY 2020-21 Budget)		<ul style="list-style-type: none"> • Release RFP December 4, 2020 • Award Contract February 5, 2021 • Complete Cybersecurity assessment May 31, 2021
VW Environmental Mitigation Action Plan Project	CARB has assigned South Coast AQMD to develop web applications for two projects: Zero-Emission Class 8 Freight and Port Drayage Truck Project and Combustion Freight and Marine Project. The agency is also responsible for maintaining a database that will be queried for reporting perspectives for CARB	\$355,000	<ul style="list-style-type: none"> • Draft Charter Document issued • Project Initiation completed • Task order issued • Deployed Phase I to production on Dec. 6, 2019 • Initial deployment of Phase II to production – Messaging, Evaluation, and Administration functionalities completed March 3, 2020 • Development of evaluation module and calculation module completed 	<ul style="list-style-type: none"> • Development of Phase III - ZE Class 8 project, Contracting, and Inspection and Form creation for Class 8 • User Acceptance Testing

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Source Test Tracking System	South Coast AQMD will implement an Online Source Test Tracking System to keep track of timelines, as well as quantify the number of test protocols and reports received. The Source Test Tracking System will provide an external online portal to submit source testing protocols and reports, ability to track the review process, and provide integration to all other business units for all source test protocols and report submitted. It will also provide an external dashboard to review the status of a submittal.	\$250,000	<ul style="list-style-type: none"> • Project Charter approved • Project Initiation completed • Task Order issued • Project Kick-off completed • User requirements gathering for Source Testing and Engineering & Permitting Divisions completed 	<ul style="list-style-type: none"> • Complete user requirements gathering for Compliance & Enforcement and Planning Divisions. • Develop full Business Process Model of the To-Be system • Develop screens mock-ups for the system that will be developed

Projects that have been completed within the last 12 months are shown below.

Completed Projects	
Project	Date Completed
Rule 1403 Enhancement	July 1, 2020
Legal Office System	June 17, 2020
Document Conversion Services	June 30, 2020
Oracle PeopleSoft Software Support	June 5, 2020
Renewal of OnBase Software Support	May 1, 2020
Public Facing Permit Application Status Dashboard	May 1, 2020
Mobile Application Enhancement – Hourly Forecast	April 29, 2020
Renewal of HP Server Maintenance & Support	April 30, 2020
Rule 1180 Fence Line Monitoring Web Site Enhancements	April 3, 2020
Volkswagen Environmental Mitigation Administration and Communication Module	March 3, 2020
Data Cable Infrastructure Installation	February 31, 2020
Prequalify Vendor List for PCs, Network Hardware, etc.	February 7, 2020
Mobile Application Enhancements Including Spanish Language	January 23, 2020
Annual Emissions Reporting System	December 31, 2019
Rule 1180 Fence Line Monitoring Website	December 31, 2019
Online filing of Rule 222 – Negative Air Machines, Small Boilers, and Charbroilers Modules	December 13, 2019
Flare Notification System	December 12, 2019
Volkswagen Environmental Mitigation Application Filing Portal	December 7, 2019
CLASS Database Software Licensing and Support	November 30, 2019
Office 365 Suite Implementation of File Storage (OneDrive for Business)	November 22, 2019
Ingres Database Migration to Version 11	August 23, 2019

Item 11

DRAFT

BOARD MEETING DATE: September 4, 2020

AGENDA NO.

PROPOSAL: Amend Contract to Provide Short- and Long-Term Systems Development, Maintenance and Support Services

SYNOPSIS: South Coast AQMD currently has contracts with several companies for short- and long-term systems development, maintenance and support services. These contracts are periodically amended as additional needs are defined. This action is to amend contracts previously approved by the Board to add additional funding for needed development and maintenance work in an amount not to exceed \$65,000 for AgreeYa Solutions, \$55,000 for Prelude Systems, \$219,790 for Sierra Cybernetics, and \$220,000 for Varsun eTechnologies. Funding is available in Information Management's FY 2020-21 Budget.

COMMITTEE: Administrative Committee, August 14, 2020; Recommended for Approval

RECOMMENDED ACTION:

Authorize the Executive Officer to execute amendments to the contracts for systems development services in the not to exceed amount of \$65,000 to AgreeYa Solutions, \$55,000 to Prelude Systems, \$219,790 to Sierra Cybernetics, and \$220,000 to Varsun eTechnologies from Information Management's FY 2020-2021 Budget for the specific task orders listed in the Attachment.

Wayne Natri
Executive Officer

RMM:XC:da

Background

At the March 2, 2018 Board meeting, the Board authorized staff to initiate level-of-effort contracts with several vendors for systems development, maintenance and support services. At the time these contracts were executed, it was expected that they would be modified in the future to add funding from approved budgets as system development

requirements were identified and sufficiently defined so that task orders could be prepared. The contracts are for one year with the option to renew for two one-year periods.

Systems development and maintenance efforts are currently needed (see Attachment) to enhance system functionality and to provide additional automation for improving productivity. The estimated cost to complete the work on these additional tasks exceeds the amount of funding in the existing contracts.

Proposal

Staff proposes to amend the contracts to add \$65,000 to AgreeYa Solutions, \$55,000 to Prelude Systems, \$219,790 to Sierra Cybernetics and \$220,000 to Varsun eTechnologies for the specific task orders listed in the Attachment.

Resource Impacts

Sufficient funding is available in Information Management’s FY 2020-2021 Budget.

