

BOARD MEETING DATE: April 6, 2012

AGENDA NO. 10

**PROPOSAL:** Issue Program Announcements for School Bus Replacements and Retrofits, and Replacement of CNG Onboard Fuel Tanks 

**SYNOPSIS:** The AQMD has replaced over 1,000 pre-1987 school buses and retrofitted over 3,000 school buses since 2001. The Carl Moyer Program AB 923 funds can now be utilized to replace pre-1994 school buses and onboard fuel tanks of CNG school buses. These actions are to approve the issuance of two Program Announcements for replacement of pre-1994 and retrofit of 1994 to 2006 model year school buses, and replacement of onboard fuel tanks of CNG school buses. In addition, this action is to approve the award of special safety packages for two school buses operating in mountainous regions in an amount not to exceed \$27,000 from the Lower-Emission School Bus Program Fund (33).

**COMMITTEE:** Technology, March 16, 2012, Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Authorize the Chairman to issue the following Program Announcements with funds from the Carl Moyer Program AB 923 Fund (80):
  - a. PA #2012-15 for replacement of pre-1994 school buses with new alternative fuel buses owned by public school districts, and for retrofit of 1994 to 2006 diesel school buses with particulate traps owned by public school districts and private contractors for the amount of \$25 million from the Carl Moyer Program AB 923 Fund (80); and
  - b. PA #2012-16 for replacement of onboard fuel tanks of CNG school buses that are older than fourteen years and are owned by public school districts on a first-come first-served basis, using \$3 million in set aside funds from the Carl Moyer Program AB 923 Fund (80).

2. Authorize the Chairman to award Bear Valley and Rim of the World Unified School Districts mountainous region safety equipment packages for one school bus each in an amount not to exceed \$13,500 each, for a total of \$27,000, from the Lower-Emission School Bus Program Fund (33).

Barry R. Wallerstein, D.Env.  
Executive Officer

CSL:MMM:FM:RG

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### **Background**

Since the commencement of the Lower-Emission School Bus Program in 2001, AQMD has spent nearly \$210 million in state and local funds to replace over 1,000 highly polluting school buses with alternative fuel buses, and to retrofit over 3,000 school buses with particulate traps. These awards include the Proposition 1B Program funds, involving approximately \$70 million in state bond funds that is scheduled to be fully expended by June 30, 2012.

Funds have always been provided for replacement of pre-1987 school buses with the exception of last year when AB 923 funds were provided for replacement of two-stroke pre-1994 diesel school buses. This program can now be expanded to replace both two- and four-stroke pre-1994 school buses with the use of the Carl Moyer Program AB 923 funds under the Lower-Emission School Bus Program. Furthermore, due to adopted amendments by the legislature, AB 923 funds can also be used for replacement of onboard fuel tanks of CNG school buses that are older than fourteen years.

### **Proposal**

Staff recommends the Board's approval to issue PA #2012-15 for replacement of pre-1994 school buses with new alternative fuel buses owned by public school districts, and for retrofit of 1994 to 2006 diesel school buses with particulate traps owned by public school districts and private contractors. This Program Announcement will be open for a period of three months. Staff is proposing to provide up to \$25 million from the Carl Moyer Program AB 923 Fund (80). The final funding amount will be recommended at the time of Board approval for the proposed awards. Depending on the number of applications received, all the requests may not be funded in their entirety.

Staff also recommends the Board's approval to issue PA #2012-16 for replacements of onboard fuel tanks of CNG school buses that are older than fourteen years and are owned by public school districts on a first-come first-served basis, using \$3 million in set aside funds from the Carl Moyer Program AB 923 Fund (80). No single school will be awarded more than \$400,000 during the first three months after the release of the program announcement to ensure adequate funding for all eligible school districts.

Finally staff recommends the Board's approval to award one safety equipment package for one school bus each to Bear Valley and Rim of the World Unified School Districts to equip recently awarded school buses for operation in mountainous regions in an amount not to exceed \$13,500 each, for a total of \$27,000 from the Lower-Emission School Bus Program Fund (33).

### **Outreach**

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

Additionally, potential bidders may be notified utilizing AQMD's own electronic listing of certified minority vendors. Notice of the RFP/RFQ will be e-mailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on the Internet at AQMD's website (<http://www.aqmd.gov> where it can be viewed by making menu selections "Inside AQMD"/"Employment and Business Opportunities"/"Business Opportunities" or by going directly to <http://www.aqmd.gov/rfp/index.html>). Information is also available on AQMD's bidder's 24-hour telephone message line (909) 396-2724.

### **Benefits to AQMD**

The successful implementation of the Lower-Emission School Bus Replacement and Retrofit Program will provide less polluting and safer school transportation for school children and will reduce public exposure to toxic diesel particulate matter emissions. Replacement of expired CNG tanks with new tanks would assist school districts by extending the useful life of their existing CNG buses, and, in turn, that would help them continue providing clean transportation for school children.

### **Resource Impacts**

A total of \$25 million is recommended for the school bus replacements and retrofits from the Carl Moyer Program AB 923 Fund (80). A total of up to \$3 million is recommended to be set aside for the onboard fuel tank replacements of CNG school buses on a first-come first-served basis from the Carl Moyer Program AB 923 Fund (80). A total of \$27,000 will be used for funding of mountain safety equipment for school buses from the Lower-Emission School Bus Program Fund (33).

### **Attachments**

1. Program Announcement PA #2012-15 for School Bus Replacements and Retrofits
2. Program Announcement PA #2012-16 for Replacement of Onboard Fuel Tanks of CNG School Buses

# **Attachment 1**

## ***Announcing South Coast Air Quality Management District's Lower-Emission School Bus Replacement and PM Trap Retrofit Funding Program***

### **PART A**

***New Alternative Fuel School Bus Program  
To Replace School Buses 1993 and older  
(Eligibility restricted to public school districts)***

### **PART B**

***PM Trap (Level 3) Filters  
(both public school districts and private operators are eligible)***

**Program Announcement & Application  
PA # 2012-15**

***April 6, 2012***

**Depending upon the number of applications received and availability of funding, the AQMD Board retains discretion to make full awards, partial awards, or no awards at all under this Program Announcement. If the choice to make a partial award causes any bidder to withdraw, the funds that would have been awarded to that bidder will be re-allocated to the other bidders or allocated pursuant to a new program announcement. AQMD also reserves the right to change any criteria such as the schedule, qualifications, grant provisions and selection criteria outlined in this Program Announcement & Application.**

**April 6, 2012**

The South Coast Air Quality Management District (AQMD) is pleased to announce another round of funding opportunity for the implementation of the “Lower-Emission School Bus Program” in the South Coast Air Basin. This program, which supplements earlier programs, is designed to assist school districts and private operators to purchase alternative fuel clean school buses and to retrofit school buses with PM trap filters.

Since 2001, when the Lower-Emission School Bus Program began, AQMD has awarded nearly \$210 million in state and local funds to:

- replace over 1,000 highly polluting old school buses with clean alternative fuel, primarily CNG, buses; and
- retrofit over 3,000 school buses with PM traps.

Since the program’s inception in 2001, AQMD has been replacing pre-1987 school buses (i.e. 1986 and older) with clean new school buses. Recently, AQMD started to replace pre-1994 school buses that have two stroke engines. This Program Announcement substantially expands the eligibility criteria: AQMD is seeking applications from public school districts to replace all pre-1994 buses, powered with either two or four stroke engines. Primary emphasis will still remain on replacing any remaining pre-1987 buses in the fleets.

Up to \$25 million is anticipated to be provided from the Carl Moyer Program AB923 Fund. The final funding amount will be recommended at the time of Board approval for the proposed awards. Depending on the number of applications received, all the requests may not be funded in their entirety.

Given that funds may be limited, pre-1994 buses will be replaced in phases. Applicants are encouraged to list their oldest buses first and/or buses with the highest cumulative mileages.

Also with the application, applicants need to submit their current fleet inventory, in an Excel spreadsheet, with details of each bus in the fleet.

The Program Announcement application deadline is Friday, July 6, 2012, and it consists of two key parts:

**PART A - School Bus Replacement Program**

- Availability of AQMD’s AB 923 Funds to replace pre-1994 school buses (greater than 14,000 GVW) with alternative fuel school buses. (Pre1987 school buses will be replaced first).

**PART B - School Bus Retrofit Program**

- Availability of AB 923 funds for the retrofit of 1994 - 2006 diesel buses with Level 3 PM trap filters.

**Part A:**  
**Highlights of the School Bus Replacement Program**

**a) Replace pre-1994 school buses**

Applicants have to agree to crush a pre-1994 school bus weighing over 14,000 GVWR. Only public school districts and joint power authorities are eligible to apply. Public school districts are required to provide \$15,000 in match funds to purchase a new alternative fuel bus. Furthermore, from AB 923 funds, AQMD will provide an additional 10% funding per bus for fueling infrastructure, or up to \$14,000, for every CNG bus awarded. Schools need to operate these new school buses for a minimum of fifteen (15) years from the date of CHP certification.

Award recipients are required to operate the new CNG school buses within the South Coast Air Basin for a minimum of five years following date of delivery.

Please see PART A of the Program Announcement for further details of the program, procedures to apply, and the application forms. The original and three copies of the application must be received by AQMD no later than Friday, July 6, 2012 by 4:30 pm.

**Part B:**  
**Funds for PM Trap Level 3 filters**

AQMD will administer this program to retrofit 1994 - 2006 diesel buses with CARB verified Level 3 PM trap filters. Both public school districts and private operators are eligible to apply:

- Funds will be provided to cover all or substantial portion of the cost of purchase, sales tax, and installation of either an active or passive PM trap filter.
- For active filters, funds will also be provided to cover electrical infrastructure.
- A maximum of up to \$2,500 per trap will be available for lifetime PM trap maintenance.
- Up to \$250 will be provided, whenever data-logging is mandatory for certain CARB verified level 3 filters.

Award recipients are required to operate the school buses with the PM trap retrofits within the South Coast Air Basin for a minimum of five years following the date of PM trap installation.

Should you have any questions regarding this Program Announcement, please contact:

- Ranji S. George, Program Supervisor, at (909) 396-3255  
Email: [rgeorge@aqmd.gov](mailto:rgeorge@aqmd.gov).

The program announcement and application document can also be accessed via the Internet by visiting AQMD's website at [www.aqmd.gov/rfp](http://www.aqmd.gov/rfp). Program Announcement # is: PA #2012-15.

Our main objective is to reduce children's exposure to harmful emissions from diesel school buses. We look forward to receiving your application.

## **ATTACHMENTS**

**PART A:** Application Form and Procedures to Apply for School Bus Replacement Funds

**PART B:** Application Form and Procedures to Apply for School Bus Retrofit Funds

## **CERTIFICATIONS AND REPRESENTATIONS:**

- All applicants need to fill in the campaign disclosure forms
- All Applicants need to provide updated Business Contact Information
- New Applicants fill in the Taxpayer ID information

# **PART A**

## ***New Alternative Fuel School Buses to Replace Pre-1994 Diesel School Buses***

***(Only Public School Districts and Joint Power  
Authorities are eligible to apply)***

**PA #2012-15**

***April 6, 2012***

## **TABLE OF CONTENTS**

	<i>Page</i>
<b><i>Section I: Program Introduction</i></b>	
I.A. Program Introduction	1
I.B. Program Schedule	1
I.C. Application Submittal	2
I.D. Participation Guidelines, Requirements, & Conditions	2
A. School Bus Replacement Criteria Overview	2
B. Infrastructure Criteria Overview	3
Funding Allocations	
A. Amounts of Funding	4
B. Match Funding Requirement	4
C. Authorizing Signature	5
D. Disbursement of Funds	5
Project Implementation	
A. Project Selection and Award of Funds	6
B. Project Completion Deadlines and Penalties	6
C. Monitoring and Reporting	6
I.E. If You Need Help	6
<b><i>Section II: Grant Application Forms</i></b>	
Appendix A: <b>Grant Application</b> for Lower-Emission School Bus Replacement and Infrastructure	A-1
Sample <b>Grant Template</b> (for Replacement)	A-6
Certifications and Representations forms at the end of the Program Announcement must be submitted by all applicants.	C-1

## ***I.A. PROGRAM INTRODUCTION***

In earlier rounds of funding, using a combination of state and its own funds totaling nearly \$210 million, AQMD has replaced over 1,000 older diesel buses with new alternative fuel, primarily CNG, buses and has retrofitted nearly 3,000 diesel buses with PM traps. Over 50 percent of these funds have been awarded to schools located in disproportionately impacted areas.

