



# South Coast Air Quality Management District

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

## HYBRID LEGISLATIVE COMMITTEE MEETING

### Committee Members

Councilmember Michael A. Cacciotti, Chair  
Mayor Patricia Lock Dawson  
Supervisor Curt Hagman  
Supervisor V. Manuel Perez  
Councilmember Nithya Raman

**December 13, 2024 ♦ 9:00 a.m.**

### TELECONFERENCE LOCATION

Riverside City Hall 7 <sup>th</sup> Floor Conference Room Riverside, CA 92522	Los Angeles City Hall 200 N. Spring Street Room 415 Los Angeles, CA 90012
	Office of Supervisor V. Manuel Perez 78015 Main Street Suite 205 La Quinta, CA 92253

**A meeting of the South Coast Air Quality Management District Legislative Committee will be held at 9:00 a.m. on Friday, December 13, 2024, through a hybrid format of in-person attendance in the Dr. William A. Burke Auditorium at the South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, and remote attendance via videoconferencing and by telephone. Please follow the instructions below to join the meeting remotely.**

**Please refer to South Coast AQMD's website for information regarding the format of the meeting, updates if the meeting is changed to a full remote via webcast format, and details on how to participate:**

<http://www.aqmd.gov/home/news-events/meeting-agendas-minutes>

## INSTRUCTIONS FOR ELECTRONIC PARTICIPATION AT BOTTOM OF AGENDA

***Join Zoom Webinar Meeting - from PC or Laptop***  
**<https://scaqmd.zoom.us/j/99574050701>**

**Zoom Webinar ID: 995 7405 0701** (applies to all)

**Teleconference Dial In**  
+1 669 900 6833

**One tap mobile**  
+16699006833,, 99574050701#

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

**PUBLIC COMMENT WILL STILL BE TAKEN**

### **AGENDA**

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

### **CALL TO ORDER**

### **ROLL CALL**

### **ACTION/DISCUSSION ITEMS (Item 1 through 2):**

**1. Issue RFP for Legislative Representation in Sacramento, CA**  
**(Motion Requested)**

*This action calls for the issuance of an RFP for specialized legislative representation and strategic political consulting services for South Coast AQMD in Sacramento for fiscal year 2025-26. The RFP will also indicate that the services contract may be extended for up to two additional one-year terms. Total expenditures for the contract shall not exceed \$180,000 for the initial one-year period.*  
**[Attachment 1a-1b]**

*Lisa Tanaka  
Deputy Executive Officer  
Legislative, Public Affairs &  
Media*

**2. Recommend Position on State Bills**  
**(Motion Requested)**

*This item is to seek approval from the Committee on staff's recommendation for a position on the following bills:*  
**[Attachment 2a-2b]**

*Philip Crabbe III  
Senior Public Affairs Manager  
Legislative, Public Affairs &  
Media*

<b><u>Bill#</u></b>	<b><u>Author</u></b>	<b><u>Bill Title</u></b>
SB 34	Senator Richardson	Ports: emissions: intermodal goods movement stakeholder group.

**DISCUSSION ITEMS (Items 3 through 4):**

**3. Update and Discussion on Federal Legislative Issues  
(No Motion Required)**

*Consultants will provide a brief oral report of Federal legislative activities in Washington D.C.  
[Attachment 3a-3c - Written Reports]*

*Gary Hoitsma  
Carmen Group*

*Jed Dearborn  
Cassidy & Associates*

*Mark Kadesh  
Kadesh & Associates, LLC*

**4. Update and Discussion on State Legislative Issues  
(No Motion Required)**

*Consultants will provide a brief oral report on State legislative activities in Sacramento.  
[Attachment 4a-4c - Written Reports]*

*David Quintana  
Resolute*

*Ross Buckley  
California Advisors, LLC*

*Paul Gonsalves  
Joe A. Gonsalves & Son*

**OTHER MATTERS:**

**5. Other Business**

*Any member of this body, or its staff, on his or her own initiative or in response to questions posed by the public, may ask a question for clarification, may make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter, or may take action to direct staff to place a matter of business on a future agenda. (Govt. Code Section 54954.2)*

**6. Public Comment Period**

*At the end of the regular meeting agenda, an opportunity is provided for the public to speak on any subject within the Legislative Committee's authority that is not on the agenda. Speakers may be limited to three (3) minutes each.*

**7. Next Meeting Date – January 17, 2025 at 9:00 a.m.**

**ADJOURNMENT**

**Document Availability**

*All documents (i) constituting non-exempt public records, (ii) relating to an item on an agenda for a regular meeting, and (iii) having been distributed to at least a majority of the Committee after the agenda is posted, are available by contacting Maria Corralejo at (909) 396-2759 or send the request to [mcorralejo@aqmd.gov](mailto:mcorralejo@aqmd.gov).*

**Americans with Disabilities Act and Language Accessibility**

*Disability and language-related accommodations can be requested to allow participation in the Legislative Committee meeting. The agenda will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov't Code Section 54954.2(a)). In addition, other documents may be requested in alternative formats and languages. Any disability or language-related accommodation must be requested as soon as practicable. Requests will be accommodated unless providing the accommodation would result in a fundamental alteration or undue burden to South Coast AQMD. Please contact Maria Corralejo at (909) 396-2759 from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to [mcorralejo@aqmd.gov](mailto:mcorralejo@aqmd.gov).*



## **INSTRUCTIONS FOR ELECTRONIC PARTICIPATION**

### **Instructions for Participating in a Virtual Meeting as an Attendee**

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

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

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

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

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

If interpretation is needed, more time will be allotted.

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

### **Directions for Video ZOOM on a DESKTOP/LAPTOP:**

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

### **Directions for Video Zoom on a SMARTPHONE:**

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

### **Directions for TELEPHONE line only:**

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

BOARD MEETING DATE: January 3, 2025

AGENDA NO.

PROPOSAL: Issue RFP for Legislative Representation in Sacramento, California

SYNOPSIS: This action calls for the issuance of an RFP for specialized legislative representation and strategic political consulting services for South Coast AQMD in Sacramento for FY 2025-26. The RFP will also indicate that the services contract may be extended for up to two additional one-year terms. Total expenditures for the contract shall not exceed \$180,000 for the initial one-year period.

COMMITTEE: Legislative, December 13, 2024, Recommended for Approval

**RECOMMENDED ACTION:**

Approve release of RFP P2025-06 to solicit proposals for specialized legislative representation and strategic political consulting in Sacramento, California at a cost not to exceed \$180,000 for the initial one-year period, with two additional one-year term extensions upon approval of the Board.

Wayne Nastri  
Executive Officer

LTO:PC:EJH

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**Background**

Specialized legislative representation and strategic political consulting services for South Coast AQMD in Sacramento are essential to advance the Board's policies and priorities, especially considering the State budget deficit and critical policy issues such as, but not limited to, the reauthorization of Cap and Trade and funding for AB 617. Strategic relationships with high-level elected and appointed officials are necessary to achieve legislative and budgetary objectives in the current political environment.

## **Legislative Priorities for FY 2025-26**

A strong presence in Sacramento is crucial to build support for South Coast AQMD-sponsored bills and protect the agency's authority and interests.

- Reauthorization of the Cap-and-Trade program including Greenhouse Gas Reduction Fund allocations to maximize criteria pollutant and toxic emission reduction.
- Securing funding to support AB 617 and to continue to foster environmental justice, equitable access to clean technologies, and community participation.
- Protecting, increasing, and identifying new funding sources to support South Coast AQMD programs that achieve state and federal air quality standards and reduce toxic air contaminants. Ensuring sufficient administrative funding to implement clean air programs effectively.
- Defending South Coast AQMD's authority to raise revenue and impose fees to support implementation of AQMPs and SIPs.
- Preventing unfunded state mandates and advocating for the state's active role in reducing regional air pollution through legislation, regulatory actions, and funding.
- Promoting air quality initiatives related to transportation, infrastructure, and goods movement, focusing on deploying the cleanest technologies.
- Advancing legislative and administrative policies for zero-emission technologies and infrastructure to protect public health, achieve clean air standards, and bolster economic growth.
- Advocating for energy efficiency, renewable energy development, and emissions reduction measures, particularly in environmental justice communities.
- Promoting job retention, workforce training for zero-emission technologies, and economic growth aligned with clean air goals.
- Addressing air quality impacts from wildfires, dust storms, and other public health risks.
- Supporting legislative measures to meet South Coast AQMD's administrative and operational needs.

## **Proposal**

South Coast AQMD seeks the services of a specialized contractor to support the Board's goals and objectives for fiscal year 2025-26 in Sacramento. The selected firm will be expected to provide a variety of services, consistent with the Board's direction. Funding for the initial year shall be up to a maximum of \$180,000. The contract may include options for two annual renewals, contingent on satisfactory performance and approval of subsequent budgets, at the Board's discretion.

**Bid Evaluation**

Proposals received will be initially evaluated by a diverse panel of technically qualified individuals according to the criteria described in the attached RFP P2025-06. The Legislative Committee is expected to conduct oral interviews of the most highly qualified bidders and will make a recommendation to the full Board for approval.

**Outreach**

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

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

**Resource Impacts**

Sufficient funds are available in the Legislative, Public Affairs & Media FY 2024-25 Budget for the services requested. Funding for future fiscal years is contingent upon Board approval of the Budget.

**Attachment**

RFP P2025-06 For Legislative Representation in Sacramento, California



## SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

### REQUEST FOR PROPOSALS

#### LEGISLATIVE REPRESENTATION IN SACRAMENTO, CALIFORNIA

P2025-06

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

### **PURPOSE**

Specialized legislative representation and strategic political consulting services for South Coast AQMD in Sacramento are essential to advance the Board's policies and priorities, especially considering the State budget deficit and critical policy issues such as, but not limited to, the reauthorization of Cap and Trade and funding for AB 617. Strategic relationships with high-level elected and appointed officials are necessary to achieve legislative and budgetary objectives in the current political environment.

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

The selected firm will be expected to provide a variety of services, to be outlined in the work statement, and consistent with South Coast AQMD Governing Board ("Board") directions. Funding for the initial year shall be up to a maximum of **\$180,000**. The contract may include options for two, one-year renewals, contingent on satisfactory performance and approval of subsequent budgets, upon approval of the Board.

### **INDEX**

The following are contained in this RFP:

Section I	Background/Information
Section II	Contact Person
Section III	Schedule of Events

Section IV	Participation in the Procurement Process
Section V	Statement of Work/Schedule of Deliverables
Section VI	Required Qualifications
Section VII	Proposal Submittal Requirements
Section VIII	Proposal Submission
Section IX	Proposal Evaluation/Contractor Selection
Section X	Funding
Section XI	Sample Contract
Attachment A	Participation in the Procurement Process
Attachment B	Certifications and Representations
Attachment C	South Coast AQMD's State Legislative Guiding Principles for 2025

## **SECTION I: BACKGROUND INFORMATION**

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

Specialized legislative representation and strategic political consulting services for South Coast AQMD in Sacramento are essential to advance the Board's policies and priorities, especially considering the State budget deficit and critical policy issues such as, but not limited to, the reauthorization of Cap and Trade and funding for AB 617. Strategic relationships with high-level elected and appointed officials are necessary to achieve legislative and budgetary objectives in the current political environment.

### **Legislative Priorities for FY 2025-26**

A strong presence in Sacramento is crucial to build support for South Coast AQMD-sponsored bills and protect the agency's interests.

- Reauthorization of the Cap-and-Trade program including Greenhouse Gas Reduction Fund allocations to maximize criteria pollutant and toxic emission reduction.
- Securing funding to support AB 617 and to foster environmental justice, equitable access to clean technologies, and community participation.
- Protecting, increasing, and identifying new funding sources to support South Coast AQMD programs that achieve state and federal air quality standards and reduce toxic air contaminants. Ensuring sufficient administrative funding to implement clean air programs effectively.
- Defending South Coast AQMD's authority to raise revenue and impose fees to support Air Quality Management Plans and State Implementation Plans.

