REQUEST FOR QUOTATION (RFQ) FOR EXTERIOR BUILDING CLEANING AND INTERIOR AND EXTERIOR WINDOW WASHING

Q2023-01

PURPOSE

South Coast Air Quality Management District (South Coast AQMD) invites sealed quotes from qualified firms interested in providing exterior building cleaning and interior and exterior window washing. In the preparation of this Request for Quotes (RFQ), the word “Proposer,” “Contractor,” “Vendor,” and “Consultant” are used interchangeably.

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SECTION I: BACKGROUND/INFORMATION/SCHEDULE OF EVENTS

South Coast AQMD is a regional governmental agency responsible for meeting air quality health standards in Orange County, and the urban portions of Los Angeles, Riverside, and San Bernardino Counties.

South Coast AQMD’s Diamond Bar headquarters consists of four interconnected buildings designated as the North Office Tower, South Office Tower, Laboratory, and Conference/Cafeteria. These buildings are built over a Lower Level, which will be described separately in Attachment D – Facility Information and shown in Attachment E – Elevation Plans.

SOUTH COAST AQMD CONTACT PERSONS:

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

<table>
<thead>
<tr>
<th>Administrative:</th>
<th>Technical:</th>
<th>Technical:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Procurement Unit</td>
<td>David Mortimore, Facilities Services Technician</td>
<td>Marissa Campos, Administrative Assistant</td>
</tr>
<tr>
<td>South Coast AQMD</td>
<td>South Coast AQMD</td>
<td>South Coast AQMD</td>
</tr>
<tr>
<td>21865 Copley Drive</td>
<td>21865 Copley Drive</td>
<td>21865 Copley Drive</td>
</tr>
<tr>
<td>Diamond Bar, CA 91765</td>
<td>Diamond Bar, CA 91765</td>
<td>Diamond Bar, CA 91765</td>
</tr>
<tr>
<td>909-396-3520</td>
<td>909-396-2051</td>
<td>909-396-3233</td>
</tr>
<tr>
<td><a href="mailto:dmortimore@aqmd.gov">dmortimore@aqmd.gov</a></td>
<td><a href="mailto:mcampos@aqmd.gov">mcampos@aqmd.gov</a></td>
<td></td>
</tr>
</tbody>
</table>
SCHEDULE OF EVENTS

- September 2, 2022: Release of RFQ
- September 20, 2022: Mandatory Zoom Bidder’s Conference*
- October 5, 2022: RFQ Closes at 2:00 P.M.
- October 11-21, 2022: Quotation Evaluation
- January 6, 2023: Governing Board Approval
- January 13, 2023: Anticipated Issue Purchase Order

Please note that South Coast AQMD is closed on Monday and cannot receive bid submittals accordingly.

*MANDATORY ZOOM BIDDER’S CONFERENCE

A bidder’s conference will be held on:

Date: September 20, 2022
Time: 10:00 a.m.

Participation in the Zoom bidder’s conference is mandatory. Questions may be asked and answered at that time. Additional information or amendments may also be provided. Those interested in participating will need to contact Marissa Campos at mcampos@aqmd.gov no later than September 16, 2022, at 5:00 p.m. for the Zoom ID/link.

Proposals will not be accepted from business(es) that do not send an authorized representative to the mandatory Zoom bidder’s conference.

Those interested in an OPTIONAL walkthrough may be requested between September 21-30, 2022. Please contact mcampos@aqmd.gov to set up an in-person walkthrough after the Zoom Bidder’s Conference on September 20, 2022.

As of January 17, 2022, the Los Angeles County Department of Public Health made it MANDATORY to wear surgical grade, N95, or KN95 face coverings (no cloth masks allowed) while inside the workplace.

The following guidelines must be strictly adhered to while at the South Coast AQMD:

1. Face coverings must be worn while inside the South Coast AQMD facilities.
2. Whether the person is vaccinated or not, a face-covering MUST still be worn while inside the South Coast AQMD facilities.
3. Make sure the face covering fits to cover your nose, mouth, and chin. If you adjust the face covering to cover those areas, wash your hands before and after.

SECTION II: 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. Attachments B and C to this RFQ contains definitions and further information.
SECTION III: SCOPE OF WORK/SCHEDULE OF DELIVERABLES

Scope of Work

The exterior building and interior window cleaning are to be provided at the South Coast AQMD headquarters located at 21865 Copley Drive, Diamond Bar, California 91765. The facility is described in Attachment D – Facility Information and shown in Attachment E – Elevation Plans. South Coast AQMD may choose to have part or all the tasks listed under this RFQ performed.

Contractor must provide all necessary labor, materials, and equipment, including the stage for the exterior building and window cleaning. South Coast AQMD is responsible for having the building davits inspected and certified for use.