### **Funding Available for School Bus Replacement**

#### **Background**

Under this Program Announcement, AQMD is making its own AB 923 funds available for replacement of pre-1994 diesel school buses with alternative fuel new school buses. An additional ten percent from AB 923 funds not exceeding \$14,000 per bus is being reserved for fueling infrastructure. Only public school districts and joint power authorities are eligible to apply under this program.

For replacing pre-1994 school buses, school districts are required to provide up to \$15,000 as their local match funding.

#### Emission Limits

- The new alternative fuel school bus must be certified to an emission limit of 0.2 g/bhp-hr (NMHC and NO<sub>x</sub>) and 0.01 g/bhp-hr for PM.

## ***I.B. PROGRAM SCHEDULE***

The implementation schedule is outlined below.

### **Tentative Schedule for School Bus Replacement Program**

April 6, 2012 (Friday)	Issue the Program Announcement & Application PA #2012-15.
July 6, 2012 (Friday)	<b>Applications due by 4:30 p.m. for school bus replacements</b> (only public school districts and joint power authorities are eligible). Applicants are encouraged to apply well before this deadline.
November 2, 2012 (Friday)	AQMD Board to consider approval of the school bus replacement awards.
March 15, 2013	All school bus orders must be placed with vendors by school districts. Copies of vendor quotes and purchase orders faxed to AQMD (attn. Ms. Drue Hargis, fax (909-396-3774).

September 30, 2013                      New buses delivered and CNG infrastructure completed.

November 15, 2013                      All requests for reimbursement submitted by school districts, along with evidence of bus crushed.

***I.C.      APPLICATION SUBMITTAL***

The applicant shall submit **four copies** (1 original and 3 copies) of the application, each marked **“Program Application PA #2012-15.”** These four copies should be placed together in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the applicant, **no later than 4:30 p.m., Friday, July 6, 2012.**

The application package must be addressed to:

Mr. Dean D. Hughbanks, Procurement Manager  
**Re: “Program Application PA #2012-15  
PART A – School Bus Replacement”**  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765

All the applications must be **signed by the school’s superintendent** and in case of private operators by the responsible transportation manager.

***I.D.      PARTICIPATION GUIDELINES, REQUIREMENTS, & CONDITIONS***

***GRANT PROVISIONS FOR SCHOOL BUS REPLACEMENT & INFRASTRUCTURE***

***A. School Bus Replacement Criteria Overview***

1. Only public school districts within the jurisdiction of the AQMD that own and operate school buses, including under provisions of a joint powers authority, can apply for funding. The program is for replacement of:
  - pre-1994 school buses with new alternative fuel buses; and
  - the pre-1994 school buses to be replaced must have continuous CHP certification from 2005 onwards.

All the replaced and the new replacement buses must have a manufacturer gross vehicular weight rating (GVWR) of greater than 14,000 pounds and be powered by a heavy-duty engine (CARB classification).

2. Only replacement buses will be funded. Fleet expansion buses (that fail to crush an existing school bus) will not be eligible for funding.

3. Only alternative fuel engines that meet the following emission criteria will be eligible for funding
  - 0.2 g/bhp-hr NMHC + NO<sub>x</sub> or lower, and 0.01 g/bhp-hr PM or lower.
4. Availability of alternative fuels to refuel the newly acquired buses shall be documented. The school district can apply for fueling infrastructure funds. If awarded, school districts are eligible up to an additional ten percent of the bus award, and in the case of CNG buses, not exceeding \$14,000 per CNG bus from AB 923 funds.
5. Priority shall be given to replacement of the oldest buses from the group of buses applied for the program. Pre-1987 buses will be replaced first.
6. Only pre-1994 school buses with continuously certified CHP certificates since 2005 are eligible for replacement.
7. All pre-1994 school buses proposed for replacement must be in current use. These buses must have a CHP certificate valid as of December 31, 2005 and continuously thereafter, and a valid, verifiable DMV license. The application form calls for specific information related to the replaced bus. Additional information may be required as evidence that these buses are in operation. If there is a break in documentation, please inform the AQMD's Program Supervisor.
8. Complete documents pertaining to the replaced bus, new bus purchase, vendor quotes, and proof of crushing must be kept in files for a period of seven years after the date of removal of the existing bus. Access to these files, and personnel involved in the transactions, should be allowed in the event of an audit from either state or local authorities.
9. With the application, applicants must include a print-out of the current fleet composition with details of every bus and its engine currently operating in its fleet. Additionally, an Excel version of the fleet composition should be sent directly to the Ranji George at [rgeorge@aqmd.gov](mailto:rgeorge@aqmd.gov).

#### ***B. Infrastructure Criteria Overview***

1. If funds for CNG infrastructure are required, the applicant must make such request, and provide justification for the funds requested.
2. Requested funds should offset the cost of procuring new slow-fill alternative-fuel refueling equipment or expanding the capacity of an existing refueling station.
3. New capacity requested will be directly related to the capacity needed by the new CNG buses awarded through this program.

4. Upon approval, funding may be used to purchase slow-fill equipment or used to buy down the cost of a public access fast-fill facility based on estimated cost of slow-fill capacity needed for the new buses.

## ***FUNDING ALLOCATIONS***

### ***A. Amounts of Funding***

1. Public school districts can use any legally valid piggy-back bid in the state of California to purchase new CNG buses. Examples include, but are not restricted to, the Waterford and Hemet bids. Funding requested for purchase of a bus shall be consistent with the prices on the legally valid piggy-back bid. With the exception of the alternative fuel option, and onboard fire-suppressant system or gas detector system, the applicant is responsible for the cost of any options not included in the prices on the list.
2. AQMD will first deduct the school match requirement, and then pay the difference between the retail price of the school bus, including sales tax as agreed upon by the AQMD.
3. AQMD will cover the cost of the optional fire suppression system and/or gas methane detector for a combined total of \$4,500 per bus.
4. The basis for the amount of funding requested for purchase of alternative-fuel refueling infrastructure shall be documented in the application. Amounts requested for funding shall be based on the cost of slow-fill stations. Awards will not exceed 10 percent of the new bus funding awarded to the applying school district, in an amount not to exceed \$14,000 per new CNG bus awarded. These amounts will be paid through AB 923 funds.

### ***B. Matching Fund Requirement***

1. For replacement of 1993 and older model year in-use school buses, applicants shall provide \$15,000 per bus as their local cost share.
2. The applicant shall have its fueling infrastructure funds for the purchase, upgrade, installation, and operation of the alternative-fuel refueling infrastructure.
3. The source of match funding for bus purchases and infrastructure shall be documented and attached to this application. If other grant funds are being used as match funding, detailed information on required use of those funds shall be included.
4. Carl Moyer Program funds may not be used as match funding to purchase new buses.

### *C. Authorizing Signature*

The submitted application, and its 3 copies, shall have the school superintendent's signature and in case of private operators the transportation manager's signature. Applications without authorizing signatures will not be accepted.

### *D. Disbursement of Funds*

1. Following receipt of the grant award from AQMD, the school district must provide a copy of the grant agreement and key attachments to the selected vendor(s). Per the provisions of the grant, a purchase order shall be placed without delay to allow for the prompt delivery of the buses.
2. Funds will be paid on a reimbursement basis to the vendor, following the delivery of the new school bus(es) to the applicant.
3. Vendors should be encouraged to directly bill AQMD for AQMD's share of funds. Applicants shall cooperate fully with the vendor to provide the vendor the various documents AQMD would need before reimbursing the vendor. These documents are listed in the grant agreement.
4. All buses must be physically delivered to the customer by **September 30, 2013**.
5. Proof of vehicle delivery and supporting documents, as required in the grant, must accompany any request for reimbursement of approved funds. School district must identify any options purchased over and above those included in the base price, and alternative fuel option. Besides the fire suppression and/or gas detection systems, for which AQMD will pay up to \$4,500, other discretionary options must be paid by the school district. The receipt of vehicle should be signed by the Director of Transportation before submission to AQMD.
6. All requests for reimbursement along with proof of crushing must be received by **November 15, 2013**. Monies owed will be paid directly to the bus vendor.
7. Funds will be paid on a reimbursement basis at the time of completion of the alternative-fuel refueling facility. CNG infrastructure must be completed by **September 30, 2013**. Proof of completion shall accompany any request for reimbursement of approved funds. All requests for reimbursement must be signed by the transportation director and received by AQMD before **November 15, 2013**. Monies owed will be paid directly to the infrastructure provider.

## ***PROJECT IMPLEMENTATION***

### ***A. Oldest Buses will be replaced***

From the pool of buses requested for replacement by an applicant, either the oldest buses or the buses with highest cumulative mileage will be replaced first.

### ***B. Project Completion Deadlines and Penalties***

1. School bus purchase orders must be placed no later than March 15, 2013.
2. New buses must be delivered no later than September 30, 2013. The business entity responsible for delaying the delivering of the buses may be subject to \$100 per day per bus penalty for buses delivered after September 30, 2013.
3. All requests for reimbursement for purchases submitted by school districts, along with evidence of bus crushed, and other documentation, should be submitted to AQMD by November 15, 2013.

### ***C. Monitoring and Reporting***

1. School districts must notify the AQMD's Technology Advancement Office, when the funded buses are ordered and again when the buses arrive on site. Prior to reimbursement, an inspection by AQMD may be required.
2. School districts must notify the AQMD's Technology Advancement Office, when any equipment is ordered for the refueling station, and when the equipment is operating. Prior to, or following reimbursement, an inspection by AQMD may be required.

### ***I.E. IF YOU NEED HELP***

This Program Announcement and Application can be obtained by accessing the AQMD web site at [www.aqmd.gov/rfp](http://www.aqmd.gov/rfp). AQMD staff members are available to answer questions during the application acceptance period. In order to help expedite assistance, please direct your inquiries to the applicable staff person, as follows:

- For **General, Administrative, or Technical Assistance**, please contact:

**Ranji S. George**  
Program Supervisor  
Technology Advancement Office  
Phone 909-396-3255  
Fax: 909-396-3252  
[rgeorge@aqmd.gov](mailto:rgeorge@aqmd.gov)

- For **Questions on Invoices and Contracts**, please contact:

**Drue Hargis**

Contracts Coordinator

Technology Advancement Office

Phone: 909-396-3237

Fax: 909-396-3774.

[dhargis@aqmd.gov](mailto:dhargis@aqmd.gov)

**Appendix A**

**Lower-Emission School Bus Program**

**APPLICATION FOR LOWER-EMISSION SCHOOL BUS REPLACEMENT AND  
INFRASTRUCTURE GRANT**

**Fiscal Year 2012-2013**

**PA #2012-15 – (Part A)**

**TABLE OF CONTENTS**

<b>GRANT APPLICATION FOR BUS REPLACEMENT</b>	<b>A-1</b>
<b>FUEL INFRASTRUCTURE GRANT APPLICATION</b>	<b>A-5</b>
<b>SAMPLE GRANT AWARD AND AUTHORIZATION FORM</b>	<b>A-6</b>

**GRANT APPLICATION FORM FOR THE  
LOWER EMISSION SCHOOL BUS REPLACEMENT PROGRAM  
Program Announcement PA #2012-15**

(Please return signed application with next 4 pages filled out)

School District: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_ State: CA. Zip Code: \_\_\_\_\_

School District Primary Contact Person: \_\_\_\_\_

Name/Title: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Ext: \_\_\_\_\_ Fax: No.: \_\_\_\_\_

Email (please print): \_\_\_\_\_

Alternative Contact (name, title, phone, email address – please print)

\_\_\_\_\_

# of Buses Requested \_\_\_\_\_

Bus Replacement Funds Amount Requested \_\_\_\_\_

Matching Funds Amount: \_\_\_\_\_

Sources of School District Matching Funds (please list by amount):

\_\_\_\_\_

*Documentation must be attached to this application explaining the source of match funds, and the need for CNG infrastructure funds. An authorizing resolution from the school board approving the match funds must be attached. If the resolution is not available at the time of the application submission, it should be sent to the program supervisor within 2 months the application submittal.*

Fueling Infrastructure Funds Amount Requested: \_\_\_\_\_

# of CNG buses owned and currently operated by School District: \_\_\_\_\_

If not on premise, identify the nearest refueling facility and one-way distance to the facility: \_\_\_\_\_

Superintendent's Signature: \_\_\_\_\_

Name of School Official (please print): \_\_\_\_\_ Date Signed \_\_\_\_\_

*INFORMATION ON EXISTING BUSES TO BE REPLACED  
(the oldest bus in the fleet first )\**

- Pre-1994 Buses.
- For each bus, please confirm that you possess CHP 292/343 from 2005 onwards are included.