Attachment

Task Order Summary

Attachment

Task Order Summary

Section A – Funding Totals for each Systems Development Contract

CONTRACTOR	PREVIOUS FUNDING	PROPOSED ADDITION	TOTAL FUNDING
AgreeYa Solutions	\$568,010	\$65,000	\$633,010
Prelude Systems	\$902,152	\$55,000	\$957,152
Sierra Cybernetics	\$1,058,500	\$219,790	\$1,278,290
Varsun eTechnologies	\$2,362,195	\$220,000	\$2,582,195
TOTAL	\$4,890,857	\$559,790	\$5,450,647

Section B – Task Orders Scheduled for Award

TASK	DESCRIPTION	ESTIMATE	AWARD TO
Mobile Application Enhancement	Enhancements for both iOS and Android version of the Mobile App including gridded hourly air quality reporting, enhanced notifications and on-boarding process	\$65,000	AgreeYa
Source Tests Tracking System Maintenance	Maintenance of automated system to facilitate the submittal, tracking, routing and management of source test submissions	\$55,000	Prelude
CLASS/PeopleSoft System Enhancements	Technology upgrades and system enhancements for CLASS and payroll time reporting system	\$60,000	Sierra
Web Application/Web Services Maintenance	To provide maintenance and development work for suite of Web Applications and Web Services	\$95,790	Sierra
Web Site & IT Specialist support	To provide support for web site content development, publishing and other required IT support	\$64,000	Sierra
VW Mitigation Phase Three	Phase three of web-based Application and Grant Management System (GMS) for two funding categories under the Volkswagen Environmental Mitigation Trust	\$170,000	Varsun
PeopleSoft System Enhancements	Enhance PeopleSoft Finance and Payroll System for changes resulting from labor agreements and regulatory changes, etc.	\$25,000	Varsun
Legal Office System Maintenance	To provide maintenance and development work for Legal Office System	\$25,000	Varsun
TOTAL		\$559,790	

Item 12

DRAFT

BOARD MEETING DATE: September 4, 2020

AGENDA NO.

PROPOSAL: Appoint Alternate Medical Member to Hearing Board

SYNOPSIS: On June 7, 2019, the Governing Board directed staff to recruit for the vacant Alternate Medical Member position on the South Coast AQMD Hearing Board. Twelve applications were submitted between July 2019 through April 2020, with two candidates meeting the required qualifications. As required by state law, an appointed Hearing Board Advisory Committee (Advisory Committee) reviewed the application materials for both candidates. The Advisory Committee agreed to waive their interview of the candidates and recommended that the candidates move forward for interviews with the Governing Board's Administrative Committee. The Administrative Committee will interview the candidates at its August 14, 2020 meeting for a final recommendation to the full Governing Board in September.

COMMITTEE: Administrative, August 14, 2020; Recommended for Approval

RECOMMENDED ACTION:

Appoint [Candidate] as the Alternate Medical Member to South Coast AQMD Hearing Board to fill the unexpired term ending June 30, 2022.

Wayne Nastri
Executive Officer

FT

Background

The Hearing Board is a quasi-judicial body appointed by, but acting independently of, the Governing Board. Pursuant to state law, the Hearing Board consists of one engineer, one attorney, one medical professional and two public members. An alternate member is appointed for each position to serve in the absence of the regular member.

Health and Safety Code Section 40501.1(b), specifies that a Hearing Board Advisory Committee (Advisory Committee) appointed by each of the Governing Board members that represent the Counties of Los Angeles, Orange, Riverside, and San Bernardino, and the City of Los Angeles review candidates and make recommendations to the

appropriate Governing Board committee for appointments to the Hearing Board. (The appropriate Governing Board standing committee is the Administrative Committee which will make a recommendation to the full Board).

At its May 10, 2019 meeting, the Administrative Committee recommended that the Governing Board reappoint Dr. Roger Lerner as the Medical Member, and appoint Dr. Allan Bernstein as the Alternate Medical Member, for the term commencing July 1, 2019 and ending June 30, 2022. Subsequent to the May Administrative Committee meeting, Dr. Lerner passed away and the Governing Board appointed Dr. Allan Bernstein as the Medical Member at the June 7, 2019 meeting and directed staff to recruit for an Alternate Medical Member.

The recruitment announcement for the Alternate Medical Member position was opened from July 2019 through April 2020. It was advertised and posted on South Coast AQMD website, general and professional job boards/websites and social media platforms (Facebook, Twitter, Instagram). Additionally, letters were sent to medical associations, departments of public health for Los Angeles, Orange, Riverside and San Bernardino counties and the American Lung Association; through direct contact with medical professionals; and the recruitment announcement was distributed at the Taste of Soul Family Festival in Los Angeles in October, 2019.

Between July 2019 and April 2020, 12 applications/resumes were submitted. Of the 12 applications/resumes, nine candidates did not qualify (were not licensed physicians) and one submittal was incomplete. Two applicants met the required qualifications and copies of their application materials were sent to the Advisory Committee for review. Following their review, the Advisory Committee agreed to waive interviews for both candidates and referred them to the Administrative Committee for interviews.

Proposal

After interviewing each candidate at their August 14, 2020 meeting, the Administrative Committee recommended that the Board appoint [Candidate] to the South Coast AQMD Hearing Board as the Alternate Medical Member to fill the unexpired term ending June 30, 2022.

Fiscal Impacts

Sufficient funds are budgeted each year to compensate those who serve on the Hearing Board.

Item 13

DRAFT

BOARD MEETING DATE: September 4, 2020

AGENDA NO.

PROPOSAL: Issue RFP for Legislative Representation in Sacramento, California

SYNOPSIS: The current contracts for legislative representation in Sacramento, California expire on December 31, 2020. This action is to issue an RFP for legislative consulting services for South Coast AQMD in Sacramento, California for 2021. The RFP will also indicate that the contract(s) may be extended for up to two additional one-year terms. Total expenditures for the contract(s) shall not exceed \$365,000 for the initial one-year period.

COMMITTEE: Administrative, August 14, 2020; Recommended for Approval

RECOMMENDED ACTION:

Approve release of RFP P2020-02 to solicit proposals for legislative representation in Sacramento, California at a cost not to exceed \$365,000 for the initial one-year period, with two additional one-year term extensions upon approval of the Board.

Wayne Nasti
Executive Officer

DJA:PC:RAR:EJH

Background

A legislative presence in Sacramento, California is critical to advancing Board policies and priorities, including the 2016 Air Quality Management Plan (AQMP) and subsequent AQMPs, South Coast AQMD legislative goals and objectives, and to protect South Coast AQMD's authority. This legislative presence includes providing technical information, assistance and otherwise serving as a resource to legislators and the Governor's Office regarding air quality matters; acting as a liaison between South Coast AQMD and legislators and the Governor's Office regarding the Board's policy and funding priorities; seeking funding and program support for technology advancement and emission reduction projects and incentive programs, and advocating for South Coast AQMD's positions on air quality-related legislation. These efforts also include fostering

state support for South Coast AQMD's federal initiatives which have synergy at the state level.