- Preventing unfunded state mandates and advocating for the state's active role in reducing regional air pollution through legislation, regulatory actions, and funding.
- Promoting air quality initiatives related to transportation, infrastructure, and goods movement, focusing on deploying the cleanest technologies.
- Advancing legislative and administrative policies for zero-emission technologies and infrastructure to protect public health, achieve clean air standards, and bolster economic growth.
- Advocating for energy efficiency, renewable energy development, and emissions reduction measures, particularly in environmental justice communities.
- Promoting job retention, workforce training for zero-emission technologies, and economic growth aligned with clean air goals.
- Addressing air quality impacts from wildfires, dust storms, and other public health risks.
- Supporting legislative measures to meet South Coast AQMD's administrative and operational needs.

## **SECTION II: CONTACT PERSON**

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

Contact's Name: Philip Crabbe III, Legislative, Public Affairs & Media  
 Phone: (909) 396-2632  
 email: [pcrabbe@aqmd.gov](mailto:pcrabbe@aqmd.gov)

South Coast AQMD  
 21865 Copley Drive  
 Diamond Bar, CA 91765-4178

## **SECTION III: SCHEDULE OF EVENTS**

<b>DATE</b>	<b>EVENT</b>
January 10, 2025	RFP Released
February 11, 2025	Proposals Due to South Coast AQMD - <b>No Later Than 1:00 p.m.</b>
February 11-February 21, 2025	Proposal Evaluations
March 14, 2025	Interviews, if required
April 4, 2025	Governing Board Approval
June 3, 2025	Anticipated Contract Execution

## **SECTION IV: PARTICIPATION IN THE PROCUREMENT PROCESS**

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

## **SECTION V: STATEMENT OF WORK/SCHEDULE OF DELIVERABLES**

### **A. Statement of Work**

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

1. Based on Governing Board Approved State Legislative Guiding Principles, prepare a written strategic and tactical implementation plan for 2025-26;
2. Drafting, and/or assisting South Coast AQMD staff, consultants, or other parties in drafting, legislation and other policies and procedures as requested by South Coast AQMD and coordinating or assisting in their introduction in the California Legislature;
3. Reviewing, identifying, tracking, and monitoring both the actions of the administration and related state agencies as well as the California Legislature for legislation and other proposals potentially affecting air quality and South Coast AQMD's operations, authority, and funding;
4. Advocating, as directed by South Coast AQMD, on all identified and/or drafted legislation and administrative and other proposals, providing testimony at committee and other special hearings, and providing written communications to legislators, key administrative officials, and other staff regarding South Coast AQMD priorities;
5. Negotiating bill language, policies, or other state agency provisions related to air quality issues;
6. Assist in the integration of South Coast AQMD's state legislative agenda with its federal legislative agenda and local efforts;
7. Planning for and handling unforeseen emergency situations involving legislative or administrative items, at the direction of South Coast AQMD;
8. Producing materials for strategic distribution or inclusion in Legislative Committee/Board proceedings;
9. Providing regular reports on the status of all legislative and administrative activities in which interest is expressed by South Coast AQMD or that affect South Coast AQMD;



10. Identifying the administration's upcoming environmental legislative agenda and providing work plans, analysis, and consultation on strategies to align efforts to secure support for South Coast AQMD proposals;
11. Securing support for South Coast AQMD's mission and policy priorities by the decision-makers in the legislative and administrative bodies of the State of California, including the Governor's Office;
12. Gathering information on and scheduling appointments on behalf of South Coast AQMD with key legislators and administration members and appointees;
13. Attending and participating in meetings with legislative representatives and administration members and appointees to solely discuss the interests and goals of South Coast AQMD;
14. Preparing all reports and filings in the matter and form required of South Coast AQMD pursuant to the Political Reform Act of 1974 as amended and assisting South Coast AQMD in filing such reports. The contractor will promptly furnish to South Coast AQMD a copy of all reports filed with any governmental agency concerning its lobbying activities on behalf of South Coast AQMD.

A copy of the 2025 South Coast AQMD Governing Board's State Legislative Guiding Principles is herein incorporated as reference as Attachment C.

#### B. Schedule of Deliverables

1. Preparation of a Strategic Plan for the upcoming legislative year by no later than August 1, 2025, maximizing South Coast AQMD Board and staff participation and involvement in the legislative process;
2. Written drafts of legislative/administrative proposals as requested by South Coast AQMD. Such drafts are to be submitted for review by South Coast AQMD prior to being released;
3. Written updates of administrative actions pertaining to air quality-related issues or South Coast AQMD's programs. Such reports are to summarize each proposal/action and its potential impacts, recommend a South Coast AQMD position as appropriate, and identify any upcoming meetings or hearings to discuss the proposal;
4. Participation in the monthly South Coast AQMD Legislative Committee meetings, upon South Coast AQMD staff request, to provide updates and presentations on relevant legislative and administrative issues and legislation recommended for South Coast AQMD positions;
5. Written communications to legislators and key administrative officials conveying South Coast AQMD positions on various bills and administrative actions.
6. Following adjournment of the legislative session, a year-end report delineating and summarizing the final status/disposition of relevant legislative and administrative actions;
7. Legislative/administrative activities reports and legislative program planning documents and calendars as requested;
8. May include a "Capitol Briefing" or "Clean Air Legislative Action Day" or similar event(s) during the contract period to help establish an ongoing South

Coast AQMD presence in the Capitol to garner support for the agency's mission and policy priorities and maintain the agency's presence as a resource to the Legislature and the Governor's Office;

9. A weekly written report covering pertinent legislative activities during the legislative session, written quarterly reports, a year-end report, and a year-end presentation delineating and summarizing relevant administrative and legislative actions;
10. A monthly written report to accompany invoice outlining contractor's specific activities;
11. A monthly written report to be submitted for Legislative Committee, summarizing relevant legislative and administrative items and developments;
12. A signed confidentiality agreement; and
13. Maintaining permanent records from which the correctness of all written records and filings can be verified. These records are to be open to inspection by South Coast AQMD or its representatives during normal business hours.

## **SECTION VI: REQUIRED QUALIFICATIONS**

- A. Persons or firms proposing to bid on this proposal must be qualified and experienced in representing and advising governmental agencies and must submit qualifications demonstrating this ability in cases involving as many as possible of the following areas: administrative law, legislative policymaking and procedure, South Coast AQMD Rules and Regulations, air quality law, and other environmental issues.
- B. Proposer must submit the following:
  1. Resumes or similar statement of qualifications of person or persons who may be designated as lead consultant(s) for legislative and administrative advocacy.
  2. List of representative clients.
  3. Summary of Proposer's general qualifications to meet required qualifications and fulfill statement of work, including additional Firm personnel and resources.

## **SECTION VII: PROPOSAL SUBMITTAL REQUIREMENTS**

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

Each proposal must be submitted in three separate volumes:

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

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

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

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

### **VOLUME I – TECHNICAL PROPOSAL**

DO NOT INCLUDE ANY COST INFORMATION IN THE TECHNICAL VOLUME

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

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

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

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

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

1. List all key personnel assigned to the project by level, name, and location. Provide a resume or similar statement describing the background, qualifications and experience of the lead person and all persons assigned to the project. Substitution of project manager or lead personnel will not be permitted without prior written approval of South Coast AQMD.

2. Provide a spreadsheet of the labor hours proposed for each labor category at the task level.
3. Provide a statement indicating whether or not 90% of the work will be performed within the geographical boundaries of South Coast AQMD.
4. Provide a statement of education and training programs provided to, or required of, the staff identified for participation in the project, particularly with reference to management consulting, governmental practices and procedures, and technical matters.
5. Provide a summary of your Firm's general qualifications to meet required qualifications and fulfill statement of work, including additional Firm personnel and resources beyond those who may be assigned to the project.

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

Conflict of Interest (Section G) - Address possible conflicts of interest with other clients affected by actions performed by the Firm on behalf of South Coast AQMD. South Coast AQMD recognizes that prospective Contractors may be performing similar projects for other clients. Include a complete list of such clients for the past three (3) years with the type of work performed and the total number of years performing such tasks for each client. Although the Proposer will not be automatically disqualified by reason of work performed for such clients, South Coast AQMD reserves the right to consider the nature and extent of such work in evaluating the proposal.

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

## **VOLUME II - COST PROPOSAL**

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

Cost Proposal – South Coast AQMD anticipates awarding a fixed contract. Cost information must be provided as listed below:

1. Detail must be provided by the following categories:
  - A. Labor – The Cost Proposal must list the fully-burdened hourly rates and the total number of hours estimated for each level of professional and administrative staff to be used to perform the tasks required by this RFP. Costs should be estimated for each of the components of the work plan.
  - B. Subcontractor Costs - List subcontractor costs and identify subcontractors by name. Itemize subcontractor charges per hour or per day.

- C. Travel Costs - Indicate amount of travel cost and basis of estimate to include trip destination, purpose of trip, length of trip, airline fare or mileage expense, per diem costs, lodging, and car rental.
- D. Other Direct Costs -This category may include such items as postage and mailing expense, printing, and reproduction costs, etc. Provide a basis of estimate for these costs.
2. It is the policy of the South Coast AQMD to receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services. South Coast AQMD will give preference, where appropriate, to vendors who certify that they will provide “most favored customer” status to the South Coast AQMD. To receive preference points, Proposer shall certify that South Coast AQMD is receiving “most favored customer” pricing in the Business Status Certifications page of Volume III, Attachment B – Certifications and Representations.

### **VOLUME III - CERTIFICATIONS AND REPRESENTATIONS**

(see Attachment B to this RFP)

### **SECTION VIII: PROPOSAL SUBMISSION**

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

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

Due Date - **All proposals are due no later than 1:00 p.m., February 11, 2025, and should be directed to:**

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

Submittal - Submit eight (8) complete copies of the proposal in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the Proposer and the words “Request for Proposals P2025-06.”

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

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

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

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

## **SECTION IX: PROPOSAL EVALUATION/CONTRACTOR SELECTION CRITERIA**

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

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

Understanding of Requirement	20
Technical/Management Approach	20
Contractor Qualifications	20
Previous Experience on Similar Projects	10
Cost	30

TOTAL 100

- (b) Additional Points

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

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

**Self-Certification for Additional Points**

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

1. To receive additional points in the evaluation process for the categories of Small Business or Small Business Joint Venture, DVBE or DVBE Joint Venture or Local Business (for non-federally funded projects), the Proposer must submit a self-certification at the time of proposal submission certifying that the Proposer meets the requirements set forth in Attachments A and B. To receive points for the use of DVBE and/or Small Business subcontractors, at least 25 percent of the total contract value must be subcontracted to DVBEs and/or Small Businesses. To receive points as a Zero or Near-Zero Emission Vehicle Business, the Proposer must demonstrate to the Executive Officer, or designee, that supplies and materials delivered to South Coast AQMD are delivered in vehicles that operate on clean-fuels. To receive points as a Local Business, the Proposer must affirm that it has an ongoing business within the South Coast AQMD at the time of bid/proposal submittal and that 90% of the work related to the contract will be performed within the South Coast AQMD. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points. Federally funded projects are not eligible for local business incentive points. To receive points as an Off-Peak Hours Delivery Business, the proposer must submit, at proposal submission, certification of its commitment to delivering supplies and materials to South Coast AQMD between the hours of 10:00 a.m. and 3:00 p.m. To receive points for Most Favored Customer status, the Proposer must submit, at proposal submission, certification of its commitment to provide most favored customer status to the South Coast AQMD. The cumulative points awarded for Small Business, DVBE, use of Small Business or DVBE Subcontractors, Local Business, Zero or Near- Zero Emission Vehicle Business, Off-Peak Hour Delivery Business and Most Favored Customer shall not exceed 17 points.
2. For procurement of Research and Development (R & D) projects or projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, technical factors including past experience shall be weighted at 70 points and cost shall be weighted at 30 points. A proposal must receive at least 56 out of 70 points on R & D projects and projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, in order to be deemed qualified for award.