Contractor is responsible to provide a Denka Atrium Lift or comparable equipment to clean the interior lobby atrium windows safely and without disruption to the structures in the lobby. An aerial lift is required to reach the exterior windows on the second and third floor bridges between the two towers. This lift will need to fit within the path to and from the bridges and cannot weigh more than 14,000 lbs.

Contractor must provide any other electric-equipment necessary to provide superior exterior building and window cleaning service in strict conformity to South Coast AQMD specification. All equipment used, such as a compressor and power washer, MUST be all-electric. All cleaning products used MUST be green-certified. Contractor must provide a list of all equipment and materials used to perform the required tasks. Contract must also provide a Safety Data Sheet (SDS) for all cleaning products used.

Contractor must provide evidence of proper licensing to perform such services in California. Contractor agrees to obtain any required permits and any other legal authorizations from all applicable federal, state, and local jurisdictions. This is a Public Works Project, therefore, proposer is required to include Contractor Registration No. in Attachment C – Certifications and Presentations.

The building exterior must be cleaned using an electric power washer. The exterior of the building must be power washed from top to bottom and remove all stains and dirt from the exterior structures, including the green panel trim. All of the above-mentioned work may be performed during regular business hours as long as it does not disturb the functions of South Coast AQMD or its tenants.

The cleaning of the windows shall include all interior and exterior windows including the skylights and interior lobby atrium. The exterior windows on the tower buildings contain a light shelf that must be cleaned on top and bottom. Some exterior windows and light shelves may require demineralization cleaning. Those areas will be identified at the mandatory Zoom bidder’s conference. It may also be necessary to remove old, uninhabited bird nests that may be left on the light shelves. If nests are still occupied, the cleaning of that portion of the building may be postponed until the nesting is complete. All exterior windows may be cleaned during regular business hours if cleaning does not disturb the function of South Coast AQMD or its tenants. All interior windows at the main facility must be cleaned during non-business hours, Monday through Friday between 6:00 p.m. to 6:30 a.m. and/or weekends.

Schedule of Deliverables

Contractor MUST submit a list of all electric equipment to be used, green certified cleaning products to be used along with its SDS, and a written schedule prior to the start of building cleaning and window washing. The schedule must be approved by South Coast AQMD’s Business Services Manager and Building Maintenance Manager.
SECTION IV: RESPONSE SUBMITTAL REQUIREMENTS

QUOTES - All quotes must be submitted according to specifications set forth in this RFQ.

SIGNATURE - Quotes must be signed by an authorized representative of the vendor.

DUE DATE - Five (5) complete copies of the quotes must be submitted. Quotes must be typewritten and submitted in a sealed envelope, plainly marked in the upper, left-hand corner with the name and address of the vendor with the words, "Request for Quotation Q2023-01". It should be addressed to:

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

Quotes are due no later than 2:00 p.m. on October 5, 2022. Any corrections or resubmissions of the quote will not be sufficient reason to extend the deadline.

No late quotations will be accepted under any circumstances.

Grounds for rejection: A quote may be rejected if:

1. It is not prepared in the format described, or
2. It is signed by an individual not authorized to represent the firm.

FORMAT - the content and format of the quote will adhere to the specifications listed below. Failure to follow this format may result in quote disqualification.

1. The name and address of the vendor must be typed on the title page of the RFQ. An authorized signature is also required.
2. Include completed documents contained in Certifications and Representations attachment.
3. Submit five (5) complete copies of the RFQ response.

SECTION V: EVALUATION AND SELECTION CRITERIA

Award will be made to the vendor submitting the lowest cost quotation which is fully responsive to the specifications set forth in the RFQ, and/or providing the best value to the South Coast AQMD in accordance with the South Coast AQMD Procurement Policy and Procedure.

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. To this purpose, formal bidding procedures, sole source awards, and RFP/RFQ processes will include a certification for “most favored customer” status. 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.

Disabled Veteran Business Enterprises (DVBE’s), Small Businesses, Zero or Near-Zero Emission Vehicle Businesses, Off-Peak Hours Delivery Businesses, Local Businesses and businesses offering the South Coast AQMD most favored customer pricing status, meeting the definitions
contained in Attachments B and C of this RFQ shall be granted a preference in an amount equal to the percentage listed below of the lowest cost responsive quote (preference percentage points):

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Business or Small Business Joint Venture</td>
<td>5%</td>
</tr>
<tr>
<td>DVBE or DVBE Joint Venture</td>
<td>5%</td>
</tr>
<tr>
<td>Zero or Near-Zero Emission Vehicle Business</td>
<td>5%</td>
</tr>
<tr>
<td>Local Business (Non-EPA Funded Projects only)</td>
<td>2%</td>
</tr>
<tr>
<td>Off-Peak Hours Delivery Business</td>
<td>2%</td>
</tr>
<tr>
<td>Most Favored Customer Pricing Status</td>
<td>2%</td>
</tr>
</tbody>
</table>

