



South Coast Air Quality Management District

South Coast
AQMD

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

REVISED

HYBRID TECHNOLOGY COMMITTEE MEETING

Committee Members

Councilmember Carlos Rodriguez, Chair
Mayor Patricia Lock Dawson
Supervisor Andrew Do
Supervisor Curt Hagman
Mayor Pro Tem Larry McCallon
Board Member Veronica Padilla-Campos

June 21, 2024 ♦ 12:00 p.m.

TELECONFERENCE LOCATION

County Administration North
400 West Civic Center Drive
First Floor, Room 101
Santa Ana, CA 92701

A meeting of the South Coast Air Quality Management District Technology Committee will be held at 12:00 p.m. on Friday, June 21, 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>

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

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PUBLIC COMMENT WILL STILL BE TAKEN

Cleaning the air we breathe...

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 ITEMS (1-3):

- 1. Issue RFP to Replace Electric Vehicle Charging Infrastructure at South Coast AQMD Headquarters (*Motion Requested*)**

South Coast AQMD headquarters' EV charging infrastructure is outdated and many chargers are no longer repairable. To continue to provide electric vehicle charging to staff and the public it is necessary to upgrade the EV charging infrastructure and add features to include remote monitoring and integrating the charging network into the building energy management system. This action is to issue an RFP to solicit proposals to replace the EV charging infrastructure at South Coast AQMD headquarters.

Vasileios Papapostolou
Planning & Rules Manager

- 2. Adopt Resolution Recognizing Funds for FY 2023-24 Carl Moyer State Reserve, Enhanced Fleet Modernization Program and Clean Cars 4 All, Reimburse General Funds for Administrative Costs, Issue Program Announcement, Amend Carl Moyer Program Awards and Execute Contract to Deploy Zero Emission Equipment (*Motion Requested*)**

This Board item covers three separate programs including the Carl Moyer, the Replace Your Ride Programs (RYP) and the U.S. EPA Targeted AirShed Grant. In April 2024, CARB allocated \$5.9 million in Enhanced Fleet Modernization Program (EFMP) and Clean Cars 4 All (CC4A) to continue implementing the RYP Program. Also, in April, CARB approved allocations for the FY 2023-24 Carl Moyer "Year 26" State Reserve Program to fund zero-emission projects. In July 2019, the Board approved a \$2,100,000 U.S. EPA award under the FY 2018-19 Targeted AirShed Grant to develop and demonstrate battery electric excavators and wheel loaders. In March 2024, U.S. EPA agreed to amend award to utilize unspent project and administrative funds to deploy zero-emission equipment and extend the project to December 2025. These actions are to: 1) recognize up to \$5.9 million in EFMP and CC4A into HEROS II Special Revenue Fund (56); 2) adopt a resolution recognizing up to \$5.3

Walter Shen
Planning & Rules Manager

million in FY 2023-24 Carl Moyer State Reserve funds into Carl Moyer Program Fund (32); 3) reimburse General Fund for administrative costs to implement RYR; 4) issue a Program Announcement for eligible zero-emission off-road projects; 5) execute agreements for eligible projects resulting from the Program Announcement; 6) amend Carl Moyer Program awards approved in February 2024; and 7) execute contract with Volvo Technology of America, LLC in an amount not to exceed \$1,296,388, including \$60,000 of unused administrative fund to develop, demonstrate and deploy up to 13 zero emission off-road equipment from Clean Fuels Program Fund (31).

3. Adopt Resolution to Recognize Funds and Accept Terms and Conditions of the 2022 Port and Freight Infrastructure Program Award from the California State Transportation Agency (*Motion Requested*)

Mei Wang
Assistant Deputy
Executive Officer

In December 2023, the Board recognized an award of \$76,250,003 from California State Transportation Agency (CalSTA) under the 2022 Port and Freight Infrastructure Program (PFIP) to demonstrate a short line hydrogen fuel cell locomotive and deploy direct current fast chargers and hydrogen refueling dispensers for heavy duty trucks. The Board also established the CalSTA Special Revenue Fund (89) to receive the funds. CalSTA requires a resolution of the Board in order to release the funds. The Board also recognized \$500,000 from the Department of Energy (DOE) through a FY 2023 Congressional Direct Spending Request for the project. These actions are to: 1) Adopt a Resolution to recognize funds, accept terms and conditions of the 2022 PFIP award from CalSTA and authorize the Executive Officer to execute the necessary agreements with CalSTA and the California Department of Transportation (Caltrans) to receive the award; 2) Reimburse the General Fund up to \$24,000 for administering the DOE grant and 3) Temporary loan up to \$10 million from the Clean Fuels Program Fund (31) to the CalSTA Special Revenue Fund (89) until PFIP grant funds are received.

4. Other Business

Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may ask a question for clarification, may make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter, or may take action to direct staff to place a matter of business on a future agenda. (Gov't. Code Section 54954.2)

5. 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 Committee's authority that is not on the agenda. Speakers may be limited to three (3) minutes each.

6. Next Meeting Date
Friday, August 16, 2024 at 12:00 p.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 Penny Shaw Cedillo at 909.396.3179, or send the request to pcedillo@aqmd.gov.

Americans with Disabilities Act and Language Accessibility

Disability and language-related accommodations can be requested to allow participation in the Technology 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 Penny Shaw Cedillo at 909.396.3179 from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to pcedillo@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.

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

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

If interpretation is needed, more time will be allotted.

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

Directions for Video ZOOM on a DESKTOP/LAPTOP:

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

Directions for Video Zoom on a SMARTPHONE:

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

Directions for TELEPHONE line only:

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

Technology Committee Agenda #1

BOARD MEETING DATE: August 2, 2024

AGENDA NO.

PROPOSAL: Issue RFP to Replace Electric Vehicle Charging Infrastructure at South Coast AQMD Headquarters

SYNOPSIS: South Coast AQMD headquarters' electric vehicle (EV) charging infrastructure is outdated and many chargers are no longer repairable. To continue to provide electric vehicle charging to staff and the public it is necessary to upgrade the EV charging infrastructure and add features to include remote monitoring and integrating the charging network into the building energy management system. This action is to issue an RFP to solicit proposals to replace the EV charging infrastructure at South Coast AQMD headquarters.

COMMITTEE: Technology, June 21, 2024; Recommended for Approval

RECOMMENDED ACTIONS:

Issue RFP #2024-13 to replace the electric vehicle charging infrastructure at South Coast AQMD headquarters with new and up-to-date hardware and software and provide maintenance.

Wayne Natri
Executive Officer

AK:MW:VP:JL:BD

Background

South Coast AQMD headquarters' electric vehicle supply equipment (EVSE) (which refers to chargers and all associated infrastructure) can potentially charge up to 94 vehicles using Level 2 chargers. The publicly available charging infrastructure was installed between 2011 and 2017 using Department of Energy (DOE) and California Energy Commission (CEC) grants along with funding from the Clean Fuels Fund. All chargers are no longer covered by warranty, and many faulty and nonfunctional chargers are over ten years old. To meet EV charging needs for staff and the public, replacing the existing system of 55 EVSE units with a total of 94 charging plugs is

necessary. Replacing these EVSE units also enable the charging network to be monitored remotely and improve energy management capabilities to create resilience in the charging network.

Proposal

The RFP seeks the replacement of 55 EVSE units, consisting of 16 single-charging ports and 39 dual-charging ports for a total of 94 Level 2 charging ports, at South Coast AQMD Headquarters. The RFP also seeks to include advanced capabilities such as network communications, access control, cost recovery, and energy management capabilities. Further, the new chargers will include a minimum seven-year warranty for parts and on-site labor to repair or replace any manufacturing defect, ensure optimal station management, remote monitoring of station and proactive repair dispatch so that all EV chargers are in continuous working order with optimal uptime.

Staff proposes to issue RFP #2024-13 to solicit qualified firms to submit proposals to replace the existing EVSE with new and up-to-date EVSE and provide maintenance. The proposals will be evaluated and scored as described in RFP #2024-13.

Proposals will be due September 20, 2024 at 5:00 pm. Staff will return to the Governing Board with the evaluation panel's recommendation to seek authority to enter into a contract with the recommended vendor. It is anticipated that a contract will be executed by December 2024.