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



**SECTION X: FUNDING**

The total funding for the work contemplated by this RFP will be a maximum **\$180,000** for the base year with an option to renew the contract for a second and third year for an estimated amount of **\$180,000**.

**SECTION XI: SAMPLE CONTRACT**

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

## **ATTACHMENT A**

### **PARTICIPATION IN THE PROCUREMENT PROCESS**

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

B. Definitions:

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

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

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

include vehicles powered by electric, compressed natural gas (CNG), liquefied natural gas (LNG), liquefied petroleum gas (LPG), ethanol, methanol and hydrogen and are certified to 90 percent (90%) or lower of the existing standard.

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

- a Historically Underutilized Business (HUB) Zone Small Business Concern, or a concern under a successor program.
- C. Under Request for Quotations (RFQ), DVBEs, DVBE business joint ventures, small businesses, and small business joint ventures shall be granted a preference in an amount equal to 5 percent (5%) of the lowest cost responsive bid. Zero or Near-Zero Emission Vehicle Businesses shall be granted a preference in an amount equal to 5 percent of the lowest cost responsive bid. Off-Peak Hours Delivery Businesses shall be granted a preference in an amount equal to 2 percent (2%) of the lowest cost responsive bid. Local businesses (if the procurement is not funded in whole or in part by federal grant funds) shall be granted a preference in an amount equal to 2 percent (2%) of the lowest cost responsive bid. Businesses offering Most Favored Customer status shall be granted a preference in an amount equal to 2 percent (2%) of the lowest cost responsive bid.
- D. Under Request for Proposals, DVBEs, DVBE joint ventures, small businesses, and small business joint ventures shall be awarded ten (10) points in the evaluation process. A non-DVBE or large business shall receive seven (7) points for subcontracting at least 25 percent (25%) of the total contract value to a DVBE and/or small business. Zero or Near-Zero Emission Vehicle Businesses shall be awarded five (5) points in the evaluation process. On procurements which are not funded in whole or in part by federal grant funds local businesses shall receive five (5) points. Off-Peak Hours Delivery Businesses shall be awarded two (2) points in the evaluation process. Businesses offering Most Favored Customer status shall be awarded two (2) points in the evaluation process.
- E. South Coast AQMD will ensure that discrimination in the award and performance of contracts does not occur on the basis of race, color, sex, national origin, marital status, sexual preference, creed, ancestry, medical condition, or retaliation for having filed a discrimination complaint in the performance of South Coast AQMD contractual obligations.
- F. South Coast AQMD requires Contractor to be in compliance with all state and federal laws and regulations with respect to its employees throughout the term of any awarded contract, including state minimum wage laws and OSHA requirements.
- G. When contracts are funded in whole or in part by federal funds, and if subcontracts are to be let, the Contractor must comply with the following, evidencing a good faith effort to solicit disadvantaged businesses. Contractor shall submit a certification signed by an authorized official affirming its status as a MBE or WBE, as applicable, at the time of contract execution. South Coast AQMD reserves the right to request documentation demonstrating compliance with the following good faith efforts prior to contract execution.
1. Ensure Disadvantaged Business Enterprises (DBEs) are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local Government recipients,

this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.

2. Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
  3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and Local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
  4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
  5. Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
  6. If the prime contractor awards subcontracts, require the prime contractor to take the above steps.
- H. To the extent that any conflict exists between this policy and any requirements imposed by federal and state law relating to participation in a contract by a certified MBE/WBE/DVBE as a condition of receipt of federal or state funds, the federal or state requirements shall prevail.
- I. When contracts are not funded in whole or in part by federal grant funds, a local business preference will be awarded. For such contracts that involve the purchase of commercial off-the-shelf products, local business preference will be given to suppliers or distributors of commercial off-the-shelf products who maintain an ongoing business within the geographical boundaries of South Coast AQMD. However, if the subject matter of the RFP or RFQ calls for the fabrication or manufacture of custom products, only companies performing 90 percent (90%) of the manufacturing or fabrication effort within the geographical boundaries of South Coast AQMD shall be entitled to the local business preference. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points.
- J. In compliance with federal fair share requirements set forth in 40 CFR Part 33, South Coast AQMD shall establish a fair share goal annually for expenditures with federal funds covered by its procurement policy.

**ATTACHMENT B**

## Certifications and Representations

**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 South Coast AQMD Contractor/Supplier:

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

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

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

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

Sincerely,

Sujata Jain  
Chief Financial Officer

DH:nd

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



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178

(909) 396-2000 • [www.aqmd.gov](http://www.aqmd.gov)

## BUSINESS INFORMATION REQUEST

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

## REMITTING ADDRESS INFORMATION

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

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

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



## BUSINESS STATUS CERTIFICATIONS

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

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

Statements of certification:

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

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

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

Check all that apply:

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

Percent of ownership: \_\_\_\_\_ %

Name of Qualifying Owner(s): \_\_\_\_\_

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

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

\_\_\_\_\_  
*NAME*

\_\_\_\_\_  
*TITLE*

\_\_\_\_\_  
*TELEPHONE NUMBER*

\_\_\_\_\_  
*DATE*

## Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Form **W-9**  
(Rev. October 2018)  
Department of the Treasury  
Internal Revenue Service

## Request for Taxpayer Identification Number and Certification

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

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

**1** Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

**2** Business name/disregarded entity name, if different from above

**3** Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC      ☐ C Corporation      ☐ S Corporation      ☐ Partnership      ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶

**Note:** Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

**4** Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) ▶

Exemption from FATCA reporting code (if any) ▶

(Applies to accounts maintained outside the U.S.)

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

**6** City, state, and ZIP code

**7** List account number(s) here (optional)

**8** Requester's name and address (optional)

### Part I Taxpayer Identification Number (TIN)

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

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

**Social security number**

    -    -    -

or

**Employer identification number**

    -    -    -

### Part II Certification

Under penalties of perjury, I certify that:

- 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
- 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
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

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

**Sign Here**

Signature of U.S. person ▶

Date ▶

## General Instructions

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

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

## Purpose of Form

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

- Form 1099-INT (interest earned or paid)

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

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

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



By signing the filled-out form, you:

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

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

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

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

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

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

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

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

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

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

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

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

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

## Backup Withholding

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

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

**Payments you receive will be subject to backup withholding if:**

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

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

Also see *Special rules for partnerships*, earlier.

## What is FATCA Reporting?

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

## Updating Your Information

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

## Penalties

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

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



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

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

## Specific Instructions

### Line 1

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

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

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

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

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

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

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

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

### Line 2

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

### Line 3

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

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

### Line 4, Exemptions

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

#### Exempt payee code.

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

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

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



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

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

<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 reportable under section 6045(f), and payments for services paid by a federal executive agency.

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

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

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

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

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

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

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

G—A real estate investment trust

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

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

J—A bank as defined in section 581

K—A broker

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

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

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

## Line 5

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

## Line 6

Enter your city, state, and ZIP code.

## Part I. Taxpayer Identification Number (TIN)

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

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

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

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

**How to get a TIN.** If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at [www.SSA.gov](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. Go to [www.irs.gov/Forms](http://www.irs.gov/Forms) to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to [www.irs.gov/OrderForms](http://www.irs.gov/OrderForms) to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

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

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

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

## Part II. Certification

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

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

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



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

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

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

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

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

## What Name and Number To Give the Requester

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

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

<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*, earlier.

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

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

## Secure Your Tax Records From Identity Theft

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

To reduce your risk:

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

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

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

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

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

### Protect yourself from suspicious emails or phishing schemes.

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



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

If you receive an unsolicited email claiming to be from the IRS, forward this message to [phishing@irs.gov](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 (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at [spam@uce.gov](mailto:spam@uce.gov) or report them at [www.ftc.gov/complaint](http://www.ftc.gov/complaint). You can contact the FTC at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see [www.IdentityTheft.gov](http://www.IdentityTheft.gov) and Pub. 5027.

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

## Privacy Act Notice

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

TAXABLE YEAR

CALIFORNIA FORM

**2021 Withholding Exemption Certificate****590**

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

**Withholding Agent Information**

Name

**Payee Information**

Name

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

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

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

State ZIP code

**Exemption Reason****Check only one box.**

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

☐ **Individuals — Certification of Residency:**

I am a resident of California and I reside at the address shown above. If I become a nonresident at any time, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.

☐ **Corporations:**

The corporation has a permanent place of business in California at the address shown above or is qualified through the California Secretary of State (SOS) to do business in California. The corporation will file a California tax return. If this corporation ceases to have a permanent place of business in California or ceases to do any of the above, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.

☐ **Partnerships or Limited Liability Companies (LLCs):**

The partnership or LLC has a permanent place of business in California at the address shown above or is registered with the California SOS, and is subject to the laws of California. The partnership or LLC will file a California tax return. If the partnership or LLC ceases to do any of the above, I will promptly inform the withholding agent. For withholding purposes, a limited liability partnership (LLP) is treated like any other partnership.

☐ **Tax-Exempt Entities:**

The entity is exempt from tax under California Revenue and Taxation Code (R&amp;TC) Section 23701 (insert letter) or Internal Revenue Code Section 501(c) (insert number). If this entity ceases to be exempt from tax, I will promptly notify the withholding agent. Individuals cannot be tax-exempt entities.

☐ **Insurance Companies, Individual Retirement Arrangements (IRAs), or Qualified Pension/Profit-Sharing Plans:**

The entity is an insurance company, IRA, or a federally qualified pension or profit-sharing plan.

☐ **California Trusts:**

At least one trustee and one noncontingent beneficiary of the above-named trust is a California resident. The trust will file a California fiduciary tax return. If the trustee or noncontingent beneficiary becomes a nonresident at any time, I will promptly notify the withholding agent.

☐ **Estates — Certification of Residency of Deceased Person:**

I am the executor of the above-named person's estate or trust. The decedent was a California resident at the time of death. The estate will file a California fiduciary tax return.

☐ **Nonmilitary Spouse of a Military Servicemember:**

I am a nonmilitary spouse of a military servicemember and I meet the Military Spouse Residency Relief Act (MSRRA) requirements. See instructions for General Information E, MSRRA.

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

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

Type or print payee's name and title

Telephone

Payee's signature ▶

Date



# 2021 Instructions for Form 590

## Withholding Exemption Certificate

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

### General Information

California Revenue and Taxation Code (R&TC) Section 18662 requires withholding of income or franchise tax on payments of California source income made to nonresidents of California. For more information, See General Information B, Income Subject to Withholding.

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

### A Purpose

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

Form 590 does not apply to payments of backup withholding. For more information, go to [ftb.ca.gov](http://ftb.ca.gov) and search for **backup withholding**.

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

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

**The following are excluded from withholding and completing this form:**

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

### B Income Subject to Withholding

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

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

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

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

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

### C Who Certifies this Form

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

An incomplete certificate is invalid and the withholding agent should not accept it. If the withholding agent receives an incomplete certificate, the withholding agent is required to withhold tax on payments made to the payee until a valid certificate is received. In lieu of a completed exemption certificate, the withholding agent may accept a letter from the payee as a substitute explaining why they are not subject to withholding. The letter must contain all the information required on the certificate in similar language, including the under penalty of perjury statement and the payee's taxpayer identification number (TIN).

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

If an entertainer (or the entertainer's business entity) is paid for a performance, the entertainer's information must be provided.

**Do not** submit the entertainer's agent or promoter information.

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

### D Definitions

For California nonwage withholding purposes:

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

For more information about determining resident status, get FTB Pub. 1031, Guidelines for Determining Resident Status. Military servicemembers have special rules for residency. For more information see General Information E, Military Spouse Residency Relief Act (MSRRA), and FTB Pub. 1032, Tax Information for Military Personnel.

#### Permanent Place of Business:

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

### E Military Spouse Residency Relief Act (MSRRA)

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

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

**Domicile** is defined as the one place:

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

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

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

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

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

## Specific Instructions

### Payee Instructions

Enter the withholding agent's name.