To receive additional preference percentage 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-EPA funded projects), the bidder must submit a self-certification at the time of quotation submission certifying that the bidder meets the requirements set forth Attachments B and C. To receive preference percentage 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 preference percentage points as a Zero or Near-Zero Emission Vehicle Business, the bidder 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 preference percentage points as a Local Business, the bidder must affirm that it has an ongoing business within the South Coast AQMD at the time of the bid/quotation submittal and that 90% of the work related to the contract/purchase order will be performed in the South Coast AQMD. Federally funded projects are not eligible for local business percentage points. To receive preference percentage points as an Off-Peak Hours Delivery Business, the proposer must submit, at quotation 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. Businesses offering Most Favored Customer status shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid. The cumulative preference percentage points awarded for Small Business, DVBE, use of Small Business or DVBE Subcontractors, Local Business, Zero or Near-Zero Vehicle Business and Off-Peak Hour Delivery Business shall not exceed 15 preference percentage points.

Specify Yes/No next to the applicable categories as they pertain to price and delivery of the item(s) on this RFQ only. In order to receive eligible business preference/percentage points, vendor must complete this section:

<table>
<thead>
<tr>
<th>Category</th>
<th>Yes/No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disabled Veteran Business Enterprise</td>
<td></td>
</tr>
<tr>
<td>Disabled Veteran Business Enterprise Joint Venture</td>
<td></td>
</tr>
<tr>
<td>Small Business</td>
<td></td>
</tr>
<tr>
<td>Small Business Joint Venture</td>
<td></td>
</tr>
<tr>
<td>Local Business*</td>
<td></td>
</tr>
<tr>
<td>Zero or Near-Zero Vehicle Business**</td>
<td></td>
</tr>
<tr>
<td>Off-Peak Hours Delivery Business</td>
<td></td>
</tr>
<tr>
<td>Most Favored Customer Pricing Status</td>
<td></td>
</tr>
</tbody>
</table>

*Local business preference will be awarded to eligible vendors when procurements are not funded in whole or in part by federal grant funds.
**If you answered “yes” for above Zero or Near-Zero Emission Vehicle Business, complete section below. Check the type of vehicle that qualifies your business as a Zero or Near-Zero Emission Vehicle Business in conducting deliveries to South Coast AQMD. If a common carrier is used, please list the carrier name. This information is subject to verification.**

<table>
<thead>
<tr>
<th>Type of Zero or Near-Zero Emission Vehicle:</th>
<th>Check Vehicle Type</th>
<th>Name of Common Carrier (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electric Powered Vehicle</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compressed Natural Gas (CNG) Powered Vehicle</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Liquefied Natural Gas (LNG) Powered Vehicle</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Liquefied Petroleum (LPG) Powered Vehicle</td>
<td></td>
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<tr>
<td>Ethanol Powered Vehicle</td>
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<tr>
<td>Methanol Powered Vehicle</td>
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<tr>
<td>Hydrogen Powered Vehicle</td>
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</tbody>
</table>

The Procurement Section will be responsible for monitoring compliance of suppliers awarded purchase orders based upon use of low-emission vehicles or off-peak traffic hour delivery commitments through the use of vendor logs which will identify the contractor awarded the incentive. The purchase order shall incorporate terms which obligate the supplier to deliver materials in low-emission vehicles or deliver during off-peak traffic hours. The Receiving department will monitor those qualified supplier deliveries to ensure compliance to the purchase order requirements. Suppliers in non-compliance will be subject to a two percent of total purchase order value penalty. The Procurement Manager will adjudicate any disputes regarding either low-emission vehicle or off-peak hour deliveries.

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.

*If quotations submittal is for a Public Works project as defined by State of California Labor Code Section 1720, bidder is required to include Contractor Registration No. in Attachment B. Quotation submittal will be deemed as non-responsive and bidder may be disqualified if Contractor Registration No. is not included in Attachment C. Bidder is alerted to changes to California Prevailing Wage compliance requirements as defined in Senate Bill 854 (Stat. 2014, Chapter 28) and California Labor Code Sections 1770, 1771, 1725, 1777, 1813 and 1815.*

**PAYMENT BONDS**

Before issuance of the Purchase Order, the Contractor shall file surety bonds in the amounts and for the purpose specified in the Request for Quotations (RFQ). Bonds shall be issued by a surety who is listed in the latest version of U.S. Department of Treasury Circular 570, who is authorized to issue bonds in California, and whose bonding limitation shown in said circular is sufficient to provide bonds in the amount required by the Contract shall be approved by South Coast AQMD. Bonds from all other sureties shall be accompanied by all of the documents enumerated in the Code of Civil Procedure, Section 995.660a).