<b>Bus ID No.</b>	<b>Make, Model, Year of pre-1994 bus</b>	<b>VIN No.</b>	<b>GVWR (must be at least 14,000 lbs)</b>	<b>Odometer Mileage</b>	<b>Engine Make &amp; Model, Year</b>	<b>DMV License Plate</b>	<b>CHP 292/343 from 2005 onwards? (Yes/No)**</b>

\*\*Attach latest CHP 292 certificate for each bus listed above. Without CHP certificates, application will not be processed. CHP certificate for each bus must be continuously valid since 2005 onwards to present (Attach a note if there is any problem or an issue we need to address.)

- If we replace the above pre-1994 buses, are there any remaining pre-1994 buses in the fleet (with over 14,000 pounds GVWR)? \_Yes/No
- If yes, how many pre-1994 buses left\_\_\_\_\_
- Total # of 1994 and newer diesel buses in the fleet\_\_\_\_\_
- Total # of CNG buses in the fleet\_\_\_\_\_
- Do you have CNG refueling site at your facility? \_\_\_\_\_Yes/No
- Fleet Inventory: Please provide details of each school bus that remain in School District fleet in an Excel worksheet. Include details of existing buses, including the buses being proposed to be replaced, under this application. Please print this Excel worksheet and attach to application, and send an electronic version to Ranji George at [rgeorge@aqmd.gov](mailto:rgeorge@aqmd.gov).

**INFORMATION ON NEW CNG BUSES  
PROPOSED TO BE PURCHASED**

(Purchase information of the new buses must be from a legally valid piggy-back bid)

<b>Name of Vendor</b>	<b>Final Price quoted by Vendor (inclusive of sales tax)*</b>	<b>Make</b>	<b>Model</b>	<b>Year</b>	<b>GVWR</b>	<b># of Passengers</b>

\*Please identify any discretionary options being purchased by the school district. Besides the fire suppressant or gas detector, and the CNG package, AQMD will not pay for any discretionary option above those included as standard in the base bid.

Please document availability of CNG refueling station for the new bus purchases:

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**FUEL INFRASTRUCTURE GRANT APPLICATION**

Please answer all questions below. If non-applicable, write N/A.

Amount of funds requested: \_\_\_\_\_

Number of new CNG school buses applied for: \_\_\_\_\_

Number of CNG buses presently on site: \_\_\_\_\_

The requested funds will be used for (please circle one):

New Facility / Upgrade Existing Facility

Local Gas Utility Company

\_\_\_\_\_

Distance (miles) to nearest off-site CNG Fueling Station: \_\_\_\_\_

Please attach a statement of reasons why it is not feasible to refuel at an off-site fueling station.

Existing fueling station:

Actual size of on-site CNG compressor, if any (In CFM) \_\_\_\_\_

CNG Fuel Storage Capacity if any: \_\_\_\_\_

Actual number of CNG Fueling Posts (two hoses/post): \_\_\_\_\_

Natural Gas Pressure at Main (PSIG): \_\_\_\_\_

Is this station accessible to the public?      YES / NO

New fueling station:

CFM capacity needed for additional buses: \_\_\_\_\_

Number of CNG Fueling Posts needed (two hoses/post): \_\_\_\_\_

Will this station be accessible to the public?      YES / NO

**South Coast  
Air Quality Management District**

SAMPLE GRANT FOR NEW BUS AWARD (not to be returned with application)

**Sample Provisions. AQMD reserves the right to amend these provisions.**

**GRANT AWARD & AUTHORIZATION FORM  
Lower-Emission School Bus Replacement Funding Program  
Pursuant to Program Announcement PA #2012-15**

Your grant application, to replace pre1994 buses with new buses, has been approved for funding by the South Coast Air Quality Management District ("AQMD") Governing Board. A summary of the grant provisions are listed below:

<b>GRANTEE</b>	
Grant Number	
Number of CNG School Buses Awarded	
Required School Match for Above Buses (at \$15,000 per pre-1994 bus replaced)*	
a. Total School Bus Replacement Grant Award	
b. Total Award for Installing Fire- Suppression Systems and/or Methane Detection System (with a maximum of \$4,500 per bus)	
d. Total Infrastructure Grant Award*	<i>(Fund 80/AB 923 to replace pre1994 buses) (*may use all or a portion of this infrastructure award towards further reducing school match)</i>
Maximum AQMD Award (a+b+c+d)	
Sources of Funding	<i>Fund 80/AB 923</i>
Deadline for Physical Delivery of All Buses	Not later than September 30, 2013
Deadline for the Installation of the Alternative Fuel Station	Not later than September 30, 2013
Agreement Term with AQMD	December 30, 2018
Date to which School District must own and operate the new bus received under this Program	At minimum, to December 30, 2028
Date to Which All Records (relating to this Grant) Need to be Retained	December 30, 2028

- PARTIES - The parties to this Grant Award Agreement ("Agreement") are the South Coast Air Quality Management District ("AQMD") whose address is 21865 Copley Drive, Diamond Bar, California 91765-4178, and School District ("GRANTEE") whose address \_\_\_\_\_

2. ADDITIONAL TERMS –To receive funds pursuant to this Grant, GRANTEE must comply with all of the following terms and conditions including those set forth in the following documents, which are attached and incorporated as part of this Grant:
  - a. Information on the alternative fuel bus(es) to be purchased (Attachment A);
  - b. List of pre-1994 buses that must be crushed and permanently removed (Attachment B);
  - c. Reporting Data on School Bus Replacements (Attachment C);
  - d. Lower-Emission School Bus Replacement Program Announcement and Application, PA #2012-15 dated April 6, 2012 (Attachment D);
  - e. 2008 CARB's Lower Emission School Bus Guidelines, dated April 15, 2008. These Guidelines and Advisories are available at the following CARB web link:  
<http://arb.ca.gov/bonds/schoolbus/guidelines/2008lesbp.pdf>
3. PROJECT MILESTONES – GRANTEE must purchase and have all new buses delivered to the physical location of the school district no later than **September 30, 2013**.. The CNG buses and/or propane buses must comply with the NO<sub>x</sub> and PM certification standards listed in Attachment A. GRANTEE must crush and permanently remove one pre-1994 school bus listed in Attachment B for every new bus ordered. Documentation required for payment of grant funds to GRANTEE or vendor must be received by AQMD no later than **November 15, 2013**. See Clause 9 below for a complete list of the required documents.
4. ADDITIONAL SAFETY OPTION PAID – Though not mandatory, AQMD strongly recommends installing either a methane detection system and/or a fire-suppression system on each alternatively fueled bus. If installed at time of purchase, AQMD will pay an additional \$4,500 per bus maximum for this option.
5. PENALTIES - Per CARB guidelines, a provision shall be explicitly included in the GRANTEE'S purchase order stating: "A withhold of \$100 per bus per day will be imposed on the vendor by the AQMD for each day and each bus that is delivered after **September 30, 2013**, to the GRANTEE at the School District premises." In addition, the purchase order shall include the following clause: "Bus vendor shall invoice AQMD directly for AQMD portion of GRANTEE's award."
6. PURCHASE ORDER - GRANTEE must place its purchase orders for the new bus(es) no later than **March 15, 2013**. Prior to its final issuance, a copy of the purchase order from GRANTEE to the school bus vendor (and if applicable to the alternative fuel station installer) must be faxed to Ms. Drue Ann Hargis at fax number (909) 396-3774. The purchase order must include the provisions of Clause 5 above.
7. TERM OF OWNERSHIP - GRANTEE (school district) is required to own and operate the newly acquired CNG buses within the South Coast Air Quality Management District for **at least fifteen years** from the date of physical delivery.
8. PAYMENT TERMS - Up to the amounts specified in the above table, AQMD will pay for new alternative-fueled school buses acquired through a legally valid competitive bid in California, in an amount not exceeding the base price (covering listed base options), the cost of the CNG/ propane option and sales tax, less GRANTEE's required match amount. To prevent delays in payment, within three weeks of physically receiving the new bus(es) from the vendor, GRANTEE agrees to permanently remove its pre-1994 buses, as listed in Attachment B, and as listed in **Clause 9 below** provide all the required documentation to the bus vendor for invoice processing.
9. DOCUMENTATION NEEDED FOR PAYMENT OF NEW BUS(ES)  
GRANTEE shall coordinate with bus vendor to provide AQMD with the following documentation:

- a. **Original invoice** for each bus identifying:
    - i. details of each bus delivered including, but not limited to, the make, model year of the engine; bus make, model, year, vehicle identification number (VIN), passenger capacity, gross vehicle weight and wheel-chair capacity, if any;
    - ii. whether or not each bus has a fire-suppression and/or methane detection system;
    - iii. special options ordered by the school district over the base;
    - iv. alternative fuel package, sales tax and school district's contribution;
    - v. AQMD's contribution; and
    - vi. engine and bus details for each crushed bus. These must include engine serial number, engine family, make, model year of the engine; and bus make, model, year, vehicle identification number (VIN), passenger capacity, gross vehicle weight, and wheel-chair capacity, if any.
  - b. **Cover letter** (an original) signed and dated by GRANTEE's Director of Transportation, or his/her equivalent, confirming, under penalty of perjury, the following:
    - i. details of the new buses delivered as listed in Clause (9)(a)( i) above;
    - ii. grant number to which the invoice should be charged;
    - iii. date when the bus was physically delivered to the school district;
    - iv. whether or not a methane detection and/or fire-suppression system was installed;
    - v. approval of the invoice and its contents;
    - vi. (new) whether CNG station funds will be used to reduce Grantee match requirements
    - vii. that AQMD should pay AQMD's contribution to the bus vendor directly; and
    - viii. that the school district will pay its contribution directly to the bus vendor.
  - c. **The latest CHP certificate(s)** for the permanently removed bus(es) indicating that these pre-1994 buses were operating since 2005 onwards to present.
  - d. **Certification from the crushing company** that the pre-1994 bus listed in Attachment B has been permanently removed. GRANTEE must ensure that the engine and power-train are irreversibly destroyed. **Engine Serial Number and VIN(s)** of the permanently removed bus(es) must be listed on the certificate. Prior to sending the bus for crushing, a clear picture of both the bus ID label and engine ID label must be taken and submitted to AQMD with invoice package.
  - e. A copy of the **first page** of this Grant Award (that contains the Summary Table) and **a copy of Attachment B** attached to this Grant Award (that lists the pre-1994 buses to be crushed) Identify and highlight the bus(es) listed in Attachment B that were permanently removed. VIN(s) and details of the permanently removed bus(es) submitted with the invoice and cover letter must match Attachment B.
  - f. The above documentation must be received by AQMD on or before **November 15, 2013**. Please submit these documents to the attention of Ms. Drue Ann Hargis, TAO, SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765.
  - g. Three electronic files to be sent to Mr. Ranji George that includes (a) PDF scan of the whole invoice package, (b) an Excel File listing grant and old and new bus information required in Attachment C (Reporting Data on School Bus Replacements), and (c) Electronic print-out of the Grantee's current fleet inventory, with details of each school bus in the fleet
10. **RIGHT OF INSPECTION** – Before payment of invoice, AQMD and CARB reserve the right to inspect all school buses and alternative fuel infrastructure purchased and/or installed pursuant to this Agreement.
11. **ALTERNATIVE FUEL INFRASTRUCTURE** – AQMD requires the following:
- a. that alternative fuel infrastructure be installed by a licensed contractor;
  - b. that the installing contractor have substantial direct experience in installing alternative fuel infrastructure;
  - c. that the alternative fuel infrastructure funded under this Agreement comply with all applicable laws, regulations and codes including, but not limited to, those pertaining to building, safety, fire, health, public contracting and public works, and with any local codes that may provide additional safety;

- d. that a fire permit or equivalent certification be issued by a licensed engineer, a copy of which must be enclosed with the invoice for infrastructure;
- e. that the alternative fuel infrastructure construction must be completed by **September 30, 2013**, unless AQMD grants a written extension due to exceptional circumstances; and
- f. that Grantee place an AQMD logo, as a permanent fixture, in a prominent location at their fueling station; the design and format of the AQMD logo will be provided by AQMD's program supervisor.