Outreach

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

Additionally, potential bidders may be notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFP will be 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 (<http://www.aqmd.gov>) where it can be viewed by making the menu selection "Grants & Bids" or by going directly to the Grants & Bids webpage (<http://www.aqmd.gov/nav/grants-bids>). Information is also available on South Coast AQMD's bidders' 24-hour telephone message line (909) 396-2724.

Bid Evaluation

Proposals will be reviewed and evaluated by a diverse, technically qualified panel in accordance with criteria contained in the attached RFP.

Benefits to South Coast AQMD

This project will provide a new upgraded, reliable charging network, support the adoption of electric vehicles, showcase EVSE technologies, and improve the EV charging network accessibility, convenience, and affordability for EV drivers working at or visiting South Coast AQMD's headquarters. Further, the upgraded EVSE software and network communications capabilities will allow for improved quality assurance, quicker troubleshooting and repairs, and real-time monitoring of the EV charging network.

Resource Impacts

Sufficient funds are available from the Clean Fuels Program (31). The Clean Fuels Program Fund (31) is established as a special revenue fund resulting from the state mandated Clean Fuels Program. The Clean Fuels Program, under Health and Safety Code Sections 40448.5 and 40512 and Vehicle Code Section 9250.1, establishes mechanisms to collect revenues from mobile sources to support projects to increase the utilization of clean fuels. Funds collected from motor vehicles are restricted, by statute, to be used for projects and program activities related to mobile sources that support the objectives of the Clean Fuels Program.

Attachment

RFP #2024-13: Replace Electric Vehicle Charging Infrastructure at South Coast AQMD Headquarters



SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
REQUEST FOR PROPOSALS
REPLACE ELECTRIC VEHICLE CHARGING INFRASTRUCTURE
AT SOUTH COAST AQMD HEADQUARTERS

P2024-13

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

The purpose of this Request for Proposals (RFP) is to solicit qualified firms to submit proposals to supply, install, and maintain electric vehicle supply equipment (EVSE), interface control software and cloud computing data management portal in a new Plug-In-Hybrid/Electric Vehicle (EV) charging stations network solution at the South Coast AQMD headquarters in Diamond Bar, California. Contractor shall remove and replace existing EV charging hardware equipment with new and up-to-date hardware equipment, replace existing interface control software and cloud computing data management portal solution needed for efficient and reliable EV charging by the public, visitors, South Coast AQMD employees and Board members.

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
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	Electric Vehicle Charging Station Map

SECTION I: BACKGROUND INFORMATION

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

The current EV charging infrastructure at the South Coast AQMD headquarters has several hardware components that are not functional, dated interface control software, and needs to have a cloud data management portal. In recent years the number of plug-in electric vehicles (EV) has dramatically increased, and the EV owners/users have very high expectations for top quality EV charging and overall experience. However, over the past few years, several of the EV chargers at South Coast AQMD headquarters have experienced extensive down-time and very frequent intermittent operation due to various reasons including loss of data communication signal, loss of power, wear and tear of various components and parts such as burned LED screen displays and burned wiring inside the charger boxes. As shown in Attachment C, currently, there are a total of 94 Level 2 charging ports (39 dual chargers and 16 single chargers) at several allocated spaces at South Coast AQMD's large and multi-sectional parking lot for members of the public, visitors, South Coast AQMD employees and Board members that must be replaced with new hardware equipment, new, updated, and advanced software, and data communication capability. Locations and number of existing EV chargers to be replaced are as follows:

- CC8 Parking Lot: Eight (8) dual and one (1) single Level 2 EVSE (30A max) [six (6) pedestal and three (3) wall mounted units]
- Upper-Level Parking Lot/Front Lobby: Five (5) dual and two (2) single Level 2 EVSE (30A max) [seven (7) pedestal units]
- Upper-Level Parking Lot/Solar Carport: Eight (8) dual and three (3) single Level 2 EVSE (30A max) [eleven (11) wall mounted units]
- Upper-Level Parking Lot/Other and Handicapped area: Eighteen (18) dual and ten (10) single Level 2 EVSE (30A max) [twenty-four (24) wall mounted and four (4) pedestal units]

South Coast AQMD is requesting bids from qualified Contractors to provide services for the following:

1. Preparation, purchase, installation, replacement, and maintenance of multiple Level 2 EVSE (at least 55 charging stations with a total of 94 single/dual charging ports) in a large, multi-sectioned parking lot.
2. Advanced interface control software for the new EVSE charging stations and ports.
3. Robust EVSE chargers network connectivity capabilities with an advanced and enhanced mesh network to ensure uninterrupted, optimal operation and high up-time.

4. Advanced cloud computing data management portal with advanced analytics, visualization and mapping tool.

The bid must also include:

- Removal and proper disposal of existing dated EVSE charging stations and data equipment.
- Comprehensive warranty for components, parts service, repair, replacement and on-site labor.

Other desirable characteristics are the ability to manage power loads to the EVSE to minimize on peak usage, demand charges, time-of-use (TOU) rates management and other energy management needs of the South Coast AQMD building. The technology and charging characteristics of the planned EVSE replacement are further described in Section V and are related to specific parking areas at South Coast AQMD headquarters in Diamond Bar, CA.

SECTION II: CONTACT PERSON

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

Technical:

Berj Der Boghossian, M.Sc.
 Air Quality Specialist, Technology Demonstration
 South Coast AQMD
 21865 Copley Drive
 Diamond Bar, CA 91765
 (909) 396-2253
bderboghossian@aqmd.gov

Vasileios Papapostolou, Sc.D.
 Planning and Rules Manager, Technology Demonstration
 South Coast AQMD
 21865 Copley Drive
 Diamond Bar, CA 91765
 (909) 396-2254
vpapapostolou@aqmd.gov

Administrative:

Anish Pathak
 Procurement Manager
 South Coast AQMD
 21865 Copley Drive
 Diamond Bar, CA 91765
 (909) 396-2430
apathak@aqmd.gov

Building Services:

Brian Roberts
 Building Maintenance Manager
 South Coast AQMD
 21865 Copley Drive
 Diamond Bar, CA 91765
 (909) 396-2278
broberts@aqmd.gov

SECTION III: SCHEDULE OF EVENTS

DATE	EVENT
August 2, 2024	RFP Released
August 23, 2024	Bidders' Conference*
September 20, 2024	Proposals Due to South Coast AQMD - No Later Than 05:00 p.m.
September 23 – September 27, 2024	Proposal Evaluations
October 1 – October 2, 2024	Interviews, if required
November 1, 2024	Governing Board Approval
December 31, 2024	Anticipated Contract Execution

* Participation in the Bidder's Conference is mandatory. Such participation would assist in notifying potential Bidders of any updates or amendments. The Bidder's Conference will be held in Room CC3-5 at South Coast AQMD Headquarters in Diamond Bar, California at 10:00am on Friday, August 23, 2024. Please contact Vasileios Papapostolou at (909) 396-2254 or vpapapostolou@aqmd.gov by close of business on Thursday, August 22, 2024, if you plan to attend.

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

Proposals for this project shall concisely address the information provided in the following statement of work and in the format specified in Section VII: Proposal Submittal. Proposers are encouraged to pay close attention to Section IX: Proposal Evaluation/Contractor Selection criteria to assess how their bids will be evaluated. Proposers shall bid on all parts and sections; each bid will be evaluated on the entire packaged solution that includes comprehensive responses to each and every part and section of this RFP. The information provided should be specific enough for evaluation and scoring purposes, and for inclusion into a binding contract. Proposals shall expand

and provide more complete details based on the requirements and available options in the statement of work outlined below. Please refer to Attachment C for the South Coast AQMD's building parking lot map for the areas where EVSE will be replaced.

Currently, there is electrical infrastructure for a total capacity of 94 Level 2 EVSE (all 30A max), of which there are 39 dual chargers and 16 single chargers installed at several allocated sections at the South Coast AQMD's parking lot. The parking lot is used by members of the public, visitors, South Coast AQMD employees and Board members. In recent years, the chargers have deteriorated, many of which have not been functional for an extended period of time. All EVSE will need to meet specific performance requirements and, if possible, address desirable and optional performance requirements.