Each bond shall incorporated, by reference in the Purchase Order and be signed by both the Bidder and Surety. The signature of the authorized agent of the Surety shall be notarized. The Contractor shall provide two (2) good and sufficient surety bonds.
PERFORMANCE BOND

The Performance Bond shall be for 100 percent of the Purchase Order Price to guaranty faithful performance of all work, within the time prescribed, in a manner satisfactory to South Coast AQMD, and that all materials and workmanship will be free from original or developed defects. The bond must remain in effect until the end of all warranty periods as set forth in the Purchase Order.

The selected Contractor shall be required to furnish and pay all bond premiums, costs and incidentals listed below.

Should any bond become insufficient, the Contractor shall renew the bond within 10 days after receiving notice from South Coast AQMD.

Should any surety at any time be unsatisfactory to South Coast AQMD, notice to the effect will be given to the Contractor. No further payments shall be deemed due or will be made under the Contract until a new surety qualifies and is accepted by South Coast AQMD.

Changes in the Project or extension of time, made pursuant to the Contract, shall in no way release the Contractor of Surety from the obligation. Notice of such changes or extensions shall be waived by the Surety.

PAYMENT BOND

Within 14 days after issuance of the Purchase Order by South Coast AQMD and prior to performing any work, the CONTRACTOR shall file with South Coast AQMD, a Payment Bond (material and labor bond) in an amount equal to one hundred (100) percent of the Purchase Order price, to satisfy claims of material suppliers and of mechanics and laborers employed by the Contractor to perform the work.

The Payment Bond shall be not for less than 100 percent of the Purchase Order price, to satisfy claims of material suppliers and mechanics and laborers employed on the Project. The Bond shall be maintained by the Contractor in full force and effect until the performance of the Purchase Order is accepted by South Coast AQMD and until all claims for materials and labor are paid, and otherwise comply with the Civil Code. Contractor shall provide South Coast AQMD with Conditional Lien Releases with each payment request and Unconditional Lien Releases for the final payment for all material suppliers, mechanics and laborers employed on the Project.

1. UNSATISFACTORY SURETIES - Should any Surety, at any time, be deemed unsatisfactory by South Coast AQMD, notice will be given to the Contractor to that effect. No further payments shall be deemed due, or will be made under the Contract until a new Surety shall qualify and be accepted by South Coast AQMD.

2. EFFECT OF CHANGES IN THE WORK/EXTENSIONS OF TIME ON THE SURETY

Changes in the work, or extensions of time, made pursuant to the Contract, shall in no way release the Contractor or the Surety from their obligations under the bond. Notice of such changes or extensions shall be waived by the Surety.

DISPOSITION: South Coast AQMD reserves the right to reject any or all quotations. All materials and documents submitted with the quote will become the property of South Coast AQMD.
REQUEST FOR QUOTATION (RFQ) FOR EXTERIOR BUILDING CLEANING AND EXTERIOR AND INTERIOR WINDOW WASHING

TO: South Coast Air Quality Management District
    21865 Copley Drive
    Diamond Bar, CA 91765
    Attention: Procurement Manager

The undersigned, having carefully examined South Coast AQMD’s specifications attached hereto, hereby proposed and agrees to furnish all necessary labor, materials, equipment, and any other incidentals necessary to provide the pressure washing of the exterior building and washing of the windows, in strict conformity with the specification described in this RFQ. If this bid is accepted by the South Coast AQMD, the undersigned agrees to the conditions as stated.

If this bid is accepted by South Coast AQMD, the undersigned agrees to provide the work specified under this bid, and to provide evidence of required Worker's Compensation Insurance and General Liability Insurance in the minimum amount of $1,000,000 per occurrence.

Pressure wash the exterior buildings
   North Office Tower $_________________________
   South Office Tower $_________________________
   Laboratory $_________________________
   Conference/Cafeteria $_________________________

Subtotal to pressure wash the exterior buildings $_________________________

Window washing

Washing the exterior windows, including the tops and bottoms of light shelves, skylights, and Laboratory windows and skylights $_________________________

Demineralization of exterior windows, light shelves, and exterior panels $_________________________

Washing the interior windows, including the lobby atrium, skylights, and laboratory windows and skylights $_________________________

Subtotal exterior and interior window washing $_________________________

Total $_________________________
Company Name

Company Address

___________________________________________

___________________________________________

Authorized by

(print name)

Authorized Signature

Title

Telephone No.  Contact Email Address:
REQUEST FOR QUOTATION (RFQ) FOR EXTERIOR BUILDING CLEANING AND EXTERIOR AND INTERIOR WINDOW WASHING

TO: South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Attention: Procurement Manager

The undersigned, having carefully examined South Coast AQMD's specifications attached hereto, hereby proposed and agrees to the conditions stated in this quotation. If this quote is accepted by South Coast AQMD, the undersigned agrees to the conditions as stated.