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

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

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

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

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

### Withholding Agent Instructions

Do not send this form to the FTB. The certification on Form 590 remains valid until the payee's status changes. The withholding agent must retain a copy of the certificate or substitute for at least five years after the last payment to which the certificate applies. The agent must provide it to the FTB upon request.

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

- The individual payee becomes a nonresident.
- The corporation ceases to have a permanent place of business in California or ceases to be qualified to do business in California.
- The partnership ceases to have a permanent place of business in California.
- The LLC ceases to have a permanent place of business in California.
- The tax-exempt entity loses its tax-exempt status.

If any of these situations occur, then withholding may be required. For more information, get Form 592, Resident and Nonresident Withholding Statement, Form 592-B, Resident and Nonresident Withholding Tax Statement, Form 592-PTE, Pass-Through Entity Annual Withholding Return, Form 592-Q, Payment Voucher for Pass-Through Entity Withholding, and Form 592-V, Payment Voucher for Resident or Nonresident Withholding.

## Additional Information

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

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

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

**Fax:** 916.845.9512

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

For questions unrelated to withholding, or to download, view, and print California tax forms and publications, or to access the TTY/TDD numbers, see the Internet and Telephone Assistance section.

### Internet and Telephone Assistance

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

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

**TTY/TDD:** 800.822.6268 for persons with hearing or speech disability  
711 or 800.735.2929 California relay service

### Asistencia Por Internet y Teléfono

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

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

**TTY/TDD:** 800.822.6268 para personas con discapacidades auditivas o del habla  
711 ó 800.735.2929 servicio de relevo de California

**Certification Regarding  
Debarment, Suspension, and Other Responsibility Matters**

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

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

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

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Typed Name & Title of Authorized Representative

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Signature of Authorized Representative Date

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





## CAMPAIGN CONTRIBUTIONS DISCLOSURE

In accordance with California law, bidders and contracting parties are required to disclose, at the time the application is filed, information relating to any campaign contributions made to South Coast Air Quality Management District (SCAQMD) Board Members or members/alternates of the Mobile Source Air Pollution Reduction Review Committee (MSRC) or MSRC Technical Advisory Committee (TAC), including: the name of the party making the contribution (which includes any parent, subsidiary or otherwise related business entity, as defined below), the amount of the contribution, and the date the contribution was made. 2 C.C.R. §18438.8(b). Where a proposed or proposed amended rule impacts three or fewer facilities, those facilities will be treated in much the same manner as contracting parties and so must also complete this form, disclosing information relating to any campaign contributions made to any SCAQMD Board Members. See Quadri Advice Letter (2002) A-02.096.<sup>1</sup> In the event that a qualifying campaign contribution is made, the Board Member to whom it was made may be disqualified from participating in the actions involving that donor.

California law prohibits a party, or an agent, from making campaign contributions to SCAQMD Governing Board Members or members/alternates of the MSRC or TAC of more than \$250 while their contract or permit is pending before the SCAQMD; and further prohibits a campaign contribution from being made for twelve (12) months following the date of the final decision by the Governing Board or the MSRC or TAC on a donor's contract or permit. Gov't Code §84308(d). For purposes of reaching the \$250 limit, the campaign contributions of the bidder or contractor plus contributions by its parents, affiliates, and related companies of the contractor or bidder are added together. 2 C.C.R. §18438.5.

In addition, SCAQMD Board Members or members/alternates of the MSRC or TAC must abstain from voting on a contract or permit if they have received a campaign contribution from a party or participant<sup>2</sup> to the proceeding, or agent, totaling more than \$250 in the 12-month period prior to the consideration of the item by the Governing Board or the MSRC. Gov't Code §84308(c).

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

### **SECTION I.**

**Contractor (Legal Name):** \_\_\_\_\_

- ☐ DBA, Name \_\_\_\_\_, County Filed in \_\_\_\_\_

☐ Corporation, ID No. \_\_\_\_\_

☐ LLC/LLP, ID No. \_\_\_\_\_

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

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

<sup>1</sup> The information provided on this form does not, and is not intended to, constitute legal advice. To the extent that you may have questions regarding any case law, citations, or legal interpretations provided above please seek the guidance of your own independent counsel.

<sup>2</sup> In accordance with California law, a person or entity with a financial interest in a proceeding or particular governmental decision, who is not a party but who actively supports or opposes a particular decision, qualifies as a "participant" in that proceeding for purposes of California Code of Regulations Section 84308. A participant has both a financial interest in the proceeding and communicates with the agency or an officer of the agency for purposes of influencing the proceeding.

**SECTION II.**

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

☐ Yes ☐ No

**If YES, complete Section II below and then sign and date the form.**

**If NO, sign and date below. Include this form with your submittal.**

Name(s) of Contributor(s) or Person(s) who Directed or Controlled this Contribution:

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\_\_\_\_\_  
Governing Board Member or MSRC or MSRC-TAC Member/Alternate

\_\_\_\_\_  
Amount of Contribution

\_\_\_\_\_  
Date of Contribution

Name(s) of Contributor(s) or Person(s) who Directed or Controlled this Contribution:

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\_\_\_\_\_  
Governing Board Member or MSRC or MSRC-TAC Member/Alternate

\_\_\_\_\_  
Amount of Contribution

\_\_\_\_\_  
Date of Contribution

Name(s) of Contributor(s) or Person(s) who Directed or Controlled this Contribution:

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\_\_\_\_\_  
Governing Board Member or MSRC or MSRC-TAC Member/Alternate

\_\_\_\_\_  
Amount of Contribution

\_\_\_\_\_  
Date of Contribution

Name(s) of Contributor(s) or Person(s) who Directed or Controlled this Contribution:

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\_\_\_\_\_  
Governing Board Member or MSRC or MSRC-TAC Member/Alternate

\_\_\_\_\_  
Amount of Contribution

\_\_\_\_\_  
Date of Contribution

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

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

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

#### **DEFINITIONS**

D

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

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



**ATTACHMENT C****South Coast AQMD's State Legislative Guiding Principles for 2025**

*The following guiding principles are identified to protect public health, facilitate attainment of state and federal clean air standards within the South Coast region by statutory deadlines and address other South Coast AQMD needs and policy priorities, while working with and serving as a resource to state legislators and the Governor; state and local agencies; and business, environmental, health, community, and other stakeholders.*

***Air Quality Funding***

Protect and increase existing and identify new funding sources that provide a sustainable revenue stream for South Coast AQMD programs and priorities that support attainment of state and federal ambient air quality standards and reduce toxic air contaminants to protect public health, especially to achieve equitable clean air for disproportionately impacted communities. Ensure that there is a sufficient level of administrative and implementation funding to facilitate the effective execution of clean air programs, projects and overall efforts.

***South Coast AQMD Authority / Policy Implementation***

Defend and ensure adequate South Coast AQMD authority to raise revenue and impose fees as needed and implement the Board's clean air policies and programs, including those required by state and federal laws, to support Air Quality Management Plans (AQMPs), State Implementation Plans, and Letters of Commitment with U.S. EPA and CARB.

***State Support***

Ensure that the State does not impose unfunded mandates on South Coast AQMD and does its fair share to reduce air pollution within the South Coast region. State actions needed in support of air quality include, but are not limited to, funding, legislation, regulatory actions, and support by the Administration. In particular, South Coast AQMD requires State action to: 1) Facilitate implementation of applicable South Coast AQMD AQMPs to attain federal ozone and particulate matter air quality standards in accordance with deadlines; 2) Ensure there are sufficient resources to fully implement air district responsibilities and programs created through AB 617 [Health & Safety Code Sections 39607.1; 40920.6; 40920.8; 42705.5; 44391.2]; and 3) Maximize funding opportunities from the federal government to the State through public laws, such as the Bipartisan Infrastructure Law and Inflation Reduction Act.

***Surface Transportation & Goods Movement***

Support and expand policy and funding that promotes air quality priorities related to the implementation of state and federal surface transportation, infrastructure and goods movement policies and programs, especially related to the development and deployment of the cleanest technologies for medium- and heavy-duty trucks, locomotives, oceangoing vessels, aircraft, and off-road equipment with a priority for zero-emission technology where commercially viable at scale.

***Development and Deployment of Clean Technology***

Support and advocate for legislative and administrative policies, programs, and funding, that promote the development and deployment of the cleanest commercially available technologies with prioritization for zero-emission infrastructure, equipment, and vehicles to: 1) protect public

health; 2) facilitate attainment of clean air standards; and/or 3) support a healthy economy and promote job retention/creation within the South Coast region.

### ***Environmental Justice***

Support and advocate for legislative and administrative policies and funding that: 1) promote and sustain environmental justice initiatives which reduce localized health risks resulting from criteria pollutant and toxic air contaminant emissions; 2) prioritize equitable access to zero-emission or the cleanest technologies available for over-burdened communities; 3) enhance community participation in decision-making; and 4) provide the resources necessary to fully implement local air districts' responsibilities and programs created through AB 617, including implementing CARB's blueprint to expand the program to address communities that have been consistently nominated.

### ***Climate Change***

Support efforts directing that the Greenhouse Gas Reduction Fund provide funding to maximize criteria pollutant and toxic emission reduction co-benefits that facilitate attainment of clean air standards and reduce public health impacts in the South Coast region, such as through the development and deployment of zero-emission or cleanest commercially available vehicles, equipment, and fueling/charging infrastructure, especially as it relates to mobile sources such as medium- and heavy-duty trucks, locomotives, oceangoing vessels, aircraft, and off-road equipment.

### ***Clean Energy***

Support legislative and administrative efforts to promote energy efficiency, demand reduction, and reliable, cost effective and the cleanest energy in the South Coast region, especially in disproportionately impacted environmental justice communities. Also, support production and development of renewable and alternative energy, energy storage, and microgrids, as well as charging and fueling infrastructure, to reduce emissions from transportation and other sources, such as back-up generators.

### ***Business, Job Creation, Workforce Training & Economy***

Support legislative policies and administrative actions that promote job retention and creation, workforce training for zero-emission technologies, as well as economic growth, while working toward attainment of clean air standards; and that support and assist the regulated community in complying with rules and regulations in the most efficient and cost-effective manner. Work to ensure job and economic benefits are equitably accessible to environmental justice communities.

### ***Addressing Impacts of Natural and Manmade Events***

Support and advocate for legislative and administrative policies, programs, and funding that reduce and/or mitigate air quality-related public health impacts within the South Coast region caused by wildfires, dust/sandstorms, odors, or other events.

### ***Administrative Operations***

Support and seek legislative and administrative policies, programs, funding and/or actions that ensure that South Coast AQMD can meet its administrative and operational needs, including, but not limited to those related to human resources, pensions, and other employment-related issues.

### **SB 34 (Richardson)**

Ports: emissions: intermodal goods movement stakeholder group.

**Summary:** This bill would require CARB to establish an intermodal goods movement stakeholder group (stakeholder group) consisting of, among others, a member from each port district, labor, and CARB to develop a plan that specifies short-term thresholds of yellow, orange, and red for port emissions and actions to be taken to reduce port emissions when the thresholds are reached.

**Background:** California has 12 ports through which goods are imported to and exported from international markets. Existing law regulates the operation of ports and harbors and imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and non-vehicular sources. Vehicles and equipment at ports are significant sources of air pollution. Ships, trucks, and cargo handling equipment at ports and offsite goods movement systems are often fueled by diesel and emit air pollutants such as diesel particulate matter (DPM) and nitrogen oxides (NO<sub>x</sub>).

Governmental oversight of ports in California is distributed across several state and local agencies, including the Department of Transportation, CARB, the Governor's Office of Business and Economic Development, cities, and the South Coast AQMD. Each entity has different responsibilities regarding ports and goods movement.

The Ports of Los Angeles and Long Beach are the two busiest marine ports in the nation; they are also the largest source of NO<sub>x</sub> in the South Coast region. Additionally, DPM emissions from port sources continue to pollute the region, including neighboring overburdened communities. In order to meet state and federal standards to protect public health, South Coast AQMD's 2022 Air Quality Management Plan, Indirect Source Rule related to ports, as well as AB 617 Community Emission Reduction efforts within the region include key measures focused on reducing port emission sources.