**12. PREVAILING WAGES FOR INFRASTRUCTURE CONSTRUCTION**

- a. With respect to any construction of infrastructure, GRANTEE must comply with the prevailing wage requirements of California Labor Code Section 1770 et seq. as applicable. GRANTEE shall be responsible for determining the applicability of the provisions of California Labor Code and complying with the same including, without limitation, obtaining from the Director of the Department of Industrial Relations the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work, making the same available to any interested party upon request, paying any applicable prevailing rates, posting copies thereof at the job site, the keeping of all records required pursuant to Labor Code Section 1776, complying with the maximum hours requirements of Labor Code Sections 1810 through 1815 and all applicable prevailing wage rate requirements to its subcontractors.
- b. GRANTEE shall indemnify, defend and hold harmless the South Coast Air Quality Management District against any and all claims, demands, damages, defense costs or liabilities based on failure to adhere to the above referenced statutes.

**13. DOCUMENTATION NEEDED FOR PAYMENT FOR ALTERNATIVE FUEL INFRASTRUCTURE**

GRANTEE shall coordinate with all infrastructure contractors to provide AQMD with the following documentation:

- a. **An itemized invoice** (an original) must be submitted from the infrastructure contractor verifying installation, acceptance and operation of the alternative fuel refueling station. The invoice should include applicable details of the equipment installed (make, model, flow rate, horsepower capacity, inlet and outlet pressure, number of dispensing hoses, etc.), the cost of materials and labor, sales tax, warranties, and, if applicable, maintenance agreement.
- b. **Evidence that a fire permit** or equivalent certification by a licensed engineer was issued for installation of the alternative fuel refueling station.
- c. **Cover letter** (an original) signed and dated by GRANTEE's Director of Transportation, or his/her equivalent, confirming, under penalty of perjury, the following:
  - i. the invoice contents
  - ii. the grant number to which the invoice needs to be charged
  - iii. specific details of the work done
  - iv. date of completion of infrastructure construction
  - v. acceptance of the infrastructure construction
  - vi. that AQMD should pay AQMD's contribution to the vendor directly,
  - vii. that the school district will pay its contribution to the vendor directly; and
  - viii. that the AQMD logo has been permanently installed at the station.
- d. **Copies of the bid documents**, if any, issued by GRANTEE (school district), responses to the bid, engineering drawings in 8.5 by 11 size, and photos of the final installation.

**14. DEADLINE FOR ALTERNATIVE FUEL STATION DOCUMENTATION** – Above documentation for CNG/propane station upgrades must be provided to AQMD no later than **December 15, 2013**. Please submit these documents to Ms. Drue Ann Hargis, TAO, SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765.

15. PROVIDE VENDOR COPY OF THE GRANT - Copies of this Agreement must be provided to the vendor(s) selected to provide new alternative fuel bus(es) and to vendor(s) selected to provide and/or install alternative fuel infrastructure.
16. VENDOR TO DIRECTLY BILL AQMD - AQMD prefers that each vendor bill AQMD directly for alternative fuel bus(es) delivered and alternative fuel station installed pursuant to this Agreement. GRANTEE is discouraged from paying the vendor directly, but if it does the GRANTEE must submit copies of the front and back of all cancelled check(s) paid to vendor along with all the required documentation listed in Clause 9 below (for buses) and/or Clause 11 (for alternative fuel infrastructure).
17. NON-COMPLIANCE – AQMD reserves the right to cancel this Agreement or withhold payment for GRANTEE's non-compliance with the Agreement. Further, AQMD reserves the right to cancel the Agreement if it is not executed by GRANTEE in a timely manner.
18. ENFORCEMENT – AQMD and CARB have the authority to enforce the terms of this Agreement at any time during the Agreement term plus two years. AQMD and CARB will seek whatever legal, equitable and other remedies are available for the GRANTEE's failure to comply with the terms of this Agreement or with the Lower-Emission School Bus Program requirements incorporated herein.
19. AUDIT RIGHTS – AQMD, CARB, and the California Department of Finance, or their designee(s), shall have the right to inspect the buses purchased under this Grant, alternative fuel station installed, and review and copy any records and supporting documentation pertaining to the performance of this Agreement. GRANTEE agrees to allow the auditor(s) access to these new buses, and records during normal business hours and to allow interviews of any employees who might reasonably have information related to such these buses and records.
20. AUDIT OF SUBCONTRACTORS - GRANTEE must include a similar right, as Clause 19 above, for the State and AQMD, or their designee(s), to audit records and interview staff in any subcontract related to the performance of this Agreement.
21. AGREEMENT TERM – The term of this Agreement is from the date of execution by both parties through **September 30, 2023**, unless further extended by amendment of this Agreement in writing. No work shall commence until this Agreement is fully executed by all parties. Notwithstanding the above end dates, the Agreement term shall encompass both the project completion and project implementation/life periods, whichever is longer, to ensure the AQMD and CARB can fully enforce the Agreement during the life of the Lower-Emission School Bus Program funded project. The project must comply with the 2008 CARB Lower-Emission School Bus Program Guidelines and must meet all program requirements for the full term of this Agreement.
  - A. Project Completion – Project completion is the timeframe starting with the date of Agreement execution by both parties to the date the project becomes operational. This includes the time period when the equipment is ordered and physically delivered to the school's location. The project becomes operational on the date the final invoice payment is made by AQMD or **December 30, 2013**, whichever is earlier.
  - B. Project Life – The project implementation timeframe is a minimum of five years from the date of project completion (date when final invoice payment is made by AQMD), in this case at least until **December 30, 2018**.
  - C. Minimum Years of new bus ownership and operation: GRANTEE must own and operate the new replacement bus(es) for a minimum of fifteen years or more after date of physical delivery, or at least till **December 30, 2028**.

22. REPORTING REQUIREMENTS - During the term of this Agreement, GRANTEE agrees to provide periodic reports to AQMD on the implementation of this award, including but not limited to, entering detailed information in AQMD and/or ARB's School Bus database on each bus that is replaced and purchased under this Award, and on the alternative fueling station upgrades. GRANTEE will require its Vendor to cooperate in providing these reports. AQMD will specify the frequency and format of these reports.
23. RECORDS AND RECORDS RETENTION – GRANTEE shall maintain records related to this Agreement and retain these records for the Agreement term plus two years, or until **December 30, 2025**, whichever is later. These records include but are not limited to the following:
- A. Application;
  - B. Resolution from the school district governing board, or other equivalent documentation signed by a duly authorized official, authorizing the submittal of the application and identifying the individual authorized to implement this project;
  - C. Purchase orders for the buses and alternative fuel station upgrades;
  - D. Vendor quotes for the new buses and station upgrades;
  - E. Executed contracts;
  - F. All invoice(s) related to the project;
  - G. Proof of crushing of the pre-1994 buses;
  - H. CHP certificates of the crushed buses (indicating a minimum of 3 years of continual operation for each);
  - I. Proof of delivery of the new replacement bus(es) and special options installed on the bus(es);
  - J. A copy of the DMV certificate of each new bus;
  - K. A copy of the CARB engine certification for the bus engines purchased under this Agreement; and
  - L. Maintenance records.
24. NOTICES – Any notices from either party to the other shall be given in writing to the attention of the persons listed below, or to other such addresses or addressees as may hereafter be designated in writing for notices by either party to the other. Notice shall be given by certified, express or registered mail, return receipt requested, and shall be effective as of the date of receipt indicated on the return receipt card.

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

GRANTEE:

25. INDEMNIFICATION - GRANTEE agrees to hold harmless, defend and indemnify AQMD, its officers, employees, agents, representatives, and successors-in-interest against any and all loss, damage, costs, lawsuits, demands, judgments, legal fees, or any other expenses incurred or required to be paid by AQMD, its officers, employees, agents, representatives, or successors-in-interest arising from or related to any injury to persons or damage to property caused directly or indirectly, in whole or in part, by any willful or negligent act or omission of GRANTEE, its employees, subcontractors, agents or representatives in the performance of this Grant.
26. ASSIGNMENT - The rights granted hereby may not be assigned, sold, licensed, or otherwise transferred by either party without the prior written consent of the other, and any attempt by either party to do so shall be void upon inception.

- 27. NON-EFFECT OF WAIVER - The failure of GRANTEE or AQMD to insist upon the performance of any or all of the terms, covenants, or conditions of this Grant, or failure to exercise any rights or remedies hereunder, shall not be construed as a waiver or relinquishment of the future performance of any such terms, covenants, or conditions, or of the future exercise of such rights or remedies, unless otherwise provided for herein.
- 28. ATTORNEYS' FEES - In the event any action is filed in connection with the enforcement or interpretation of this Grant, each party shall bear its own attorneys' fees and costs.
- 29. FORCE MAJEURE - Neither AQMD nor GRANTEE shall be liable or deemed to be in default for any delay or failure in performance under this Grant 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 AQMD or GRANTEE.
- 30. GOVERNING LAW - This Grant shall be construed and interpreted and the legal relations created thereby shall be determined in accordance with the laws of the State of California. Venue for resolution of any disputes under this Grant shall be Los Angeles County, California.
- 31. ENTIRE GRANT - This Contract represents the entire agreement between the parties hereto related to GRANTEE providing services to AQMD and there are no understandings, representations, or warranties of any kind except as expressly set forth herein. No waiver, alteration, or modification of any of the provisions herein shall be binding on any party unless in writing and signed by the party against whom enforcement of such waiver, alteration, or modification is sought.

The undersigned parties agree to the terms and conditions as set forth in this Grant. The undersigned parties certify under penalty of perjury that they are duly authorized to bind the parties to this Grant.

GRANTOR:  
*South Coast  
Air Quality Management District*

GRANTEE:  
*( )Unified School District*

\_\_\_\_\_  
*Signature of Authorized Official*

\_\_\_\_\_  
*Signature of Authorized Official*

Name: Dr. William A. Burke

Name: \_\_\_\_\_

Title: Chairman, Governing Board

Title: \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

**PART B**

***PM TRAP FILTERS***  
***(for 1994 to 2006 diesel school buses)***

***Public School Districts and Private Operators***

***PA #2012-15, Part B***

***April 6, 2012***

## ***TABLE OF CONTENTS***

	Page
<b><i>Section I: Program Introduction</i></b>	
I.A. Program Schedule	1
I.B. Application Submittal	1
Grant Provisions for School Bus Retrofit of PM Trap Filters	
A. School Bus PM Retrofit Criteria Overview	2
Funding Allocations	
A. Amounts of Funding	3
B. Match Funding Requirement for the PM Retrofit Program	3
C. Authorizing Signature	3
D. CHP Inspection prior to Return of Service	3
E. Disbursement of Funds	4
Project Implementation	
A. Project Selection and Award of Funds	4
B. Project Completion Deadlines	4
C. Monitoring and Reporting	5
I.C. If You Need Help	5
<b><i>Section II: Grant Application Forms</i></b>	
Appendix B: <b>Grant Application</b> for Lower-Emission School Bus Retrofit (application to be signed and returned).	B-1
Sample <b>Grant Template</b> (for Retrofit)	B-4
Certifications and Representations forms at the end of the Program Announcement must be submitted by all applicants.	C-1

Grant funds from AB 923 Fund are available for public school districts and school bus operators requesting CARB verified Level 3 PM trap filters for eligible buses within the 1994 to 2006 model years (inclusive).

***I.A. PROGRAM SCHEDULE***

The implementation schedule of this program is illustrated below.

***School Bus Retrofit Program Schedule (estimated)***

April 6, 2012	Issue the Program Announcement & Application PA #2012-15
July 6, 2012	<b>Applications due by 4:30 p.m. for school bus retrofits</b> (public school districts and private operators).
November 2, 2012	AQMD Board to consider approval of the PM trap filter awards
March 15, 2013	All PM trap orders must be placed with vendors by awardees. Copies of vendor quotes, and purchase order faxed to AQMD (attn. Ms. Drue Hargis).
September 30, 2013	PM traps must be installed and work completed
November 15, 2013	All invoices must be submitted to AQMD.