Company Name_____________________________________________________

Company Address____________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

Authorized by_____________________________________________________
(print name)

Authorized Signature______________________________________________

Title______________________________________________________________

Telephone No._____________________________________________________ 

Contact Email Address:____________________________________________

NOTE: FIVE (5) COMPLETE COPIES OF RFQ RESPONSE MUST BE SUBMITTED.
REQUEST FOR QUOTATION Q2023-01
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
ATTACHMENT A

TERMS AND CONDITIONS

TERMS AND CONDITIONS

1. **Cash Discount.** Cash discount period will be computed either from the date of delivery and acceptance of the goods ordered or the date of receipt of correct and proper invoices, prepared in accordance with the terms of the purchase order, whichever is later.

2. **Sales or Use Taxes.** Unless otherwise definitely specified, the prices quoted herein do not include sales or use taxes.

3. **Transportation Charges.** No charges for transportation, unloading, containers, packing, etc., will be allowed unless specified in vendor’s quotation.

4. **Infringement Indemnity.** Vendor shall defend at its expense any suit against South Coast Air Quality Management District (South Coast AQMD) based on a claim that any item furnished under this agreement or the normal sale thereof infringes any United States Letters Patent or copyright and shall pay costs and damages finally awarded in any such suit provided Vendor is notified in writing of the suit and given authority, information, and assistance at Vendor’s expense for defense of same if the use of said item is enjoined as a result of such suit. Vendor at no expense to District shall obtain for South Coast AQMD the right to use and sell said item or shall substitute an equivalent item acceptable to South Coast AQMD and extend this patent indemnity thereto.

5. **Force Majeure.** Neither South Coast AQMD nor Vendor shall be liable or deemed to be in default for any delay or failure in performance under this agreement or interruption of services resulting, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, strikes, labor disputes, shortages of suitable parts, materials, labor or transportation, or any similar cause beyond the reasonable control of South Coast AQMD or Vendor.

6. **Non-Discrimination.** In the performance of this agreement, Vendor shall not discriminate in recruiting, hiring, promotion, demotion, or termination practices on the basis of race, religious creed, color, national origin, ancestry, sex, age, or physical or mental disability and shall comply with the provisions of the California Fair Employment & Housing Act (Government Code Section 12900 et. seq.), the Federal Civil Rights Act of 1964 (P.L. 88-352) and all amendments thereto, Executive Order no. 11246 (30 Federal Register 12319), and all administrative rules and regulations issued pursuant to said Acts and Order. Vendor shall likewise require each subcontractor to comply with this paragraph and shall include in each subcontract language similar to this paragraph.

7. **Federal, State, and Local Laws.** Vendor warrants that in the performance of this agreement it shall comply with all applicable Federal, State and local laws and ordinances and all lawful orders, rules and regulations hereunder.

8. **Assignments and Subcontractors.** Neither this agreement or any interest herein nor claim hereunder may be assigned by Vendor voluntarily or by operation of law, nor may all or substantially all of this agreement be further subcontracted by Vendor without the prior written consent of South AQMD. Consent by South Coast AQMD shall not be deemed to relieve Vendor of its obligations to comply with the requirements hereof.

9. **Indemnification.** Vendor agrees to hold harmless, indemnify, and defend South Coast AQMD, its officers, employees, agents, representatives, and successors-in-interest against any and all loss,
damage, cost, or expenses which South Coast AQMD, its officers, employees, agents, representatives, and successors-in-interest may incur or be required to pay by reason of any injury or property damage caused or incurred by Vendor, its employees, contractors, or agents in the performance of this agreement.

10. **Termination.** In the event Vendor fails to comply with any term or condition of this agreement, or fails to provide the supplies or services in the manner agreed upon by the parties, this failure shall constitute a breach of the agreement. South Coast AQMD at its sole discretion shall either notify the Vendor that it must cure this breach within fifteen (15) days of notice of breach or provide written notification of its intention to terminate this agreement. South Coast AQMD reserves the right to terminate this agreement for its convenience and will reimburse Vendor for actual costs incurred in performance of this agreement through the effective date of termination. Upon receipt of notice of termination, Vendor shall immediately take action not to incur any further obligations, cost, or expenses except as may be reasonably necessary to termination activities. All finished or unfinished materials procured or produced by Vendor hereunder shall, at the option of South Coast AQMD, become South Coast AQMD property upon the date of such termination.

11. **Changes.** By written notice, South Coast AQMD may, from time to time, order work suspension or make changes in quantities, drawings, specifications, place of delivery or delivery schedules, methods of shipment and packaging and/or property and services to be furnished by South Coast AQMD. If a change causes an increase or decrease in the price of this agreement or in the time required for its performance, Vendor shall promptly notify South Coast AQMD and assert its claim for adjustment within thirty (30) days after the change is ordered and an equitable adjustment shall be made to the agreement. However, nothing in this clause shall excuse Vendor from proceedings immediately with the agreement as changed.

