

BOARD MEETING DATE: March 5, 2021

AGENDA NO. 3

**PROPOSAL:** Adopt Resolution Recognizing Funds for FY 2020-21 Carl Moyer Program and Issue Program Announcements for Carl Moyer and SOON Programs

**SYNOPSIS:** These actions are to adopt a Resolution recognizing up to \$35 million in Carl Moyer Program grant funds from CARB with its terms and conditions for FY 2020-21 and issue Program Announcements for “Year 23” of the Carl Moyer Program and SOON Provision to solicit applications for eligible zero and low emitting on- and off-road vehicles and equipment, including marine vessels and locomotives, and infrastructure for near-zero and zero emission vehicles and equipment.

**COMMITTEE:** Technology, February 19, 2021; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Adopt the attached Resolution recognizing upon receipt up to \$35 million in FY 2020-21 Carl Moyer Program funds from CARB into the Carl Moyer Program SB 1107 Fund (32);
2. Issue Program Announcement #PA2021-05 to solicit projects for the FY 2020-21 “Year 23” Carl Moyer Memorial Air Quality Standards Attainment Program; and
3. Issue Program Announcement #PA2021-04 to solicit projects for the SOON Provision.

Wayne Natri  
Executive Officer

MMM:NB:VW:AY

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**Background**

The Carl Moyer Memorial Air Quality Standards Attainment Program (Carl Moyer Program) and the Surplus Off-Road Opt-in for NOx (SOON) Provision provide incentive funding for the incremental cost of purchasing cleaner-than-required engines

and equipment. The Carl Moyer Program also allows funding for infrastructure projects that enable the deployment of advanced, cleaner technologies, including zero and near-zero emission vehicles, which are needed to support the State's and South Coast AQMD's air quality goals. Both programs are primarily funded with Carl Moyer Program SB 1107 (including additional funds resulting from AB 1274) and AB 923 funds. In previous years, additional funding from the Community Air Protection Program (CAPP) and other grants were used to fund eligible projects submitted through the Carl Moyer Program. This is the 23rd year of the Carl Moyer Program and the 17th year of the SOON Provision. Program Announcements are needed to solicit applications for this year's Carl Moyer Program and SOON Provision.

### **Proposal**

These actions are to adopt the attached Resolution recognizing upon receipt up to \$35 million from CARB into the Carl Moyer Program SB 1107 Fund (32) for implementation of the FY 2020-21 "Year 23" Carl Moyer Program. CARB has tentatively allocated \$34,043,871 to the South Coast AQMD for the Carl Moyer Program. Of this amount, \$31,916,129 is designated for project funding and \$2,127,742 for administrative and outreach efforts. In addition, \$5,106,581 is required from the South Coast AQMD as the local match, which will be provided from AB 923 funds. Of this amount, \$4,340,594 is designated for project funding and \$765,987 for in-kind match contributions which may include program administration and outreach efforts.

This action is to also issue Program Announcements (PA) #PA2021-05 and #PA2021-04 for the Carl Moyer Program and SOON Provision, respectively. The approximate amounts of available funding for these programs include \$31 million for the Carl Moyer Program and \$5 million for the SOON Provision. In the last four funding cycles of the Carl Moyer Program, South Coast AQMD received additional funding beyond the Carl Moyer Program funds for eligible projects submitted through the Carl Moyer Program. These additional funds included CAPP Incentives, State Reserve, and Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program. At least 80 percent of these funds were used for projects that reduce emissions in disadvantaged and low-income communities. Staff anticipates receiving additional funds for this year's Carl Moyer Program, which may include funds in support of CAPP incentive projects, State Reserve and/or the FARMER Program. Staff will provide a detailed account of available and awarded funds for this year's Carl Moyer Program at the time of the awards recommendations.

The Carl Moyer PA will solicit applications from equipment owners for the retrofit, repower or replacement of older, in-use on-road vehicles, off-road equipment (including agricultural equipment), locomotives, marine vessels and other heavy-duty vehicles and equipment with cleaner technologies. The Carl Moyer PA will also solicit applications for infrastructure projects that support zero or near-zero emissions vehicles and equipment.

The SOON Provision is designed to achieve additional NO<sub>x</sub> emission reductions above those that would be obtained from CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation. The SOON Provision PA will solicit projects that involve the retrofit, repower or replacement of off-road vehicles with cleaner technologies. As in previous years, South Coast AQMD will only fund diesel-to-diesel applications when alternative fuel engines/vehicles are not commercially available or certified by CARB, except for emergency vehicles.

The Carl Moyer Program Guidelines approved by CARB on April 27, 2017, and any subsequent updates or changes, will be utilized for the evaluation of projects submitted under the "Year 23" Carl Moyer and SOON Provision PAs. Applicants will be able to submit their applications for both the Carl Moyer Program and SOON Provision online. Proposals for all categories will be due by 1:00 pm on Wednesday, June 2, 2021. Staff expects to finalize the review and evaluation of the proposals and recommend awards for Board consideration at the November 2021 Board meeting. The Carl Moyer Program and SOON Provision PAs are attached.

### **Funding Distribution**

The Carl Moyer Program Guidelines include the requirement that at least 50 percent of the program funds be expended on projects that will reduce emissions in disproportionately impacted areas, which is tracked on a cumulative basis for all air districts. At least half of the funding allocated under SB 1107 and collected under AB 923 will be awarded to projects in disproportionately impacted areas. The Carl Moyer Guidelines also require that at least 50 percent of all funding available for the Carl Moyer Program and the SOON Provision, 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 disproportionately impacted areas.

Staff proposes a target of 60 percent of the available funds for projects that are domiciled in disadvantaged and low-income communities, while 40 percent of the funds may be used for projects that are very cost-effective, not exceeding a cost-effectiveness level of \$20,000/ton of NO<sub>x</sub>, PM and ROG emissions reduced. South Coast AQMD reserves the right to amend these targets and allocate the funding among the different project categories or specific projects in accordance with South Coast AQMD air quality priorities.

Staff will utilize the latest version of CalEnviroScreen for identification of projects that will benefit disadvantaged and/or low-income communities.

## **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." In light of COVID-19, South Coast AQMD will post pre-recorded presentations and host virtual meetings to provide program information and application assistance for applicants interested in participating in the Carl Moyer Program. Staff will also conduct additional outreach to potential applicants through community and other groups.

## **Program Guidelines**

At its July 8, 2005 meeting, the Board approved long-term Program Guidelines for the implementation of the Carl Moyer Program in the South Coast Air Basin. The proposed funding distribution for different equipment categories in this Board letter is made according to the criteria outlined in that guideline with emphasis on the following priorities in order to achieve the highest emissions reductions:

- Goods Movement (40 percent allocation);
- Environmental Justice (50 percent allocation);
- Cost-Effectiveness;
- Low Emission Engine/Vehicle Preference;
- Early Commercialization of Advanced Technologies/Fuels;
- Fleet Rules; and
- School Buses.

## **Benefits to South Coast AQMD**

The South Coast AQMD has supported a number of activities directed to the advancement of new technologies that will support progress in meeting air quality goals for the region. The successful implementation of the Carl Moyer Program and the SOON Provision are direct results of these technology advancement activities. The vehicles and equipment funded under these PAs will operate for many years, providing long-term emissions reductions.

## **Resource Impacts**

CARB has tentatively allocated \$34,043,871 to the South Coast AQMD for implementation of the FY 2020-21 "Year 23" Carl Moyer Program. Of this amount, \$31,916,129 is designated for project funding and \$2,127,742 for administrative and

outreach efforts. These funds will be recognized into the Carl Moyer Program SB 1107 Fund (32). In addition, \$5,106,581, which will be provided from AB 923 funds, is required as the local match from the South Coast AQMD. Of this amount, \$4,340,594 is designated for project funding and \$765,987 for administrative and outreach efforts.

**Attachments**

1. Resolution
2. Carl Moyer Program Announcement #PA2021-05
3. SOON Provision Program Announcement #PA2021-04

**RESOLUTION NO. 21-**

**A Resolution of the South Coast Air Quality Management District Board  
Recognizing Funds and Accepting the Terms and Conditions of the  
FY 2020-21 Carl Moyer 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 zero 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 Lower Emission School Bus Program and 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 means to meet national ambient air quality standards.

THEREFORE, BE IT RESOLVED that the Governing Board, in regular session assembled on March 5, 2021, does hereby authorize the Executive Officer to accept the terms and conditions of the FY 2020-21 (Year 23) Carl Moyer Program grant award and recognizes up to \$35 million from CARB to administer and implement the Year 23 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.

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Date

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Faye Thomas, Clerk of the Board



## Surplus Off-Road Opt-In for NOx (SOON)

### **SOUTH COAST AQMD PROGRAM ANNOUNCEMENT PA2021-04**

The South Coast Air Quality Management District (South Coast AQMD) is soliciting project proposals for the following purpose according to terms and conditions attached. In this Program Announcement (PA) the words “Proposer,” “Applicant,” “Contractor,” and “Consultant” are used interchangeably.

#### **SECTION I – OVERVIEW**

##### **PURPOSE**

The South Coast AQMD is seeking proposals for the Surplus Off-Road Opt-In for NOx (SOON) Provision of the California Air Resources Board’s (CARB’s) In-Use Off-Road Diesel-Fueled Fleets Regulation. The primary purpose of this Program is to provide financial incentives to assist in the purchase of zero or lower-emissions heavy-duty engine technologies to achieve near-term nitrogen oxides (NOx) emissions reductions from in-use off-road equipment. Since funding for the SOON Program is from the Carl Moyer Program (CMP), all CMP requirements apply to this Program, except where specifically noted, or where the South Coast AQMD implements more stringent program criteria as described in the Rule 2449 SOON Implementation Guidelines.

##### **COMPLIANCE WITH APPLICABLE LAWS**

Applicants must comply with all federal, state, and local laws, ordinances, codes and regulations. If the application is eligible for funding, all vehicles and/or equipment to be purchased, leased or installed must be compliant with all applicable federal, state, and local air quality rules and regulations, and will maintain compliance for the full Contract term.

##### **INTRODUCTION**

The SOON Program is designed to achieve additional NOx reductions above those that would be obtained from the state off-road regulation. These reductions are critical to meeting the PM2.5 and ozone ambient air quality standards in the South Coast Air Basin (SCAB).