Much of the 2021 legislative goals and objectives for South Coast AQMD will depend on the outcome of the 2020 legislative session. However, many of the 2020 program elements and policy priorities are expected to continue, and it is anticipated that there will be a need to build upon them in the coming 2021 legislative year in Sacramento. The legislative priorities are expected to include, at minimum, the following:

- Monitor, analyze, recommend positions, testify, and negotiate on behalf of South Coast AQMD on legislation affecting the agency, including the state budget and subvention funding.
- Increase existing and identify new funding sources for clean air programs and priorities that protect public health, eliminate unhealthy air pollution and ensure attainment of state and federal air quality standards, with a focus on incentive programs and research and development projects that support the 2016 AQMP and create opportunities to partner with stakeholders, including local businesses, communities and residents.
- Protect and ensure adequate South Coast AQMD authority for implementation of the Board's clean air policies and programs, as required by state and federal law and the 2016 AQMP.
- Work to ensure that the state government does its fair share to reduce air pollution within the South Coast region by providing ample funding and legislative and administrative support to South Coast AQMD to facilitate implementation of the 2016 AQMP and attainment of federal ozone and particulate matter air quality standards by federal deadlines.
- Support legislation and funding that: promote and sustain environmental justice initiatives which reduce localized health risks resulting from criteria pollutant and toxic air contaminant emissions; develop and expand access to clean air technology, especially in disproportionately impacted communities; enhance community participation in decision-making; and provide resources necessary to fully implement local air districts' responsibilities and programs created through Assembly Bill 617 (C. Garcia, Chapter 136, Statutes of 2017).
- Support legislative policies and funding that promote the development and deployment of near-zero and zero emission infrastructure, equipment and vehicle technology to protect public health, facilitate attainment of clean air standards and support a healthy economy.

- Seek to influence climate change policies and initiatives and facilitate their implementation consistent with Board policy. In particular, support efforts directing that the Greenhouse Gas Reduction Fund provide sustainable funding to maximize criteria pollutant and toxic emissions reduction co-benefits, promote near-zero and zero-emission vehicles, and address air quality and public health impacts in the South Coast region.
- Support legislation that advances the Board's Energy Policy which promotes energy efficiency, demand reduction and reliable, cost effective and clean energy for all consumers in the District while facilitating attainment of clean air standards and providing support for a healthy economy.
- Support legislative policies and/or administrative actions promoting job retention and creation, as well as economic growth, while working toward attainment of clean air standards; and that support and assist the regulated community in complying with rules and regulations in the most efficient and cost-effective manner.
- Support and expand policy and funding considerations that promote air quality priorities in connection with the implementation of state and federal surface transportation and goods movement policies and programs, including those related to the FAST Act or successor transportation and infrastructure law.

The legislative priorities for South Coast AQMD for 2021 will be further refined and presented to the Legislative Committee and the full Board for approval later in the year, as determined by the course of events in 2020.

Proposal

South Coast AQMD seeks the services of contractor(s) to support the Board's goals and objectives for 2021 in Sacramento, California. The selected firm(s) will be expected to provide a variety of services, consistent with the Board's direction. Funding for the initial year will not exceed \$365,000. The contract(s) may include options for two annual renewals, contingent on satisfactory performance and approval of subsequent budgets, at the Board's discretion.

Bid Evaluation

Proposals received will be initially evaluated by a diverse panel of technically qualified individuals according to the criteria described in the attached RFP P2020-02. Panel members will include the Deputy Executive Officer and a Senior Public Affairs Manager from Legislative, Public Affairs and Media and an external Vice President of a communications firm, The Administrative Committee of the Board is expected to conduct oral interviews of the most highly qualified bidders and will make a recommendation to the full Board for approval.

Outreach

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

Additionally, potential bidders may be notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFP/RFQ will be e-mailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on the Internet on South Coast AQMD's website (www.aqmd.gov) where it can be viewed by making the selection "Grants & Bids."

Resource Impacts

Sufficient funds are available in the Legislative, Public Affairs & Media FY 2020-21 Budget. Funding for future fiscal years is contingent upon Board approval of the Budget and contract extensions.

Attachment

RFP P2020-02 For Legislative Representation in Sacramento, California



SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

REQUEST FOR PROPOSALS

(LEGISLATIVE REPRESENTATION IN SACRAMENTO CALIFORNIA)

P2021-02

South Coast Air Quality Management District (South Coast AQMD) 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

South Coast AQMD requires representation in Sacramento, California, to ensure that air quality legislation and other related issues are monitored and that South Coast AQMD viewpoints are presented in an effective, timely and persuasive manner during the legislative and policy-making process.

The purpose of this RFP is to contract with outside representative(s) knowledgeable in air quality-related issues to provide assistance with and representation of South Coast AQMD policy positions and funding needs before the California State Legislature, Governor's Office and state agencies. The consultant(s) selected pursuant to this RFP will be reimbursed on a monthly basis for services rendered at an agreed upon flat monthly fee and for actual costs incurred for out-of-pocket expenses. The consultant may make use of the services of subcontractors, on an as-needed basis. A list of names of subcontractors along with their qualifications and the total hours of services expected shall be submitted with responses to this RFP. All subcontractors are subject to approval by South Coast AQMD and pre-approval is required before commencing any work.

The selected firm(s) will be expected to provide a variety of services, to be outlined in the work statement, and consistent with South Coast AQMD Governing Board ("Board") directions. Funding for the initial year shall be up to a maximum of **\$365,000**. The contract may include options for two, one-year renewals, contingent on satisfactory performance and approval of subsequent budgets, upon approval of the Board.

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
Attachment C	- South Coast AQMD's State Legislative Goals & Objectives for 2020

SECTION I: BACKGROUND/INFORMATION

South Coast AQMD is the air pollution control agency for all of Orange County and the urban portions of Los Angeles, Riverside and San Bernardino counties, the smoggiest region of the U.S. As a regulatory agency, South Coast AQMD is committed to protect the health of residents of the four-county area from the harmful effects of air pollution, while remaining sensitive to businesses and the economic vitality of the region.