12. **Title and Risk of Loss.** Unless otherwise provided in this agreement, Vendor shall have title to and bear the risk of any loss of or damage to items purchased hereunder until they are delivered in conformity with this agreement at the F.O.B. point specified herein. Upon such delivery, title shall pass from Vendor to South Coast AQMD and Vendor’s responsibility for loss or damage shall cease, except for loss or damage resulting from Vendor’s negligence. Passing of title upon such delivery shall not constitute acceptance of the item by South Coast AQMD.

13. **Inspection and Acceptance.** All items are subject to final inspection and acceptance by South Coast AQMD at destination notwithstanding any payment or prior inspection at Vendor’s facilities. Final inspection will be made within a reasonable time after receipt of items hereunder.

14. **Payment.** Unless otherwise provided in this agreement, terms are Net 30 days.

15. **Most Favored Customer.** 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. To this purpose, formal bidding procedures, sole source awards, and RFP/RFQ processes will include a certification for “most favored customer” status. 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.
ATTACHMENT B

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.


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 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, hydrogen and are certified to 90% or lower than 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 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.
CERTIFICATIONS AND REPRESENTATIONS

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

Business Information Request

Dear 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:jn

Enclosures: Business Information Request
Disadvantaged Business Certification
W-9
Form 590 Withholding Exemption Certificate
Federal Contract Debarment Certification
Campaign Contributions Disclosure
**South Coast Air Quality Management District**

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

**BUSINESS INFORMATION REQUEST**

| Business Name |  |
| Division of |  |
| Subsidiary of |  |
| Website Address |  |

**Type of Business**  
*Check One:*
- Individual  
- DBA, Name __________, County Filed in __________  
- Corporation, ID No. ______________  
- LLC/LLP, ID No. ______________  
- 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:

☐ Small Business Enterprise/Small Business Joint Venture
☐ Local business
☐ Minority-owned Business Enterprise
☐ Women-owned Business Enterprise
☐ Disabled Veteran-owned Business Enterprise/DVBE Joint Venture
☐ 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.

**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.
W-9

Request for Taxpayer Identification Number and Certification

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

do to www.irs.gov/FormW9 for Instructions and the latest Information.

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.
   - Individual/sole proprietor or single-member LLC
   - C Corporation
   - S Corporation
   - Partnership
   - Trust/or estate
   - Limited liability company. Enter the tax classification (C=corporation, S=S corporation, P=Partnership) on line 4.
   - Other (see instructions)

4 Exemptions (codes apply only to certain entities; not individuals; see instructions or page 3).
   - Exempt payee code (if any)
   - Exemption from FATCA reporting code (if any)

5 Address (number, street, and apt. or suite no.) See instructions. Requestor'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.

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

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 (other than a foreign entity) 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), or employer Identification number (EIN). For more information, see the instructions for the specific information return that applies to you, or other amounts reportable on an information return. Examples of information returns include, but are not limited to, the following:

- 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), and 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 1441 on any foreign partners’ share of effectively connected 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 1445 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 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 you are 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 on Tax of 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 “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 he or she stays in the United States for 183 calendar days during a 365-day period. 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? Penions 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 are subject to a penalty of tax or continue to receive 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 have a U.S. address.

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 attributable 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 failing to furnish information. Willfully furnishing false certifications or statements 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 financial institution), insert the name of the person or entity whose name you entered in Part I of Form W-9. If you are providing Form W-9 to an FFE 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 notifying 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: TIN applicant: Enter your individual name as it was entered on your Form 1040/1040A/1040EZ if you filed with your application.

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

c. Partnership, LLC, 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 the 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.

a. 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)(9)(iii). Enter the owner’s name on line 1. The name of the entity entered on line 1 should never be the 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 owner’s name on line 2. 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 

<table>
<thead>
<tr>
<th>THEN check the box for . . .</th>
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<tbody>
<tr>
<td>Corporation</td>
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<tr>
<td>Individual</td>
</tr>
<tr>
<td>Sole proprietorship, or</td>
</tr>
<tr>
<td>Single-member limited liability company (LLC) owned</td>
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<tr>
<td>by an individual and disregarded for U.S. federal tax</td>
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<tr>
<td>purposes.</td>
</tr>
<tr>
<td>LLC treated as a partnership for U.S. federal tax</td>
</tr>
<tr>
<td>purposes.</td>
</tr>
<tr>
<td>LLC that has filed Form 8832 or 2553 to be taxed as</td>
</tr>
<tr>
<td>a corporation, or</td>
</tr>
<tr>
<td>LLC that is disregarded as an entity separate from</td>
</tr>
<tr>
<td>its owner but the owner is another LLC that is</td>
</tr>
<tr>
<td>not disregarded for U.S. federal tax purposes.</td>
</tr>
<tr>
<td>Partnership</td>
</tr>
<tr>
<td>Trustee</td>
</tr>
<tr>
<td>Corporation</td>
</tr>
<tr>
<td>Individual/sole proprietor or single-member LLC</td>
</tr>
<tr>
<td>Limited liability company and enter the</td>
</tr>
<tr>
<td>appropriate tax classification. (P=Partnership; C=</td>
</tr>
<tr>
<td>Corporation; S=S corporation)</td>
</tr>
</tbody>
</table>

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter 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 reported 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(c), any ITA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(k).
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 banker known in the investment community as a nominee or custodian
13. A trust exempt from tax under section 664 or described in section 4947

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### 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 a 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**.