Locations and number of vehicle chargers to be replaced are as follows:

- CC8 Parking Lot: Eight (8) dual and one (1) single Level 2 EVSE (30A max) [six (6) pedestal and three (3) wall mounted units]
- Upper-Level Parking Lot/Front Lobby: Five (5) dual and two (2) single Level 2 EVSE (30A max) [seven (7) pedestal units]
- Upper-Level Parking Lot/Solar Carport: Eight (8) dual and three (3) single Level 2 EVSE (30A max) [eleven (11) wall mounted units]
- Upper-Level Parking Lot/Other and Handicapped area: Eighteen (18) dual and ten (10) single Level 2 EVSE (30A max) [four (4) pedestal and twenty-four (24) wall mounted units];
- The existing DC fast charger will not be replaced under this RFP.

Contractor shall install and operate the new EV chargers and work closely with South Coast AQMD, who will serve as the site host and owner of the hardware equipment, to ensure proper operation and compliance with all applicable codes and regulations such as, City of Diamond Bar permitting requirements, EV regulations, and all pertinent building codes.

Installation of EVSE shall comply with universal charging access guidelines in *Zero-Emission Vehicles in California: COMMUNITY READINESS GUIDEBOOK* published by the State of California Governor's Office of Planning and Research (OPR) pertaining to best practices for installation of EVSE https://opr.ca.gov/docs/ZEV_Guidebook.pdf.

Contractor shall obtain all permits required for installation of Level 2 chargers.

Contractor shall be required to do all site preparation work, including but not limited to trenching, boring, conduit runs, concrete cutting, asphalt removal/pour, removal of existing EV chargers, relocation of EV chargers, installation of conduit and electrical wire, replace of existing electrical infrastructure including panel additions and transformers, installation of Level 2 EV chargers, as well as repair and replacement of all hardscape and landscape demolished and/or removed during site preparation. All work related to site preparation and repair/replacement work must be pre-approved by South Coast AQMD.

Contractor shall ensure that the provisions for all safety codes meet or exceed industry standards and will be compliant with all applicable building and electrical codes.

Contractor shall understand and follow installation and accessibility guidelines within the American Disabilities Act.

Contractor shall meet all applicable SB 854 PW-100 requirements for Public Works projects.

Contractor shall comply with all Prevailing Wage requirements.

Contractor shall install necessary signage, wheel stops, and other requirements to ensure compliance with all applicable rules and regulations. All signage and wheel stops must be pre-approved by South Coast AQMD.

Electrical installation shall be completed to ensure proper function, minimizing the risk of damage from vehicles, and installed in an aesthetically pleasing fashion that blends with the existing building architecture. Contractor shall work with the hardware provider to ensure proper positioning and operation once the EV chargers have been installed.

Contractor shall provide a Phasing Plan outlining the specific tasks along with anticipated milestone completion dates. Contractor shall hold routine meetings with South Coast AQMD to provide progress updates in conjunction with the construction schedule. Work shall include a thorough operational test to finalize and confirm the new EVSE operates properly without any issues.

PART A. EQUIPMENT, SOFTWARE AND DATA MANAGEMENT

I. Hardware Requirements

The new EVSE stations should include:

1. Charging cables at least 18 feet in length with appropriate cord management solution.
2. Weatherproofed, fastened, and secured solution
3. Weather protection at the EVSE LED display screens (e.g., shade to minimize/eliminate impact from direct sun-light exposure)
4. Beyond sufficient wireless communication coverage via an enhanced and dense mesh network of very high-performance gateways/routers to ensure continuous, uninterrupted operation and optimal uptime. The specific geography, buildings arrangement and orientation and area land-use must be taken into consideration in developing the over-the-air data communication plan for such large EVSE network in a large multi-sectioned parking lot. The entire new charging network shall be independent from any and all South Coast AQMD wireless and/or hard-wired internet communication systems and shall operate and function as a stand-alone data communication system.

II. Interface Control Software Requirements

The interface control software should include:

1. User-friendly interface with minimal instructions
2. Functionality to lock port/handle when charger not in use
3. Functionality to unlock port/handle, to disconnect from charger box and connect to vehicle, when end-user taps membership card to the designated location on LED display screen

III. Cloud Computing Data Management Portal

The Cloud Computing Data Management Portal should include but not limited to the following specifications, functionalities, and capabilities:

1. Station management capabilities with controls over the entire charging network down to specific charging ports.
2. Real-time monitoring of usage data in a downloadable format including kWh used, number of sessions, total revenue, average revenue per charger in daily/monthly/yearly format.
3. Price planning and editing capabilities with full control over all pricing and fees, including idling fees.
4. Station management and status listings: offline, available, busy, fault/error, disconnected, etc.
5. Charging network summary page with real-time status tallies for all stations/charging ports, listing stations that are online, in use, have errors, have warnings, are offline, etc.
6. High-resolution and accurate charging network satellite image mapping of station locations with selectable icons to display station information and status of each individual charging port in real-time.
7. Data visualization capabilities to display usage time, power, revenue, network status, etc. in a time series or similar with ability to select display timeframe.
8. Ability to set up notifications to notify and update, in real-time, station/charging ports online/offline or experiencing faults/errors.
9. Errors/warnings/alerts summary page with map visualizations, error codes, and error code legend for quick diagnosis.
10. Ability to create reports for a selected date range and selected stations/charging ports.

11. Ability to submit service requests for repairs and maintenance.
12. Ability for South Coast AQMD to utilize charging data to recover Low Carbon Fueling Standard (LCFS) credits from charging sessions.

All existing/replaced EVSE must be removed and disposed of in a proper recycling/environmentally friendly manner.

PART B. SUBSCRIPTION AND WARRANTY

Contractor shall include a minimum seven-year prepaid cloud data management portal plan subscription with station management features such as: Custom video uploads and automatic software updates, driver and fleet management features including: access control and pricing and automatic, payment collection, as well as energy and power management features which include power sharing.

Contractor shall include a comprehensive parts and on-site labor warranty for a minimum period of seven years following installation of EVSE,.. The warranty shall include parts and on-site labor to repair or replace any manufacturing defect and includes station management, remote monitoring of station and proactive repair dispatch. All routine and emergency servicing procedures and protocols for failures and malfunctions shall be documented and attached to the submitted proposal. In the event of an EVSE malfunction that cannot be resolved by routine servicing procedures, Contractor shall agree to place EVSE into proper operating condition within 72 hours after the arrival of service personnel or to provide an operational, equivalent EVSE within the same 72-hour period for use as a substitute until the original EVSE has been repaired or replace with permanent new, equivalent EVSE within a seven day period of notification.

SECTION VI: REQUIRED QUALIFICATIONS

- A. Contractors or firms proposing to bid on this proposal must be qualified and experienced in design, developing, installing and implementing medium/large EVSE networks (50+ charging stations with 90+ single/dual charging ports), in evaluating existing electrical infrastructure to determine appropriate wiring, transformers, conduit, and any other hardware deemed necessary for installation of EVSE. Installers must abide by California Section 740.20 of the Public Utilities Code.
- B. Contractors or firms proposing to bid on this proposal must be qualified and experienced in the development of reliable network communications systems, the development of interface control software and advanced data management portal tools, to integrate to medium/large EV charging networks.
- C. Proposer must submit the following:
 1. Resumes or similar statement of qualifications of person or persons who may be designated as electrical contractors, EVSE hardware engineers, EVSE control software engineers/developers, cloud computing data portal

scientists/engineers/developers and data analysts/engineers and other technical leads working on this project.

2. List of references for work conducted on similar projects as defined in the Statement of Work.
3. Summary of Proposer's general qualifications and experience to meet required qualifications and fulfill the Statement of Work.

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 price contract. Cost information must be provided as listed below

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

VOLUME III - CERTIFICATIONS AND REPRESENTATIONS

(see Attachment B to this RFP)

SECTION VIII: PROPOSAL SUBMISSION

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

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

Due Date - All proposals are due no later than 05:00 p.m., September 20, 2024, 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 five (5) 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 P2024-13."