Funding for Program Announcement PA2021-04 is from the CMP. Project awards are contingent upon receiving the CMP funds from CARB. Additional sources of funding, such as AB 923, may be available and added to this Program.

Eligible projects qualified for the SOON Program must meet a maximum cost-effectiveness limit of \$30,000 per ton of NOx emissions reduced and any additional South Coast AQMD criteria as stated in this PA. For advanced technology projects that are zero-emission, or alternatively meet the cleanest certified optional NOx standard applicable, South Coast AQMD may apply a cost-effectiveness limit of up to \$100,000 per weighted ton of NOx emissions reduced, for the incremental emission reductions that go beyond current emission standards, as allowed by the CMP 2017 Guidelines. Projects exceeding the cost-effectiveness limit may receive partial

funding up to the cost-effectiveness limit or will be deemed ineligible. Except where otherwise stated, projects must meet the requirements of the CMP 2017 Guidelines.

Online applications submitted in response to this PA will be evaluated according to the approved 2017 CMP Guidelines. It is the applicant's responsibility to ensure that the most current information and requirements are reflected in a submitted application. Applicants should check the CARB website for any updates and/or advisories to the guidelines <http://www.arb.ca.gov/msprog/moyer/guidelines/current.htm>.

South Coast AQMD staff will evaluate all qualified SOON Program online applications and make recommendations to the Governing Board for final selection of project(s) to be funded. All eligible projects will be ranked based on cost-effectiveness of NOx emissions reduced. Please note that depending upon the number of applications received in response to this PA, South Coast AQMD may prioritize the selection of projects to reduce emissions in and around Disadvantaged Communities (DAC) and low-income communities located in the SCAB. While South Coast AQMD encourages all eligible applications, this means that some projects may not be selected based on their domicile address, regardless of their cost-effectiveness ranking.

At least 50 percent of South Coast AQMD's CMP funds will be targeted for projects that meet the criteria of a disadvantaged or low-income community project. Other non-CMP funding sources may have DAC and/or low-income status requirements that may limit South Coast AQMD's ability to award such funding to projects that do not meet applicable geographic or income requirements. The Office of Environmental Health Hazard Assessment (OEHHA) in the California Environmental Protection Agency (CalEPA) has developed the California Communities Environmental Health Screening Tool: CalEnviroScreen Version 3.0 (CalEnviroScreen 3.0). The CalEnviroScreen 3.0 tool will be used by South Coast AQMD to identify projects that qualify as a DAC, which is defined as scoring in the top 25th percentile, and will strive to maximize the benefits to these communities from this PA. All applications will be assessed with the CalEnviroScreen tool to identify and verify if the project will benefit a DAC. This tool is available at: <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>

South Coast AQMD SOON Program requirements may be more stringent than CARB's requirements and/or guidelines. For example, South Coast AQMD may have a lower cost-effectiveness ceiling for a particular project type. In case there is any conflict between CARB and South Coast AQMD criteria, the more stringent criteria will prevail. South Coast AQMD will post any new information and requirements on its SOON Web page at [www.aqmd.gov/soon](http://www.aqmd.gov/soon). It is the responsibility of the applicant to ensure that the most current information and requirements are reflected in a submitted application. Be aware that there is a possibility that due to program priorities, cost-effectiveness or funding category limitations (i.e., caps), project applications may be offered only partial funding, and not all applications that meet the cost-effectiveness criteria may be funded.

## **DEFINITIONS**

### **1. Alternative Fuel**

Alternative fuels include compressed natural gas (CNG), liquefied natural gas (LNG), methanol, ethanol, propane (LPG) and electric technologies. Base Rule



2. Base Rule

Base rule is defined as the CARB In-Use Off-Road Diesel-Fueled Fleets Regulation without the SOON provisions (Title 13, Division 3, Chapter 9, Article 4.8, Section 2449 and 2449.1). Compliance with the Base Rule is required and is demonstrated by the Diesel Off-Road Online Reporting System (DOORS) Compliance Snapshot.

3. Compliance Plan

Compliance plan is the future forecast of fleet average emissions using current fleet information and planned future repower, replacement, retirement and retrofit projects. An Excel spreadsheet template is available on the South Coast AQMD SOON webpage.

4. Contract Term

Contract term is the duration for which the contract is valid. It encompasses both the project completion and project implementation periods.

- i. Project completion period is the first part of the Contract term starting from the date of Contract execution by both parties to the date the project post-inspection confirms that the project has become operational.
- ii. Project implementation period is the second part of the Contract term and equals the project life.

5. Cost-Effectiveness Limit

The cost-effectiveness limit determines the maximum funding that can be provided to an individual equipment repower, replacement or retrofit project for each ton of emissions reduced. Under the SOON Program the cost-effective is calculated based on tons of NOx reduced per year.

6. Current NOx Standard

For all engine horsepower categories, the current NOx standard in 2021 is Tier 4 Final.

7. Dual-Fuel Technology

Dual-fuel technology includes electric hybrid technologies that utilize a combination of either CNG and diesel fuel or LNG and diesel fuel, provided they are certified by CARB. Experimental technologies and fuels will be referred to CARB for evaluation and possible eligibility in the program.

8. Incremental Cost

Incremental cost is the percent of actual cost that is eligible for SOON funding.

- i. Repower projects are eligible to receive up to 85%;
- ii. Replacement projects are eligible to receive up to 80%;
- iii. NOx retrofit projects are eligible to receive up to 100%.

9. Project Life

Project life is the period of the contract term during which the repowered, replacement or retrofitted vehicle is operated. The contractor must report the annual usage throughout the project life. In addition, project life is used to calculate the cost-effectiveness and funding amount for a project.

10. Replacement Project

Replacement project is the purchase of a new or used equipment to replace an existing unit. Only new equipment with engines certified to Tier 4 Final, or cleaner, emissions standards are eligible for funding.

11. Repower Project

Repower project is the replacement of an old engine of an existing equipment with a newer engine certified to lower emission standards.

12. Retrofit Project

Retrofit project is a modification made to an engine exhaust and/or fuel system such that the specifications of the retrofitted engine are different from the original engine.

## **GENERAL PROGRAM INFORMATION**

The primary focus of the SOON Program is to achieve emission reductions from heavy-duty off-road vehicles and equipment operating in California as early and as cost-effectively as possible. The SOON Program is intended to achieve additional NOx reductions which are needed to meet the PM2.5 and ozone ambient air quality standards in the South Coast Air Basin. The emission reductions expected through the deployment of zero or low-emissions engine or retrofit technologies under this Program must be real, surplus and quantifiable. Senate Bill 513 (Beall) removed many of the limitations associated with co-funding from other sources. The air district must verify the sum of all other incentive funds to ensure the Moyer funds will not exceed the total project cost. Applicants from non-public entities must provide at least 15 percent of the Moyer eligible project costs from non-public sources.

Replacement and repower projects are **limited to only** those involving a diesel baseline engine subject to the off-road regulation, and a lower emission or zero emission technology that is certified, verified or approved by CARB. **All projects must meet the program's cost-effectiveness limit(s) and be operational no later than May 5, 2023.** No administrative or vehicle operational costs are eligible.

It is expected that multiple awards will be granted under this PA, subject to the approval of the South Coast AQMD Governing Board.

All proposals will be evaluated based on criteria set forth in this PA. The South Coast AQMD will evaluate and/or verify information submitted by the applicant. At South Coast AQMD's discretion, consultants contracted by South Coast AQMD may conduct all or part of such evaluation and/or verification. Data verification during the evaluation and contracting process may cause initial cost-effectiveness rankings, and associated awards, to change. Furthermore, the South Coast AQMD reserves the right to make adjustments to awards based on the subsequent verification of information as well as changes in cost-effectiveness.

## IMPORTANT PROGRAM INFORMATION

- Fleets with a total statewide equipment horsepower over 20,000 hp and with 40 percent or more of their vehicles at Tier 0 and Tier 1 emission levels as of January 1, 2008, are subject to the SOON Program and are required to apply for funding. Fleets not meeting both of the above criteria on January 1, 2008, may voluntarily participate in this Program and apply for funding.
- For this program cycle, all projects will be eligible for a maximum of five year for replacement and seven-year for repower operational requirement within the jurisdiction of the South Coast AQMD. A shorter project life will be considered on a case-by-case basis and may be required by the CMP Guidelines for specific types of equipment. However, a shorter project life may affect the project's ranking relative to other projects and the amount of funding that can be provided.
- The annual hours used to calculate cost-effectiveness will be included in the contract. An extension of the contract or partial payback of funds may be required if the proposed annual hours are not achieved.
- For all repower projects, fleets are **not** required to, but may install the highest level verified diesel emission control system (VDECS) at their own cost.
- Retrofit projects which can achieve NOx reductions may be funded on a case-by-case basis.
- Applicants must demonstrate that during the contract period, vehicles equipped with NOx retrofits, repowered with new engines, or that have been replaced using SOON program funding, will not use a lower emission rate to calculate the fleet average index and target rate and BACT credit to meet compliance in the DOORS. Actions taken using SOON program funding may be used for determining compliance **after** the completion of the SOON program project contract period for that vehicle. For example, if a Tier 2 vehicle is repowered with a Tier 4 engine with SOON Program funds for purposes of compliance with the off-road regulation, that vehicle is still treated as if it were a Tier 2 until the end of the contract period for the SOON program project.
- Applicants **must** provide vendor quotes with their online application to document the cost of implementing the proposed technology. **All quotes must have been obtained within 90 days of application submittal. Applicants may be required to submit quotes from more than one technology provider.**
- For off-road replacement and repower projects, the CMP guidelines specify that the horsepower rating of the new (or replacement) engine must not be greater than 125 percent of the original manufacturer rated horsepower of the old (or existing) engine. If the new engine is greater than 125 percent, then the eligible funding amount will be based on the cost of an engine or equipment with a horsepower rating that is no higher than 125 percent of the existing engine horsepower rating. The applicant must pay the additional costs associated with the higher horsepower engine and obtain a price quote for an engine or equipment that is within the 125 percent range for the funding determination. In addition, verifiable records on the existing engine must be provided with the online application to accurately identify the engine manufacture year and horsepower (e.g., photographs of engine labels, statement from engine manufacturers, etc.).