A legislative presence in Sacramento, California is critical to advancing Board policies and priorities, including the 2016 Air Quality Management Plan (AQMP) and subsequent AQMPs, and South Coast AQMD's legislative goals and objectives. This legislative presence includes providing technical information, assistance and otherwise serving as a resource to legislators and the Governor's Office regarding air quality matters; acting as a liaison between South Coast AQMD and legislators and the Governor's Office regarding the Board's policy and funding priorities; seeking funding and program support for technology advancement and emission reduction projects and incentive programs, and advocating for South Coast AQMD's positions on air quality-related legislation. These efforts also include fostering state support for South Coast AQMD's federal initiatives which have synergy at the state level.

Much of the 2021 legislative goals and objectives for South Coast AQMD will depend on the outcome of the 2020 legislative session. However, many of 2020's program elements and policy priorities are expected to continue, and it is anticipated that there will be a need to build upon them in the coming 2021 legislative year in Sacramento. The legislative priorities are expected to include, at minimum, the following:

- Monitor, analyze, recommend positions, testify, and negotiate on behalf of South Coast AQMD on legislation affecting the agency, including the state budget and subvention funding.
- Increase existing and identify new funding sources for clean air programs and priorities that protect public health, eliminate unhealthy air pollution and ensure attainment of state and federal air quality standards, with a focus on incentive programs and research and development projects that support the 2016 AQMP and create opportunities to partner with stakeholders, including local businesses, communities and residents.
- Protect and ensure adequate South Coast AQMD authority for implementation of the Board's clean air policies and programs, as required by state and federal law and the 2016 AQMP.
- Work to ensure that the state government does its fair share to reduce air pollution within the South Coast region by providing ample funding and legislative and administrative support to South Coast AQMD to facilitate implementation of the 2016 AQMP and attainment of federal ozone and particulate matter air quality standards by federal deadlines.
- Support legislation and funding that: promote and sustain environmental justice initiatives which reduce localized health risks resulting from criteria pollutant and toxic air contaminant emissions; develop and expand access to clean air technology, especially in

disproportionately impacted communities; enhance community participation in decision-making; and provide resources necessary to fully implement local air districts' responsibilities and programs created through Assembly Bill 617 (C. Garcia, Chapter 136, Statutes of 2017).

- Support legislative policies and funding that promote the development and deployment of near-zero and zero emission infrastructure, equipment and vehicle technology to protect public health, facilitate attainment of clean air standards and support a healthy economy.
- Seek to influence climate change policies and initiatives and facilitate their implementation consistent with Board policy. In particular, support efforts directing that the Greenhouse Gas Reduction Fund provide sustainable funding to maximize criteria pollutant and toxic emissions reduction co-benefits, promote near-zero and zero-emission vehicles, and address air quality and public health impacts in the South Coast region.
- Support legislation that advances the Board's Energy Policy which promotes energy efficiency, demand reduction and reliable, cost effective and clean energy for all consumers in the District while facilitating attainment of clean air standards and providing support for a healthy economy.
- Support legislative policies and/or administrative actions promoting job retention and creation, as well as economic growth, while working toward attainment of clean air standards; and that support and assist the regulated community in complying with rules and regulations in the most efficient and cost-effective manner.
- Support and expand policy and funding considerations that promote air quality priorities in connection with the implementation of state and federal surface transportation and goods movement policies and programs, including those related to the FAST Act or successor transportation and infrastructure law.

The legislative priorities for South Coast AQMD for 2021 will be further refined and presented to the Board's Legislative Committee and the full Board for approval later in the year, as determined by the course of events in 2020.

SECTION II: CONTACT PERSON:

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

Philip Crabbe III, Legislative, Public Affairs & Media
 South Coast AQMD
 21865 Copley Drive
 Diamond Bar, CA 91765-4178
 (909) 396-2632

SECTION III: SCHEDULE OF EVENTS

Date	Event
September 4, 2020	RFP Released
October 7, 2020	Proposals Due to South Coast AQMD - No Later Than 1:00 pm
October 7-October 16, 2020	Proposal Evaluations
November 13, 2020	Interviews, if required
December 4, 2020	Governing Board Approval
December 11, 2020	Anticipated Contract Execution

SECTION IV: PARTICIPATION IN THE PROCUREMENT PROCESS

It is the policy of South Coast AQMD 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 South Coast AQMD 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 Executive Officer or Deputy Executive Officer of Legislative, Public Affairs and Media, and in coordination with South Coast AQMD legislative staff, the consultant(s) shall gather information, provide advice and assistance, and/or advocate positions on legislation in Sacramento as it directly pertains to the ability of the South Coast AQMD to carry out its statutory responsibilities. The selected Consultant(s) will perform the services listed below on legislative/regulatory matters; however, the responsibilities of the selected Consultant(s) under the contract pursuant to this RFP are not necessarily limited to items listed since there may be other legislative needs that may arise during the course of the legislative process.

1. A written strategic and tactical implementation plan for 2021;
2. Drafting, and or assisting South Coast AQMD staff, consultants, or other parties in drafting, legislation and other policies and procedures as requested by South Coast AQMD and coordinating or assisting in their introduction;
3. Reviewing, identifying, tracking, and monitoring both the actions of the administration and related state agencies as well as the California Legislature for legislation and other proposals potentially affecting air quality and South Coast AQMD's operations, authority, and funding;
4. Advocating as directed by South Coast AQMD, on all identified and/or drafted legislation and administrative and other proposals, providing testimony at committee and other special hearings, and providing written communications to legislators, key administrative officials, and other staff regarding South Coast AQMD priorities;
5. Negotiating bill language, policies or other state agency provisions related to air quality issues;
6. Assist in the integration of South Coast AQMD's state legislative agenda with its federal legislative agenda and local efforts;