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 their rating of proposals. The evaluation panel members shall evaluate the proposals according to the specified criteria and numerical weightings set forth below.

Proposal Evaluation Criteria

<u>Special Projects Requiring Unique Knowledge or Abilities</u>	<u>Points</u>
Hardware, Software, Data Communication & Technical Specifications	30
On-Going Costs associated with Transactions (i.e., subscription and credit card transaction fees)	20
Previous Experience on Similar Projects	20
Cost	30
<hr/>	
TOTAL	100

<u>Additional Points</u>	<u>Points</u>
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 their 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 Executive Officer or 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.
- J. **If proposal submittal is for a Public Works project as defined by State of California Labor Code Section 1720, Proposer is required to include Contractor Registration No. in Attachment B. Proposal submittal will be deemed as non-responsive and Bidder may be disqualified if Contractor Registration No. is not included in Attachment B. Proposer is alerted to changes to California Prevailing Wage compliance requirements as defined in Senate Bill 854 (Stat. 2014, Chapter 28), and California Labor Code Sections 1770, 1771, 1725, 1777, 1813 and 1815.**
- K. PERFORMANCE AND PAYMENT BONDS

Before execution of the Contract, the Contractor shall file surety bonds in the amounts and for the purpose specified in the Request for Proposal (RFP). Bonds shall be issued by a surety who is listed in the latest version of U.S. Department of Treasury Circular 570, who is authorized to issue bonds in California, and whose bonding

limitation shown in said circular is sufficient to provide bonds in the amount required by the Contract shall be approved by South Coast AQMD. Bonds from all other sureties shall be accompanied by all of the documents enumerated in the Code of Civil Procedure, Section 995.660a).

Each bond shall incorporate, by reference, the Contract and be signed by both the Bidder and Surety. The signature of the authorized agent of the Surety shall be notarized. The Contractor shall provide 2 good and sufficient surety bonds.

PERFORMANCE BOND

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

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

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

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

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

PAYMENT BOND

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

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

UNSATISFACTORY SURETIES

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

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

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

SECTION X: FUNDING

The total one-time funding for the work contemplated by this RFP will be finalized based on the proposals received for the project.

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

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

BUSINESS INFORMATION REQUEST

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

REMITTING ADDRESS INFORMATION

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

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

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

BUSINESS STATUS CERTIFICATIONS

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

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

Statements of certification:

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

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

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

Check all that apply:

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

Percent of ownership: _____ %

Name of Qualifying Owner(s): _____

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

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

NAME

TITLE

TELEPHONE NUMBER

DATE

Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Request for Taxpayer Identification Number and Certification

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

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

Print or type.
See Specific Instructions on page 3.

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

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

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

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. Requester's name and address (optional)

6 City, state, and ZIP code

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

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

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 ▶ _____
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General Instructions

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

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

Purpose of Form

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

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)
Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.
If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding, later.*

By signing the filled-out form, you:

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

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

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

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

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

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

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

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

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

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

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

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

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

Backup Withholding

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

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

Payments you receive will be subject to backup withholding if:

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

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

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

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

Updating Your Information

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

Penalties

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

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

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

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

Specific Instructions

Line 1

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

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

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

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

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

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

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

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

Line 2

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

Line 3

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

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

Line 4, Exemptions

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

Exempt payee code.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

G—A real estate investment trust

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

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

J—A bank as defined in section 581

K—A broker

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

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

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

Line 5

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

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

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

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

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

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

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

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

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

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

Part II. Certification

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

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

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

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

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

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

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

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

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor [*]

For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

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

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

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

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

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

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

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

Secure Your Tax Records From Identity Theft

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

To reduce your risk:

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

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

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

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

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

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

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

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

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

Privacy Act Notice

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

TAXABLE YEAR

CALIFORNIA FORM

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

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

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

California Trusts:

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

Estates — Certification of Residency of Deceased Person:

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

Nonmilitary Spouse of a Military Servicemember:

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

CERTIFICATE OF PAYEE: Payee must complete and sign below.

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

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

Type or print payee's name and title

Telephone

Payee's signature

Date

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 and search for **backup withholding**.

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

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

The following are excluded from withholding and completing this form:

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

B Income Subject to Withholding

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

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

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

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

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

C Who Certifies this Form

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

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

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

If an 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 MSRRA.

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

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

Specific Instructions

Payee Instructions

Enter the withholding agent's name.

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

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

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

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

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

Withholding Agent Instructions

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

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

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

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

Additional Information

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

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

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

Fax: 916.845.9512

Mail: WITHHOLDING SERVICES AND COMPLIANCE MS F182
FRANCHISE TAX BOARD
PO BOX 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

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

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

Asistencia Por Internet y Teléfono

Sitio web: ftb.ca.gov

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

TTY/TDD: 800.822.6268 para personas con discapacidades auditivas o 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.

Typed Name & Title of Authorized Representative

Signature of Authorized Representative Date

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



CAMPAIGN CONTRIBUTIONS DISCLOSURE

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

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

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

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

SECTION I.

Contractor (Legal Name): _____

<input type="checkbox"/> DBA, Name _____, County Filed in _____
<input type="checkbox"/> Corporation, ID No. _____
<input type="checkbox"/> LLC/LLP, ID No. _____

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

¹The 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.

SECTION II.

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

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

Name of Contributor _____

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

Name of Contributor _____

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

Name of Contributor _____

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

Name of Contributor _____

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

I declare the foregoing disclosures to be true and correct.