- **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 return. 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.

**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 SS Form 85, Application for a Social Security Card, from your local SSA office or get this form online at [www.SSA.gov](http://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](http://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.

**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 payee, 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 1964 and broker accounts considered active during 1963. 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 1963 and broker accounts considered inactive during 1963. 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 this 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 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

<table>
<thead>
<tr>
<th>For this type of account:</th>
<th>Given name and SSN of:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Individual</td>
<td>The individual</td>
</tr>
<tr>
<td>2. Two or more individuals (joint account other than an account maintained by an FFI)</td>
<td>The actual owner of the account or, if combined funds, the first individual on the account</td>
</tr>
<tr>
<td>3. Two or more U.S. persons (joint account maintained by an FFI)</td>
<td>Each holder of the account</td>
</tr>
<tr>
<td>4. Custodial account of a minor (Uniform Gift to Minors Act)</td>
<td>The minor</td>
</tr>
</tbody>
</table>
| 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 (Uniform PRRTA)
  c. Safe deposit box trust
  d. Sole proprietorship or disregarded entity owned by an individual | The grantor-trustee |
| 5. Grantor trust filing under Optional Form 1099-Filing Method 1 (see Regulations section 1.671-1(b)(2)(i)) (A) | The actual owner |
| 6. Sole proprietorship or disregarded entity owned by an individual | The owner |
| 7. Grantor trust filing under Optional Form 1099-Filing Method 1 (see Regulations section 1.671-1(b)(2)(i)) (B) | The grantor |

<table>
<thead>
<tr>
<th>For this type of account:</th>
<th>Give name and EIN of:</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. Disregarded entity not owned by an individual</td>
<td>The owner</td>
</tr>
<tr>
<td>9. A valid trust, estate, or pension trust</td>
<td>The legal entity</td>
</tr>
<tr>
<td>10. Corporation or LLC electing corporate status on Form 8822 or Form 2553</td>
<td>The corporation</td>
</tr>
<tr>
<td>11. Association, club, religious, charitable, educational, or other tax-exempt organization</td>
<td>The organization</td>
</tr>
<tr>
<td>12. Partnership or multi-member LLC</td>
<td>The partnership</td>
</tr>
<tr>
<td>13. A broker or registered nominee</td>
<td>The broker or nominee</td>
</tr>
</tbody>
</table>

### 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 cautious 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 1-800-909-4490 or submit Form 14039.

For more information, see Pub. 5017, 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 1-877-777-4776 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 email. 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/identitytheft or 877-438-4338. If you have been the victim of identity theft, see www.identitytheft.gov and Pub. 5037.

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

**Privacy Act Notice**

Section 6103 of the Internal Revenue Code requires you to provide your correct TIN to persons (including fiduciary 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 make 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 6662, 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.
2021 Withholding Exemption Certificate

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 (apartment, room, PO box, or FMB 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 or 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 Decedent 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 D, 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

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2021 Instructions for Form 590
Withholding Exemption Certificate

General Information
California Revenue and Taxation Code (R&T) 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 B, Income Subject to Withholding.

Registered Domestic Partners (RDPs) — 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 888.745.3886.

Do not use Form 590 to certify an exemption from withholding if you are a seller of California real estate. Sellers of California real estate use Form 593, 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 entertainers (or the entertainers’ 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 or 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 order.

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 MSRR.

Income of a military servicemember’s nonmilitary spouse to services performed in California is nonCalifornia 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 MSRR requirements, go to 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 (CACorp #); or CASSIS ID 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 practices for rendering 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 a least 5 years after the last payment for 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, go to 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-O, Payment Voucher for Pass-Through Entity Withholding, and Form 592-V, Payment Voucher for Resident or Nonresident Withholding.

**Internet and Telephone Assistance**

Website: [ftb.ca.gov](http://ftb.ca.gov)

Telephone: 800.452.7111 from within the United States
818.454.6500 from outside the United States
TTY/TDD: 800.487.6258 for persons with hearing or speech disability
711 or 711 735 2925 California relay service

**Assistance Por Internet y Teléfono**

Sitio web: [ftb.ca.gov](http://ftb.ca.gov)

Teléfono: 800.452.7111 dentro de los Estados Unidos
918.487.6500 fuera de los Estados Unidos
TTY/TDD: 800.877.6258 para personas con discapacidades, audífonos o sordos
711 680 735 2925 servicio de rodeo de California

**Additional Information**

Website: For more information, go to [ftb.ca.gov](http://ftb.ca.gov) and search for nonwage.