***I.B. APPLICATION SUBMITTAL***

The applicant shall submit **four** copies (1 original and 3 copies) of the application in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the applicant and the words “Program Application **PA #2012-15 (Part B)**”. **All four copies of the applications are due no later than 4:30 p.m., July 6, 2012 to:**

Mr. Dean D. Hughbanks, Procurement Manager  
**Re: “Program Application PA #2012-15 (Part B)  
School Bus Retrofit”**  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA. 91765

All the applications must be signed by the school’s superintendent or in the case of a private operator by senior official authorized to bind the operator.

## ***GRANT PROVISIONS FOR SCHOOL BUS RETROFIT OF PM TRAPS***

### ***A. School Bus PM Trap Retrofit Criteria***

1. California public school districts that own and operate school buses, including joint power authorities, along with private operators are eligible to apply for funds.
2. **Only 1994 to 2006** model year diesel-powered buses with GWR greater than 14,000 lbs qualify for PM Trap retrofits.
3. Only four stroke diesel powered engines will be retrofitted in the current program.
4. All retrofit devices must be verified by CARB to Level III performance to achieve a minimum reduction of 85% in PM. A list of verified PM traps can be accessed at CARB's Website:

<http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm>

5. Applicants have a choice to select any PM trap filter, verified by CARB, in the application form. If prices quoted are determined to be not reasonable, applicants must seek bids from at least 2 authorized vendors.
6. Before placing a purchase order for PM traps and/or cleaning equipment, please seek approval of vendor quotes for these traps and/or cleaning equipment by sending the quotes to AQMD (attn: Ranji George, rgeorge@aqmd.gov).
7. Only low sulfur diesel fuel (with 15ppm of sulfur or less) should be used for PM trap filters. Such fuel has been widely available in the Basin since June 1, 2006.
8. No fuel additives are allowed in the low sulfur diesel fuel. In general, fuel additives tend to substantially degrade the performance of these PM traps.
9. Since the verification of retrofit devices for different engine families may expand, school districts and school transportation companies are requested to submit their applications by providing the list of all the eligible 1994 to 2006 buses that they would like to retrofit.

## ***FUNDING ALLOCATIONS***

### ***A. Amounts of Funding***

- The program will cover the full cost of retrofit devices and installation including sales tax, data logging if necessary, lifetime periodic maintenance, and electrical infrastructure for up to \$20,000 per active filter as outlined below.
- \$250 per bus to cover the cost of data-logging if CARB has specified that data logging for determining temperature profile is mandatory for the selected PM trap filter.
- For those applicants receiving six or more filters, one cleaning or baking machine (per 6 filters) is available for a maximum price of \$13,500 installed (inclusive equipment, sales tax, transportation and labor). This cleaning/baking machine(s) must be maintained, including periodic cleaning of its filter, in accordance to manufacturer specifications.
- Alternatively, up to \$2,500 per filter is available for lifetime periodic maintenance of these filters, such as baking and de-ashing to remove the ash from motor oil combustion. These funds are in addition to the purchase and installation of the retrofit device. (If feasible, AQMD prefers the applicant purchase a cleaning machine, and cleans the PM traps in-house as opposed to out-source its cleaning.)
- Funds will be provided to install electrical infrastructure to regenerate active PM trap filters. A minimum of 2 quotes are needed for bids under \$5,000, while a minimum of 3 quotes are needed for work at or exceeding \$5,000.

### ***B. Matching fund requirement for the PM Trap Retrofit Program***

- No matching funds are required of the applicant
- School districts and transportation companies shall be responsible for routine maintenance of the retrofit devices and cleaning machines

### ***C. Authorizing Signature***

The submitted application must be signed by school district's superintendent and/or a senior authorized official of the private contractor requesting funds to retrofit school buses.

### ***D. CHP Inspection prior to Return of Service***

- All buses retrofitted with PM devices must be inspected by the CHP prior to the return to service. Among other safety checks, CHP will confirm if the installation

of the retrofit device was done according to manufacturer's specifications. The CHP inspection certificate with appropriate VIN# and Vehicle ID# must accompany any request for re-imburement. The CHP officer must state in the inspection certificate that the particular "PM device was installed according to manufacturer specifications". PM device should be identified by the brand name.

- A copy of the DMV registration for each retrofitted bus must included with the invoice package. The details on the DMV registration (including VIN# and license #) must match the CHP 343 inspection certificate.

#### ***E. Disbursement of Funds***

- Funds will be paid on a reimbursement basis by the AQMD after the installation of the retrofit devices.
- Vendors who install these PM Traps should bill AQMD directly.
- The Invoice or cover letter must have the correct VIN# of the bus that was retrofitted with the PM trap
- The invoice and/or cover letter must be signed by the school district's Director of Transportation or senior official of the private contractor, and must instruct AQMD to pay the vendor who installed the retrofit device
- Proof of CHP inspection of the retrofit device and the DMV registration of the bus shall accompany the invoice.
- Copy of the vendor quotes and purchase orders issued by the applicant should accompany the invoice.
- All requests for reimbursement must be received by November 15, 2013.

### ***PROJECT IMPLEMENTATION***

#### ***A. Project Selection and Award of Funds***

Only public school districts and private operators are eligible for this grant. AQMD will award funds on a first-come-first served basis, with public school districts having preference over private operators. Furthermore, one-half of the total funding will be distributed in compliance with Health and Safety Code 43023.5 (AB1390, Firebaugh), to school districts and private vendors that directly benefit low-income communities and communities of color, disproportionately impacted by air pollution.

#### ***B. Project Completion Deadlines***

All PM Traps and PM trap cleaning equipment shall be installed no later than September 30, 2013.

### ***C. Monitoring and Reporting***

School districts receiving funding must notify the funding agency when the retrofit devices are ordered and again when the devices are installed. Proof of CHP inspection and approval should accompany invoices submitted by the vendor to AQMD for re-imbusement.

#### ***I.C. IF YOU NEED HELP***

This Program Announcement and Application can be obtained by accessing the AQMD web site at **[www.aqmd.gov/rfp](http://www.aqmd.gov/rfp)**. AQMD staff members are available to answer questions during the application acceptance period. In order to help expedite assistance, please direct your inquiries to the applicable staff person, as follows:

- For **General, Administrative, or Technical Assistance**, please contact:

**Ranji S. George**, Program Supervisor  
Technology Advancement Office  
Phone 909-396-3255  
Fax: 909-396-3252  
[rgeorge@aqmd.gov](mailto:rgeorge@aqmd.gov)

- For **Questions on Invoices**, please contact:

**Drue Hargis**, Contracts Coordinator  
Technology Advancement Office  
Phone: 909-396-3237  
Fax: 909-396-3774  
[dhargis@aqmd.gov](mailto:dhargis@aqmd.gov)

**Appendix B**

**APPLICATION FOR SCHOOL BUS  
PM Trap Retrofit GRANT  
(for public school districts and private operators only)  
(1994 and newer diesel buses only)**

**PA #2012-15 – (Part B)**

**TABLE OF CONTENTS**

<b>1. RETROFIT GRANT APPLICATION FORM</b>	<b>B-1</b>
<b>2. SAMPLE GRANT AWARD AND AUTHORIZATION FORM</b>	<b>B-4</b>

**GRANT APPLICATION FORM FOR THE SCHOOL BUS  
PM Trap Filters  
PA #2012-15 RETROFIT PROGRAM**

(Please sign and return, with list of buses for retrofits)

# of PM traps applied for \_\_\_\_\_

Public School District: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ County \_\_\_\_\_ State: CA

Zip Code: \_\_\_\_\_

Air District  
Jurisdiction:

\_\_\_\_\_

**Contact Person:**

Name/Title: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Extn \_\_\_\_\_ Fax: No.: \_\_\_\_\_

Email (please print): \_\_\_\_\_

**Contact Information on Alternative Contact (Name, Title, Phone#, Email):**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicant confirms that none of the buses being applied for in the attached sheet has an existing Level 3 PM trap already installed.

This application must be signed below by an authorized person to be considered for awards to retrofit school buses with PM traps.

**Authorized Person's Signature:** \_\_\_\_\_

**Authorized Person's Name & Title:** \_\_\_\_\_

**Date of Application** \_\_\_\_\_



- Once the PM trap(s) are installed, applicant needs to operate these buses in this Basin for a minimum of 5 years. If the bus is withdrawn from service, or removed from this Basin, applicant may incur a penalty.
- If active filter is selected, Estimated Cost of Electrical Infrastructure \_\_\_\_\_

(Before receiving an award for electrical work, applicant must request at least 2 quotes for work under \$5,000 and a minimum of 3 quotes for work at or above \$5,000).

- *(new) Applicants must provide electronically their fleet inventory in an Excel Worksheet to AQMD (attn: Ranji George, at [rgeorge@aqmd.gov](mailto:rgeorge@aqmd.gov)). Details of each bus in the fleet must be provided –whether it is being retrofitted or not. These should include, but are not limited to make, manufacturer, model year of buses, engine make and model year, VIN#, DMV license plate #, cumulative mileage, average annual mileage bus is driven,*

Sample Provisions. AQMD reserves the right to amend these provisions.

## SAMPLE GRANT AWARD (Do Not Return this Sample Grant with Application)

### Lower-Emission School Bus PM Trap Retrofit Program 1. GRANT AWARD AGREEMENT Pursuant to Program Announcement PA #2012-15

Your grant application to purchase and install Particulate Matter ("PM") traps on diesel school buses listed in Attachment A ("Project") has been approved for funding by the South Coast Air Quality Management District ("AQMD") Governing Board.

As a condition of this grant award, you must comply with all the terms and conditions set forth in this Grant Award Agreement, including those described in Attachment A (List of School Buses to be Retrofitted), Attachment B (Reporting Data on School Bus Retrofits), Attachment C (Program Announcement PA #2012-15 issued on April 6, 2012) and the 2008 CARB School Bus Guidelines dated April 15, 2008, which are incorporated herein as part of this Agreement.

Grant Recipient ("Grantee")	
Grant Number	
Total Number of PM Traps Awarded (only 1994 and newer school buses are eligible for retrofits)	
Total Grant for PM Traps & Trap Maintenance (e.g., PM trap cleaners, thermal regenerator, electrical infrastructure and/or data logging)	
Date by Which PM Traps & Cleaners Need to be Installed	September 30, 2013
Date by Which Invoices Need to be Submitted	November 15, 2013
Agreement Term	Until December 30, 2018
Date to Which All Records (relating to this Grant) Need to be Retained	Until December 30, 2020

\*The installed price for each PM trap is subject to a maximum cap. Prior to issuance of purchase order (P.O.), any PM trap quotes along with draft P.O. needs to be reviewed by AQMD's School Bus Program Supervisor.

32. **PARTIES** - The parties to this Grant Award Agreement ("Agreement") are the South Coast Air Quality Management District ("AQMD") whose address is 21865 Copley Drive, Diamond Bar, California 91765-4178, and ( ) Applicant ("GRANTEE") whose address is \_\_\_\_\_.
33. **PROJECT MILESTONES** – GRANTEE must purchase and install all the awarded PM traps and PM trap cleaning equipment, if applicable, by **September 30, 2013**. The PM traps must have been verified by the CARB to **Level III Plus** to achieve a minimum of 85% reduction in PM. GRANTEE must install said PM traps in the school buses listed in Attachment A. GRANTEE must buy PM trap cleaning equipment using the PM trap maintenance funds. Documentation required for payment of

grant funds to GRANTEE or vendor must be received by AQMD by **November 15, 2013**. See Clause 10 below for a complete list of the required documents.

34. ENFORCEMENT – AQMD and CARB have the authority to enforce the terms of this Agreement at any time during the Agreement term. AQMD and CARB will seek whatever legal, equitable and other remedies are available for the GRANTEE'S failure to comply with the terms of this Agreement or with the Lower-Emission School Bus Program requirements incorporated herein.
  