- Applicants must demonstrate that they are in full compliance with all applicable CARB regulations and that vehicle/equipment funding requests under this Program provide surplus emissions reductions. **Applicants are required to submit a compliance plan showing how they will comply with the targets of CARB’s In-Use Off-Road Diesel-Fueled Fleets Regulation throughout the contract term, as well as how the new projects under this PA will meet SOON NOx targets in 2023.**
- Applicants must ensure that the vehicle/equipment to be purchased or installed is in compliance with all applicable federal, state and local air quality rules and regulations and that it will maintain compliance for the full contract term.
- Any associated tax obligation with the award is the responsibility of the grantee.
- No third-party contracts will be executed. The South Coast AQMD contract must be signed by the equipment owner.
- Pre- and post-inspection of all vehicles/engines/equipment approved for funding will be conducted by South Coast AQMD.
- Destruction of the engine/equipment being repowered or replaced is required.
- To avoid double dipping, applicants shall not apply for funding for the same equipment in any other air district.
- Project equipment must be domiciled and operate a minimum of 75% of the time within the boundaries of the SCAB.

## **POTENTIAL PROJECTS**

All eligible projects must use CARB-certified technology or technology that has been verified/approved by CARB for real and quantifiable emission reductions that go beyond any regulatory requirement. The following projects are eligible for SOON funding:

### Repower Project

For a repower project, the new engine must be certified for sale in California to the current NOx emission standard (Tier 4 Final) and must provide a 15% NOx Reduction benefit. If an engine meeting the current emission standard is not available or cannot be installed:

- A Tier 3 Replacement Engine rated at 175 hp or higher can be used for the repower project.
- A Tier 3 Replacement rated at 175 horsepower or less can be used for repower projects provided it complies with U.S. Environmental Protection Agency (EPA) requirements related to replacing in-use engines contained in the Code of Federal Regulations, Title 40, Section 1068.240.
- For off-road equipment with similar modes of operation to on-road vehicles, other possible options include the replacement of an older diesel off-road engine with a new on-road engine certified to an emission standard equal to or cleaner than the Tier 4 Final off-road emission standard or a newer emission certified alternative fuel engine.

### Retrofit Project

For a retrofit project, the retrofit technology must provide a 15% NOx reduction benefit and must be:

- Verified by CARB to reduce NOx or NOx plus PM for the specific engine for which funding is requested.

- In compliance with established durability and warranty requirements and cost-effectiveness criteria.

Diesel Particulate Filters (DPFs) and other devices that are not verified to reduce NOx are not eligible for SOON funding. The applicant will find more information on VDECS, including a list of currently verified DECS at <http://www.arb.ca.gov/diesel/verdev/verdev.htm>.

#### Replacement Project

For replacement projects, the replacement vehicle/equipment must be powered by a Tier 4 Final engine. If a vehicle/equipment with a Tier 4 Final engine will not be available within six months of the application submittal, vehicle/equipment with an Interim Tier 4 or Tier 3 engine may be purchased.

#### **PROJECT CRITERIA**

The South Coast AQMD retains the authority to impose more stringent additional requirements in order to address local concerns.

- Off-road CI equipment eligible for SOON Program funding includes equipment 25 hp (19 kilowatt) or greater. The complete definition can be found in CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation at <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>.
- SOON Program grants can be no greater than a project's incremental cost . The incremental cost shall be reduced by the value of any current financial incentive that reduces the project price, including but not limited to tax credits or deductions, grants or other public financial assistance.
- Applicants must ensure that the vehicle/equipment to be purchased or installed is in compliance with all applicable federal, state and local air quality rules and regulations and that it will maintain compliance for the full contract term.
- The certification emission standard and Tier designation for the engine must be determined from the CARB's Executive Order issued for that engine, not by the engine model year. Executive orders for off-road engines may be found at <http://www.arb.ca.gov/msprog/offroad/cert/cert.php>.
- Reduced emission engines or retrofits must be certified/verified for sale in California and must comply with durability and warranty requirements. These may include new CARB-certified engines and verified diesel emission control strategies.
- New vehicles equipped with Tier 4 family emission limits (FEL) engines certified to Tier 3 or Interim Tier 4 standards are eligible for SOON Program funding. **However, those engines will have their cost-effectiveness calculated as though they were Tier 3 engines.**
- New engines manufactured under the "Flexibility Provisions for Equipment Manufacturers", as detailed in Title 13, CCR, section 2423(d), are ineligible for SOON Program funding to repower equipment.
- For replacement projects, existing equipment with engines manufactured under the flexibility provision, detailed in CCR, title 13, section 2423 (d), the baseline emission rates shall be determined by using the previous applicable Tier emission standard for the existing engine model year and horsepower rating.

- Class 7 diesel forklifts are the only diesel forklifts eligible for SOON Program funding and are subject to all off-road project criteria. The South Coast AQMD must obtain and verify documentation of the classification of the forklift prior to funding.
- If repower with an engine meeting the current applicable standard is technically infeasible, unsafe or cost prohibitive, the replacement engine must meet the most current practicable previously applicable emission standard and cost-effectiveness criteria and, if rated at less than 175 hp, must comply with the requirements related to replacing in-use engines contained in Title 40, Code of Federal Regulations, Section 1068.240.
- Replacement of an uncontrolled diesel off-road engine with a new on-road engine certified to an emission standard equal to or lower than the Tier 4 Final off-road emission standard or a newer emission-certified alternative fuel engine may be eligible for funding as off-road equipment with similar modes of operation as on-road vehicles on a case-by-case basis. Other equipment may be eligible for funding on a case-by-case basis. These repowers must meet all other applicable project criteria.
- Applicants must provide their DOORS Fleet Compliance Snapshot.
- Applicants must provide the DOORS EIN for each vehicle for which funding is requested.
- Applicants must provide proof they have owned each vehicle for which funding is requested for a replacement vehicle for at least two years.
- Applicants must provide a current Compliance Plan using the South Coast AQMD fleet calculator or the DOORS calculator demonstrating compliance with the off-road regulation throughout the anticipated contract period.
- Applicants must provide at least the most recent two (2) years of hour-meter readings.

Potential projects that fall outside of these criteria may be considered on a case-by-case basis if evidence provided to the air district suggests potential surplus, real, quantifiable and enforceable emission reduction benefits.

**MAXIMUM ELIGIBLE FUNDING**

The maximum eligible funding amount and project life for each SOON project type is summarized below.

Project	Maximum Funding	Maximum Project Life
Replacement	80% of vehicle/equipment cost	Five years, except: (three years max. for excavators, skid steer loaders, and rough terrain forklifts)
Repower	85% of engine cost plus parts and labor necessary for installation	Seven years

Retrofit	100% of retrofit device cost plus parts and labor for installation, plus estimated cost for maintenance during project life.	Five years
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**COST-EFFECTIVENESS EVALUATION DISCUSSION**

The SOON Program is required to meet the requirements of the CMP by using the cost-effectiveness calculation methodology found in Appendix C of the CMP Guidelines (see <http://www.arb.ca.gov/msprog/moyer/guidelines/current.htm>). Under the SOON Program, only NOx emission reductions will be taken into consideration to calculate the cost-effectiveness.

**REPORTING AND MONITORING**

All participants in the SOON Program are required to keep appropriate records during the full contract period. Project life is the number of years used to determine the cost-effectiveness and is equivalent to the contract implementation period. All equipment must operate in the South Coast AQMD for the full project life. The South Coast AQMD shall conduct periodic reviews of each project’s operating records to ensure that the engine is operated as stated in the program application. Annual records must contain the following, at a minimum:

- Total Hours of Operation
- Total Hours of Operation in the South Coast Air District
- Annual Maintenance and Repair Information
- DOORS snapshot demonstrating compliance with the Off-Road Regulation

Records must be retained and updated throughout the project life and made available for South Coast AQMD inspection. The South Coast AQMD may conduct periodic reviews of each vehicle/equipment project’s operating records to ensure that the vehicle is operated as required by the project requirements.

Equipment owner, if awarded CMP grant funds, will be required to submit annual reports for the life of the project, as described in Section II – Work Statement/Schedule of Deliverables.

**PROGRAM ADMINISTRATION**

The SOON Program will be administered locally by the South Coast AQMD through the Science and Technology Advancement Office.

**FUNDING CATEGORIES**

Only equipment identified in the CARB In-Use Off-Road Diesel-Fueled Fleets Regulation is eligible for this Program.

**PROJECT EVALUATION/AWARDS**

South Coast AQMD staff will evaluate all submitted proposals and make recommendations to the South Coast AQMD Governing Board for final selection of project(s) to be funded. Proposals

will be evaluated for cost-effectiveness of NOx emissions reduced on an equipment-by-equipment basis, as well as a project’s disproportional impact evaluation. (This is discussed further in Section IV).

**SCHEDULE OF EVENTS**

Release of 21-04	March 5, 2021
Workshops	Information on virtual pre-recorded presentations and other webinars (as needed and upon request) to be posted on <a href="http://www.aqmd.gov/moyer">www.aqmd.gov/moyer</a> in April 2021
All Applications Due	No later than 1:00 PM, Tuesday, June 1, 2021
Anticipated Award Consideration by South Coast AQMD Board	October-November 2021

**ALL PROPOSALS MUST BE RECEIVED VIA SOUTH COAST AQMD’S ONLINE APPLICATION PROGRAM (OAP) NO LATER THAN 1:00 P.M. ON TUESDAY, JUNE 1, 2021**

**Electronic submission using South Coast AQMD’s new CMP Online Application Program (OAP) is available at [www.aqmd.gov/moyer](http://www.aqmd.gov/moyer). Paper applications will no longer be accepted.**

**South Coast AQMD may issue subsequent solicitations if insufficient applications are received in the initial solicitation.**

**STATEMENT OF COMPLIANCE**

Government Code Section 12990 and California Administrative Code, Title II, Division 4, Chapter 5, require employers to agree not to unlawfully discriminate against any employee or applicant because of race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, or age. A statement of compliance with this clause is included in all South Coast AQMD contracts.

**SECTION II: WORK STATEMENT/SCHEDULE OF DELIVERABLES**

All applicants that are selected for funding awards must complete the Work Statement and Schedule of Deliverables described below as part of the contracting process. Development of these materials for the initial application is NOT required; however, applicants must sign the online application indicating their understanding of the requirements for submittal of additional project information to finalize a contract and that all vehicles, engines or equipment must be in operation no later than **May 5, 2023**.

**WORK STATEMENT**



The scope of work involves a series of tasks and deliverables that demonstrate compliance with the requirements of the SOON Program as administered by CARB and the South Coast AQMD.