**Status:** 12/2/24 - Introduced. Read first time. To Senate Rules for assignment. To print.

**Specific Provisions:** Specifically, this bill would:

- 1) Require CARB to establish an intermodal goods movement stakeholder group, consisting of an individual representing the following:
  - International Longshore and Warehouse Union Local 13
  - International Longshore and Warehouse Union Local 63
  - International Longshore and Warehouse Union Local 94

- International Longshore and Warehouse Union Southern California District Council
  - Terminal and tenant operations
  - Ship and vessel operations
  - Rail and locomotive operations
  - Freight forwarders
  - Warehouse distribution centers
  - California Association of Port Authorities
  - A representative from each of the 12 California ports through which goods are imported and exported from international markets, including the Ports of Los Angeles and Long Beach
  - California Department of Transportation
  - CARB
- 2) The stakeholder group shall develop a plan that specifies thresholds of yellow, orange, and red for port emissions and specifies actions to be taken to reduce port emissions when the thresholds are reached. An action in the plan shall be agreed to by the entity that would be required to perform the action under the plan.
- 3) In developing the plan, the stakeholder group shall hold monthly meetings and meet with appropriate state agencies to determine emission impact levels, discuss a draft plan and provide and obtain recommendations relating to plan performance.
- 4) On or before January 31, 2027, the stakeholder group shall submit a report to the Legislature and the Governor with its findings, recommendations and the plan.
- 5) The plan shall not be implemented before July 1, 2027.

**Impacts on South Coast AQMD’s Mission, Operations or Initiatives:** The South Coast Air Basin will not meet state and federal ambient air quality standards without significant emissions reductions related to the San Pedro Bay Ports. SB 34 could artificially constrain the implementation of emission reductions at the ports by preventing stakeholder group actions until no earlier than July 1, 2027. It is critical to not slow emission reductions measures to protect public health of portside communities and workers at the San Pedro Bay Ports. Although there is much work to be done and challenges to be addressed related to the transition to zero-emission technologies, there also should not be a delay in working on the deployment of infrastructure and technologies to leverage current state and federal funding available for the modernization of goods movement.

Additionally, this bill is problematic in that it appears to be creating a temporary quasi-regulatory entity that conflicts with existing state and local regulatory authority and processes. Any plan created appears to require that governmental entities “agree” to implement portions of the plan.

As an agency responsible for meeting state and federal ambient air quality standards, it is imperative that South Coast AQMD preserve its existing local authority. SB 34 could establish a harmful precedent by pre-empting or conflicting with local government and air agencies regulatory responsibilities to comply with state and federal law.

**Recommended Position: WORK WITH AUTHOR**

Staff recommend a “Work with Author” position to discuss the following:

- Role of the proposed stakeholder group and its problematic conflict with existing state and local authority. This could set a dangerous precedent of usurping local governmental authority; and,
- Potentially delaying of emission reductions by preventing stakeholder group actions to be implemented until no earlier than July 1, 2027, which could impact the South Coast Air Basin’s ability to meet state and federal ambient air quality standards.

**Support:**

N/A

**Opposition:**

N/A

**Introduced by Senator Richardson**

December 2, 2024

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An act to add Section 39619.3 to the Health and Safety Code, relating to ports.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 34, as introduced, Richardson. Ports: emissions: intermodal goods movement stakeholder group.

Existing law regulates the operation of ports and harbors. Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources and generally designates the State Air Resources Board as the state agency with primary responsibility for the control of vehicular air pollution.

This bill would require the state board to establish an intermodal goods movement stakeholders group consisting of, among others, a member from each specified port district. By requiring a port district to participate in the group, the bill would impose a state-mandated local program. The bill would require the group to develop a plan that specifies short-term thresholds of yellow, orange, and red for port emissions and specifies actions to be taken to reduce port emissions and port-related emissions when the thresholds are reached, as specified. The bill would require the group to submit a report to the Legislature, on or before January 31, 2027, with its findings, recommendations, and the plan.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the  
2 following:
- 3 (a) California has 12 ports through which goods are imported  
4 to and exported from international markets.
- 5 (b) The Port of Oakland's highest value exports are food related,  
6 including, but not limited to, fruits, nuts, meats, wines, and spirits.  
7 In contrast, the Humboldt Bay Harbor District primarily imports  
8 and exports logs and wood chips due to the lumber businesses in  
9 its region.
- 10 (c) The Port of Los Angeles is considered the busiest container  
11 port in the Western Hemisphere. It handles around 10,000,000  
12 cargo containers annually. In June 2024, the Port of Los Angeles  
13 processed 827,757 twenty-foot equivalent units (TEUs), a  
14 10-percent increase from the previous month. And in the third  
15 quarter of 2024, the Port of Los Angeles processed 2,850,000  
16 TEUs, its best quarter in over 116 years. Each year, the cargo  
17 flowing through this port generates over \$200 billion in economic  
18 activity and sustains nearly 3,000,000 jobs in the United States.
- 19 (d) The Port of Los Angeles is part of the San Pedro Complex,  
20 which is the container hub for both the Port of Los Angeles and  
21 the Port of Long Beach. The San Pedro Complex is the largest  
22 container hub in the United States and accounts for over 30 percent  
23 of the TEUs in the United States. It is also the fifth largest container  
24 hub in the world.
- 25 (e) Vehicles and equipment at ports are significant sources of  
26 air pollution. Ships, trucks, and cargo handling equipment at ports  
27 and offsite goods movement systems are often fueled by diesel  
28 and emit air pollutants such as particulate matter and nitrogen  
29 oxides. In recent years, California ports have faced several  
30 challenges, including, but not limited to, onsite and offsite port  
31 congestion and air pollution from associated facilities and vehicles.

1 Both the State of California and the federal government have  
2 engaged in legislative, regulatory, and budgetary efforts to help  
3 ports address these challenges.

4 (f) State involvement with ports in California is distributed  
5 across several agencies, including the Department of  
6 Transportation, the Transportation Agency, the State Air Resources  
7 Board, the Governor's Office of Business and Economic  
8 Development, and the local South Coast Air Quality Management  
9 District. Each entity has different responsibilities regarding ports  
10 and goods movement.

11 (g) The long term plan to reduce port emissions requires ports  
12 to adopt new zero-emission technologies. However, ports face  
13 several barriers, including, but not limited to, the following:

14 (1) Certain electric vehicles are not yet widely available.

15 (2) Barriers to siting and building a sufficient electrical grid to  
16 power zero-emission technologies.

17 (3) High and unbudgeted costs.

18 (4) Unsuitability of current batteries for port operations.

19 (h) As a result of these barriers and others, the timeline for  
20 implementing zero-emission technologies at ports remains unclear  
21 and the costs remain unknown but are believed to exceed \$1 billion.

22 (i) To reduce port emissions in the short term, while 2035  
23 zero-emission goals are implemented, an intermodal goods  
24 movement stakeholders group shall be created to develop a plan  
25 to reduce port emissions when damaging levels arise.

26 SEC. 2. Section 39619.3 is added to the Health and Safety  
27 Code, to read:

28 39619.3. (a) The state board shall establish an intermodal  
29 goods movement stakeholders group, consisting of each of the  
30 following individuals:

31 (1) An individual representing each of the following:

32 (A) International Longshore and Warehouse Union Local 13.

33 (B) International Longshore and Warehouse Union Local 63.

34 (C) International Longshore and Warehouse Union Local 94.

35 (D) International Longshore and Warehouse Union Southern  
36 California District Council.

37 (2) An individual representing terminal and tenant operations.

38 (3) An individual representing ship and vessel operations.

39 (4) An individual representing rail and locomotive operations.



- 1 (5) An individual representing freight forwarders, as defined in  
2 Section 220 of the Public Utilities Code.
- 3 (6) An individual representing warehouse distribution centers.
- 4 (7) An individual representing the California Association of  
5 Port Authorities.
- 6 (8) An individual representing each of the following:
- 7 (A) The Port of Benicia.
- 8 (B) The Port of Hueneme.
- 9 (C) The Port of Long Beach.
- 10 (D) The Port of Los Angeles.
- 11 (E) The Port of Oakland.
- 12 (F) The Port of Redwood City.
- 13 (G) The Port of Richmond.
- 14 (H) The Port of San Diego.
- 15 (I) The Port of San Francisco.
- 16 (J) The Port of Stockton.
- 17 (K) The Port of West Sacramento.
- 18 (L) The Humboldt Bay Harbor District.
- 19 (9) An individual representing the Department of Transportation.
- 20 (10) An individual representing the state board.
- 21 (b) The intermodal goods movement stakeholders group shall  
22 develop a plan that specifies short-term thresholds of yellow,  
23 orange, and red for port emissions and specifies actions to be taken  
24 to reduce port emissions and port-related emissions when the  
25 thresholds are reached. An action in the plan shall be agreed to by  
26 the entity that would be required to perform the action under the  
27 plan.
- 28 (c) In developing the plan described in subdivision (b), the  
29 intermodal goods movement stakeholders group shall do both of  
30 the following:
- 31 (1) Hold monthly meetings in person or by video conference.
- 32 (2) Meet with appropriate state agencies to do all of the  
33 following:
- 34 (A) Determine escalating emission impact levels for the yellow,  
35 orange, and red thresholds.
- 36 (B) Discuss a draft of the plan.
- 37 (C) Provide and obtain recommendations relating to the  
38 performance of the plan, if any.
- 39 (d) (1) On or before January 31, 2027, the intermodal goods  
40 movement stakeholders group shall submit a report to the

1 Legislature and the Governor with its findings, recommendations,  
2 and the plan.

3 (2) (A) The requirement for submitting a report imposed under  
4 this subdivision is inoperative on January 1, 2031, pursuant to  
5 Section 10231.5 of the Government Code.

6 (B) A report to be submitted pursuant to this subdivision shall  
7 be submitted in compliance with Section 9795 of the Government  
8 Code.

9 (3) The plan shall not be implemented before July 1, 2027.

10 SEC. 3. If the Commission on State Mandates determines that  
11 this act contains costs mandated by the state, reimbursement to  
12 local agencies and school districts for those costs shall be made  
13 pursuant to Part 7 (commencing with Section 17500) of Division  
14 4 of Title 2 of the Government Code.



**Carmen Group**  
I N C O R P O R A T E D

**To:** South Coast AQMD Legislative Committee

**From:** Carmen Group

**Date:** November 26, 2024

**Re:** Federal Update -- Executive Branch

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## **Trump Transition – Cabinet Appointments**

### The Cabinet (Nominees)

State	<b>Marco Rubio</b>
Treasury	<b>Scott Bessent</b>
Defense	<b>Pete Hegseth</b>
Attorney General	<b>Pam Bondi</b>
Interior	<b>Doug Burgum</b>
Agriculture	<b>Brooke Rollins</b>
Commerce	<b>Howard Lutnick</b>
Labor	<b>Lori Chavez-DeRemer</b>
HHS	<b>Robert F. Kennedy, Jr.</b>
HUD	<b>Scott Turner</b>
Transportation	<b>Sean Duffy</b>
Energy	<b>Chris Wright</b>
Education	<b>Linda McMahon</b>
VA	<b>Doug Collins</b>
DHS	<b>Kristi Noem</b>

### Cabinet-Level (Nominees)

WH COS	<b>Susie Wiles</b>
EPA	<b>Lee Zeldin</b>
OMB	<b>Russell Vought</b>
DNI	<b>Tulsi Gabbard</b>
CIA	<b>John Ratcliffe</b>
USTR	
UN Ambassador	<b>Elise Stefanik</b>
Economic Advisor	
SBA	
Science Advisor	

**Proven Process. Proven Results.™**

## **Trump Transition -- Energy/Environment Developments**

**EPA Administrator Lee Zeldin**, 44, Trump campaign surrogate; US Rep. (Long Island, NY) (2015-2023); GOP candidate for NY Governor (2022); NY St. Sen. (2011-2014); US Army (2003-2007); Attorney; US House Committees--Foreign Affairs; Financial Services; Served on Climate Solutions Caucus and Conservative Climate Caucus.