35. AGREEMENT TERM – The term of this Agreement is from the date of execution by both parties to **September 30, 2017**, unless further extended by amendment of this Agreement in writing. No work shall commence until this Agreement is fully executed by all parties. Notwithstanding the above end dates, the Agreement term shall encompass both the Project completion and Project implementation/life periods, whichever is longer, to ensure that the AQMD and CARB can fully enforce the Agreement during the life of the Lower-Emission School Bus Program-funded project. The Project must comply with the 2008 CARB Lower-Emission School Bus Program Guidelines<sup>1</sup> and any amendments thereto, and must meet all Program requirements for the full agreement term.
  - A. Project Completion – Project completion is the timeframe starting with the date of Agreement execution by both parties to the date the project becomes operational. This includes the time period when the equipment is ordered, delivered and installed. The project becomes operational on the date the final invoice payment is made by AQMD or **December 30, 2013**, whichever is earlier.
  - B. Project Implementation/Life – The project implementation timeframe is five years from the date of project completion (date when final invoice payment is made by AQMD); in this case until **December 30, 2018**. GRANTEE must own and operate the retrofitted bus for a minimum of five years or until **December 30, 2018**, whichever is later.
  
36. NON-COMPLIANCE – AQMD reserves the right to cancel this Agreement or withhold payment for GRANTEE'S non-compliance with the Agreement. Further, AQMD reserves the right to cancel the Agreement if it is not executed by GRANTEE within 45 days of receipt of this grant by the GRANTEE.
  
37. AUDIT RIGHTS – AQMD, CARB, the California Department of Finance, or their designee(s), shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. GRANTEE agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. GRANTEE must include a similar right of the State, AQMD and CARB to audit records and interview staff in any subcontract related to the performance of this Agreement.
  
38. RECORDS AND RECORDS RETENTION – GRANTEE shall maintain all records related to this Project and retain these records for the Agreement term (**December 30, 2018**) plus two years. These records include, but are not limited to, the following:
  - A. Application;

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<sup>1</sup> These Guidelines and subsequent CARB advisories are available at the following CARB Web link:  
<http://arb.ca.gov/bonds/schoolbus/guidelines/2008lesbp.pdf>

- B. Resolution from the school district governing board (or other documentation signed by a duly authorized official) authorizing the submittal of the application and identifying the individual authorized to implement the retrofit project;
  - C. Vendor quotes for PM traps, PM trap cleaners and electrical infrastructure;
  - D. Purchase orders issued by GRANTEE;
  - E. Executed contracts;
  - F. Invoice(s);
  - G. Proof of payment;
  - H. A copy of the Safety Compliance Report/Terminal Record Update (CHP 343) or a copy of the Vehicle/Equipment Inspection Report Motor Carrier Safety Operations form (CHP 343A) for each school bus retrofitted;
  - I. A copy of the CARB retrofit device verification executive order for the device that was funded;
  - J. Maintenance records; and
  - K. Documentation in the form of invoices or purchase orders that include dates of installation and maintenance, description of services performed and cost of services.
39. ON-SITE INSPECTIONS – AQMD and CARB, or their designee(s), shall have the right to inspect the retrofitted bus(es) and maintenance equipment during the entire Agreement term.
40. CHP SAFETY INSPECTION – Each retrofitted bus must undergo a CHP safety certification inspection (per Title 13, Cal. C. Regs. § 1272(c)) after the installation of the PM trap and prior to the bus's return to service. GRANTEE must obtain a copy of written documentation from CHP personnel that the retrofitted bus is still structurally acceptable to safely transport students and provide this documentation to AQMD. This documentation shall consist of a copy of a Safety Compliance Report/Terminal Record Update (CHP 343), or a copy of a Vehicle/Equipment Inspection Report Motor Carrier Safety Operations form (CHP 343A). This CHP certificate should specifically state that the PM trap was installed to manufacturer specifications.
41. INVOICE AND PAYMENT – Before a Lower-Emission School Bus Program payment is made to a vendor or to GRANTEE, this Agreement must be executed and the following documentation must be received by AQMD no later than **November 15, 2013**:
- A. An invoice with breakdown of costs between parts and labor verifying purchase and installation of PM traps on each school bus listed in Attachment A.
  - B. If PM trap cleaning equipment is installed, a separate invoice including a similar breakdown of costs between parts and labor, and a cover letter as explained below in C.
  - C. A cover letter signed under penalty of perjury by the GRANTEE'S Director of Transportation, or his/her equivalent, which must contain the following:
    - i. Details of the bus(es) that were retrofitted with PM traps. [To prevent delay in processing the invoices, GRANTEE must verify that the Vehicle Identification Numbers (VINs) and other details of the bus(es) listed on the invoice identically match the VINs of the bus(es) listed in Attachment A of this Agreement];
    - ii. Confirmation that the PM trap cleaning equipment and electrical infrastructure was purchased and installed; and
    - iii. Instruction to AQMD to pay the vendor(s) directly. AQMD prefers that each vendor bill AQMD directly. If GRANTEE pays a vendor directly and seeks reimbursement from AQMD, GRANTEE must submit copies of the front and back of all cancelled check(s) paid to vendor, along with the request to pay the GRANTEE directly.
    - iv. Confirmation of existing number of buses with PM traps and electrical charging outlets, and

- v. Confirmation of the number of additional electrical outlets installed under this Grant.
- D. A copy of front page of this Agreement that lists the Summary Table and Grant #.
- E. A copy of Attachment A to this Agreement, identifying and highlighting the buses that were retrofitted with PM traps. VIN(s) and details of the buses listed on the submitted invoice(s) must match those in Attachment A.
- F. Copies of warranties provided for each PM trap installed;
- G. Copy of the Purchase Order(s) issued by the GRANTEE (School District) to the Installer and Electrician.
- H. A copy of the DMV certificate of the school bus retrofitted with the PM trap.
- I. For each retrofitted school bus, a copy of a completed CHP form 343–Safety Compliance Report/Terminal Record Update, or a copy of a completed CHP form 343A–Vehicle/Equipment Inspection Report Motor Carrier Safety Operations.
- J. Two electronic files to be sent to Mr. Ranji George that includes (a) PDF scan of the whole invoice package, and (b) an Excel Worksheet that lists the bus information required in Attachment B.

Please submit all documentation to Ms. Drue Ann Hargis, TAO Contracts, AQMD, 21865 Copley Drive, Diamond Bar, CA 91765. All documentation described above must be received no later than **November 15, 2013**.

#### 42. OWNERSHIP AND OPERATION

- A. GRANTEE shall accrue at least 75% of each vehicle's annual mileage or engine hours of operation within the geographical boundaries of the AQMD.
- B. GRANTEE is prohibited from removing the retrofitted school bus(es) from service in California during the term of this Agreement, unless the retrofitted school bus(es) become inoperable through mechanical failure of components or systems, and cannot be repaired or replaced, and such failure is not caused by GRANTEE'S negligence, misuse or malfeasance.
- C. GRANTEE must own and operate the retrofitted bus(es) for a minimum of five years, or **until December 30, 2018**, whichever is later.

43. MAINTENANCE – GRANTEE shall operate and maintain the installed PM traps funded under this Agreement in accordance with the manufacturer's specifications for the life of the Project. GRANTEE acknowledges that no tampering with the installed PM traps is permitted. Further, GRANTEE must have the PM traps cleaned periodically (also known as "periodic maintenance" and "baking and de-ashing") throughout their estimated 11-year life, or if a bus is kept for less than 11 years, as long as GRANTEE owns and operates the retrofitted bus(es).

44. FUEL ADDITIVES – GRANTEE must use only the generally available, low sulfur (15 ppm or lower) diesel fuel in all the buses retrofitted with PM traps. The fuel must not contain any fuel or lube oil additives, per CARB regulations, unless specially identified as allowable in the engine certification executive order.

45. PURCHASE ORDER AGREEMENTS – GRANTEE must incorporate the minimum grant requirements described in Appendix C of the 2008 CARB Guidelines to Lower-Emission School Bus Program applicable to this Project in purchase order agreements with vendors.

46. REPORTING REQUIREMENTS - During the term of this Agreement, GRANTEE agrees to provide periodic reports to AQMD on the implementation of this award, including but not limited to, entering detailed information in AQMD and/or CARB's School Bus Database on the control device and each

school bus that is retrofitted under this Award. GRANTEE will require its Vendor to cooperate in providing these reports. AQMD will specify the frequency and format of these reports.

47. NOTICES – Any notices from either party to the other shall be given in writing to the attention of the persons listed below, or to other such addresses or addressees as may hereafter be designated in writing for notices by either party to the other. Notice shall be given by certified, express or registered mail, return receipt requested, and shall be effective as of the date of receipt indicated on the return receipt card.

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

GRANTEE:

48. INDEMNIFICATION - GRANTEE agrees to hold harmless, defend and indemnify AQMD, its officers, employees, agents, representatives, and successors-in-interest against any and all loss, damage, costs, lawsuits, demands, judgments, legal fees, or any other expenses incurred or required to be paid by AQMD, its officers, employees, agents, representatives, or successors-in-interest arising from or related to any injury to persons or damage to property caused directly or indirectly, in whole or in part, by any willful or negligent act or omission of GRANTEE, its employees, subcontractors, agents or representatives in the performance of this Grant.
49. ASSIGNMENT - The rights granted hereby may not be assigned, sold, licensed, or otherwise transferred by either party without the prior written consent of the other, and any attempt by either party to do so shall be void upon inception.
50. NON-EFFECT OF WAIVER - The failure of GRANTEE or AQMD to insist upon the performance of any or all of the terms, covenants, or conditions of this Grant, or failure to exercise any rights or remedies hereunder, shall not be construed as a waiver or relinquishment of the future performance of any such terms, covenants, or conditions, or of the future exercise of such rights or remedies, unless otherwise provided for herein.
51. ATTORNEYS' FEES - In the event any action is filed in connection with the enforcement or interpretation of this Grant, each party shall bear its own attorneys' fees and costs.
52. FORCE MAJEURE - Neither AQMD nor GRANTEE shall be liable or deemed to be in default for any delay or failure in performance under this Grant 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 AQMD or GRANTEE.
53. GOVERNING LAW - This Grant shall be construed and interpreted and the legal relations created thereby shall be determined in accordance with the laws of the State of California. Venue for resolution of any disputes under this Grant shall be Los Angeles County, California.
54. ENTIRE GRANT - This Contract represents the entire agreement between the parties hereto related to GRANTEE providing services to AQMD and there are no understandings, representations, or warranties of any kind except as expressly set forth herein. No waiver, alteration, or modification of any

of the provisions herein shall be binding on any party unless in writing and signed by the party against whom enforcement of such waiver, alteration, or modification is sought.

The undersigned parties agree to the terms and conditions as set forth in this Agreement. The undersigned parties certify under penalty of perjury that they are duly authorized to bind the parties to this Agreement.

GRANTOR:

GRANTEE:

South Coast Air Quality Management District

( ) Unified School District

By: \_\_\_\_\_

Dr. William A. Burke  
Chairman of the Governing Board

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## *CERTIFICATIONS AND REPRESENTATIONS*

- Update Business Contact Information (all applicants)
- W9- Taxpayer ID (new applicants)
- Campaign Contribution Form (all applicants)

All the certifications are required for both

- Part A (vehicle replacement) and
- Part B (vehicle retrofit) of this Program Announcement



# 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**

Dear SCAQMD Contractor/Supplier:

The South Coast Air Quality Management District (SCAQMD) is committed to ensuring that our contractor/supplier records are current and accurate. If your firm is selected for award of a purchase order or contract, it is imperative that the information requested herein be supplied in a timely manner to facilitate payment of invoices. In order to process your payments, we need the enclosed information regarding your account. **Please review and complete the information identified on the following pages, complete the enclosed W-9 form, remember to sign both 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,

Michael B. O'Kelly  
Chief Financial Officer

DH:tm

Enclosures: Business Information Request  
Disadvantaged Business Certification  
W-9  
Federal Contract Debarment Certification  
Campaign Contribution Disclosure

REV 2/11

Return this Completed Page with Application



# 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 <i>Check One:</i>	<input type="checkbox"/> Individual <input type="checkbox"/> DBA, Name _____, County Filed in _____ <input type="checkbox"/> Corporation, ID No. _____ <input type="checkbox"/> LLC/LLP, ID No. _____ <input type="checkbox"/> Other _____

## REMITTING ADDRESS INFORMATION

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

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

**Attention: Ms. Drue Hargis, TAO, SCAQMD**  
**21865 Copley Drive**  
**Diamond Bar, CA 91765-4178**



The person who gives 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 is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,
- The U.S. grantor or other owner of a grantor trust and not the trust, and
- The U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

**Foreign person.** If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

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

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

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

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

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS a percentage 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, 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 Part II instructions on page 3 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 the instructions below and the separate instructions for the Requester of Form W-9.