At a minimum, any proposed project must meet the following criteria:

- Emission reductions must be real, quantifiable, enforceable and surplus in accordance with CARB and South Coast AQMD guidelines.
- Cost-effectiveness of the project must meet the minimum requirement of the CMP guidelines.
- Project engines or equipment must operate in-service for the full project life.
- All vehicles/engines/equipment must be in operation no later than May 5, 2023.
- Appropriate annual usage records must be kept and reported to South Coast AQMD during the project life (i.e., annual hours of operation).
- A compliance plan that demonstrates compliance with the off-road regulation throughout the contract period must be provided.
- Ensure that the project complies with other local, state and federal programs, and resulting emission reductions from a specific project are not required as a mitigation measure to reduce adverse environmental impacts that are identified in an environmental document prepared in accordance with the California Environmental Quality Act or the National Environmental Policy Act.
- If requested, a contractor must provide a financial statement and bank reference, or other evidence of financial ability to fulfill contract requirements.

### **DELIVERABLES**

The contract will describe how the project will be monitored and what type of information will be included in project progress reports. At a minimum, the South Coast AQMD expects to receive the following:

- An annual report, throughout the project life, which provides the annual hours of operation, where the vehicle(s) or equipment(s) was operated, annual fuel consumption, and operational and maintenance issues encountered and how they were resolved.
- An annual submission of the applicant's DOORS Fleet Compliance Snapshot demonstrating compliance with the off-road regulation.

South Coast AQMD reserves the right to verify the information provided.

### **SECTION III: PROPOSAL SUBMITTAL REQUIREMENTS**

In addition, Conflict of Interest and Project Cost information, as described below, must also be submitted with the application. It is the responsibility of the proposer to ensure that all information submitted is accurate and complete.

#### **CONFLICT OF INTEREST**

Applicant must address any potential conflicts of interest with other clients affected by actions performed by the firm on behalf of the South Coast AQMD. Although the proposer will not be

automatically disqualified by reason of work performed for such firms, the South Coast AQMD reserves the right to consider the nature and extent of such work in evaluating the proposal. Conflicts of interest will be screened on a case-by-case basis by the South Coast AQMD District Counsel's Office. Conflict of interest provisions of the state law, including the Political Reform Act, may apply to work performed pursuant to this contract. Please discuss potential conflicts of interest on the application form entitled "Campaign Contributions Disclosure".

## **PROJECT COST**

Applicants must provide cost information that specifies the amount of funding requested and the basis for that request by attaching vendor quotes to the application. Applicants need to inform vendors of the time frame of the award process so that they can accurately quote costs based on the anticipated order/purchase date. **Note that no purchase orders may be placed or work performed for projects awarded under this PA until after the date of award approval by the South Coast AQMD Governing Board. Any orders placed or payments made in advance of an executed contract with the South Coast AQMD are done at the risk of the applicant. The South Coast AQMD has no obligation to fund the project until a contract is fully executed by both parties.**

**The SOON Program funds only the differential cost between existing technology and zero or lower-emissions technology.** The proposed zero or lower-emissions technology must be CARB-certified in most cases.<sup>1</sup> Proposals will be ranked by cost-effectiveness on a vehicle/equipment-by-vehicle/equipment basis. The cost-effectiveness limit has been established at \$30,000/ton of NOx emissions reduced and \$100,000/ton of NOx emissions reduced for advanced technology that includes zero-emission or alternatively, meets the cleanest optional NOx standard certified. The cost-effectiveness level used for the selection of projects may be lower depending on the demand for program funds. No fueling infrastructure, administrative or operational costs will be funded.

All project costs must be clearly indicated in the application. In addition, applicants must include any sources of co-funding and the amount of each co-funding source in the application.

**Applicants should be aware that the project life used in calculating the NOx emissions reductions will be used to determine the length of their annual reporting obligation and the length of their contract. For example, if a seven-year project life is used for the NOx emissions reduction calculation, then the applicant will be required to operate and track activity for the funded-vehicle/equipment for the full seven years.**

---

<sup>1</sup> Note that non-CARB certified engines/devices requiring an experimental permit from CARB may be considered, but the project will require special CARB approval.

## **PROPOSAL SUBMISSION**

All online applications must be submitted according to specifications set forth herein. Failure to adhere to these specifications may be cause for rejection of the application without evaluation.

### Grounds for Rejection:

An application may be immediately rejected if:

- Does not include correct documentation and other forms required.
- All applications are not signed by an individual authorized to represent the firm

### Certifications and Representations

Contained in this PA are six business forms which must also be completed and submitted with the application.

### Compliance Plan

Projects funded by SOON monies must result in NOx emissions reductions that are surplus to those that would be realized by fleets complying with the base rule. Fleets are required to submit a compliance plan in electronic format to demonstrate how they comply with both the base rule as well as the SOON provision of the rule. Fleet owners, at a minimum, must provide the following information for each year for the anticipated contract period:

- A vehicle list which includes, but is not limited to, vehicle type, manufacturer, model, model year, and whether the equipment is included in the base or SOON fleet for each piece of equipment in the fleet.
- Information including, but not limited to, calculations, fleet information, etc., showing compliance with the base rule fleet target levels or compliance with the BACT turnover and retrofit requirements. Either the CARB calculator (individual tabs for each future year) or the Excel SOON fleet calculator spreadsheet may be used.
- Information including, but not limited to, calculations, fleet information, etc., showing whether the vehicles funded by the SOON program are in compliance with the SOON NOx fleet average target levels.

SOON Compliance Plan documents and the Microsoft Excel SOON fleet calculator can be downloaded at the South Coast AQMD SOON website: [www.aqmd.gov/soon](http://www.aqmd.gov/soon). CARB's Fleet Average Calculators can be downloaded at the CARB website: <https://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>.

### Methods of Delivery:

The proposer must submit the application using the South Coast AQMD online system, available at [www.aqmd.gov/moyer](http://www.aqmd.gov/moyer). This online system allows applicants to submit their application electronically to the South Coast AQMD prior to the date and time specified below. South Coast AQMD "Business Information Forms" requiring signatures must be scanned and uploaded to the online system in pdf format. First-time users must register as a new user. A tutorial of the system will be provided at the pre-application workshops and you may contact Alyssa Yan at [ayan@aqmd.gov](mailto:ayan@aqmd.gov) (909) 396-2024 if you would like additional assistance.

Due Date

**ALL APPLICATIONS MUST BE RECEIVED VIA SOUTH COAST AQMD'S CMP  
ONLINE APPLICATION PROGRAM (OAP)  
NO LATER THAN 1:00 P.M. ON TUESDAY, JUNE 1, 2021**

Access to South Coast AQMD's CMP Online Application Program (OAP) is provided at: [www.aqmd.gov/moyer](http://www.aqmd.gov/moyer).

Disposition of Proposals

The South Coast AQMD reserves the right to reject any or all proposals. All responses become the property of the South Coast AQMD. 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.

Modification or Withdrawal

Once submitted, proposals cannot be altered without the prior written consent of South Coast AQMD.

**SECTION IV: PROPOSAL EVALUATION/CONTRACTOR SELECTION CRITERIA**

South Coast AQMD staff will evaluate all submitted proposals and make recommendations to the South Coast AQMD Governing Board for final selection of project(s) to be funded. Proposals will be evaluated based on the 2017 CMP Guidelines, including verification that the project meets the NOx cost-effectiveness limit(s) for this program. The cost-effectiveness determination will be done on a equipment-by-equipment basis.

The evaluation will determine the ranking for each project based on the cost-effectiveness of NOx emissions reduced. Please note that depending upon the number of online applications received in response to this PA, South Coast AQMD may prioritize the selection of projects to reduce emissions in and around DAC and low-income communities located within the SCAB. While South Coast AQMD encourages all eligible applications, this means that some projects may not be selected based on their domicile address, regardless of their cost-effectiveness ranking.

At least 50 percent of the CMP funds must be used for projects that are located and operated within a disadvantaged and/or low-income community. South Coast AQMD uses the following method to meet these requirements.

1. All projects must meet the criteria in the 2017 CMP Guidelines and the cost-effectiveness limit of \$30,000 per ton of NOx emissions reduced and \$100,000/ton of NOx emissions reduced for advanced technology that is zero-emission or alternatively, meet the cleanest optional NOx standard certified.
2. Each project's domiciled address will be used to determine if the project is located within a disadvantaged or low-income community. The CalEnviroScreen 3.0 tool will be used by South Coast AQMD to determine if a project is located within a DAC and/or low-

income community. This tool is available at: <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>

3. Projects that are not domiciled within a DAC and/or low-income community may still be considered if the application documentation shows that the vehicle/equipment was operated a majority of time in a DAC and/or low-income community.

All other projects will be ranked according to NOx cost-effectiveness, with the most cost-effective projects considered first and then in descending order for each funding category until the remainder of the funds are exhausted.

Be aware that there is a possibility that due to program priorities, cost-effectiveness or funding category limitations (i.e., caps), project applicants may be offered only partial funding, and not all applications that meet the cost-effectiveness criteria may be funded.

### **SECTION V: PAYMENT TERMS**

For all projects, payment will be made upon installation and commencement of operation of the funded equipment for 85% of the submitted repower invoice (80% of the submitted replacement invoice) or the contract maximum amount, whichever is less.

### **CONTACT FOR ADDITIONAL INFORMATION**

Questions regarding the content or intent of this PA, procedural matters, sample contract, and the compliance plan worksheet can be found at the at AQMD SOON website (<http://www.aqmd.gov/SOON>), or can be addressed to:

Alyssa Yan  
Science and Technology Advancement  
South Coast AQMD  
21865 Copley Drive  
Diamond Bar, CA 91765  
Phone: (909) 396-2024  
[ayan@aqmd.gov](mailto:ayan@aqmd.gov)

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# South Coast Air Quality Management District

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

## **Business Information Request**

Dear South Coast AQMD Contractor/Supplier:

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

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

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

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

Sincerely,

Sujata Jain  
Chief Financial Officer

DH:tm

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

REV 5/20



# South Coast Air Quality Management District

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

## BUSINESS INFORMATION REQUEST

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

## REMITTING ADDRESS INFORMATION

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

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

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



## BUSINESS STATUS CERTIFICATIONS

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

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

### Statements of certification:

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

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

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

Check all that apply:

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

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

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

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

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

\_\_\_\_\_  
NAME TITLE

\_\_\_\_\_  
TELEPHONE NUMBER DATE

## Definitions

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

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

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

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

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

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

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

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

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

- a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
  - A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or
  - A manufacturer with 100 or fewer employees.
- b. Manufacturer means a business that is both of the following:
  - 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.