By: _____

Title: _____

Date: _____

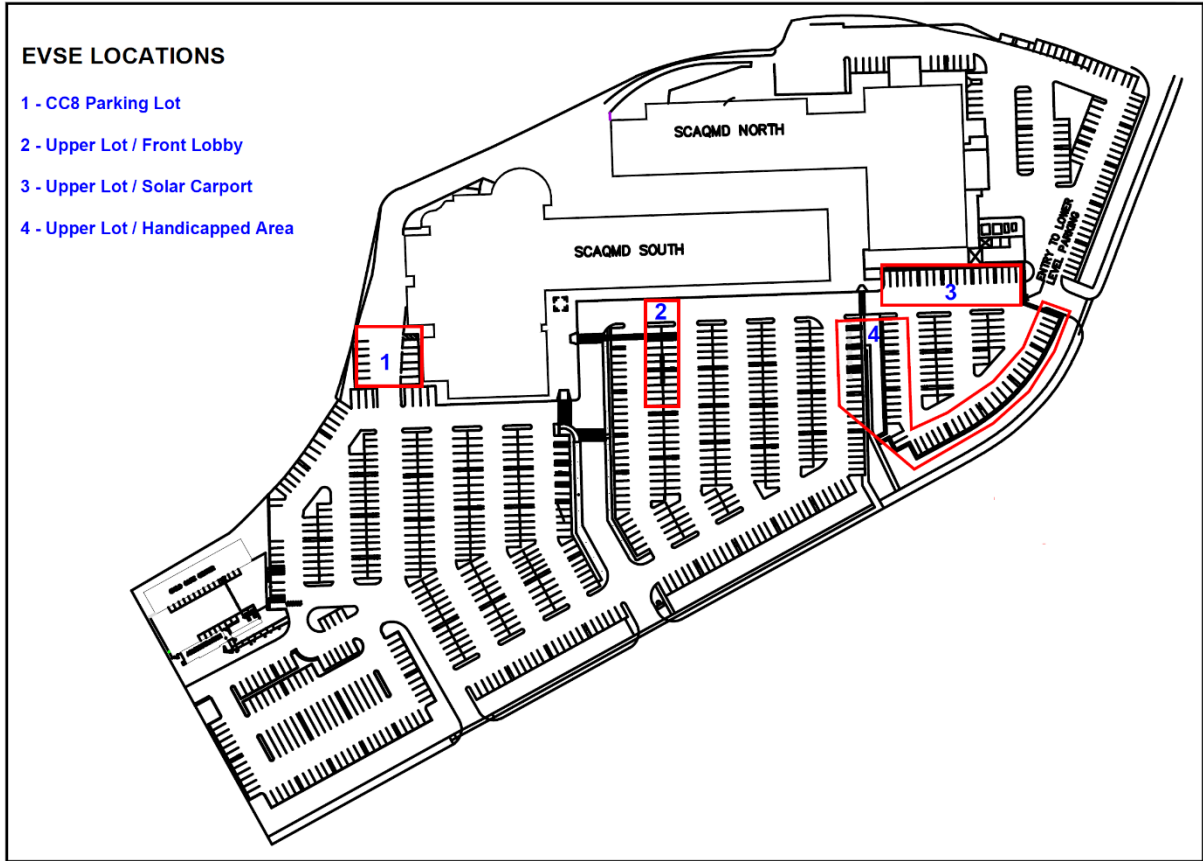
DEFINITIONS

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

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

ATTACHMENT C SOUTH COAST AQMD EV CHARGING STATIONS MAP

Headquarters – Diamond Bar, CA
Parking Lot – Upper Deck and CC8



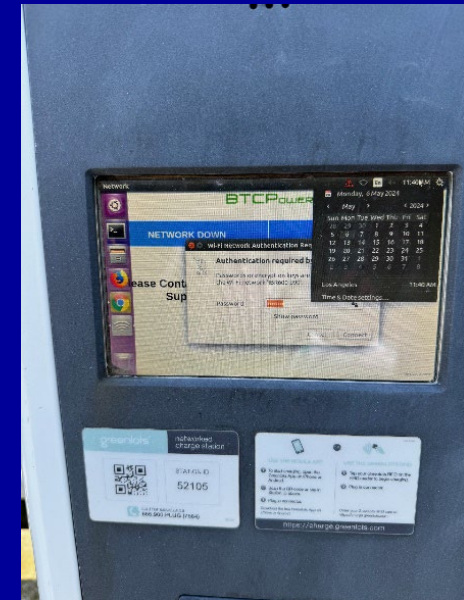
Agenda Item #1

Issue RFP to Replace Electric Vehicle Charging Infrastructure at South Coast AQMD Headquarters

Vasileios Papapostolou

Background

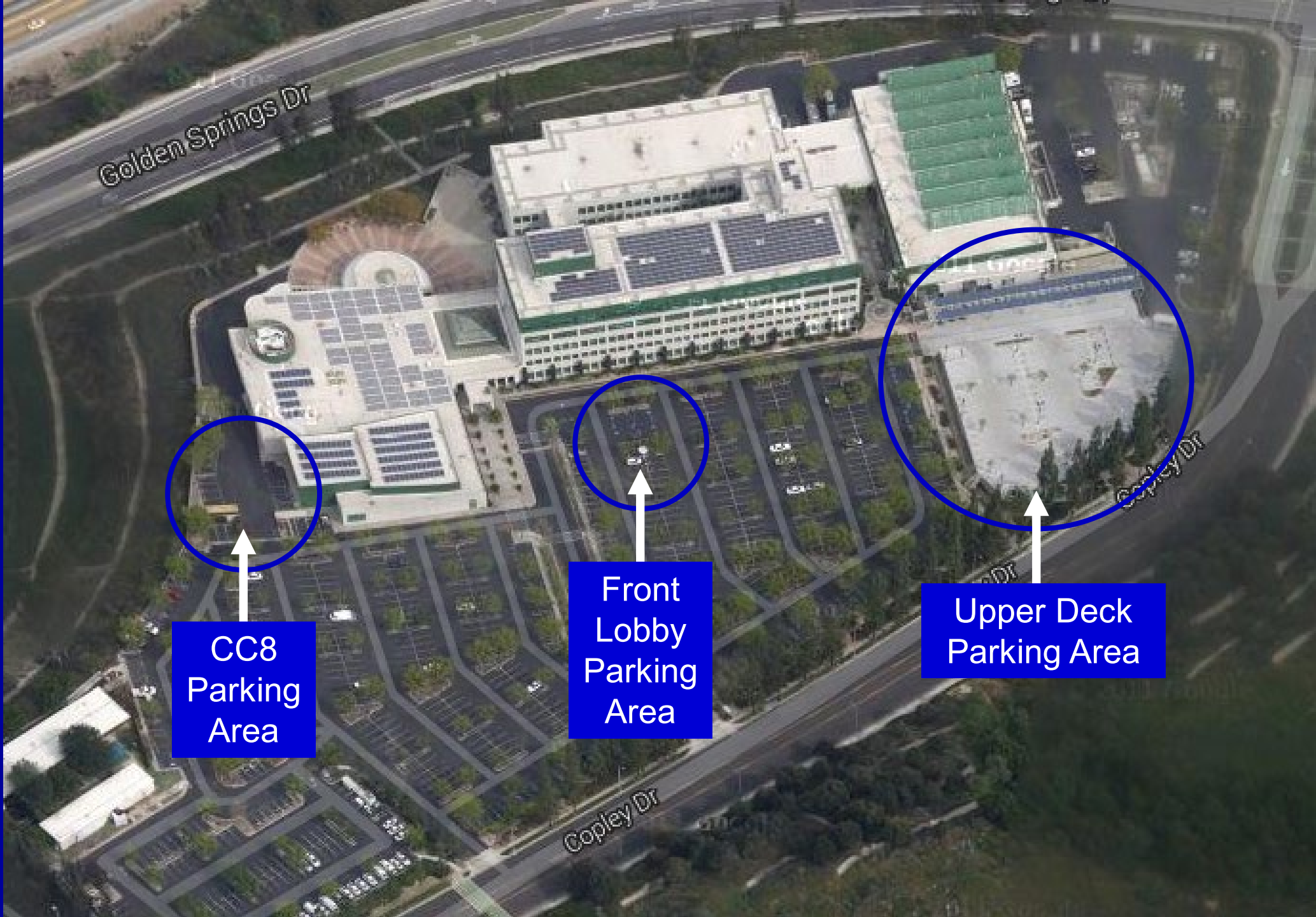
- South Coast AQMD headquarters' EV Charging infrastructure was installed between 2011 and 2017 and can charge up to 94 vehicles
- Chargers are no longer covered by warranty and many units are non-repairable



Proposal

- Solicit proposals to identify suitable and experienced vendors to:
 - Replace hardware for 55 Level 2 EV charging units
 - Upgrade software for improved real-time and remote network monitoring
 - Establish a minimum 7-year warranty agreement





CC8
Parking
Area

Front
Lobby
Parking
Area

Upper Deck
Parking Area

Recommended Action

- Issue RFP #2024-13 to Replace Electric Vehicle Charging Infrastructure at South Coast AQMD Headquarters

Technology Committee Agenda #2

BOARD MEETING DATE: August 2, 2024

AGENDA NO.

PROPOSAL: Adopt Resolution Recognizing Funds for FY 2023-24 Carl Moyer State Reserve, Enhanced Fleet Modernization Program and Clean Cars 4 All, Reimburse General Funds for Administrative Costs, Issue Program Announcement, Amend Carl Moyer Program Awards and Execute Contract to Deploy Zero Emission Equipment

SYNOPSIS: This Board item covers three separate programs including the Carl Moyer, the Replace Your Ride Programs (RZR) and the U.S. EPA Targeted AirShed Grant. In April 2024, CARB allocated \$5.9 million in Enhanced Fleet Modernization Program (EFMP) and Clean Cars 4 All (CC4A) to continue implementing the RZR Program. Also, in April, CARB approved allocations for the FY 2023-24 Carl Moyer “Year 26” State Reserve Program to fund zero-emission projects. In July 2019, the Board approved a \$2,100,000 U.S. EPA award under the FY 2018-19 Targeted AirShed Grant to develop and demonstrate battery electric excavators and wheel loaders. In March 2024, U.S. EPA agreed to amend award to utilize unspent project and administrative funds to deploy zero-emission equipment and extend the project to December 2025. These actions are to: 1) recognize up to \$5.9 million in EFMP and CC4A into HEROS II Special Revenue Fund (56); 2) adopt a resolution recognizing up to \$5.3 million in FY 2023-24 Carl Moyer State Reserve funds into Carl Moyer Program Fund (32); 3) reimburse General Fund for administrative costs to implement RZR; 4) issue a Program Announcement for eligible zero-emission off-road projects; 5) execute agreements for eligible projects resulting from the Program Announcement; 6) amend Carl Moyer Program awards approved in February 2024; and 7) execute contract with Volvo Technology of America, LLC in an amount not to exceed \$1,296,388, including \$60,000 of unused administrative fund to develop, demonstrate and deploy up to 13 zero emission off-road equipment from Clean Fuels Program Fund (31).