Also see *Special rules for partnerships* on page 1.

#### Updating Your Information

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

#### Penalties

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

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

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

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

#### Specific Instructions

##### Name

If you are an individual, you must generally enter the name shown on your income tax return. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

**Sole proprietor.** Enter your individual name as shown on your income tax return on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name/disregarded entity name" line.

**Partnership, C Corporation, or S Corporation.** Enter the entity's name on the "Name" line and any business, trade, or "doing business as (DBA)" name on the "Business name/disregarded entity name" line.

**Disregarded entity.** Enter the owner's name on the "Name" line. The name of the entity entered on the "Name" line should never be a disregarded entity. The name on the "Name" line must be the name shown on the income tax return on which the income will be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a domestic owner, the domestic owner's name is required to be provided on the "Name" line. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on the "Business name/disregarded entity name" line. If the owner of the disregarded entity is a foreign person, you must complete an appropriate Form W-8.

**Note.** Check the appropriate box for the federal tax classification of the person whose name is entered on the "Name" line (Individual/sole proprietor, Partnership, C Corporation, S Corporation, Trust/estate).

**Limited Liability Company (LLC).** If the person identified on the "Name" line is an LLC, check the "Limited liability company" box only and enter the appropriate code for the tax classification in the space provided. If you are an LLC that is treated as a partnership for federal tax purposes, enter "P" for partnership. If you are an LLC that has filed a Form 8832 or a Form 2553 to be taxed as a corporation, enter "C" for C corporation or "S" for S corporation. If you are an LLC that is disregarded as an entity separate from its owner under Regulation section 301.7701-3 (except for employment and excise tax), do not check the LLC box unless the owner of the LLC (required to be identified on the "Name" line) is another LLC that is not disregarded for federal tax purposes. If the LLC is disregarded as an entity separate from its owner, enter the appropriate tax classification of the owner identified on the "Name" line.

**Other entities.** Enter your business name as shown on required federal tax documents on the "Name" line. 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 the "Business name/disregarded entity name" line.

### Exempt Payee

If you are exempt from backup withholding, enter your name as described above and check the appropriate box for your status, then check the "Exempt payee" box in the line following the "Business name/disregarded entity name," sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

**Note.** If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

The following payees are exempt from backup withholding:

1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2),

2. The United States or any of its agencies or instrumentalities,

3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities,

4. A foreign government or any of its political subdivisions, agencies, or instrumentalities, or

5. An international organization or any of its agencies or instrumentalities.

Other payees that may be exempt from backup withholding include:

6. A corporation,

7. A foreign central bank of issue,

8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States,

9. A futures commission merchant registered with the Commodity Futures Trading Commission,

10. A real estate investment trust,

11. An entity registered at all times during the tax year under the Investment Company Act of 1940,

12. A common trust fund operated by a bank under section 584(a),

13. A financial institution,

14. A middleman known in the investment community as a nominee or custodian, or

15. A trust exempt from tax under section 664 or described in section 4947.

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 15.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 9
Broker transactions	Exempt payees 1 through 5 and 7 through 13. Also, C corporations.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 5
Payments over \$600 required to be reported and direct sales over \$5,000 <sup>1</sup>	Generally, exempt payees 1 through 7 <sup>2</sup>

<sup>1</sup> See Form 1099-MISC, Miscellaneous Income, and its instructions.

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

### Part I. Taxpayer Identification Number (TIN)

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

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on page 2), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

**Note.** See the chart on page 4 for further clarification of name and TIN combinations.

**How to get a TIN.** If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration 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](http://www.irs.gov/businesses) and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting [IRS.gov](http://IRS.gov) or by calling 1-800-TAX-FORM (1-800-829-3676).

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

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

**Caution:** A disregarded domestic 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, below, and items 4 and 5 on page 4 indicate 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 the "Name" line must sign. Exempt payees, see *Exempt Payee* on page 3.

**Signature requirements.** Complete the certification as indicated in items 1 through 3, below, and items 4 and 5 on page 4.

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

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

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

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

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

### What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee <sup>1</sup>
b. So-called trust account that is not a legal or valid trust under state law	The actual owner <sup>1</sup>
5. Sole proprietorship or disregarded entity owned by an individual	The owner <sup>3</sup>
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulation section 1.671-4(b)(2)(i)(A))	The grantor <sup>4</sup>
For this type of account:	Give name and EIN of:
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulation section 1.671-4(b)(2)(i)(B))	The trust

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

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

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

<sup>4</sup> List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 1.

\*Note. Grantor also must provide a Form W-9 to trustee of trust.

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

### Secure Your Tax Records from Identity Theft

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

To reduce your risk:

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

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

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

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

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

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

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

If you receive an unsolicited email claiming to be from the IRS, forward this message to [phishing@irs.gov](mailto: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 at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: [spam@uce.gov](mailto:spam@uce.gov) or contact them at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 1-877-IDTHEFT (1-877-436-4336).

Visit [irs.gov](http://irs.gov) to learn more about identity theft and how to reduce your risk.

### Privacy Act Notice

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



**CAMPAIGN CONTRIBUTIONS DISCLOSURE**

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

In addition, 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 \$250 or more in the 12-month period prior to the consideration of the item by the Governing Board or the MSRC. Gov’t Code §84308(c). When abstaining, the Board Member or members/alternates of the MSRC must announce the source of the campaign contribution on the record. *Id.* The requirement to abstain is triggered by campaign contributions of \$250 or more in total contributions of the bidder or contractor, *plus* any of its parent, subsidiary, or affiliated companies. 2 C.C.R. §18438.5.

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 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).

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

**SECTION I. Please complete Section I.**

**Contractor:**

**RFP #:** 2012-XX

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION II**

Has contractor and/or 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 members/alternates of the MSRC in the 12 months preceding the date of execution of this disclosure?

Yes     No

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

**Campaign Contributions Disclosure, *continued*:**

Name of Contributor \_\_\_\_\_

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

Name of Contributor \_\_\_\_\_

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

Name of Contributor \_\_\_\_\_

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

Name of Contributor \_\_\_\_\_

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

Name of Contributor \_\_\_\_\_

\_\_\_\_\_  
Governing Board Member or MSRC Member/alternate      Amount of Contribution      Date of Contribution

**I declare the foregoing disclosures to be true and correct.**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## DEFINITIONS

### Parent, Subsidiary, or Otherwise Related Business Entity.

- (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.*

2 Cal. Code of Regs., §18703.1(d).

**Attachment 2**

***Announcing the***

***South Coast Air Quality Management District's***

***Funding for Replacement of Onboard Fuel Tanks  
of CNG School Buses that are  
Older than Fourteen Years***

***Program Announcement & Application***

***PA # 2012-16***

***April 6, 2012***

**Depending upon the number of applications received and availability of funding, the AQMD Board retains discretion to make full awards, partial awards, or no awards at all under this Program Announcement. If the choice to make a partial award causes any bidder to withdraw, the funds that would have been awarded to that bidder will be re-allocated to the other bidders or allocated pursuant to a new program announcement. AQMD also reserves the right to change any criteria such as the schedule, qualifications, grant provisions and selection criteria outlined in this Program Announcement & Application.**

**April 6, 2012**

The South Coast Air Quality Management District's (AQMD) Program Announcement PA# 2012-16 is to provide funding for the replacement of onboard CNG fuel tanks that are older than fourteen years on school buses.<sup>1</sup>

The AQMD is pleased to announce a new funding opportunity for the replacement of onboard CNG fuel tanks that have reached their expiration dates. Only public school districts and joint powers authority are eligible for this funding. Under the California Air Resources Board (CARB) program guidelines, only CNG buses between 14 and 16 years are eligible for such tank replacements.

By code, tank manufacturers must list the expiration dates on each CNG tank. These tanks generally last for 15 years, and expire at the manufacturer's end-of-life dates.<sup>2</sup> Unless the tanks are replaced these CNG school buses have to be grounded.

- A maximum of \$20,000 is available per CNG bus to replace onboard CNG fuel tanks. Funds are available from AQMD's AB 923 funds (Fund 80) and eligible applications will be funded on first-come, first-served basis.

Should you have any questions regarding this Program Announcement, please contact:

- Ranji S. George, Program Supervisor, at (909)396-3255  
Email: rgeorge@aqmd.gov.

The Program Announcement and Application document can also be accessed via the Internet by visiting AQMD's website at [www.aqmd.gov/rfp](http://www.aqmd.gov/rfp).  
Program Announcement # is: PA #2012-16

We look forward to receiving your application. An application form is enclosed.

---

<sup>1</sup> An earlier AQMD Program Announcement, PA 2012-05, released on January 6, 2012, invited applications for emergency replacements of damaged CNG tanks, even if these tanks have not reached their listed expiration dates.

<sup>2</sup> Some of the newer CNG tanks can last up to 20 years.

## **TABLE OF CONTENTS**

### ***Section I: Program Introduction***

<i>1.A. Program Schedule and Project Selection</i>	<i>1</i>
<i>1.B. Application Submittal</i>	<i>1</i>
<i>1.C. Disbursement of Funds</i>	<i>2</i>
<i>1.D. Monitoring and Reporting</i>	<i>2</i>
<i>1.E. If You Need Help (Contacts)</i>	<i>3</i>

### ***Section II: Application Preparation Forms***

Appendix A: *Grant Application for replacement of expired CNG tanks onboard CNG school buses.*

## **Program Introduction**

By state legislation (AB 923), air districts can collect \$2 per vehicle in Department of Motor Vehicle (DMV) registration fees for air quality projects within their jurisdictions. The AQMD has been using these funds to assist school districts to replace older, high-polluting school buses. Recently, the state passed additional legislation expanding the use of AB 923 funds to replace expiring onboard CNG fuel tanks of school buses.

Eligibility is limited to public school districts, and applies to CNG school buses with onboard fuel tanks older than 14 years. These funds will be limited to replacing tanks that require mandatory replacement because the tanks have reached their end-of-life span. A total of \$3 million is set aside from the Carl Moyer Program AB 923 Fund for this program.

### **I.A. Program Schedule and Project Selection**

This Program Announcement will remain open, without a closing date, until funds are exhausted. Applications will be accepted on an ongoing basis. **Awards will be made on a first-come, first-served basis until all funding is exhausted.** No single school will be awarded more than \$400,000 during the first three months after the release of the Program Announcement to ensure adequate funding for all eligible school districts. Applicants are encouraged to submit multiple quotes for replacing expired CNG fuel tanks with new CNG tanks. A minimum of two (2) quotes are required. Photos of the tank label, for each tank proposed to be replaced, need to be included in the application. The tank serial number and expiration date on these labels needs to be clearly visible.

- A maximum of \$20,000 per bus can be requested to replace expired tanks. Proof must be provided that the old CNG tanks have reached their end-of-life date and the new tanks meet with CHP approval. These expired CNG tank replacements will be funded by Carl Moyer AB 923 funds (Fund 80) and will be subject to the revised 2008 CARB Guidelines for Tank Replacements.

### **I.B. Application Submittal**

The applicant shall provide four (4) copies of the application (1 original and 3 copies) in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the applicant and the words “Program Application PA #2012-16”, and submit it to:

Mr. Dean Hughbanks, Procurement Manager, PA # 2012-16  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765

All applications must be signed by the school's superintendent. Applications without authorizing signatures will not be accepted. The AQMD needs a minimum of two, preferably three, vendor quotes to accompany the application, along with photos of the tank labels indicating tank serial numbers and the expiration dates of the tanks. The AQMD will accept applications within one year of these expiration dates.

**1.C. Disbursement of Funds**

Funds will be paid on a reimbursement basis only after the installation of the new CNG tanks is completed. These tanks need to comply with all existing codes and regulations. Vendors are encouraged to bill AQMD directly. Along with an invoice that details the equipment and labor costs of installing the tanks, a cover letter signed by the Director of Transportation or equivalent, and labels of both old and new tanks, must accompany any request for reimbursement of approved funds. The cover letter must state when these new CNG tanks were installed, and that these newly installed CNG tanks comply with all relevant codes and regulations. A CHP 343 certificate re-certifying the CNG buses with new tanks must also accompany the invoice. All requests for reimbursement must be received within six (6) months of executing the grant. Monies owed will be paid directly to the vendor/installer.