- 2) Classified between Codes 311000 to 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.

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

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

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

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

## Request for Taxpayer Identification Number and Certification

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

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

Print or type. See Specific Instructions on page 3.	<p><b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.</p> <p><b>2</b> Business name/disregarded entity name, if different from above</p> <p><b>3</b> Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.</p> <p><input type="checkbox"/> Individual/sole proprietor or single-member LLC    <input type="checkbox"/> C Corporation    <input type="checkbox"/> S Corporation    <input type="checkbox"/> Partnership    <input type="checkbox"/> Trust/estate</p> <p><input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____</p> <p><b>Note:</b> 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 <b>not</b> 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.</p> <p><input type="checkbox"/> Other (see instructions) ▶ _____</p>	<p><b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from FATCA reporting code (if any) _____</p> <p><small>(Applies to accounts maintained outside the U.S.)</small></p>
	<p><b>5</b> Address (number, street, and apt. or suite no.) See instructions.</p> <p><b>6</b> City, state, and ZIP code</p> <p><b>7</b> List account number(s) here (optional)</p>	<p>Requester's name and address (optional)</p>

### 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.

<b>Social security number</b>					
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 5%; border: 1px solid black; text-align: center;">-</td> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 5%; border: 1px solid black; text-align: center;">-</td> <td style="width: 40%; border: 1px solid black; height: 20px;"></td> </tr> </table>		-		-	
	-		-		
or					
<b>Employer identification number</b>					
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	-				

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

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

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

<b>Sign Here</b>	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](http://www.irs.gov/FormW9).

### Purpose of Form

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

- Form 1099-INT (interest earned or paid)

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

By signing the filled-out form, you:

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

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

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

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

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

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

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

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

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

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

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

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

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

## Backup Withholding

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

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

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

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

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

Also see *Special rules for partnerships*, earlier.

## What is FATCA Reporting?

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

## Updating Your Information

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

## Penalties

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

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

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

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

## Specific Instructions

### Line 1

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

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

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

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

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

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

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

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

### Line 2

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

### Line 3

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

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

### Line 4, Exemptions

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

#### Exempt payee code.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

G—A real estate investment trust

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

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

J—A bank as defined in section 581

K—A broker

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

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

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

### Line 5

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

### Line 6

Enter your city, state, and ZIP code.

## Part I. Taxpayer Identification Number (TIN)

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

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

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

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

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

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

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

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

## Part II. Certification

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Secure Your Tax Records From Identity Theft**

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

To reduce your risk:

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

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

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

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

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

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



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

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

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

## Privacy Act Notice

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

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

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

**Withholding Agent Information**

Name \_\_\_\_\_

**Payee Information**

Name \_\_\_\_\_

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

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

City (if you have a foreign address, see instructions.) \_\_\_\_\_

State \_\_\_\_\_

ZIP code \_\_\_\_\_

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

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

 **Individuals — Certification of Residency:**

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

 **Corporations:**

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

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

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

 **Tax-Exempt Entities:**

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

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

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

 **California Trusts:**

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

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

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

 **Nonmilitary Spouse of a Military Servicemember:**

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

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

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

Type or print payee's name and title \_\_\_\_\_ Telephone \_\_\_\_\_

Payee's signature ► \_\_\_\_\_ Date \_\_\_\_\_

# 2020 Instructions for Form 590

## Withholding Exemption Certificate

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

### General Information

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

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

### A Purpose

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

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

Form 590 does not apply to payments for wages to employees. Wage withholding is administered by the California Employment Development Department (EDD). For more information, go to [edd.ca.gov](http://edd.ca.gov) or call 888.745.3888.

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

The following are excluded from withholding and completing this form:

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

### B Income Subject to Withholding

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

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

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

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

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

### C Who Certifies this Form

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

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

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

If an entertainer (or the entertainer's business entity) is paid for a performance, the entertainer's information must be provided. Do not submit the entertainer's agent or promoter information.

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

### D Definitions

For California nonwage withholding purposes, **nonresident** includes all of the following:

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

Foreign refers to non-U.S.

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

### Permanent Place of Business:

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

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

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

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

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

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



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

California may require nonmilitary spouses of military servicemembers to provide proof that they meet the criteria for California personal income tax exemption as set forth in the 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](http://ftb.ca.gov) and search for **nonwage**.

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

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

**Fax:** 916.845.9512

**Mail:** WITHHOLDING SERVICES AND COMPLIANCE MS F182  
FRANCHISE TAX BOARD  
PO BOX 942857  
SACRAMENTO CA 94267-0651

For questions unrelated to withholding, or to download, view, and print California tax

forms and publications, or to access the TTY/TDD numbers, see the Internet and Telephone Assistance section.

### Internet and Telephone Assistance

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

**Telephone:** 800.822.5711 from within the United States

916.845.6500 from outside the United States

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

### Asistencia Por Internet y Teléfono

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

**Teléfono:** 800.822.5711 dentro de los Estados Unidos

916.845.6500 fuera de los Estados Unidos

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

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

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

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

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

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\_\_\_\_\_  
Typed Name & Title of Authorized Representative

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\_\_\_\_\_  
Signature of Authorized Representative Date

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

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## CAMPAIGN CONTRIBUTIONS DISCLOSURE

In accordance with California law, bidders and contracting parties are required to disclose, at the time the application is filed, information relating to any campaign contributions made to South Coast Air Quality Management District (South Coast AQMD) Board Members or members/alternates of the MSRC, including: the name of the party making the contribution (which includes any parent, subsidiary or otherwise related business entity, as defined below), the amount of the contribution, and the date the contribution was made. 2 C.C.R. §18438.8(b).

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

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

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

### **SECTION I.**

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

DBA, Name _____, County Filed in _____ _____
Corporation, ID No. _____
LLC/LLP, ID No. _____

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

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**SECTION II.**

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

Yes  No **If YES, complete Section II below and then sign and date the form.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **DEFINITIONS**

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

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





# South Coast Air Quality Management District

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

## Direct Deposit Authorization

### STEP 1: Please check all the appropriate boxes

- |  |  |
|--|--|
| <input type="checkbox"/> Individual (Employee, Governing Board Member) | <input type="checkbox"/> New Request           |
| <input type="checkbox"/> Vendor/Contractor                             | <input type="checkbox"/> Cancel Direct Deposit |
| <input type="checkbox"/> Changed Information                           |  |

### STEP 2: Payee Information

Last Name		First Name		Middle Initial	Title
Vendor/Contractor Business Name (if applicable)					
Address				Apartment or P.O. Box Number	
City			State	Zip	Country
Taxpayer ID Number		Telephone Number		Email Address	

### Authorization

- I authorize South Coast Air Quality Management District (South Coast AQMD) to direct deposit funds to my account in the financial institution as indicated below. I understand that the authorization may be rejected or discontinued by South Coast AQMD at any time. If any of the above information changes, I will promptly complete a new authorization agreement. If the direct deposit is not stopped before closing an account, funds payable to me will be returned to South Coast AQMD for distribution. This will delay my payment.
- This authorization remains in effect until South Coast AQMD receives written notification of changes or cancellation from you.
- I hereby release and hold harmless South Coast AQMD for any claims or liability to pay for any losses or costs related to insufficient fund transactions that result from failure within the Automated Clearing House network to correctly and timely deposit monies into my account.

### STEP 3:

You must verify that your bank is a member of an Automated Clearing House (ACH). Failure to do so could delay the processing of your payment. You must attach a voided check or have your bank complete the bank information and the account holder must sign below.

### To be Completed by your Bank

<b>Staple Voided Check Here</b>	Name of Bank/Institution				
	Account Holder Name(s)				
	<input type="checkbox"/> Saving <input type="checkbox"/> Checking		Account Number	Routing Number	
	Bank Representative Printed Name		Bank Representative Signature		Date
	ACCOUNT HOLDER SIGNATURE:				Date

For South Coast AQMD Use Only

Input By \_\_\_\_\_

Date \_\_\_\_\_





**2021  
CARL MOYER MEMORIAL  
AIR QUALITY STANDARDS ATTAINMENT PROGRAM  
PROGRAM ANNOUNCEMENT  
“Year 23”**

**SOUTH COAST AQMD PROGRAM ANNOUNCEMENT  
PA2021-05**

The South Coast Air Quality Management District (South Coast AQMD) is pleased to announce the availability of funds for the Carl Moyer Memorial Air Quality Standards Attainment Program (hereafter “CMP”). The CMP has played a significant role in incentivizing equipment owners to purchase cleaner-than-required engines, vehicles and equipment. This year marks South Coast AQMD’s 23<sup>rd</sup> year of CMP implementation.

The CMP is intended to obtain “surplus” emission reductions of Nitrogen Oxides (NO<sub>x</sub>), Particulate Matter (PM<sub>10</sub>) and Reactive Organic Gases (ROG) from heavy-duty vehicles and other equipment operating in California as early and as cost-effectively as possible. The CMP provides financial incentives to equipment owners to repower, retrofit or replace in-use heavy-duty vehicles and equipment with cleaner-than-required engine and equipment technologies that will achieve emission reductions that are real, surplus, quantifiable and enforceable.

**COMPLIANCE WITH APPLICABLE LAWS**

Applicants must comply with all federal, state, and local laws, ordinances, codes and regulations. If the application is eligible for funding, all vehicles and/or equipment to be purchased, leased or installed must be compliant with all applicable federal, state, and local air quality rules and regulations, and will maintain compliance for the full Contract term.

**COMPLIANCE WITH LABOR LAWS**

If an application is deemed eligible, the applicant will be required to provide any labor violations that have occurred within the last three years to be further considered for an award. If awarded, the contractor will be required to notify South Coast AQMD in writing if they have been found by a court or federal or state agency to have violated labor laws. The contractor will complete a yearly certification in which they will either state that they have not been found by a court or federal or state agency to have violated labor laws or, if such violations have been found, the contractor will give South Coast AQMD details about those violations in the certification. If the contractor has previously provided that information to the South Coast AQMD, they will be required to reattach that previous notification to the certification and provide any additional details about those violations that have not previously been provided. The contractor’s yearly certification will be due at the same time as the annual progress reports. South Coast AQMD reserves the right to terminate the contract with a contractor that has been found to have violated labor laws, and the contractor may be required to return any and all contract funds, as determined by South Coast AQMD. The contractor will also ensure that these requirements are included in all subcontracts.