COMMITTEE: Technology, June 21, 2024; Recommended for Approval

RECOMMENDED ACTIONS:

1. Recognize from CARB, upon receipt, up to \$1.4 million in EFMP from G23-EFMP-01 and up to \$4.5 million in CC4A from G23-CC4A-01 into HEROS II Special Revenue Fund (56);
2. Reimburse the General Fund up to \$210,000 from EFMP and up to \$900,000 from CC4A, from the HEROS II Special Revenue Fund (56) as authorized by the grant agreements for administrative costs necessary to implement RYR;
3. Adopt the attached Resolution and authorize the Executive Officer to accept the terms and conditions of the FY 2023-24 Carl Moyer State Reserve funds and recognize from CARB up to \$5.3 million in Carl Moyer State Reserve funds into Carl Moyer Program Fund (32);
4. Issue, and if necessary, re-issue Program Announcement (PA) #PA2024-05 to solicit zero-emission off-road projects under the Carl Moyer Program Guidelines;
5. Based on the results of the PA, authorize the Chair (or by the Chair's designation, the Executive Officer) to execute agreements with selected applicants for eligible projects from Carl Moyer Program Fund (32) until funds are exhausted;
6. Amend awards, approved in February 2024 and authorize the Chair to execute contracts with Universal City Studios LLC, Chino Valley Dairy Products, Inc., Betty-G Sportfishing, Inc., King Fio Trucking, LLC, Penske Truck Leasing Co., L.P. and U.S. Gold Cargo, Inc. as shown in Table 1; and
7. Execute contract with Volvo Technology of America, LLC in an amount not to exceed \$1,296,388, including \$60,000 of unused administrative fund to develop, demonstrate and deploy up to 13 zero-emission off-road equipment from the Clean Fuels Program Fund (31).

Wayne Nastri
Executive Office

AK:MW:WS:SC

Background

This Board letter encompasses three separate programs including the Carl Moyer, the Replace Your Ride Programs and an U.S. EPA Targeted AirShed Grant. Although these programs are separate, the overall approach is the recognition of funds from CARB and to execute and amend awards and contracts previously approved by the Board.

Carl Moyer Program State Reserve Funds

The Carl Moyer Memorial Air Quality Standards Attainment Program provides incentive funds to help pay for the incremental cost of purchasing cleaner than required engines, vehicles, and/or equipment. Pursuant to Health and Safety Code Section

44286(d), CARB may reserve up to ten percent of the Carl Moyer Program funds available each year for projects that are eligible for funding. CARB reserves the sole authority to distribute the Carl Moyer Program State Reserve funds (State Reserve funds) each year. For FY 2023-24, approximately \$12.4 million in the State Reserve funds are available.

In April 2024, CARB approved allocations of the FY 2023-24 (Year 26) Carl Moyer Program State Reserve funds based on applications received from participating air districts. For this year, CARB allocated all the State Reserve funds towards the implementation of Carl Moyer Program eligible zero-emission projects. The allocation for the South Coast AQMD is \$5,247,712, including 6.25 percent in administrative funds, which is approximately 42 percent of the total State Reserve funds available. South Coast AQMD intends to use these funds for zero-emission off-road equipment replacement and engine repower projects under the Carl Moyer Program.

Replace Your Ride Program

South Coast AQMD has been implementing an Enhanced Fleet Modernization Program (EFMP), branded as Replace Your Ride (RYR) since 2015. The RYR Program is a vehicle retirement and replacement program which provides incentives to lower income households to scrap and replace their older, high emitting vehicles with newer, cleaner models or other transportation options. Since its inception, South Coast AQMD has provided over \$88 million in EFMP funding and replaced over 11,100 older passenger vehicles with cleaner, newer, and higher fuel-efficient vehicles, e-Bikes and transportation vouchers which has resulted in reducing 33 tons of NOx, 1.8 tons PM, and 45,423 metric tons CO₂e of GHG emissions annually. Approximately 93 percent of the vouchers have been issued to low-income participants residing in disadvantaged communities.

Amend Carl Moyer Program Project Awards

In February 2024, the Board combined and approved awards for “Year 25” and “Year 26” Carl Moyer and SOON programs due to the high number of eligible applications. Staff has identified amendments necessary to proceed with four awards as shown in Table 1 below.

Table 1
Updates to Project Name, Project Category and Award Amount

Applicant Name	Updated Applicant Name	Updated Project Category	Original Award Amount	Updated Award Amount	Case-by-Case Analysis
Universal City Studios LLC	--	--	\$3,450,360	\$4,014,930	--
Chino Valley Dairy Products, Inc.	Chino Valley Dairy	--	--	--	--
Betty-G Sportfishing, Inc.	Anthony Le DBA Betty-G Sportfishing	--	--	--	--
King Fio Trucking, LLC	--	--	\$472,676	\$724,476	--
Penske Truck Leasing Co., L.P.	--	Zero-Emission Infrastructure	--	--	--
U.S. Gold Cargo, Inc.	--	--	--	--	Yes

Two applicants inadvertently submitted incorrect business names. In addition, calculation errors occurred such that the February 2024 Board Letter incorrectly listed an award for Universal City Studios LLC as \$3,450,360 instead of \$4,014,930 and for King Fio Trucking, LLC as \$472,676 instead of \$724,476. Also, due to typographic errors, U.S. Gold Cargo, Inc. was missing an asterisk to indicate a case-by-case CARB approval was required, and the project category for Penske Truck Leasing Co., L.P. will need to be amended.

Amend FY2018-19 U.S. EPA Targeted AirShed Grant (TAG) Project

In July 2019, the Board approved \$2,100,000 award under the FY2018-19 Targeted AirShed Grant to Volvo Technology of America, LLC, to develop and demonstrate battery electric excavators and wheel loaders. The project developed and demonstrated multiple pieces of zero-emission off-road equipment, which resulted in the initial launch of the Volvo zero-emission construction equipment in 2022. As the project nears its completion, South Coast AQMD staff recommended to U.S. EPA to allocate the unspent project funds of \$500,000 and administrative funds of \$60,000 to provide incentives for the deployment up to 13 Volvo ZE construction equipment. U.S. EPA concurred with South Coast AQMD's recommendation and approved the agreement modification and extended the project term to December 2025 to allow time for the deployments.

Proposals

Staff proposes the following actions:

Carl Moyer Program State Reserve Funds

Staff recommends to adopt the attached Resolution recognizing up to \$5.3 million in the FY 2023-24 Carl Moyer Program State Reserve funds from CARB into the Carl Moyer Program Fund (32) and authorize the Executive Officer to accept the terms and conditions of the FY 2023-24 (Year 26) Carl Moyer Program State Reserve grant award.

In addition, staff recommends to issue Program Announcement (PA) #PA2024-05 to solicit applications for zero-emission off-road equipment replacement or engine repower projects. Examples of off-road equipment and/or engines eligible under this PA include those operating in construction, agriculture, industrial and cargo handling capacities. Staff also recommends to authorize the Chair, or by the Chair's designation, the Executive Officer, to execute agreements using the Carl Moyer Program Fund (32) for eligible projects under #PA2024-05, until funds are exhausted.

Replace Your Ride Program

Staff recommends to recognize up to \$5.9 million from CARB, consisting of \$1.4 million from EFMP and \$4.5 million from CC4A into the HEROS II Special Revenue Fund (56) to continue implementation of the RYR, and to reimburse the General Fund up to \$210,000 from EFMP and up to \$900,000 from CC4A, from HEROS II Special Revenue Fund (56), for the administrative costs to implement the program.

Amend Carl Moyer Program Project Awards

Staff recommends to amend awards approved under "Year 25" and "Year 26" Carl Moyer and SOON Provision programs with the applicants specified in Table 1 to correct project names and award amounts.