7. Planning for, and handling unforeseen emergency situations involving legislative or administrative issues, at the direction of South Coast AQMD;
8. Producing materials for strategic distribution or inclusion in Legislative Committee/Board proceedings;
9. Providing regular reports on the status of all legislative and administrative activities in which interest is expressed by South Coast AQMD or that affect South Coast AQMD;
10. Identifying the administration's upcoming environmental legislative agenda and providing work plans, analysis, and consultation on strategies to align efforts to secure support for South Coast AQMD proposals;
11. Securing support for South Coast AQMD's mission and policy priorities by the decision-makers in the legislative and administrative bodies of the State of California, including the Governor's Office;
12. Gathering information on and scheduling appointments on behalf of South Coast AQMD with key legislators and administration members and appointees;
13. Attending and participating in meetings exclusively on behalf of South Coast AQMD with legislative representatives and administration members and appointees;
14. Preparing all reports and filings in the matter and form required of South Coast AQMD pursuant to the Political Reform Act of 1974, as amended and assisting South Coast AQMD in filing such reports. The contractor will promptly furnish to South Coast AQMD a copy of all reports filed with any governmental agency concerning its lobbying activities on behalf of South Coast AQMD.

*A copy of the 2020 South Coast AQMD's Governing Board Legislative Goals and Objectives is herein incorporated as reference as Attachment B.

Schedule of Deliverables

1. Preparation of a Strategic Plan for the upcoming legislative year by no later than January 15, 2021, maximizing South Coast AQMD Board and staff participation and involvement in the legislative process;
2. Written drafts of legislative/administrative proposals as requested by South Coast AQMD. Such drafts are to be submitted for review by South Coast AQMD prior to being released;
3. Written updates of administrative actions pertaining to air quality-related issues or South Coast AQMD's programs. Such reports are to summarize each proposal/action and its potential impacts, recommend a South Coast AQMD position as appropriate, and identify any upcoming meetings or hearings to discuss the proposal;
4. Participation in the monthly South Coast AQMD Legislative Committee meetings, upon South Coast AQMD staff request, to provide updates and presentations on relevant legislative and administrative issues and legislation recommended for South Coast AQMD position;
5. Written communications to legislators and key administrative officials conveying South Coast AQMD positions on various bills and administrative actions.
6. Following adjournment of the legislative session, a year-end report delineating and summarizing the final status/disposition of relevant legislative and administrative actions;

7. Legislative/administrative activities reports and legislative program planning documents and calendars as requested;
8. May include a "Capitol Briefing" or "Clean Air Legislative Action Day" or similar event(s) during the contract period to help establish an ongoing South Coast AQMD presence in the Capitol to garner support for the agency's mission and maintain the agency's presence as a resource to the Legislature and the Governor's Office;
9. A weekly written report covering pertinent legislative activities during the legislative session, written quarterly reports, a year-end report, and a year-end presentation delineating and summarizing relevant administrative and legislative actions;
10. A monthly written report to accompany invoice outlining contractor's specific activities;
11. An original signed confidentiality agreement; and,
12. Maintaining permanent records from which the correctness of all written records and filings can be verified. These records are to be open to inspection by South Coast AQMD or its representatives during normal business hours.

SECTION VI: REQUIRED QUALIFICATIONS

- A. Persons or firms proposing to bid on this proposal must be qualified and experienced in representing and advising governmental agencies and must submit qualifications demonstrating this ability in cases involving as many as possible of the following areas: legislative representation, South Coast AQMD Rules and Regulations, air quality laws and other environmental issues.
- B. Proposer must submit the following:
 1. Resumes or similar statement of qualifications of person or persons who may be designated as the principal and other support and subcontractor qualification demonstrating the ability to represent South Coast AQMD before the California State Legislature, the Governor's Office and state agencies.
 2. List of representative clients.
 3. Summary of proposer's general qualifications to meet required qualifications and fulfill statement of work, including additional Firm personnel and resources.

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. South Coast AQMD 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 South Coast AQMD.

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 South Coast AQMD.
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 South Coast AQMD.
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 South Coast AQMD. South Coast AQMD 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, South Coast AQMD 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 – South Coast AQMD 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 South Coast AQMD to receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services. South Coast AQMD will give preference, where appropriate, to vendors who certify that they will provide “most favored customer” status to the South Coast AQMD. To receive preference points, Proposer shall certify that South Coast AQMD 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 1:00 p.m., October 7, 2020, 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 eight (8) 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 P2021-02."

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 South Coast AQMD. 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 South Coast AQMD 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 South Coast AQMD 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	20
Technical/Management Approach	20
Contractor Qualifications	20
Previous Experience on Similar Projects	10
Cost	<u>30</u>
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
Zero or Near-Zero 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, Zero or Near-Zero 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 at the time of proposal submission certifying that the proposer meets the requirements set forth in Attachments A and B. 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 Zero or Near-Zero Emission Vehicle Business, the proposer must demonstrate to the Executive Officer, or designee, that supplies and materials delivered to South Coast AQMD are delivered in vehicles that operate on clean-fuels. 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 South Coast AQMD 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 South Coast AQMD. The cumulative points awarded for Small Business, DVBE, use of Small Business or DVBE Subcontractors, Local Business, Zero or Near-Zero Emission Vehicle Business, Off-Peak Hour Delivery Business and Most Favored Customer shall not exceed 17 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 70 points and cost shall be weighted at 30 points. A proposal must receive at least 56 out of 70 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 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 South Coast AQMD.
 - 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 South Coast AQMD 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 South Coast AQMD 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 South Coast AQMD 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 South Coast AQMD’s Procurement Policy and Procedure, South Coast AQMD reserves the right to reject any or all proposals. All proposals become the property of South Coast AQMD, and are subject to the California Public Records Act. One copy of the proposal shall be retained for South Coast AQMD 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 will be a maximum **\$365,000** for the base year with an option to renew the contract for a second year for an estimated amount of **\$365,000**.

SECTION XI: SAMPLE CONTRACT

A sample contract to carry out the work described in this RFP is available on South Coast AQMD’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 (South Coast AQMD) 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 South Coast AQMD 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, Zero or Near-Zero 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 South Coast AQMD at the time of bid or proposal submittal and performs 90% of the work related to the contract within the geographical boundaries of South Coast AQMD 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. "Zero or Near-Zero Emission Vehicle Business" as used in this policy means a company or contractor that uses Zero or Near-Zero emission vehicles in conducting deliveries to South Coast AQMD. Zero or Near-Zero emission vehicles include vehicles powered by electric, compressed natural gas (CNG), liquefied natural gas (LNG), liquefied petroleum gas (LPG), ethanol, methanol and hydrogen and are certified to 90% or lower of the existing standard.