**Interior Secretary (“Energy Czar”) Doug Burgum**, 68, Trump campaign surrogate; ND Governor (2016-present); Investor and businessman—software and real estate. Sold software company to Microsoft in 2001 for \$1.1 billion. As Gov, supported statewide NetZero by 2030 with “All of Above” energy approach. Strongly favors oil and gas drilling. Will also serve under Trump as chair of a new National Energy Council to promote US energy dominance, made up of all federal energy-related agencies. As such, he will be the Nation’s “Energy Czar” and also hold a seat on the President’s National Security Council.

**Energy Secretary Chris Wright**, 59, Trump campaign donor; CEO of Liberty Energy, fracking company, based in Colorado. Hands-on experience with oil, gas, LNG, nuclear; Mechanical and electrical engineering degrees from MIT. Strong, articulate fossil fuels proponent; Has testified before Congress; Member of the executive committee of the Domestic Energy Producers Alliance [www.depause.org](http://www.depause.org) chaired by Harold Hamm, Founder-CEO of Continental Energy in Oklahoma.

**Transportation Secretary Sean Duffy**, 53, Fox Business TV personality; US Rep. (Northern Wisconsin) (2011-2019); Resigned to care for ailing child; Served on House Financial Services committee. Ashland County District Attorney (2002-2010); JD, William Mitchell College of Law.

**OMB Director Russell Vought**, 48, Founder, Center for Renewing America (conservative policy advocacy); Heritage Foundation Project 2025—Chapter on Executive Office of the President; OMB -- Director (2020-2021), Acting Director (2019-2020), Deputy Director (2017-2019); Staff positions, House Republican Study Committee, House Republican Conference; Legislative assistant to Sen. Phil Gramm (R-TX); JD, George Washington University School of Law.

The **National Energy Council** is a new entity being created by Trump and chaired by his Interior Secretary and “Energy Czar” Doug Burgum. According to Trump, it will be made up of the federal departments and agencies involved with permitting, regulating, producing, generating, distributing and transporting energy and will encourage cutting red tape and boosting private sector investment. Burgum says, “Focusing on innovation over regulation to solve the nation’s challenges will allow us to smartly expand American energy and make our world cleaner and safer by selling energy to our friends and allies versus having them buy it from our adversaries.”

The **Department of Government Efficiency (DOGE)** is a new non-governmental entity being created by Trump and led by Elon Musk and Vivek Ramaswamy and designed to help “cut the federal government down to size.” They have set an ambitious timeline to

complete and sunset the entire DOGE effort by July 4, 2026. The plan is that the DOGE team will work closely with the White House, the OMB, the Trump teams at the federal agencies, as well as with a soon-to-be created House Oversight Subcommittee on DOGE to be chaired by Rep. Marjorie Taylor Greene (R-GA) and a Senate DOGE Caucus to be chaired by Sen. Joni Ernst (R-IA). DOGE will pursue three kinds of reforms: regulatory rescissions, administrative reductions, and cost savings. It is clear that key environmental regulations, including air-related regulations, are at the top of their target list, as are significant budget and personnel cuts to the EPA. Musk and Ramaswamy have cited two recent critical Supreme Court decisions as giving guidance to their work. These are *West Virginia v. EPA* (2022) (which overturned the Obama EPA's Clean Power Plan) and *Loper Bright v. Raimondo* (2024) (which overturned the 40-year old *Chevron* doctrine requiring court deference to federal agencies' interpretations of ambiguous statutes). They say, "these cases suggest that a plethora of current federal regulations exceed the authority Congress has granted under law." They say a list of such regulations is being assembled to be presented to the incoming President for executive action to pause enforcement, and to initiate agency-by-agency reviews and possible rescissions. In addition, they are looking at mass headcount reductions in the federal workforce, corresponding budget cuts, procurement process reforms, civil service reforms, and reassessments of the use and possible commercialization of federal buildings and real estate, while at the same time possibly transferring entire agencies to new locations across the country outside of the Washington, DC area.

### **Analysis**

Several common traits stand out among most of Trump's cabinet nominees: 1) strong loyalty to Trump and Trump's policy agenda; 2) demonstrated ability as effective TV communicators and advocates; and 3) little, if any, direct prior experience in the detailed workings of the agencies they are set to lead. These traits apply especially to the ones South Coast will be most affected by: Zeldin at EPA, Burgum at Interior, Wright at Energy, and Duffy at Transportation. The one exception for which we should take note is Russell Vought at OMB. Not only did he spend all four years of the first Trump administration at OMB, but he has also spent the last four years contemplating a return to that post, while outlining a much stronger role for OMB in bringing agencies in line with policies emanating not from the agencies, but from the White House. Writing in the Heritage Foundation's Project 2025 recommended blueprint, Vought sees OMB as being much more aggressive in using its levers of regulatory and management power to impose the President's agenda on the federal bureaucracy. This will only be enhanced by a very close relationship between Vought and the DOGE initiative, where Vought will be tasked with implementing and enforcing its recommendations. In addition, we've learned that the Trump White House wants to expand its normal close ties with all the federal agencies by also building similar strong relationships with every agency's authorizing committee in Congress to make sure there is strong unity of purpose behind the President's agenda. At least early in the new administration, it appears that major decisions of importance to South Coast (for example, on regulatory changes, CRA resolutions, tax credits, unspent IRA funds, California waivers, budget cuts, personnel cuts, court litigation, etc.) will emanate primarily from the White House/OMB/DOGE and not from deliberations within the affected agencies like EPA, DOT, or DOE.

## **Lame Duck Congress**

As Congress approached the Thanksgiving break at the end of November, little progress had been made on critical appropriations matters (including all 12 unfinished spending bills) necessary to assure federal government funding for the remainder of FY 25 in the face of a Dec. 20 deadline for action. Unless there is a contrary signal from the President-Elect, a continuing resolution (CR) for three months or longer appeared to be most likely. Also hanging in limbo before the end of the year: \$99 billion in new disaster relief funding requested by President Biden; the annual National Defense Authorization Act; the Farm Bill; and smaller bills on rail safety, online child safety, and permitting reforms for energy production, among others.

## **Department of Transportation**

**MARAD Announces Port Infrastructure Grants:** In November, the Maritime Administration (MARAD) announced nearly \$580 million to fund 31 port improvement projects in 15 states under the Port Infrastructure Development Program (PIDP) authorized by the Bipartisan Infrastructure Law passed in 2021. In California, the Port of Oakland received a \$49.5 million grant for its Outer Terminal Infrastructure Modernization Project.

**FAA Announces Airport Terminal Grants:** In late October, the Federal Aviation Administration (FAA) announced \$970 million for 125 airport terminal improvement projects in 46 states under the Airport Terminal Program created by the Bipartisan Infrastructure Law. Grants were awarded to eight projects in California, including \$30 million for LAX; \$10.6 million for John Wayne (Santa Ana) Airport; \$9.3 million for Bob Hope (Burbank) Airport; \$7 million for Ontario International Airport; and \$6 million for Palm Springs International Airport.

## **Environmental Protection Agency**

**EPA Announces Rule Targeting Power Plant NOx Emissions:** In November, the EPA announced a new proposed rule to strengthen limits on NOx emissions from fossil-fuel-fired stationary combustion turbines. It says the proposed New Source Performance Standards (NSPS) for NOx will reduce exposure to dangerous air pollution in nearby communities. The stronger standards would apply to facilities that begin construction or modification after the date of the rule's publication.

**EPA Announces Final Rule on Methane Emissions:** In November, the EPA announced a final rule to reduce methane emissions for the oil and gas sector as it says is authorized under the Inflation Reduction Act. The rule facilitates the EPA to collect a Waste Emissions Charge from the largest emitters of methane if their emissions exceed specific performance levels, while also allowing for exemptions under certain circumstances.

**EPA Issues Guidance on Indoor Air Quality:** In November, the EPA released updated guidance on indoor air quality strategies for preventing the spread of common respiratory viruses in homes, schools, offices, and commercial buildings. The guidance outlines

specific strategies including filtration improvements in heating, ventilation and air conditioning systems as well as other best practices reflecting the latest relevant science.

**EPA Targets Protecting Communities from PFAS Pollution:** In November, the EPA issued its detailed annual report on progress addressing PFAS pollution. It also announced the launch of a new no-cost technical assistance effort focused on reducing exposure to PFAS and other contaminants in small or disadvantaged communities. In addition, the agency awarded a \$400,000 Small Business Innovation Research (SBIR) grant to Water Illumination, Inc. in Riverside, California, that is developing a chemical-free UV technology that destroys PFAS in saline wastewater.

## **Department of Energy**

**DOE Announces Awards for Local Government Clean Energy Projects:** In November, the Department of Energy (DOE) announced the distribution of \$17.7 under the Energy Efficiency and Conservation Block Grant (EEBG) Program to 61 local and territorial governments to improve energy efficiency and lower overall energy use. Among the award recipients in California were: Fontana (\$240,630); Fullerton (\$183,850); Riverside (\$325,070); and Riverside County (\$477,090.)

**DOE Announces Projects to Slash EV Battery Recycling Costs:** In late October, DOE announced \$45 million in funding from the Bipartisan Infrastructure Law for eight projects that will lower costs of recycling electric vehicle batteries and battery components with the longer-term goal of reducing electric vehicle costs. Two of the eight projects are in California: **EJ Storage Solutions of Los Angeles** received \$3.5 million to design, fabricate and test a new cost-effective system for transporting second-life, defective, damaged and recycled EV batteries. In addition, **ReJoule, Inc. of Signal Hill** received \$6.3 million to develop and scale a technology for EV battery diagnostics to quickly detect safety hazards, damage or defects in recycled batteries.

**DOE Releases Report on Sustainable Aviation Fuel:** In November, DOE released its latest report [Pathways to Commercial Liftoff: Sustainable-Aviation-Fuel](#) on the near-term potential for sustainable aviation fuel (SAF) to help decarbonize the aviation sector.

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**Outreach:** During November in the aftermath of the election, Carmen Group has been in touch with numerous contacts in the Republican Party, the Trump campaign, the Trump transition team, the America First Policy Institute, the Heritage Foundation, other think tanks, law firms, lobby firms, corporate entities and business coalition members, news media, interest groups, Congressional staff, and others in Washington, DC and around the country on issues involving the Transition and related personnel and policy issues and their potential impact on South Coast interests.

###



To: South Coast Air Quality Management District  
From: Cassidy & Associates  
Date: November 25, 2024  
Re: November Report

## *HOUSE/SENATE*

### *Congress*

The House and Senate returned on November 12 and will recess this week for the Thanksgiving holiday. Former President Trump won re-election after winning all seven battleground states, and Republicans picked up Senate seats in West Virginia, Montana, Ohio, and Pennsylvania, securing a Republican Senate majority in the 119<sup>th</sup> Congress. House races throughout the U.S. are still being called, but Republicans managed to maintain control of the House. President-elect Trump has begun announcing picks for his new administration, including former Representative from New York Lee Zeldin as Environmental Protection Agency Administrator, for Governor Doug Burgum as Secretary of the Interior, Rep. Elise Stefanik (R-NY-21) as United Nations Ambassador, Republican South Dakota Governor Kristi Noem as Homeland Security Secretary, Trump campaign co-chair Susie Wiles as White House Chief of Staff, Trump adviser Stephen Miller as Deputy Chief of Staff for Policy, former Immigration and Customs Enforcement director Tom Homan as "border czar", and Rep. Mike Waltz (R-FL-6) as National Security Adviser. Leadership elections were held in the House and Senate, with Sen. John Thune (R-SD) elected as Majority Leader in the Senate and Rep. Mike Johnson (R-LA-4) remaining as Speaker of the House.