## **SECTION I – OVERVIEW**

### **PURPOSE**

The purpose of this Program Announcement (PA) is to solicit project applications for the 2021 Carl Moyer Memorial Air Quality Standards Attainment Program (CMP). **The budget for this PA will be approximately \$31 million from the CMP and AB 923 Funds. The South Coast AQMD expects to receive additional funds for this year’s CMP, which may include funds in support of AB 617-Community Air Protection Program and the Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program.**

All applications will be evaluated based on the criteria set forth in this PA, the CMP Guidelines, and any subsequent updates and modifications/advisories to the Guidelines. This PA was prepared based on the latest version of the CMP Guidelines approved by the California Air Resources Board (CARB) on April 27, 2017, which are available online at: <http://www.arb.ca.gov/msprog/moyer/guidelines/current.htm>.

This PA will identify the equipment categories, project options and eligibility criteria to qualify for grant funding under this year’s CMP. Any tax obligation associated with an award is the responsibility of the grantee.

The detailed requirements for projects can be found in the CMP Guidelines. Applicants are encouraged to review the CMP Guidelines to confirm eligibility and understand the funding “caps” that may apply to certain types of projects. In light of COVID-19, the South Coast AQMD will not conduct in-person workshops for this year’s CMP. Instead, South Coast AQMD will post pre-recorded presentations and host virtual meetings to provide program information and application assistance for applicants interested in participating in the CMP.

In the preparation of this PA, the words “Applicant” and “Contractor” are used interchangeably. South Coast AQMD staff will evaluate all qualified applications and make recommendations to the Governing Board for final selection of project(s) to be funded. All eligible projects will be ranked based on the cost effectiveness of NOx, PM10 and ROG emissions reduced. Please note that depending upon the number of applications received in response to this PA, South Coast AQMD may prioritize the selection of projects to reduce emissions in and around Disadvantaged Communities (DAC) and low-income communities located within the South Coast Air Basin (SCAB). While South Coast AQMD encourages all eligible applications, this means that some projects may not be selected based on their domicile address, regardless of their cost-effectiveness ranking.

At least 50 percent of South Coast AQMD’s CMP funds will be targeted for projects that meet the criteria of a disadvantaged or low-income community projects. Other non-CMP funding sources may have DAC and/or low-income status requirements that may limit South Coast AQMD’s ability to award such funding to projects that do not meet applicable geographic or income requirements. The Office of Environmental Health Hazard Assessment (OEHHA) in the California Environmental Protection Agency (CalEPA) has developed the California Communities Environmental Health Screening Tool: CalEnviroScreen Version 3.0

(CalEnviroScreen 3.0). The CalEnviroScreen 3.0 tool will be used by South Coast AQMD to identify projects that qualify as a DAC, which is defined as scoring in the top 25th percentile, and will strive to maximize the benefits to these communities from this PA. All applications will be assessed with the CalEnviroScreen tool to identify and verify if the project will benefit a DAC. This tool is available at: <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>

Be aware that there is a possibility that due to program priorities, cost effectiveness or funding category limitations (i.e., caps), project applicants may be offered only partial funding, and not all applications that meet the cost-effectiveness criteria may be funded.

## **FUNDING CATEGORIES**

Project equipment must be domiciled within the SCAB and operate a minimum of 75% of the time within the boundaries of the SCAB, except for locomotives, which are required to operate at least 51% of the time in the SCAB. Below are the specific project categories identified for funding under this PA:

- On-Road Heavy-Duty Vehicles, including transit fleet vehicles, drayage trucks, solid waste vehicles, public agency/utility vehicles and emergency vehicles (fire apparatus)
- Off-Road Equipment, including:
  - Marine Engine Repower
  - Shore Power (if project is not subject to CARB's At-Berth Regulation)
  - Construction Equipment
  - Agricultural Mobile Equipment (loaders, tractors, water pulls, etc.)
  - Locomotives
  - Cargo Handling Equipment
- Infrastructure to fuel or power a zero or near zero emission, heavy-duty vehicle or equipment, including but not limited to: on-road heavy-duty vehicles, cargo handling equipment, and marine vessels (shore power).

### **On-Road Heavy-Duty Vehicles**

Below are the key requirements for on-road, heavy-duty vehicle projects:

- Fleets must be fully compliant with all applicable fleet regulations.
- Eligible project types include vehicle replacement and repower/conversion projects; on-road retrofit projects will be considered on a case-by-case basis.
- For on-road vehicles, a project's new engines may not be diesel-fueled (with the exception of Emergency Apparatus).
- Eligible engine model years include 2010 and older, however the eligibility of engine model year 2007 through 2009 diesel engines subject to the Truck and Bus Regulation are pending CARB approval.
- Eligible vehicle types include heavy-duty trucks and buses, transit buses, solid waste collection vehicles, public agency and utility fleet vehicles and emergency vehicles (however, emergency vehicles are only eligible under the replacement project type).
- In addition to the cost-effectiveness limit(s) prescribed by the CMP Guidelines, each vehicle/engine is also subject to a funding cap<sup>1</sup> based on various factors including weight class (i.e., gross vehicle weight rating (GVWR)), vehicle type, and the proposed

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<sup>1</sup> Funding caps are provided in Tables 4-2 through 4-7 in the CMP Guidelines.

technology. The maximum grant award will be based on the allowable cost effectiveness and the applicable funding cap(s), whichever is less.

- Projects must include commercially available technologies that are certified or verified by CARB.

### **Off-Road Heavy-Duty Equipment/Engines**

Below are the key requirements for the off-road equipment category:

- Fleets must be fully compliant with all applicable regulations.
- Eligible project types include equipment replacement, engine repower and retrofit devices.
- Eligible equipment types include, but are not limited to, construction equipment, marine engines, shore power, locomotives, agricultural tractors, zero-emission rubber-tired gantry (RTG) cranes and other cargo handling equipment.
- Large and medium fleets may apply for Carl Moyer Program funding after January 1, 2017, for zero-emission projects only.

### **Infrastructure**

Infrastructure projects that enable the deployment of alternative, advanced, and cleaner technologies to support the State's air quality goals are also eligible for CMP funding.

Depending upon the number of applications received, the South Coast AQMD may have to limit the available CMP funding that will be allocated to infrastructure projects. Specifically, projects in this category involve the installation of fueling or energy infrastructure that will be used to fuel or power zero or near-zero emission, heavy-duty vehicles or equipment. Infrastructure designed to exclusively fuel or charge light-duty vehicles is not eligible for CMP funding.

Infrastructure projects will be selected on a competitive basis taking into consideration the project location, total requested funding, the percentage of renewable source, public accessibility, expected usage for the life of the project, fleet commitments to utilize the infrastructure, equipment throughput relative to cost, project implementation timeliness, cost-share, and other factors. Each scoring criterion will be weighted as shown in the table below. The priority for project selection may change based on technology development/commercialization and requirements of any additional funds that may become available. Infrastructure projects are not subject to a cost-effectiveness limit.

## Infrastructure Project Scoring Criteria

Criteria #	Criteria	Percentage
1	Project Location (if in an AB617 community)	8%
2	Renewable Sources	8%
3	Expected Throughput Usage per District Cost	20%
4	Project Co-Funding	10%
5	Infrastructure Usage and Equipment Availability	30%
6	Project Readiness and Implementation	21%
7	Application Completeness at Submittal	3%
	Total	100%

Applicants must provide cost information that specifies the amount of funding requested and the basis for that request by attaching vendor quotes to the application. The vendor quotes must be dated within 90 days of the application submittal date. Applicants need to inform vendors of the time frame of the award process so that they can estimate prices based on the future/projected order/purchase date.

Eligible costs include planning and engineering, permitting, equipment necessary for the functional operation of the infrastructure, and installation. Operational costs are not eligible and should not be included in the bid.

Applicants shall include a description of the installation vendor selection process. Applicants must demonstrate that they either own the land on which the project will be located, or control it through a long-term lease, easement or other legal arrangement, for the duration of the project life. Infrastructure projects may also require a case by case review by CARB.

Eligible infrastructure projects include, but are not limited to:

- Battery charging stations: New, conversion of existing, and expansion to existing battery charging stations for heavy-duty vehicles and equipment (not for light-duty vehicles)
- Alternative Fueling Station: New, conversion of existing, or expansion of existing hydrogen or natural gas fueling station for heavy duty vehicles and equipment
- Stationary Agricultural Station: Pump electrification
- Shore Power: Shore-side electrification for projects not subject to CARB’s shore power regulation. Only a port authority, terminal operator, or marine vessel owner is eligible for this type of infrastructure project.

A vehicle or equipment project is not required to be submitted as a condition of eligibility for infrastructure funding, however, priority will be given to such projects. The applicant must provide proof (i.e., letter of commitment from the fleet operator, purchase orders, etc.) that a sufficient number of supported vehicles/equipment be acquired and/or committed to utilize the infrastructure when the project is complete. For infrastructure expansion projects, documentation of increased throughput at the station is required to ensure the expansion is commensurate with projected fueling demand.

Purchase orders or other purchase commitments to design and install the proposed infrastructure shall not be placed until after the date of award approval by the South Coast AQMD Governing Board. Further, any purchase commitments placed after South Coast AQMD Governing Board approval but in advance of a fully executed contract are placed at the applicant's own risk.

### **Regulatory Compliance**

All applicants must be fully compliant with all applicable regulations in order to be eligible for consideration for CMP funding. Refer to CARB's fleet rule Web pages that provide detailed information on compliance with these regulations. These web links are listed below in Section VI.

### **GENERAL PROGRAM INFORMATION**

The CMP award amount shall not exceed the project's incremental cost, applicable funding caps and/or cost-effectiveness limit(s). The "Step 1" cost-effectiveness limit, \$30,000 per weighted ton of emissions reduced, applies to projects that bring vehicles and equipment up to current standards. The "Step 2" cost-effectiveness limit, \$100,000 per weighted ton of emissions reduced, applies to projects that are zero-emission or meet the cleanest certified optional standard applicable (by source category).