8. "Off-Peak Hours Delivery Business" as used in this policy means a company or contractor that commits to conducting deliveries to South Coast AQMD 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 South Coast AQMD 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 South Coast AQMD 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. Zero or Near-Zero 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. Zero or Near-Zero 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. South Coast AQMD 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 South Coast AQMD contractual obligations.
- F. South Coast AQMD 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. South Coast AQMD 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 South Coast AQMD. 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 South Coast AQMD 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, South Coast AQMD shall establish a fair share goal annually for expenditures with federal funds covered by its procurement policy.

ATTACHMENT B

CERTIFICATIONS & 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 South Coast AQMD Contractor/Supplier:

South Coast Air Quality Management District (South Coast AQMD) 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
Chief Financial Officer

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 5/20



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 South Coast AQMD, _____ (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 South Coast AQMD 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 South Coast AQMD at the time of bid application.
- performs 90 percent of the work within South Coast AQMD'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 South Coast AQMD 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.	1	Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.		
	2	Business name/disregarded entity name, if different from above		
	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. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ <input type="checkbox"/> Other (see instructions) ▶ _____	<input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	5	Address (number, street, and apt. or suite no.) See instructions.		Requester's name and address (optional)
	6	City, state, and ZIP code		
	7	List account number(s) here (optional)		

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
- -
or
Employer identification number
-

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 24% 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.

2020 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./ste., 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 _____

7061203

Form 590 2019

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.

2020 Instructions for Form 590

Withholding Exemption Certificate

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

General Information

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. For more information, See General Information E, Income Subject to Withholding.

Registered Domestic Partners (RDP) – For purposes of California income tax, references to a spouse, husband, or wife also refer to a California 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 888.745.3888.

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, Real Estate Withholding Statement, 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

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 (completed and signed) 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 certification does not need to be renewed annually. The certification on Form 590 remains valid until the payee's status changes. The withholding agent must retain a copy of the certification or substitute for at least five years after the last payment to which the certification applies. The agent must provide it to the FTB upon request.

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 see General Information E, Military Spouse Residency Relief Act (MSRRA), and 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 MSRA.

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 MSRA 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 certification on Form 590 remains valid until the payee's status changes. 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. The agent must provide it 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, Form 592-PTE, Pass-Through Entity Annual Withholding Return, Form 592-Q Payment Voucher for Pass-Through Entity Withholding, and Form 592-V, Payment Voucher for Resident or 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, go to ftb.ca.gov and login or register 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 942857
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 Internet and Telephone Assistance section.

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 disability
711 or 800.735.2929 California relay service

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
711 ó 800.735.2929 servicio de relevo de California

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 (South Coast AQMD) 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 South Coast AQMD 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 South Coast AQMD; 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, South Coast AQMD 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 South Coast AQMD Governing Board Members can be found at South Coast AQMD 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 (South Coast AQMD) 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 South Coast AQMD 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 South Coast AQMD for distribution. This will delay my payment.
- This authorization remains in effect until South Coast AQMD receives written notification of changes or cancellation from you.
- I hereby release and hold harmless South Coast AQMD 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 South Coast AQMD Use Only

Input By _____

Date _____

South Coast AQMD's State Legislative Goals & Objectives for 2020

The following goals and objectives are identified to protect public health and facilitate attainment of state and federal clean air standards within the South Coast region by statutory deadlines, while working with and serving as a resource to state legislators and the Governor; federal, state, and local agencies; business, environmental and community groups; and other stakeholders:

Air Quality Funding

Increase existing and identify new funding sources for clean air programs and priorities that protect public health, eliminate unhealthy air pollution and ensure attainment of state and federal air quality standards, with a focus on incentive programs and research and development projects that support the 2016 Air Quality Management Plan (AQMP) and create opportunities to partner with stakeholders, including local businesses, communities and residents.

South Coast AQMD Authority / Policy Implementation

Protect and ensure adequate South Coast AQMD authority for implementation of the Board's clean air policies and programs, including those required by state and federal law and the 2016 AQMP.

State Support

Work to ensure that the state government does its fair share to reduce air pollution within the South Coast region by providing ample funding and legislative and administrative support to the South Coast AQMD to facilitate implementation of the 2016 AQMP and attainment of federal ozone and particulate matter ambient air quality standards by upcoming federal deadlines.

Environmental Justice

Support and promote legislative policies and funding that: 1) promote and sustain environmental justice initiatives which reduce localized health risks resulting from criteria pollutant and toxic air contaminant emissions; 2) develop and expand access to clean air technology, especially in disproportionately impacted communities; 3) enhance community participation in decision-making; and 4) provide the resources necessary to fully implement local air districts' responsibilities and programs created through Assembly Bill 617 (C. Garcia, Chapter 136, Statutes of 2017).

Development and Deployment of Clean Technology

Support legislative policies and funding that promote the development and deployment of near-zero and zero emission infrastructure, equipment and vehicle technology to protect public health, facilitate attainment of clean air standards and support a healthy economy.²

Climate Change

Seek to influence climate change policies and initiatives and facilitate their implementation consistent with Board policy. In particular, support efforts directing that the Greenhouse Gas Reduction Fund provide a sustainable funding source to maximize criteria and toxic emission reduction co-benefits, promote near-zero and zero-emission vehicles, and address air quality and public health impacts in the South Coast region.

Clean Energy

Support legislative efforts that advance the Board's Energy Policy which promotes energy efficiency, demand reduction and reliable, cost effective and clean energy for all consumers in the District while facilitating attainment of clean air standards and providing support for a healthy economy.

Business/Jobs Climate

ATTACHMENT C

Support legislative policies and/or administrative actions that promote job retention and creation as well as economic growth, while working toward attainment of clean air standards; and that support and assist the regulated community in complying with rules and regulations in the most efficient and cost-effective manner.