MyFTB offers secure online tax account information and services. For more information, go to [ftb.ca.gov](http://ftb.ca.gov) and login to register for [MyFTB](http://MyFTB).

Telephone: 800.792.4900 or 918.454.4500.

Withholding Services and Compliance phone service

Fax: 918.454.5512

Mail: [WITHHOLDING SERVICES AND COMPLIANCE MS F182 FRANCHISE TAX BOARD PO BOX 642667 SACRAMENTO CA 94267-6651](http://example.com)

For questions unrelated to withholding, or if you download a mobile app, or print California tax forms and publications, or access the TTY/TDD numbers, see the Internet and Telephone Assistance section.
Certification Regarding
Debarment, Suspension, and Other Responsibility Matters

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

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them or commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction: violation of Federal or State antitrust statute or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property:

(c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

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

Typed Name & Title of Authorized Representative

Signature of Authorized Representative Date

☐ I am unable to certify to the above statements. My explanation is attached.
CAMPAIGN CONTRIBUTIONS DISCLOSURE

In accordance with California law, bidders and contracting parties are required to disclose, at the time the application is filed, information relating to any campaign contributions made to South Coast Air Quality Management District (SCAQMD) Board Members or members/alternates of the MSRC, including: the name of the party making the contribution (which includes any parent, subsidiary or otherwise related business entity, as defined below), the amount of the contribution, and the date the contribution was made. 2 C.C.R. §18438.8(b). Where a proposed rule or proposed amended rule impacts three or fewer facilities, those facilities will be treated in much the same manner as contracting parties and so must also complete this form, disclosing information relating to any campaign contributions made to any SCAQMD Board Members. See Quadri Advice Letter (2002) A-02.096.1 In the event that a qualifying campaign contribution is made, the Board Member to whom it was made may be disqualified from participating in the actions involving that donor.

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

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

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

SECTION I.
Contractor (Legal Name): __________________________________________

| DBA, Name________________________ County Filed in __________ |
| Corporation, ID No.________________________ |
| LLC/LLP, ID No.________________________ |

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

SECTION II.

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

*The information provided on this form does not, and is not intended to, constitute legal advice. To the extent that you may have questions regarding any case law, citations, or legal interpretations provided above please seek the guidance of your own independent counsel.*
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:**

<table>
<thead>
<tr>
<th>Name of Contributor</th>
<th>Governing Board Member or MSRC Member/Alternate</th>
<th>Amount of Contribution</th>
<th>Date of Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Contributor</td>
<td>Governing Board Member or MSRC Member/Alternate</td>
<td>Amount of Contribution</td>
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</tr>
</tbody>
</table>

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.
ATTACHMENT D

FACILITY INFORMATION

South Coast AQMD’s main facility consists of four interconnected buildings designated as the North Office Tower, South Office Tower, Laboratory, and Conference Center/Cafeteria. These buildings are built over a Lower Level that will be described separately below. The following is a more specific breakdown of information by building:

**North Office Tower/South Office Tower**

The North Office Tower consists of the ground, second, and third floors above the Lower Level. The South Office Tower consists of the ground, second, third, fourth, and fifth floors above the Lower Level.

Both office towers consist of windows with light shelves and have four bridges with windows connecting the two buildings between the second and third floors.

On the west end of the South Office Tower, there is a circular glassed-in staircase between the ground floor and second floor. The cleaning of these windows will require special safety equipment to access the windows.

**Laboratory**

The Laboratory consists of the Lower Level and the ground floor. The Laboratory building consists of a limited number of windows; however, the building does contain eight sections of skylights. The cleaning of these windows will require special safety equipment to access the windows.

**Conference Center/Cafeteria**

The Conference Center/Cafeteria consists of the first floor with a variety of windows including a lobby atrium with skylights and four skylights in the Conference Center hallway.

**Lower Level**

The Lower Level extends under the Conference Center and the North and South Office Towers. The windows on the Lower Level are only located on the north and east ends of the facility.
ATTACHMENT E

Elevation Plans

South Coast Air Quality Management District
Elevation Plans

South Building – South Side

South Coast Air Quality Management District
Elevation Plans

South Building – South Side
South Coast Air Quality Management District

Elevation Plans

South Building – North Side

South Coast Air Quality Management District

Elevation Plans

South Building – North Side
South Coast Air Quality Management District
Elevation Plans

North Building – South Side

South Coast Air Quality Management District
Elevation Plans

North Building – South Side
South Coast Air Quality Management District
Elevation Plans

Bridge #1 – East Side
North Building – East Side

South Coast Air Quality Management District
Elevation Plans

North Building – West Side
Bridge #2 – West Side
South Coast Air Quality Management District
Elevation Plans

Conference Center - South Side

South Coast Air Quality Management District
Elevation Plans

Conference Center - East Side
South Coast Air Quality Management District
Elevation Plans

Cafeteria- East Side

Cafeteria- West Side