All projects must meet the criteria stated in this PA and the CMP Guidelines in effect at the time of contract execution. A project's cost effectiveness is determined based on the annualized cost of the project and the amount of NO<sub>x</sub>, ROG and PM<sub>10</sub> emission reductions that will be achieved by the project. Project cost effectiveness is currently calculated according to the following formula:

$$\frac{\text{Annualized Cost (\$/year)}}{[\text{NO}_x \text{ reduction} + 20 (\text{combustion PM}_{10} \text{ reduction}) + \text{ROG reduction}] (\text{tons/year})}$$

For projects that involve advanced technologies, the cost effectiveness will be calculated using the CMP's two-step calculation approach.<sup>2</sup>

All projects are expected to be operational within eighteen (18) months of contract execution or by May 5, 2023, whichever is earlier. Some projects may have earlier in-service operational date requirements, if they are subject to CARB regulations.

It is the applicant's responsibility to ensure that the most current information and requirements are reflected in a submitted project application. Applicants should check the CARB website for updates and advisories to the guidelines ([www.arb.ca.gov/msprog/moyer/moyer.htm](http://www.arb.ca.gov/msprog/moyer/moyer.htm)).

In cases of conflict between CARB guidelines and South Coast AQMD criteria, the more stringent criteria will prevail. South Coast AQMD will post any new information and requirements on its CMP Web page at [www.aqmd.gov/moyer](http://www.aqmd.gov/moyer).

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<sup>2</sup> Detailed guidance for the new two-step calculation approach, as well as all CMP emissions reduction and cost effectiveness calculations is available at:

[https://www.arb.ca.gov/msprog/moyer/guidelines/2017gl/2017\\_gl\\_appendix\\_c.pdf](https://www.arb.ca.gov/msprog/moyer/guidelines/2017gl/2017_gl_appendix_c.pdf)



Projects subject to CARB regulations must submit a copy of the most recent CARB compliance report(s) or other documentation that provides South Coast AQMD with clear understanding of the fleet's compliance status.

**All emission reductions resulting from funded projects will be credited to the Carl Moyer Program.** A grant shall not be made that provides the applicant with funds in excess of the maximum eligible amount, in accordance with CMP guidelines.

A project may be leveraged with other funding sources. The applicant must disclose all funding sources at the time of application and will be required to report all funding sources prior to invoice payment. Other funding sources may include but are not limited to state and federal funding programs that reduce greenhouse gas (GHG) emissions, funding provided by the Alternative and Renewable Fuel and Vehicle Technology Program, Air Quality Improvement Program, or CARB's Low Carbon Transportation Investment funds to reduce GHG emissions. The sum of all grants and other funds applied toward the project shall (1) not exceed the total project cost for public agency applicants and (2) not exceed 85% of the total project cost for non-public agency applicants. In other words, the grantee<sup>3</sup> must pay at least 15 percent of the project cost from non-public sources.

The emission reductions paid for by the CMP shall not be claimed by the other funding sources.

#### **ELIGIBILITY INFORMATION**

Emission reductions obtained through CMP projects must be real, surplus, quantifiable and enforceable. The emission reductions must not be required by any federal, state or local regulation, memorandum of agreement/understanding, settlement agreement, mitigation requirement or other legal mandate.

Engines operating under a regulatory compliance extension granted by CARB, an air district or the United States Environmental Protection Agency (U.S. EPA) are not eligible for funding.

Key program requirements for on- and off-road equipment categories are highlighted below; however, applicants are responsible for consulting the CMP guidelines for additional program limitations/requirements. For repower and replacement projects, the replacement engine must result in a minimum of 15 percent NOx reduction.

#### **ON-ROAD VEHICLES**

For purposes of the CMP, the following on-road vehicle classifications are used:

<b>Vehicle Classification</b>	<b>GVWR</b>
Light Heavy-Duty (LHD)	14,001 to 19,500 pounds
Medium Heavy-Duty (MHD)	19,501 to 33,000 pounds
Heavy Heavy-Duty (HHD)	Over 33,000 pounds

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<sup>3</sup> Public agencies are exempt from this requirement.

The proposed vehicle must be in the same weight class as the existing vehicle (LHD, MHD or HHD). The engine must be certified to the applicable heavy-duty intended service class as shown on the engine certification Executive Order. However, the following cases may be allowed: 1) MHD engines may be installed in HHD vehicles with GVWR up to 36,300 lbs. (10 percent higher than 33,000 lbs. GVWR) with written warranty verification by engine and chassis manufacturer, or 2) HHD engines may be installed in MHD vehicles if necessary for vocational purposes but only if the GVWR are within 10 percent of the HHD intended service class (i.e., GVWR of 29,701 lbs. or greater).

Executive Orders for on-road vehicles may be downloaded at: <http://www.arb.ca.gov/msprog/onroad/cert/cert.php>.

Project emission reductions will be based on the lower of two 12-month periods of California usage during the previous twenty-four months. Fleet averages cannot be used.

Vehicle registration gap between March 1, 2020 and June 1, 2020 is acceptable provided that 24-month continuous registration would be demonstrated if the registration could be renewed between March 1, 2020 and June 1, 2020.

If usage was impacted during the period of March 1, 2020 to June 1, 2020, it can be substituted with usage from the 3-month period immediately before the 24-month period prior to application submittal.

### **Replacement**

This project type involves the replacement of an older, in-use vehicle with a newer, cleaner vehicle. The replacement engine must be 2013 or newer engine model year certified by CARB at or below the optional low NOx standard of 0.10 g/bhp-hr and PM emission standard of 0.01 g/bhp-hr. In alignment with South Coast AQMD's 2016 AQMP, all on-road projects under the CMP must select the optional low-NOx, hybrid or zero-emission technologies. Diesel engines are not allowed in replacement vehicles except for Emergency Vehicles.

The South Coast AQMD requires that all on-road projects be operated within the South Coast AQMD jurisdiction for at least 75% of the time. Applicants must clearly demonstrate their compliance status with the applicable CARB regulation (i.e., Statewide Truck & Bus Regulation, Drayage Truck Regulation, Fleet Rule for Public Agencies & Utilities, Transit Bus Regulation, TRU ATCM, etc.) at the time of application submittal.

Please note that if you are an owner of a fleet with 10 or fewer vehicles (greater than 14,000 lbs. GVWR), you may be eligible for funding through the On-Road Voucher Incentive Program (VIP). Currently, the VIP is the only incentive funding program in the SCAB that funds a compliant diesel vehicle or repower project. Please refer to the South Coast AQMD's VIP Web page to explore funding opportunities for replacement at: [www.aqmd.gov/vip](http://www.aqmd.gov/vip).

In addition, the following on-road projects will be considered on a case-by-case basis:

- On-road vehicles with a GVWR between 8,501 and 14,000 pounds,
- Retrofits that reduce NOx by at least 15 percent; for engines that are certified above 0.01 g/bhp-hr PM, the retrofit must also reduce PM emissions by 85 percent,

- Zero-emission transport refrigeration units (TRUs). Hybrid TRU projects are not eligible.

### **Emergency Vehicles**

Authorized emergency vehicles, as described in California Vehicle Code 165, including but not limited to fire apparatus, pumpers, ladder trucks, water tenders, and prisoner transport buses, are exempt from CARB regulations and therefore eligible for CMP funding. Eligible emergency vehicle projects are those in which an older, more polluting emergency vehicle is replaced with a new or used replacement vehicle with an engine meeting the current model year California emission standards. The older, replaced vehicle must be destroyed. Emergency vehicles are eligible for up to 80 percent of the eligible costs as outlined in the program guidelines.

A fire truck reuse option is also available on a case-by-case basis. The fire truck reuse option allows fire departments to give away the existing old vehicle and destroy another older vehicle in its place.

### **Repowers**

This project type involves the repower of an existing, in-use engine with a new, cleaner engine. The replacement engine must be CARB-certified at or below the optional low-NOx emissions level of 0.10 g/bhp-hr NOx and 0.01 g/bhp-hr PM10. Repowers may be funded in various applications. However, due to technological constraints presented with the limited feasibility of newer engines with advanced emissions control equipment fitting into older chassis and maintaining durability, repowers with diesel engines are not eligible for on-road vehicles.

To ensure durability, certain repower projects may require prototype testing. If the project has been previously completed by the manufacturer, prototype testing is not required. The prototype testing must comply with the engine manufacturer quality assurance process that is equivalent to an Original Equipment Manufacturer (OEM) package. In these cases, a prototype vehicle (or vehicles) is thoroughly reviewed and tested to ensure that the installation meets OEM requirements, and the successful prototype installation is then replicated in other vehicles with the same chassis and engine combination. Per the CMP guidelines, air districts may approve repower projects that meet the OEM quality assurance process described above, subject to the following:

- Moyer Program funding may not be used for any costs associated with the prototype vehicle or vehicles.
- Repower contracts may not be executed until the prototype testing specified by the engine manufacturer is successfully completed.
- Written documentation from the engine manufacturer confirming that the prototype was successful must be maintained in the project file.
- If the proposed repower has been done previously by the manufacturer on the same chassis/engine configuration, prototype testing is not required. The manufacturer must provide written confirmation that the previous work was performed successfully and met OEM requirements.

## **Conversions**

Conversions involve the replacement or modification of the original engine or vehicle to include either a cleaner engine or other system that provides motive power and change of the fuel type used. Hybrid conversion systems using internal combustion engines must be certified according to “California Certification and Installation Procedures for Medium-and Heavy-Duty Vehicle Hybrid Conversion Systems.” The baseline engine model year for hybrid conversions must be 2010 or newer. The conversion system manufacturer must provide written confirmation that the funded vehicle would not exceed the certified allowable limit. All-electric conversion systems must receive an exemption Executive Order per Vehicle Code section 27156.

## **OFF-ROAD COMPRESSION-IGNITION EQUIPMENT**

This category includes off-road, mobile compression ignition equipment with engines greater than 25 horsepower. Off-road heavy-duty equipment/engines include, but are not limited to, construction equipment, agricultural tractors, marine engines, shore power and locomotive equipment. Portable equipment is not eligible for CMP funding. The following off-road equipment projects may be eligible for funding:

- **Repower:** The replacement of an existing engine with a newer emission-certified engine, or zero-emission system, instead of rebuilding the existing engine to its original specifications.
- **Retrofit:** The installation of a CARB-verified emission control system on an existing engine. Examples include, but are not limited to, particulate filters and diesel oxidation catalysts.
- **Equipment Replacement:** The purchase of new or used equipment with an engine certified to the current emission standard (Tier 4 Final) or zero-emission technology to replace an older, fully functional piece of equipment that is to be scrapped.