Lawmakers are again focused on Fiscal Year 2025 appropriations; the current Continuing Resolution (CR) funding the government will expire on December 20. Speaker Mike Johnson (R-LA-4) recently said that he would like a short-term, three-month CR extending funding into early 2025. House Majority Leader Steve Scalise (R-LA-1) said he wants a series of minibuses to fund



the government through the end of Fiscal Year 2025 in September. Senate Majority Leader Chuck Schumer (D-NY) reportedly wants to send an omnibus spending bill to the House before the end of the year.

## *EPA*

On November 12, the Environmental Protection Agency (EPA) finalized a rule to reduce methane emissions from the oil and gas sector. The rule establishes a Waste Emissions Charge on large emitters of methane. The rule is expected to reduce 1.2 million metric tons of methane through 2035. The charge will be levied when high-emitting oil and gas facilities exceed certain levels. The charge will start at \$900 per metric ton of wasteful emission in CY 2024 and increase up to \$1,500 by CY 2026. Read more [here](#).

On November 1, the EPA issued updated guidance on indoor air quality strategies and ventilation. The updated guidance will reduce negative health outcomes by preventing the spread of respiratory viruses. The air quality strategies include opening windows and doors, filtration improvements, and air treatment technologies. Filtration improvements can include upgrading HVAC filters, utilizing fans and portable air cleaners, and installing exhaust fans. Proper ventilation and filtration can have an outsized impact on children, the elderly, and people with health conditions. Read more [here](#).

On October 30, the EPA awarded \$19 million to recipients across the country to develop and adopt pollution prevention (P2) practices. Recipients will use the funding to reduce, eliminate or prevent pollution at the source. Projects include workshops to demonstrate P2 practices, technical assistance for the chemical manufacturing industry, and supporting the metal manufacturing industry in reducing greenhouse gas emissions. Pollution prevention methods protect communities from exposure to toxic chemicals. Read more [here](#).

On October 25, the EPA awarded \$2.8 million in funding to small businesses to develop environmental technologies. The seven small businesses selected are working toward destroying PFAS, cleaning indoor air during wildfires, enhancing recycling systems, reducing food waste, and

improving disaster response. Funding was awarded through Phase 1 of the Small Business Innovation Research program, and awardees will be able to compete for a Phase II award to commercialize the technology. Holochip Corporation in Torrance, California, will use the funding to develop an artificial intelligence application to improve disaster response. Read more [here](#).

On October 24, the EPA finalized new standards for identifying and cleaning up lead paint dust in homes and childcare facilities. The final standards will reduce lead exposure to 1.2 million people annually, including children under six. Lead exposure can lead to life-long health impacts, particularly in children. The rule lowers the level of lead in dust considered to be hazardous and lowers the amount of lead left behind after lead paint abatement. Read more [here](#).

Cassidy and Associates support in November:

- Worked with SCAQMD staff to strategize on future DC outreach.
- Advised SCAQMD on contacts within incoming Trump Administration.
- Advised SCAQMD throughout appropriations cycle to identify and pursue funding opportunities.
- Participated in weekly strategy sessions with SCAQMD staff.

## *IMPORTANT LEGISLATIVE DATES*

December 20, 2024: Government funding expires. Congress passed a Continuing Resolution to fund the federal government through December 20, 2024 while they continue to negotiate Fiscal Year 2025 funding.

December 31, 2024: Expiration of the National Defense Authorization Act, which authorizes and funds specialized Department of Defense (DoD) programs and sets the DoD's policy agenda each year.

## KADESH & ASSOCIATES

### South Coast AQMD Report for the December 2024 Legislative Meeting covering November 2024 Kadesh & Associates

Following November's election, members of the House and Senate returned to Washington for a two-week session before the Thanksgiving break. They did not make much progress in resolving the year-end legislative logjam.

With Republicans winning the majority in the Senate, the first order of business was deciding on a new Majority Leader to succeed Mitch McConnell: John Thune (R-SD) defeated John Cornyn (R-TX) and Rick Scott (R-FL) in a secret ballot, after several high-profile Trump allies had signaled their preference for Scott.

The biggest outstanding question for the remainder of the year is what to do with the FY25 appropriations process: at this point, the most likely outcome is a Continuing Resolution (CR) through March 2025, allowing the new Republican majority to put their stamp on the rest of the fiscal year. This will need to be decided on and written in early December, allowing the House and Senate to work through votes before the December 20 deadline.

Looking ahead, the congressional delegation from the South Coast region will change significantly in the next month: Senator-elect Schiff will be sworn into office in early December for the last weeks of the 118<sup>th</sup> Congress, and several new members of the House from Southern California will be sworn into office in early January, including Luz Rivas, Laura Friedman, Gil Cisneros (who is returning to Congress), George Whitesides, and Dave Min; as of this memo several other House races are within a few hundred votes. The incoming members have begun staffing up and traveled to DC for orientation meetings this month, and will be selecting their congressional offices later in the month. Over the coming months, party leadership will announce their committee assignments.

#### Kadesh & Associates Activity Summary-

-Worked with South Coast AQMD and the congressional delegation on whole-of-government efforts to address air quality through BIL and IRA funding programs, and met with delegation and South Coast AQMD staff to plan for the lame duck session and 119<sup>th</sup> Congress.

Contacts: Contacts included staff and Members throughout the CA delegation, Senate offices, and members of key committees. We have also been in touch with administration staff.

# RESOLUTE<sup>\*</sup>

## South Coast Air Quality Management District Legislative and Regulatory Update –November 2024

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### ❖ Important Upcoming Dates

December 02, 2024 – Legislature Reconvenes for 2025-2026 Legislative Session

### ❖ RESOLUTE Actions on Behalf of South Coast AQMD. RESOLUTE partners David Quintana, and Alfredo Arredondo continued their representation of SCAQMD before the State's Legislative and the Executive branch. Selected highlights of our recent advocacy include:

- Provided ongoing updates as the November 5 Election results began to materialize.
- Followed up on bills for the 2024 legislative session, including for SCAQMD sponsored legislation.

### ❖ November 5<sup>th</sup> State Election Outcomes. The official canvass of the votes in California runs for 30 days after election day. By then, all counties must certify and report their election results to the Secretary of State. The Secretary of State must officially certify all races by December 13th.

In California, as long as a mail-in ballot has been postmarked by election day, and received within 7 days after the election, it can still be counted. So, though the count may say “100% of precincts reporting” this in no way means that 100% of the votes cast have been counted. It just means that 100% of the precincts have delivered all or parts of their ballots to the county and doesn't take into account the millions that were mailed in or cast as a “provisional ballot.” This will take weeks.

The final results so far provide the CA legislative Democrats, even with the potential loss of 2-3 seats, will continue to maintain their numbers well beyond the super-majority in both houses. However, the Republicans in both houses of the legislature performed as well as we have seen in the recent past. The Republicans are certainly going to increase their numbers in the legislature for the first time in many electoral cycles. This includes Assemblymember Eduardo Garcia's former district flipping from Democrat to Republican, and Senator Newman losing his re-election bid, turning that seat from Democrat to Republican. A third Assembly district, that of Assemblymember Cervantes, is still too close to call at this time, but is likely to also flip from Democrat to Republican.

### ❖ LAO Releases Fiscal Outlook. On November 20<sup>th</sup>, the Legislative Analyst's Office released their fiscal outlook for the 2025-2026 Budget Year. The Executive Summary is listed below:

- The Fiscal Outlook gives the Legislature our independent estimates and analysis of the state's budget condition for the 2025-26 budget process. We evaluate the budget condition based on current law and policy at both the state and federal level. This means we are assessing the state's spending and revenues assuming no new laws or policies are enacted. This is not a prediction of what will happen—state and federal laws and policies will change in the coming years—but rather serves as a baseline to help the Legislature understand its starting place. Further, while changes in federal policy are being actively discussed, we cannot predict which changes may be enacted and therefore cannot estimate the effects on California's budget.
- *Legislative Action Last Year Addressed Anticipated Budget Problem Proactively.* In the 2024-25 budget process, the Legislature not only addressed the budget problem for that fiscal year, but also made proactive decisions to address the anticipated budget problem for 2025-26. These choices included about

\$11 billion in spending-related solutions and \$15 billion in all other solutions, including \$5.5 billion in temporary revenue increases and a \$7 billion withdrawal from the state's rainy-day fund. After these solutions, the spending plan assumed the 2025-26 budget would be balanced.

- ***Revenues Running Ahead of Broader Economy.*** Despite softness in the state's labor market and consumer spending, earnings of high-income Californians have surged in recent months. Income tax collections have seen a similar bounce. This recovery in income tax revenues is being driven by the recent stock market rally, which calls into question its sustainability in the absence of improvements to the state's broader economy.
- ***Revenue Improvement Offset by Higher Costs, 2025-26 Budget Remains Roughly Balanced.*** Although revenues are running ahead of budget act assumptions, those improvements are roughly offset by spending increases across the budget. On net, our assessment finds the state has a small deficit of \$2 billion. Given the size and unpredictability of the state budget, we view this to mean the budget is roughly balanced. If a budget problem of this magnitude were to materialize by the end of the budget process in June, relatively minor budget solutions would be needed.
- ***Revenues Are Unlikely to Grow Fast Enough to Catch Up to Atypically High Spending Growth.*** While the budget picture is fair for the upcoming year, our outlook suggests that the state faces double-digit operating deficits in the years to come. By historical standards, spending growth in this year's outlook is high. Our estimate of annual, total spending growth across the forecast period—from 2025-26 to 2028-29—is 5.8 percent compared to an average of 3.5 percent in other recent outlooks. Meanwhile, revenue growth over the outlook window is just above 4 percent—lower than its historical average largely due to policy choices that end during the forecast window. Taken together, we view it as unlikely that revenue growth will be fast enough to catch up to ongoing spending.
- ***No Capacity for New Commitments.*** While out-year estimates are highly uncertain, we anticipate the Legislature likely will need to address deficits in the future, for example by reducing spending or increasing taxes. In our view, this year's budget does not have capacity for new commitments, particularly ones that are ongoing.

The full report is available here: <https://lao.ca.gov/Publications/Report/4939>



# CALIFORNIA ADVISORS, LLC

South Coast AQMD, Legislative Committee Report  
California Advisors, LLC  
December 13, 2024

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## **Election Update**

County election officials are still counting votes cast in the November 5<sup>th</sup> General Election. As of November 25<sup>th</sup>, there are an estimated 182,000 votes across the state that have not been counted yet. County election offices are required to finalize their official results by December 5<sup>th</sup>. The California Secretary of State will certify the results of the election on December 13<sup>th</sup>.

There are several competitive races for the State Legislature. In the State Senate District 37, Steve Choi (R) leads incumbent Josh Newman (D) by just over 6,000 votes. In State Assembly District 58, Leticia Castillo (R) leads Clarissa Cervantes (D) by less than 600 votes in the race to succeed former Assemblymember Sabrina Cervantes (D). Meanwhile, Republicans have likely picked up the State Assembly District 36 with Jeff Gonzalez's (R) victory over Joey Acuña Jr (D). If the leads of the candidates listed above hold, Republicans will flip one State Senate seat and two Assembly seats. This would leave Democrats with a 30-10 majority in the Senate and a 60-20 majority in the Assembly.

Additionally, there are ten statewide ballot measures that voters have decided on. Among these, Proposition 4 would authorize the state to borrow \$10B for climate resilience programs. Proposition 4 passed, earning 59.7% of the vote.

## **2025 Legislative Session Update**

The Legislature will meet on December 2<sup>nd</sup> to swear in incoming members prior to reconvening on January 6<sup>th</sup>, 2025. Meanwhile, following President-Elect Trump's victory on November 5<sup>th</sup>, Governor Newsom called the Legislature into an extraordinary session to "protect California values." The extraordinary session will begin on December 2<sup>nd</sup> and run concurrently with the regular 2025 legislative session. The purpose of the extraordinary session is to immediately increase funding for the California Department of Justice, which anticipates increased litigation costs during the Trump Administration. The new extraordinary session will theoretically allow legislators to increase California DOJ funding on a quicker basis compared to the regular state budget process.