Surface Transportation & Goods Movement

Support and expand policy and funding considerations that promote air quality priorities in connection with the implementation of state and federal surface transportation and goods movement policies and programs, including those related to the FAST Act or successor transportation and infrastructure law.



South Coast Air Quality Management District

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LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, MAY 8, 2020 MEETING MINUTES

MEMBERS PRESENT:

- Council Member Ben Benoit, LGSBA Chairman (Board Member)
- Supervisor Janice Rutherford (Board Member)
- Felipe Aguirre
- Mayor Pro Tempore Rachele Arizmendi, City of Sierra Madre
- Paul Avila, P.B.A. & Associates
- Todd Campbell, Clean Energy
- LaVaughn Daniel, DancoEN
- John DeWitt, JE DeWitt, Inc.
- Bill LaMarr, California Small Business Alliance
- Rita Loof, RadTech International
- Eddie Marquez, Roofing Contractors Association
- David Rothbart, Los Angeles County Sanitation District

MEMBERS ABSENT:

- Supervisor V. Manuel Perez (Board Member)
- Geoffrey Blake, Metal Finishers of Southern California

OTHERS PRESENT:

- Mark Ambrowitz
- Tom Gross, Board Member Consultant (*Benoit*)
- Dan McGirney, SoCal Gas
- Andy Silva, San Bernardino County
- Patty Senecal
- Mark Taylor, Board Member Consultant (*Rutherford*)

SCAQMD STAFF:

- Jill Whynot, Chief Operating Officer
- Derrick Alatorre, Deputy Executive Officer
- Ron Moskowitz, Chief Information Officer
- Sarah Rees, Assistant Deputy Executive Officer
- Fabian Wesson, Assistant Deputy Executive Officer
- Teresa Barrera, Senior Deputy District Counsel
- Veera Tyagi, Principal Deputy District Counsel
- Lisa Tanaka O'Malley, Senior Public Affairs Manager
- Ian MacMillan, Planning & Rules Manager
- Philip Crabbe III, Public Affairs Manager
- Anthony Tang, Information Technology Supervisor

Van Doan, Air Quality Specialist
Elaine-Joy Hills, Air Quality Specialist
Paul Wright, Senior Information Technology Specialist
Jeanette Short, Senior Public Information Specialist
Stacy Day, Legislative Assistant

Agenda Item #1 - Call to Order/Opening Remarks

Chair Ben Benoit called the meeting to order at 11:30 a.m.

Mr. Derrick Alatorre provided guidelines and general instructions for participation in the remote meeting for the Local Government & Small Business Assistance Advisory Group (LGSBA) via Zoom webinar and teleconference.

Agenda Item #2 – Approval of February Meeting Minutes/Review of Follow-Up/Action Items

Chair Benoit called for approval of the February 14, 2020 meeting minutes. The minutes were approved unanimously.

Agenda Item #3 – Review of Follow Up/Action Items

Mr. Derrick Alatorre stated that there were no follow-up or action items.

Agenda Item #4 – Update on Proposed Rule 2305 – Facility-Based Mobile Source Measures

Mr. Ian MacMillan provided an update on the development of proposed Rule 2305 – Facility-Based Mobile Source Measures.

Chair Benoit stated it is interesting to see how this rule is shaping up and expressed appreciation for the hard work and effort put into this rule development. He further stated that meetings with stakeholders will continue despite changes resulted from the coronavirus disease 2019 (COVID-19) pandemic.

Mr. Bill LaMarr stated that cost assessments are typically conducted prior to determining if a rule is necessary. He further commented that the COVID-19 pandemic caused a reduction in global commerce, particularly the shipping industry, and asked if the warehouses are fully occupied. Mr. LaMarr stated that there have been emissions reductions at the ports, leading to emissions reductions in the Inland Empire (IE) and asked if South Coast Air Quality Management District (South Coast AQMD), California Air Resources Board (CARB), or anyone has recently completed an emissions inventory. Mr. MacMillan replied that different economic metrics are being monitored, showing container throughput decreased in March and increased in April. Mr. MacMillan stated that the economic shock to the system is impacting various industries in different ways; for example, grocery and cold storage space activities are increasing, whereas other industries are decreasing. Mr. MacMillan stated that there has been poor air quality in the IE in the last couple of weeks with high ozone levels, indicating there was continued goods-movement activities. There was some reduction in truck traffic and more reduction in car traffic; however, diesel fuel production level remained the same or increased, consistent with the increased demand for goods while people remained at home. What is happening now and within the next 6-12 months is likely temporary and things will eventually return to normal. This rule is not designed for a single, one-time action by warehouses. If this rule is approved by the Governing Board (GB) in the first quarter of next year, then the first compliance date will be a year after that and every year thereafter. The next working group meeting has been delayed as more information and input are needed from industry. The last several weeks demonstrated the air quality still needs significant improvement and proved that there is a long term need for this rule. Mr. LaMarr stated that businesses contribute to

climate change and affect the air quality in the IE; however, it is not a good use of a rule like this to have the businesses bear the financial burden during this time. Mr. LaMarr referenced slide #3 and suggested to establish a de minimis level for fee applicability and delay the responsibility for stationary sources. Mr. MacMillan stated that this rule is not targeting stationary sources and most warehouses are not required to be permitted by South Coast AQMD. Mr. MacMillan indicated that slide #3 referenced businesses with 100,000 ft² facilities, which are not considered small businesses. This rule is targeting larger operations, not small businesses. Mr. MacMillan mentioned that CARB is considering regulations on truck manufacturers and truck fleets and the Environmental Protection Agency (EPA) is also looking at truck manufacturers. The indirect source rule (ISR) targets the destination and how to set up an ecosystem of clean technology, including options for creating the infrastructure. Many businesses are taking steps to comply on their own; however, the challenge is to get others to help develop this ecosystem to improve the air quality.