Amend FY2018-19 U.S. EPA TAG Project

Staff recommends that to allocate remaining project and unspent administrative funds in an amount of up to \$1,296,388 be used for development, demonstration and deployment of up to 13 battery electric off-road equipment. Volvo and project partners will provide up to \$393,500 in cost-share. This action is to execute a contract with Volvo Technology of America, LLC in an amount not to exceed \$1,296,388 to develop, demonstrate and deploy up to 13 Volvo zero-emission construction equipment from the Clean Fuels Program Fund (31).

Outreach

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

Additionally, potential applicants may be notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the PAs will be emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on the Internet at South Coast AQMD's website (<http://www.aqmd.gov>) where it can be viewed by making menu selection "Grants & Bids." South Coast AQMD will post pre-recorded presentations and host meetings to provide program information and application assistance for applicants interested in participating in the Carl Moyer Program. Also, to the extent possible, staff will conduct additional in-person outreach to potential applicants through community outreach and engagement.

Overburdened Communities

The Carl Moyer Program Guidelines and AB 1390 require that at least 50 percent of all funding available for the Carl Moyer Program, including roll-over funds from previous years and any returned funds from projects that fall through, be allocated to projects that will reduce emissions in overburdened communities. Staff will ensure that not less than 50 percent of the funds are appropriated and expended directly in overburdened communities to reduce air contaminants and/or associated public health risks.

Benefits to South Coast AQMD

The additional funds provided by the State Reserve to fund zero-emission off-road equipment replacement and engine repower projects will not only provide surplus emissions reductions of both NO_x and PM as required by the Carl Moyer Program, but the NO_x reductions will further South Coast AQMD's efforts toward achieving ozone attainment under the National Ambient Air Quality Standard (NAAQS). The zero-emission off-road equipment and engines funded under #PA2024-05 will operate for the life of the contract and beyond, with the emissions reductions providing long-term benefits. In addition, replacement of diesel-powered equipment will reduce diesel particulate emissions which is a carcinogen.

EFMP will continue to provide clean vehicle incentives to qualifying low-income households primarily for those residing in disadvantaged communities and provide emission reduction benefits to these communities and throughout the region.

The successful implementation of the Carl Moyer Program and SOON Provision Program will provide direct emissions reductions for both NO_x and PM as required by

the programs. Since the vehicles and equipment funded under these programs will operate for the life of the contract and beyond, the emissions reductions will provide long-term benefits.

The successful implementation of off-road projects will provide reductions of NO_x, PM and GHG emissions. The Volvo equipment funded under the AirShed Grant will help accelerate zero-emission off-road equipment adoption and provide long-term emission reduction benefits.

Resource Impacts

The State Reserve funds, upon receipt from CARB, will be recognized into the Carl Moyer Program Fund (32). Total State Reserve funds for zero-emission off-road projects eligible under #PA2024-05 will not exceed \$5 million.

CARB's funds of up to \$1.4 million for EFMP from G23-EFMP-01 and \$4.5 million for Clean Cars 4 All from G23-CC4A-01, upon receipt, will be recognized into the HEROS II Special Revenue Fund (56).

The contract with Volvo will not exceed \$1,296,388 from the U.S. EPA and Clean Fuels Program Fund (31) which include \$60,000 of unspent administrative fund from the grant. Volvo and partners will provide cost-share of up to \$393,500 for the additional deployment.

Attachment
Resolution

RESOLUTION NO. 24-

A Resolution of the South Coast Air Quality Management District Board Recognizing Funds and Accepting the Terms and Conditions of the FY 2023-24 (Year 26) Carl Moyer Program State Reserve Grant Award

WHEREAS, under Health & Safety Code § 40400 *et seq.*, the South Coast Air Quality Management District (South Coast AQMD) is the local agency with the primary responsibility for the development, implementation, monitoring and enforcement of air pollution control strategies, clean fuels programs and motor vehicle use reduction measures; and

WHEREAS, the South Coast AQMD is authorized by Health & Safety Code §§ 40402, 40440, and 40448.5 as well as the Carl Moyer Memorial Air Quality Standards Attainment Program (§ 44275, *et seq.*) to implement programs to reduce transportation emissions, including programs to encourage the use of alternative fuels and low-emission vehicles; to develop and implement other strategies and measures to reduce air contaminants and achieve the state and federal air quality standards; and

WHEREAS, the Governing Board has adopted several programs to reduce emissions from on-road and off-road vehicles, as well as emissions from other equipment, including the Carl Moyer Program; and

WHEREAS, the South Coast AQMD is designated as an extreme non-attainment area for ozone and as such is required to utilize all feasible measures to meet national ambient air quality standards.

BE IT FURTHER RESOLVED that the Governing Board approves the South Coast AQMD's participation in the State Reserve portion of the FY 2023-24 (Year 26) Carl Moyer Program, and the acceptance of funds allocated and awarded to the South Coast AQMD for eligible projects and program administration; and

THEREFORE, BE IT RESOLVED that the Governing Board, in regular session assembled on August 2, 2024, does hereby accept the terms and conditions of the FY 2023-24 (Year 26) Carl Moyer Program State Reserve grant award and recognize up to \$5.3 million from CARB in the Carl Moyer Program Fund (32) for eligible zero-emission off-road projects under the Carl Moyer Program.

BE IT FURTHER RESOLVED that the Executive Officer is authorized and directed to take all steps necessary to carry out this Resolution.

Date

Faye Thomas, Clerk of the Board

Agenda Item #2

Adopt Resolution, Recognizing Funds for FY 2023-24 Carl Moyer State Reserve, Enhanced Fleet Modernization Program and Clean Cars 4 All, Reimburse General Funds for Administrative Costs, Issue Program Announcement, Amend Carl Moyer Program Awards and Execute Contract to Deploy Zero-Emission Equipment

Walter Shen

Board Letter Items

- Consists of three separate programs to address recognizing funds, amending awards and issuing Program Announcement
 - Enhanced Fleet Modernization Program (EFMP)/Clean Cars 4 All (CC4A)
 - Recognize funds and reimburse general fund
 - Carl Moyer State Reserve
 - Adopt Resolution and recognize funds
 - Issue Program Announcement
 - Amend Carl Moyer Awards and execute U.S. EPA Targeted AirShed Grant (TAG contract) to Deploy Volvo ZE off-road Equipment

Carl Moyer Program State Reserve Funds

- CARB reserves 10 percent of Carl Moyer Program State Reserve funds (State Reserve) each year for eligible projects
 - \$12.4 million available statewide
 - \$5.3 million allocated to South Coast AQMD for zero-emission projects
 - Issue Program Announcement #PA2024-05



Replace Your Ride



- Scraps older vehicles and replace with cleaner options
- All participants must meet income requirements; additional incentives available for residents in underserved communities
- >11,000 vehicles, transportation vouchers and e-bikes for over \$88 million
- 93 percent of participants reside in underserved communities
- \$5.9 million allocated to continue the program

Amend Awards

- Carl Moyer Awards
 - Board approved February 2024
 - Amendments needed due to incorrect business names, calculation and typographical errors:

Applicant	Proposed Amendment
Betty-G Sportfishing, Inc.	Update Company Name
Chino Valley Dairy Products, Inc.	Update Company Name
King Fio Trucking, LLC	Update Award Amount
Penske Truck Leasing Co., L.P.	Update Project Category
Universal City Studios LLC	Update Award Amount
U.S. Gold Cargo, Inc.	Case-by-Case Status

FY 2018-19 U.S. EPA TAG Project

- U.S. EPA awarded \$2.1 million, included \$100,000 administrative costs to develop and demonstrate ZE equipment under TAG Program
 - Volvo electric wheel loaders and excavators demonstrated
 - Propose to use unspent project and administrative funds to deploy up to 13 pieces of zero emission off-road equipment
 - U.S. EPA approved modification



Summary of Recommended Actions

- Adopt Resolution for Carl Moyer State Reserve and recognize funds up to \$5.3 million
- Issue Program Announcement #PA2024-05 to solicit zero-emission off-road projects
- Amend awards under the Carl Moyer Program
- Recognize funds up to \$5.9 million and reimburse general fund for EFMP/CC4A
- Execute contract with Volvo to develop, demonstrate and deploy zero-emission off-road equipment

BOARD MEETING DATE: August 2, 2024

AGENDA NO.