## **Budget Update**

The State Department of Finance's monthly finance bulletin shows that general fund tax receipts for the fiscal year to date are \$5.3B above 2024-2025 budget act estimates. Interest income on the State's cash balances is 26.0% above DOF projections, offsetting a 2.3% drop in state sales tax revenue. The extent that this overage will help resolve the State's structural budget problems is unclear. Much of the revenue increase must be diverted to fund schools in accordance with Proposition 98. Any remaining funds will likely be insufficient to fully resolve projected budget deficits.

On November 25<sup>th</sup>, Governor Newsom announced that California would step in to provide a California ZEV rebate if the incoming Trump Administration follows through on its threat to eliminate the federal tax credit. The Clean Vehicle Rebate Program (CVRP), was phased out in 2023. During its lifetime, the CVRP funded more than 594,000 vehicles and saved more than 456 million gallons of fuel. The Governor indicated that this program could be funded by the Greenhouse Gas Reduction Fund.



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TO: South Coast Air Quality Management District

FROM: Anthony, Jason & Paul Gonsalves

SUBJECT: Legislative Update – November 2024

DATE: Monday, November 25, 2024

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The month of November was focused on the General Election, as all 80 seats in the Assembly and half of the seats in the Senate (20 of the 40) were up for election. The November General Election also included 10 ballot propositions for voters to decide on, including a \$10 billion Climate Bond. Although the final results of the November election won't be certified until December 13th, 2024, it looks like the State Legislature will have at least 30 new members when they return on December 2, 2024 for their ceremonial swearing in. That, coupled with the 37 new members elected in 2022, means 67 of 120 members of the legislature will have 2 years or less experience. This highlights the necessity to continue to educate the new members of the Legislature on issues of importance during the 2025 legislative session.

The following will provide you with updates of interest to the District:

**ELECTION UPDATE****State Senate**

Prior to the November 5, 2024 election, the Senate was comprised of 31 Democrats and 9 Republicans. The post-election results show the makeup of the Senate as 30 Democrats and 10 Republicans. Of the 20 seats up for election, 7 incumbents won and only 1 incumbent lost, which also flipped that seat from Democrat to Republican. Additionally, of the 13 new members of the Senate, 6 are new members and 7 are coming over from the Assembly.

**State Assembly**

Prior to the November 5, 2024 election, the Assembly was comprised of 62 Democrats and 17 Republicans, with 1 vacant seat. The post-election results show the makeup of the Assembly as 60 Democrats and 19 Republicans with 1 vacant seat. Of the 80 seats up for election, 56 incumbents won, which means there will be 24 new members of the Assembly. This means the Assembly Democrats lost 2 seats and the Assembly Republicans gained 2 seats.

**Ballot Propositions**

Proposition 2: Borrow \$10 Billion for K-14 School Construction and Modernization

- Passed - 58.2% to 41.8%

Proposition 3: Reaffirm the Right of Same-Sex Couples to Marry

- Passed - 62.5% to 37.5%

Proposition 4: Borrow \$10 Billion for Water, Drought, Wildfire Prevention and Clean Air Programs

- Passed - 59.3% to 40.7%

Proposition 5: Reduce Voter Approval Requirements for Local Housing and Infrastructure Bonds

- Failed – 44.5% to 55.5%

Proposition 6: Limit Forced Labor in State Prisons

- Failed – 46.5% to 53.5%

Proposition 32: Raise the State Minimum Wage to \$18 an Hour

- Failed – 48.9% to 51.1%

Proposition 33: Allow Local Governments to Impose Rent Controls

- Failed – 39.5% to 60.5%

Proposition 34: Require Certain Health Providers to Use Nearly All Revenue from a Federal Prescription Drug Program on Patient Care

- Passed – 50.8% to 49.2%

Proposition 35: Make Permanent a Tax on Managed Health Care Insurance Plans.

- Passed 67.6% to 32.4%

Proposition 36: Increase Penalties for Theft and Drug Trafficking

- 68.9% to 31.1%

### **SPECIAL SESSION TO PROTECT CALIFORNIA VALUES**

On November 7, 2024, Governor Newsom announced a proclamation to convene a special session of the California Legislature aimed at protecting the state's values and fundamental rights in light of the incoming Trump administration. This special session will focus on enhancing California's legal resources to defend civil rights, reproductive freedoms, climate initiatives, and immigrant families.

This initiative marks the first of several measures from the Newsom Administration in collaboration with the Legislature, as the Governor seeks to strengthen California's defenses against a federal administration that has previously posed threats. By convening a special session, the Legislature can take swift action to safeguard California and its core values. The session is set to commence on December 2, 2024.

The Governor has put forth several immediate priorities for protection during this special session, aimed at reinforcing legal defenses against federal actions. His proclamation calls for legislation to allocate additional resources to the California Department of Justice and other state agencies to actively pursue litigation against any unlawful actions by the incoming Trump Administration, as well as to defend against federal lawsuits that threaten California's laws and policies. This funding will enable prompt legal action and the pursuit of injunctive relief against illegal federal initiatives.

### **LOW CARBON FUEL STANDARDS**

On November 8, 2024, the California Air Resources Board approved updates to the Low Carbon Fuel Standard (LCFS). These changes are expected to accelerate the development of zero-emission infrastructure and help the state meet its legally mandated air quality and climate goals.

The LCFS works by reducing air pollution and greenhouse gas emissions through a declining carbon intensity target for transportation fuels in California. Producers that fail to meet the established

benchmarks must purchase credits from those that do, generating \$4 billion in annual private sector investments in cleaner transportation. These funds benefit Californian consumers in several ways:

- Expanding consumer choices, thus fostering competition in transportation fuel pricing
- Supporting the growth of new industries and attracting investments that create jobs and strengthen communities
- Decreasing reliance on petroleum and its associated volatility in supply and pricing
- Making electric vehicles more affordable
- Enhancing the availability of electric vehicle charging and hydrogen refueling infrastructure
- Diminishing health impacts and healthcare costs linked to fossil fuel-related air pollution

The updates set ambitious targets to cut the carbon intensity of California's transportation fuel pool by 30% by 2030 and by 90% by 2045. They also enhance support for zero-emissions infrastructure, particularly for medium- and heavy-duty vehicles, and expand the eligibility of transit agencies to generate credits.

The LCFS aims to offer the most cost-effective means of supporting clean fuels and infrastructure, with affordability as a paramount consideration. The Board has directed staff to evaluate the effects of the adopted amendments on retail gasoline prices every six months and to produce an annual report starting one year from the amendments' effective date, in collaboration with the California Energy Commission.

The program currently caps the costs that companies can pass on to consumers by limiting the price of credits that high-carbon-intensity fuel producers must purchase for compliance, while allowing the banking of credits bought at lower rates. Data from third-party commodities market experts indicate that the current LCFS cost pass-through to California consumers is approximately \$0.10 per gallon of gasoline, consistent with self-reported data from high-carbon-intensity fuel producers, which reflect a cost pass-through of \$0.08 to \$0.10 per gallon.

### **CARB'S INCENTIVE PROGRAM**

On November 21, 2024, CARB approved a \$34.94 million incentive funding plan that will continue to support ongoing efforts to increase access to medium- and heavy-duty zero-emission trucks, buses, and equipment, with a focus on small businesses.

The 2024-25 Funding Plan for Clean Transportation Incentives increases funding for small businesses that want to modernize their fleets with cleaner vehicles, including assistance for rentals, leases and truck loans. The funding plan allocates existing funds toward incentive projects that support the state's air quality and climate goals, including for marine vessels, emerging technologies and zero-emission off-road equipment, such as freight, construction and agricultural equipment.

The approved plan also maintains a commitment to address environmental inequities and provides a boost to businesses that need the most support, with at least 60% of funding focused on bolstering equitable outcomes.

The funding plan was created by an extensive outreach process to help determine priorities. Highlights include:

- \$5 million for the Zero-Emission Truck Loan Pilot project to help fleets purchase zero-emission medium- and heavy-duty trucks. The project is offered in partnership with the California Energy Commission, which provides loan support for charging and other zero-emission fueling infrastructure.
- \$14.97 million for the Innovative Small e-Fleet Pilot Project, which provides vouchers for medium- and heavy-duty vehicles for small businesses and other organizations with 20 or fewer vehicles.
- \$14.97 million for the Clean Off-Road Equipment Project that helps businesses purchase zero-emission off-road equipment such as forklifts and cargo loaders.

CARB's incentives projects are designed to encourage adoption of zero-emission options and have successfully supported technological advancements and encouraged the market to move toward cleaner options.

### **CALIFORNIA ZEV PROGRAM**

On November 25, 2024, Governor Newsom announced that if the incoming Trump Administration abolishes the federal ZEV tax credit, he will advocate for the reintroduction of a revised version of the successful Clean Vehicle Rebate Program (CVRP), which was discontinued in 2023. The proposed rebates in California would aim to stimulate innovation and competition within the ZEV market and may be funded through the Greenhouse Gas Reduction Fund.

In the third quarter of 2024, Californians purchased 115,897 ZEVs, accounting for 26.4% of all new vehicle sales in the state. With the increasing number of electric vehicles (EVs), including plug-in hybrids, consumers are experiencing the benefits of a more extensive and efficient charging network being developed throughout California.

California's commitment to clean vehicles is unparalleled. In response to the growing demand for EVs and plug-in hybrids, the state is rapidly allocating funds to enhance and ensure a reliable and user-friendly charging infrastructure. Key developments include:

- The installation of 150,000 public and shared private electric vehicle chargers, along with over 500,000 home chargers.
- Allocation of more than \$32 million in federal funds to install, operate, and maintain 458 direct-current fast chargers (DCFC) along major highways. California has also received approval for an additional \$81.7 million in federal funds for next year.
- Accessibility to grants and rebates for low-income residents.

California's commitment extends beyond electric vehicles, focusing on emission reduction in freight transport and schools. Recent initiatives have included:

- \$102 million dedicated to installing charging and hydrogen fueling stations for zero-emission trucks along critical freight corridors, including Interstate 5.
- \$500 million invested in deploying an additional 1,000 ZEV school buses.

Additionally, State agencies are actively working to accelerate the deployment of charging stations, streamline processes, set guidelines, prepare for increased grid demand, and work with local utilities to efficiently electrify charging infrastructure. Key activities include:

- Collecting improved data on EV charger availability.
- Prioritizing ready-to-go projects for state and federal incentives.
- Developing the Zero-Emission Vehicle Infrastructure Plan (ZIP).
- Establishing reliability standards and updating transportation energy forecasts.

## **2025 LEGISLATIVE DEADLINES**

Jan. 6: Legislature reconvenes

Jan. 10: Budget bill must be submitted by Governor

Jan. 24: Last day to submit bill requests to the Office of Legislative Counsel.

Feb. 21: Last day for bills to be introduced

May 2: Last day for policy committees to hear and report to fiscal committees' fiscal bills introduced in their house

May 9: Last day for policy committees to hear and report to the Floor nonfiscal bills introduced in their house

May 16: Last day for policy committees to meet prior to June 9

May 23: Last day for fiscal committees to hear and report to the Floor bills introduced in their house.  
Last day for fiscal committees to meet prior to June 9

June 2-6: Floor Session only. No committee may meet for any purpose except Rules Committee, bills referred pursuant to A.R. 77.2, and Conference Committees

June 6: Last day for each house to pass bills introduced in that house

June 9: Committee meetings may resume

June 15: Budget bill must be passed by midnight

July 18: Last day for policy committees to hear and report bills

Aug. 29: Last day for fiscal committees to hear and report bills to the Floor

Sept. 2-12: Floor session only. No committees may meet for any purpose, except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees

Sept. 5: Last day to amend on the Floor

Sept. 12: Last day for each house to pass bills. Interim Recess begins upon adjournment