**1.D. Monitoring and Reporting**

School districts must notify AQMD's School Bus Program Supervisor, by email, on the progress of each tank replacement project including when the CNG tanks were ordered, installed and re-inspected by the CHP officer.

**1.E. If You Need Help**

This Program Announcement and Application can be obtained by accessing the AQMD website at [www.aqmd.gov/rfp](http://www.aqmd.gov/rfp). Download PA# 2012-16. AQMD staff members are available to answer questions during the application acceptance period. In order to help expedite assistance, please direct your inquiries to the applicable staff person, as follows:

- For **General, Administrative, or Technical Assistance**, please contact:

**Ranji S. George**  
Program Supervisor  
Phone: 909 396 3255  
Fax: 909-396-3252  
[rgeorge@aqmd.gov](mailto:rgeorge@aqmd.gov)

- For **Questions on Invoices or Contracts**, please contact:

**Drue Hargis**  
TAO, Contracts  
Phone: 909 396-3237  
Fax: 909 396 -3774  
[dhargis@aqmd.gov](mailto:dhargis@aqmd.gov)

**Section II: Application Preparation Forms**

**APPENDIX A:**

**APPLICATION FOR REPLACEMENT OF EXPIRED  
ONBOARD CNG FUEL TANKS ON CNG SCHOOL BUSES**

**GRANT APPLICATION FOR THE REPLACEMENT OF EXPIRED ONBOARD CNG FUEL TANKS ON CNG SCHOOL BUSES**

School District: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ County \_\_\_\_\_ State: CA. Zip Code: \_\_\_\_\_

School District Primary Contact Person

Name/Title: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax: No.: \_\_\_\_\_ Email: \_\_\_\_\_

Alternative contact (name/title/phone #/email address) \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax: No.: \_\_\_\_\_ Email: \_\_\_\_\_

Number of CNG Buses needing CNG Tank Replacement \_\_\_\_\_ (include details of each bus and its tanks in attached table).

Total Funding Amount Requested (maximum \$20,000 per bus) \_\_\_\_\_

Manufacturer of proposed new CNG tanks: \_\_\_\_\_

(Please attach photos of the CNG tank labels confirming that the tanks are due to expire or have expired. The AQMD will accept applications within one year of the expiration dates. Please also attach at least two, preferably three, quotes for completing the installation.)

Please confirm the labor and equipment warranty period of the new CNG tanks: (a) *Labor warranty* \_\_\_\_\_ (b) *Equipment* \_\_\_\_\_

Please confirm the expiration date of the proposed new tanks \_\_\_\_\_ (Following installation, labels of the new tanks and CHP 343 inspection certificate should be included)

Please testify by signing below that "Under penalty of perjury, the statements in this application are true to the best of my knowledge". After installation of tanks, the buses must operate at least another five (5) years within the SCAQMD's jurisdiction.

Superintendent's Signature: \_\_\_\_\_ Date \_\_\_\_\_

Superintendent's Name (print): \_\_\_\_\_

**INFORMATION ON CNG BUSES with Expired Tanks  
(CNG buses must be older than 14 years)**

<b>BUS ID#</b>	<b>MODEL, YEAR OF BUS*</b>	<b>VIN#</b>	<b>Accumulated Mileage</b>	<b>Approx. # Miles Per Year</b>	<b># of CNG tanks in the Bus**</b>	<b>Quote to Replace Tanks***</b>

- **\*Please attach the CHP292 certificates starting in year 2008, and documentation that the CNG tanks were inspected every 3 years and/or 36,000 miles.**
- **\*\*Please attach photos of the tank labels for each expired tank. The tank Serial #s, manufacture date, and expiration dates must be clearly visible.**
- **\*\*\* Please attach at least two, preferably three, price quotes to complete the tank installation (including sales tax).**
- **A maximum of \$20,000 per bus will be provided for reimbursement. When seeking reimbursement for the new tanks, clear photos of labels of the new tanks, a CHP 343 inspection certificate must be provided, explicitly approving the new tank installation.**
- **Following installation, operator must promise that the buses with the replaced tanks will run a minimum of 10 years within the SCAQMD’s jurisdiction.**

**School Bus Fleet Information**

- *Total # of school buses in Fleet (over 14,000 GVW)\_\_\_\_\_*
- *Total # of CNG school buses currently in the Fleet: \_\_\_\_\_*
- *# of 1987 to 1994 diesel buses in the Fleet\_\_\_\_\_*
- *# of 1995 and newer diesel buses in the Fleet\_\_\_\_\_*
- *Refueling Onsite?\_\_\_\_\_*
- *Additional Comments, if any\_\_\_\_\_*



# 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**

Dear SCAQMD Contractor/Supplier:

The South Coast Air Quality Management District (SCAQMD) is committed to ensuring that our contractor/supplier records are current and accurate. If your firm is selected for award of a purchase order or contract, it is imperative that the information requested herein be supplied in a timely manner to facilitate payment of invoices. In order to process your payments, we need the enclosed information regarding your account. **Please review and complete the information identified on the following pages, complete the enclosed W-9 form, remember to sign both 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,

Michael B. O'Kelly  
Chief Financial Officer

DH:tm

Enclosures: Business Information Request  
W-9  
Federal Contract Debarment Certification  
Campaign Contribution Disclosure

REV 2/11



# 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 <i>Check One:</i>	<input type="checkbox"/> Individual <input type="checkbox"/> DBA, Name _____, County Filed in _____ <input type="checkbox"/> Corporation, ID No. _____ <input type="checkbox"/> LLC/LLP, ID No. _____ <input type="checkbox"/> Other _____

## REMITTING ADDRESS INFORMATION

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

## Request for Taxpayer Identification Number and Certification

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

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)		
	Business name, if different from above		
	Check appropriate box: <input type="checkbox"/> Individual/Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other ▶ .....	<input type="checkbox"/> Exempt from backup withholding	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)	
	City, state, and ZIP code		
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 your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number								
OR								
Employer identification number								

**Note.** If the account is in more than one name, see the chart on page 4 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. person (including a U.S. resident alien).

**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 on page 4.)

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶
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### Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

**U.S. person.** Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

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.

**Note.** If 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.

For federal tax purposes you are considered a person if you are:

- An individual who is a citizen or resident of the United States,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States, or

• Any estate (other than a foreign estate) or trust. See Regulations sections 301.7701-6(a) and 7(a) for additional information.

**Foreign person.** If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

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

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

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.

4. The type and amount of income that qualifies for the exemption from tax.

5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

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

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments (after December 31, 2002). This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, 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, or
2. You do not certify your TIN when required (see the Part II instructions on page 4 for details), or
3. The IRS tells the requester that you furnished an incorrect TIN, or
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 the instructions below and the separate Instructions for the Requester of Form W-9.

## Penalties

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

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

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

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

## Specific Instructions

### Name

If you are an individual, you must generally enter the name shown on your social security card. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

**Sole proprietor.** Enter your individual name as shown on your social security card on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

**Limited liability company (LLC).** If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Treasury regulations section 301.7701-3, enter the owner's name on the "Name" line. Enter the LLC's name on the "Business name" line. Check the appropriate box for your filing status (sole proprietor, corporation, etc.), then check the box for "Other" and enter "LLC" in the space provided.

**Other entities.** Enter your business name as shown on required Federal tax documents on the "Name" line. 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 the "Business name" line.

**Note.** You are requested to check the appropriate box for your status (individual/sole proprietor, corporation, etc.).

### Exempt From Backup Withholding

If you are exempt, enter your name as described above and check the appropriate box for your status, then check the "Exempt from backup withholding" box in the line following the business name, sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

**Note.** If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

**Exempt payees.** Backup withholding is not required on any payments made to the following payees:

1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2),
  2. The United States or any of its agencies or instrumentalities,
  3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities,
  4. A foreign government or any of its political subdivisions, agencies, or instrumentalities, or
  5. An international organization or any of its agencies or instrumentalities.
- Other payees that may be exempt from backup withholding include:
6. A corporation,

- 7. A foreign central bank of issue,
- 8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States,
- 9. A futures commission merchant registered with the Commodity Futures Trading Commission,
- 10. A real estate investment trust,
- 11. An entity registered at all times during the tax year under the Investment Company Act of 1940,
- 12. A common trust fund operated by a bank under section 584(a),
- 13. A financial institution,
- 14. A middleman known in the investment community as a nominee or custodian, or
- 15. A trust exempt from tax under section 664 or described in section 4947.

The chart below shows types of payments that may be exempt from backup withholding. The chart applies to the exempt recipients listed above, 1 through 15.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt recipients except for 9
Broker transactions	Exempt recipients 1 through 13. Also, a person registered under the Investment Advisers Act of 1940 who regularly acts as a broker
Barter exchange transactions and patronage dividends	Exempt recipients 1 through 5
Payments over \$600 required to be reported and direct sales over \$5,000 <sup>1</sup>	Generally, exempt recipients 1 through 7 <sup>2</sup>

<sup>1</sup>See Form 1099-MISC, Miscellaneous Income, and its instructions.

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

## Part I. Taxpayer Identification Number (TIN)

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

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-owner LLC that is disregarded as an entity separate from its owner (see *Limited liability company (LLC)* on page 2), enter your SSN (or EIN, if you have one). If the LLC is a corporation, partnership, etc., enter the entity's EIN.

**Note.** See the chart on page 4 for further clarification of name and TIN combinations.

**How to get a TIN.** If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at [www.socialsecurity.gov/online/ss-5.pdf](http://www.socialsecurity.gov/online/ss-5.pdf). 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/](http://www.irs.gov/businesses/) and clicking on Employer ID Numbers under Related Topics. You can get Forms W-7 and SS-4 from the IRS by visiting [www.irs.gov](http://www.irs.gov) or by calling 1-800-TAX-FORM (1-800-829-3676).

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

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

**Caution:** A disregarded domestic 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 items 1, 4, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). Exempt recipients, see *Exempt From Backup Withholding* on page 2.

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

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

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

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

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

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

**What Name and Number To Give the Requester**

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee <sup>1</sup>
b. So-called trust account that is not a legal or valid trust under state law	The actual owner <sup>1</sup>
5. Sole proprietorship or single-owner LLC	The owner <sup>3</sup>
For this type of account:	Give name and EIN of:
6. Sole proprietorship or single-owner LLC	The owner <sup>3</sup>
7. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
8. Corporate or LLC electing corporate status on Form 8832	The corporation
9. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
10. Partnership or multi-member LLC	The partnership
11. A broker or registered nominee	The broker or nominee
12. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity

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

<sup>2</sup>Circle the minor's name and furnish the minor's SSN.

<sup>3</sup>You must show your individual name and you may also enter your business or "DBA" name on the second name line. You may use either your SSN or EIN (if you have one). If you are a sole proprietor, IRS encourages you to use your SSN.

<sup>4</sup>List first and circle the name of the legal trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.)

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

**Privacy Act Notice**

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA, or Archer MSA or HSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, and the District of Columbia to carry out their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax 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. Payers must generally withhold 28% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.



## CAMPAIGN CONTRIBUTIONS DISCLOSURE

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

In addition, 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 \$250 or more in the 12-month period prior to the consideration of the item by the Governing Board or the MSRC. Gov't Code §84308(c). When abstaining, the Board Member or members/alternates of the MSRC must announce the source of the campaign contribution on the record. *Id.* The requirement to abstain is triggered by campaign contributions of \$250 or more in total contributions of the bidder or contractor, *plus* any of its parent, subsidiary, or affiliated companies. 2 C.C.R. §18438.5.

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 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).

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

### **SECTION I. Please complete Section I.**

**Contractor:**

**RFP #: PA # 2012-16**

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

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### **SECTION II**

Has contractor and/or 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 members/alternates of the MSRC in the 12 months preceding the date of execution of this disclosure?

Yes     No

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

**Campaign Contributions Disclosure, *continued*:**

Name of Contributor \_\_\_\_\_

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

Name of Contributor \_\_\_\_\_

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

Name of Contributor \_\_\_\_\_

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

Name of Contributor \_\_\_\_\_

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

Name of Contributor \_\_\_\_\_

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

**I declare the foregoing disclosures to be true and correct.**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

<b>DEFINITIONS</b>
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**Parent, Subsidiary, or Otherwise Related Business Entity.**

- (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.*

**2 Cal. Code of Regs., §18703.1(d).**