Mr. David Rothbart stated that the purpose of this rule is to reach attainment as part of the Air Quality Management Plan (AQMP) and asked what the anticipated emissions reductions would be. Mr. Rothbart stated that attainment would not be achieved by 2023 and it is up to CARB and EPA to develop ways to control mobile sources to reach attainment. Mr. Rothbart further asked how ISR would fit into the overall ecosystem if a complex rule is implemented locally and included in the State Implementation Plan (SIP). Mr. MacMillan replied that ISR is not the only answer, but it is one piece of the toolkit that the South Coast AQMD could use to require emissions reductions from mobile sources. It could be used to focus on manufacturers, fleets, or destinations, while providing maximum flexibility for critical incentive programs. Mr. MacMillan stated the emissions reductions needed are substantial and with the attainment deadlines approaching, ISR is one of the few ways available to obtain such reductions. There is also a strong community voice expressing the desire to reduce emissions in the communities around the warehouses, indicating there is a wide variety of needs for a rule like this. Mr. Rothbart stated if EPA specifies alternative options to reach attainment, then South Coast AQMD might not want a rule that is not retractable because it is in the SIP. Mr. Rothbart suggested to include an option to remove the requirements when a certain emissions level is reached.

Mr. Todd Campbell referenced a study on heavy-duty vehicles emissions standards and actual emissions levels published by the International Council on Clean Transportation and stated that the actual emissions are 5-6 times above the standards. Mr. Campbell asked if there was a rule that addressed 34 tons of emissions per day. Mr. MacMillan replied the Regional Clean Air Incentives Market (RECLAIM) Program. Mr. Campbell stated if this rule gets adopted and requires emissions reductions from mobile sources, it could provide significant pressure relief to the stationary sources. Mr. MacMillan agreed that it would relieve pressure on stationary sources if there are more emissions reductions from mobile sources. Mr. Campbell stated that by 2023, federal sanctions would be placed if standards are not met and commented on the need to reduce emissions now. He asked if it would be better to reduce emissions now or in 20-30 years to which Mr. MacMillan replied that the agency is charged with meeting attainment as quickly as possible. Mr. Campbell stated that the point system does not reflect that as 126 points are given to zero-emission trucks and 55 to near-zero emission trucks, but the difference in emissions reduction is 1%. If those trucks are powered by renewable natural gas, then there would be better emissions and climate change. He commented on the need for a better point system and more cost-effective strategies for emissions reductions and expressed concern for the lack of near-zero emission yard tractors. Mr. MacMillan responded that a decision has not been made regarding the near-zero emission yard trucks and will consider the comments; however, many stakeholders asserted that only zero emission yard trucks should be included. As for the difference in point allocations for near-zero and zero emission on-road trucks, facilities typically select the cheapest method

to comply and possibly would obtain more near-zero emission trucks than zero emission trucks; therefore, the actions and points are not the only factors to consider, but the cost component is also important to include in the analysis. Mr. Campbell stated the point system does not reflect the current situation and cost-effectiveness should be considered, so the GB is unlikely to adopt the rule. Mr. MacMillan replied that discussion will continue in the next stage of the rulemaking process.

Ms. Rita Loof referenced slide #10 on Warehouse Actions and Investments to Reduce Emissions (WAIRE) menu items and asked if the filters are installed at the warehouses and if they are high-efficiency particulate air (HEPA) filters. Mr. MacMillan responded that the filters are not installed at the warehouses, but they are installed at nearby sensitive receptors, such as homes, schools, or daycare centers. Ms. Loof referenced slide #12 and asked if the cost of \$455k is to acquire one class 8 near-zero emission truck. Mr. MacMillan replied that the cost is for seven trucks. Ms. Loof asked for a brief explanation of the rule stringency level. Mr. MacMillan stated that the stringency level refers to the number of points each facility needs to earn. For example, a facility with more trucks would need to earn more points than a facility with less trucks; however, the actual levels have not been established and there will be an analysis of the economic condition, technological availability, air quality need, etcetera.

Agenda Item #5 – Update on 2019-20 State and Federal Legislation

Mr. Philip Crabbe III and Ms. Lisa Tanaka O'Malley provided an update on state and federal legislation.

Mr. Alatorre stated the Spot Bill 2241 did not go through because the deadline to introduce the bill was March 24, 2020, but the sessions were adjourned on March 19, 2020. However, there may be future opportunities for this bill to be introduced.

Mr. LaMarr asked for the status of Assembly Bill (AB) 2737 on Community Emissions Reduction Programs introduced by Assembly Member Cristina Garcia. Mr. Crabbe replied that staff has been in contact with Assembly Member Garcia's office and provided comments and confirmed that AB 2737 will not be moving forward this year.

Mr. Campbell indicated that the next senate stimulus package is being developed and asked if South Coast AQMD is seeking funding opportunities related to ports, truck drivers, and fleet operators, and have approached Senators Steven Bradford or Robert Hertzberg who represent the affected areas. Mr. Crabbe replied that South Coast AQMD is exploring different opportunities, such as funding for AB 617 implementation, green technology, and stimulus package and has been in contact with the Governor's office. Mr. Campbell stated that funding is needed for the SIP to work and encouraged staff to seek additional funding opportunities. Mr. Crabbe replied that South Coast AQMD has been aggressively seeking opportunities since January and continues to advocate for clean air, despite the pandemic. Studies have shown that there are disproportionate impacts of poor air quality on communities of color and that air pollution increases health risks, which puts people at great risk of serious illness from COVID-19.

Mr. Alatorre stated that South Coast AQMD staff spoke with the Chair of the Senate Budget and Fiscal Review Committee and found that state revenues are severely impacted in a negative sense due to lack of sales tax received. With an anticipated \$54 million deficit, it would be difficult to obtain additional funding, but staff will try their best given the current situation.

Mr. Campbell stated that South Coast AQMD has the direct link since air pollution could exacerbate COVID-19 effects. Mr. Campbell further stated that more money will be available and encouraged staff to keep trying.

Chair Benoit agreed with Mr. Campbell's comment and stated the next step is to convince the legislature.

Agenda Item #6 –Monthly Report on Small Business Assistance Activities

No comments.

Agenda Item #7 - Other Business

None.

Agenda Item #8- Public Comment

None.

Agenda Item #9 – Next Meeting Date

The next regular Local Government & Small Business Assistance Advisory Group meeting is scheduled for Friday, June 12, 2020 at 11:30 a.m.

Adjournment

The meeting adjourned at 1:09 p.m.