PROPOSAL: Adopt Resolution to Recognize Funds and Accept Terms and Conditions of the 2022 Port and Freight Infrastructure Program Award from the California State Transportation Agency

SYNOPSIS: In December 2023, the Board recognized an award of \$76,250,003 from California State Transportation Agency (CalSTA) under the 2022 Port and Freight Infrastructure Program (PFIP) to demonstrate a short line hydrogen fuel cell locomotive and deploy direct current fast chargers and hydrogen refueling dispensers for heavy duty trucks. The Board also established the CalSTA Special Revenue Fund (89) to receive the funds. CalSTA requires a resolution of the Board in order to release the funds. The Board also recognized \$500,000 from the Department of Energy (DOE) through a FY 2023 Congressional Direct Spending Request for the project. These actions are to: 1) Adopt a Resolution to recognize funds, accept terms and conditions of the 2022 PFIP award from CalSTA and authorize the Executive Officer to execute the necessary agreements with CalSTA and the California Department of Transportation (Caltrans) to receive the award; 2) Reimburse the General Fund up to \$24,000 for administering the DOE grant and 3) Temporary loan up to \$10 million from the Clean Fuels Program Fund (31) to the CalSTA Special Revenue Fund (89) until PFIP grant funds are received.

COMMITTEE: Technology; June 21, 2024; Recommended for Approval

RECOMMENDED ACTIONS:

- 1) Adopt a Resolution to recognize funds, accept terms and conditions of the 2022 PFIP award from CalSTA and to authorize the Executive Officer to execute the necessary agreements with CalSTA and the California Department of Transportation (Caltrans) to receive the funds;
- 2) Reimburse the General Fund for up to \$24,000 for administering the DOE grant; and

- 3) Temporary loan up to \$10 million from the Clean Fuels Program Fund (31) to the CalSTA Special Revenue Fund (89) until PFIP grant funds are received.

Wayne Natri
Executive Officer

AK:MW:VP:MH

Background

South Coast AQMD partnered with Prologis Mobility, LLC., and Wabtec Corporation to submit a “Freight Air Quality Solutions” (FAQS) proposal to the California State Transportation Agency (CalSTA) under the 2022 Port and Freight Infrastructure Program (PFIP). The proposed projects included the deployment of direct current fast chargers (DCFC) and hydrogen refueling dispensers at seven locations to support zero emission drayage fleets and the demonstration of a short-line fuel cell locomotive that will transport cargo in and around the San Pedro ports. CalSTA awarded a PFIP grant to South Coast AQMD for these projects in July 2023. In December 2023, the Board recognized \$76,250,003 from CalSTA under the PFIP award and \$500,000 from DOE, established CalSTA Special Revenue Fund (89) to receive the funds, and authorized the execution of contracts with Prologis Mobility, LLC. and Wabtec Corporation. The California Department of Transportation (Caltrans), which is administering the PFIP award for CalSTA, requires a Resolution from the Board to recognize funds, accept the terms and conditions and authorize the execution of necessary agreements with CalSTA and Caltrans to receive the funds.

The PFIP grant funds will be paid to South Coast AQMD on a reimbursement basis. A temporary loan of up to \$10 million from the Clean Fuels Program Fund (31) to the CalSTA Special Revenue Fund (89) is necessary to ensure sufficient funds are available for the projects. The loaned amount will be returned to Fund 31 as reimbursements from the PFIP grant are received.

Proposal

This action is for the Board to adopt the resolution to recognize funds, accept the terms and conditions and authorize the execution of necessary agreements with CalSTA and Caltrans to receive the funds. In addition, this action is to authorize the reimbursement of the General Fund of up to \$24,000 for administering the DOE grant. Finally, this action is to temporary loan up to \$10 million from the Clean Fuels Program Fund (31) to the CalSTA Special Revenue Fund (89) until PFIP grant funds are received.

Benefits to South Coast AQMD

South Coast Air Basin is classified as an “extreme” nonattainment area for ozone under

the Federal Clean Air Act. Successful deployment of chargers and fuel dispensers and the demonstration of fuel cell locomotives will help reduce Ozone and PM2.5 air pollution. The project supports the Technology Advancement Office Clean Fuel Program 2023 Plan Update under the categories of “Electric/Hybrid Technologies,” “Hydrogen/Mobile Fuel Cell Technologies,” and “Zero Emission Infrastructure.” Estimated annual emission reductions of 632 tons of NOx, 1.7 tons of PM2.5 and 147,104 tons of CO2 may be expected from these projects.

Resource Impacts

Sufficient funds are available in the Clean Fuels Program Fund (31) for the temporary loan to CalSTA Special Revenue Fund (89) until PFIP grant funds are received.

Attachment
Resolution

RESOLUTION NO. 24-____

**A Resolution of the South Coast Air Quality Management District Board
Recognizing Funds and Accepting the Terms and Conditions of the
California State Transportation Agency
2022 Port and Freight Infrastructure Program Award**

WHEREAS, under Health & Safety Code § 40400 et seq., the South Coast Air Quality Management District (South Coast AQMD) is the local agency with the primary responsibility for the development, implementation, monitoring and enforcement of air pollution control strategies, clean fuels programs and motor vehicle use reduction measures;

WHEREAS, the South Coast AQMD is authorized by Health & Safety Code §§ 40402, 40404, 40440, and 40448.5 to implement programs to reduce transportation emissions, including programs to encourage the use of alternative fuels and low-emission vehicles; to develop and implement other strategies and measures to reduce air contaminants and achieve the state and federal air quality standards;

WHEREAS, the South Coast AQMD is designated as an extreme non-attainment area for ozone and as such is required to utilize all feasible measures to meet national ambient air quality standards;

WHEREAS, the South Coast AQMD has been awarded up to \$76,250,003 million from the California State Transportation Agency (CalSTA) 2022 Port and Freight Infrastructure Program (PFIP) for eligible projects and program administration through the California Department of Transportation (Caltrans);

WHEREAS, the South Coast AQMD is eligible to receive Federal and/or State funding for certain transportation projects, through Caltrans; and

WHEREAS, Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements and/or Fund Transfer Agreements need to be executed with CalSTA and/or Caltrans before such funds can be claimed;

NOW, THEREFORE BE IT RESOLVED that the Executive Officer is authorized to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and any amendments thereto with CalSTA and/or Caltrans or its designee;

BE IT FURTHER RESOLVED that the Governing Board, in regular session assembled on August 2, 2024, does hereby accept the terms and conditions of the CalSTA 2022 PFIP award and recognize up to \$76,250,003 million in the CalSTA Special Revenue Fund (89) for eligible projects; and

BE IT FURTHER RESOLVED that the Executive Officer is authorized and directed to take all steps necessary to carry out this Resolution.

Date

Faye Thomas, Clerk of the Board

Agenda Item #3

Adopt Resolution to Recognize Funds and
Accept Terms and Conditions of the 2022
Port and Freight Infrastructure Program Award
from the California State Transportation Agency

Mei Wang

Background

- “Freight Air Quality Solutions” proposal submitted to California State Transportation Agency (CalSTA) in January 2023
 - Wabtec – Liquid hydrogen fuel cell locomotive demonstration
 - Prologis – Develop charging and hydrogen infrastructure supporting zero emission trucks
- Awarded over \$76M in July 2023
- MSRC contribution \$11.68 million
- FY 2023 congressional allocation of \$500,000 through Department of Energy (DOE)



Background

- In December 2023, the Board approved to recognize the award of \$76 million from CalSTA and \$500,000 from DOE to execute contracts with Prologis and Wabtec
- To receive grant funds, need to adopt the California Department of Transportation's (Caltrans) resolution along with executing and amending agreements with Caltrans and CalSTA



Summary of Recommended Actions

- Adopt Resolution from CalSTA and Caltrans
- Authorize the Executive Officer to execute or amend agreements between South Coast AQMD and Caltrans or any delegated authorities
- Allow temporary loans of up to \$10 million for payments to Prologis and Wabtec from Fund (31) to Fund (89) and reimburse the General Fund for up to \$24,000 for administering the DOE grant