For off-road replacement and repower projects (excluding marine engines), the CMP guidelines specify that the horsepower rating of the new (or replacement) engine must not be greater than 125 percent of the original manufacturer rated horsepower of the old (or existing) engine. If the new engine is greater than 125 percent, then the eligible funding amount will be based on the cost of an engine or equipment with a horsepower rating that is no higher than 125 percent of the existing engine horsepower rating. The applicant must pay the additional costs associated with the higher horsepower engine and obtain a price quote for an engine or equipment that is within the 125 percent range for the funding determination. In addition, verifiable records on the existing engine must be provided with the application to accurately identify the engine manufacture year and horsepower (e.g., photographs of engine labels, statement from engine manufacturers, etc.).

## Construction Equipment

According to CARB's In-Use Off-Road Diesel Vehicle Regulation (Off-Road Regulation), the construction fleets are categorized as follows:

- Small Fleets: Less than or equal to 2,500 total fleet horsepower
- Medium Fleets: Greater than 2,500 and less than 5,000 total fleet horsepower
- Large Fleets: Greater than 5,000 total fleet horsepower

Small fleets in compliance with CARB's Off-Road Regulation are eligible for CMP funding.

Medium and large fleets<sup>4</sup> are not eligible for new diesel engine funding through the CMP unless the fleet meets the regulation's January 1, 2024 compliance requirements at the time of the Y23 CMP application submittal.

Medium fleets that received prior CMP funding after January 1, 2020 are eligible for zero-emission project CMP funding.

Large fleets that received prior CMP funding after January 1, 2017 are eligible for zero-emission project CMP funding.

Applicants must submit information regarding fleet size and compliance status. **This must include the Diesel Off-Road On-line Reporting System (DOORS) ID of the fleet, the DOORS Compliance Snapshot, the DOORS equipment list, and the DOORS Equipment Identification Number (EIN) of the funded equipment.** All documentation submitted must be signed and dated by the applicant and include language certifying that the fleet list provided is accurate and complete.

## Marine Vessel Projects

Marine vessel project types include engine repower and shore power. Only existing engines on a marine vessel with a fully functioning non-resettable hour meter are eligible for CMP funding.

### Marine Engine Repower

Vessels not subject to the in-use compliance requirements of CARB's Commercial Harbor Craft (CHC) Regulation such as fishing vessels, pilot boats and work boats are eligible. Vessels subject to the in-use compliance requirements of CARB's Commercial Harbor Craft (CHC) Regulation (i.e., barge, crew/supply, dredge, excursion, ferry, towboat and tugboats) are also eligible as long as the vessel is fully compliant with the CHC Regulation (i.e., engines meet Tier 2 standards). Based on the vessel's operation, the newer engine's emissions must be surplus to the currently required U.S. EPA marine engine emission standard (i.e., Tier 3, Tier 4, etc.). Remanufacture kits, which are comprised of engine component parts that, when installed, reduce the engine's emissions, are subject to the same requirements as engine repower projects. For all marine engine repower projects, the replacement engine must provide at least a 15 percent NOx reduction relative to the baseline engine.

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<sup>4</sup> Large and Medium fleets are eligible to apply for funding through the Surplus Off-Road Opt-In for NOx (SOON) Program for new diesel engines, however additional demonstration of fleet compliance to the Off-Road Regulation is required. More information can be found in the Year 23 SOON Program Announcement.

In the fall of 2021, amendments to the existing CHC Regulation will be considered by CARB. Actions adopted by the CARB Board may impact the eligibility and/or funding outcome of marine vessel projects. For updates on the CHC Regulation, please consult CARB's CHC Regulation website at <https://ww2.arb.ca.gov/our-work/programs/commercial-harbor-craft>.

### Shore Power Projects

Limited CMP funding opportunities remain for shore power projects due to the applicability of CARB's At-Berth Regulation. Applicants must submit their CARB-approved Initial Terminal Plan to document compliance with CARB's Shore Power regulation. The proposed projects must provide emission reductions that are surplus to regulatory requirements. Projects not subject to CARB's regulation are eligible.

### **Locomotives**

All new locomotives and replacement engines must be certified to Tier 4 standards or cleaner to be eligible for CMP funding. There are very limited CMP funding opportunities for Class 1 freight railroads. Such a project will be subject to a case-by-case approval by CARB. Class 3 freight railroads and passenger railroads are not subject to any CARB fleet regulations and are therefore eligible for CMP funding.

The following project types are eligible for CMP funding:

1. Locomotive replacement (the reuse and/or recycling of the baseline chassis is allowed if the baseline engine is destroyed)
2. U.S. EPA-certified engine remanufacture kit or repower
3. Head-end power (HEP) unit (apply as an off-road engine project).

### **DEFINITIONS**

#### Alternative Fuel

Alternative fuels include compressed natural gas (CNG), liquefied natural gas (LNG), hydrogen (H<sub>2</sub>), methanol, ethanol, propane (LPG) and electric technologies. Experimental technologies and fuels will be referred to CARB for evaluation and possible eligibility in the Program.

#### Equipment Replacement

Equipment replacement means the replacement of an older vehicle or piece of equipment that still has remaining useful life with a newer, cleaner vehicle or piece of equipment. For this project type, applicant must have owned and operated the old equipment in California for the previous two years.

#### Repower

Vehicle repower means the replacement of an in-use engine with another, cleaner engine (more than 15 percent cleaner).

#### Retrofit

An emission control system employed exclusively with an in-use engine, vehicle or piece of equipment. CARB guidance requires the applicant to select the highest level technology certified for that engine that provides the most emission reductions. For many projects, this includes a diesel emission control device that reduces both PM and NO<sub>x</sub> emissions. In order to be eligible

for CMP funding, the retrofit device must be verified for the specific engine family found on the equipment and achieve the highest level emission reductions when compared to other verified retrofit devices. If a specific device reduces both NOx and PM, but the PM reduction from a retrofit is required by a regulation, only the NOx reduction may be eligible for funding.

### South Coast AQMD Jurisdiction

The South Coast AQMD is the air pollution control agency for all of Orange County and the urban portions of Los Angeles, Riverside and San Bernardino counties. This area of 10,743 square miles is home to approximately 17 million people—about half the population of the whole state of California. It is the second most populated urban area in the United States and one of the smoggiest. Visit <http://www.aqmd.gov/nav/about/jurisdiction> for more information.

## **IMPORTANT PROGRAM INFORMATION**

- Applicants **must** provide proof of ownership with their online application. This may include vehicle/equipment title, bill of sale, or in the case of marine vessel projects, the U.S. Coast Guard registration documentation.
- Project equipment must be domiciled within the SCAB and operate a minimum of 75% of the time within the boundaries of the SCAB except locomotives which are required to operate a minimum of 51% within the SCAB.
- Applicants **must** provide vendor quotes with their application to document the cost of the low- or zero-emission vehicle/equipment project. Applicants may be awarded up to the designated percentage of total cost for the specified type of project (new purchase, repower replacement and/or retrofit, infrastructure), subject to funding caps and program cost-effectiveness limits. Eligible costs include installation labor and sales tax. **All quotes must have been obtained within 90 days prior to the application submittal date.**
- Applicants must provide legible engine tag photos of the baseline engine(s) or manufacturer specifications that document the engine serial number, horsepower, model year and engine family number, emissions certification level and CARB Executive Order (if controlled).
- Applications for fuel and engine technologies that are not certified, verified or approved by CARB, or falling outside the categories specifically discussed in this PA, may be referred to CARB for determination of CMP eligibility on a case-by-case basis. Please discuss these projects with South Coast AQMD staff prior to application submittal. Projects submitted for CARB case-by-case review will require the applicant to provide additional justification and documentation regarding the project and the applicant's justification for such consideration.
- A number of the CARB fleet rules and air quality regulations impact CMP eligibility. Compliance with existing CARB regulations is a pre-requisite for CMP funding. Only emission reductions in excess of regulatory requirements can be considered for CMP funding. If applicants are applying for CMP funds to reduce emissions before the required compliance date (i.e., early reductions), the equipment must demonstrate

sufficient years of operation before the regulatory compliance deadline. Applicants are responsible for ensuring that they are in full compliance with all applicable regulations and that vehicle/equipment requests under the CMP provide surplus emission reductions. As noted earlier, applicants must provide documentation of their regulatory compliance status.

- Any **tax obligation** associated with the award is the responsibility of the grantee.
- All projects must be operational within eighteen (18) months of contract execution or May 5, 2023, whichever is earlier.
- All project invoices must be submitted for payment no later than May 5, 2023. Projects which have not invoiced by this date may forfeit their funding.
- No third-party contracts will be executed.
- Pre- and post-inspection of all vehicles/engines/equipment approved for funding will be conducted, as required. However, due to the impact of Covid-19 and to ensure the safety of the staff and the public, inspections of all vehicles/engines/equipment may be conducted virtually via remote inspections depending on the status of the pandemic. Applicants must make all equipment available for remote inspections unless otherwise specified during contract preparation, or through updates from South Coast AQMD. Documentation of compliance with existing regulatory requirements is required at the time of pre-inspection.
- Destruction of the engine and/or equipment being replaced is required for repower or replacement projects and will also be conducted virtually via remote inspections, unless otherwise specified.
- The project's cost effectiveness will be based on the historical usage of the existing equipment for the previous two years. The usage for off-road equipment projects will be based on hours (except for locomotive projects, which require annual fuel consumption), and the usage for on-road vehicle projects will be based on mileage. The applicant must provide the historical usage records for the equipment as part of the application. If historical usage documentation is not available, the proposed annual usage provided by the applicant will be used to determine the project's cost effectiveness and specified as a requirement in the contract. For on-road projects, the emission reductions will be based on the lower of the two 12-month periods of California usage during the previous twenty-four months. Low usage during the period of March 1, 2020 and June 1, 2020 can be substituted with the 3-month period that precedes the 24-month period prior to application submittal. Fleet averages cannot be used. Registration gaps during this period can be accepted if the vehicle was registered prior to March 1, 2020 and immediately after June 1, 2020.



## **PROGRAM ADMINISTRATION**

South Coast AQMD's CMP is administered locally through its Technology Advancement Office. The South Coast AQMD reserves the right to allocate its CMP funds among the program categories or to specific projects in accordance with South Coast AQMD priorities.

All qualified applications submitted in response to this PA will first be evaluated for completeness. South Coast AQMD staff will notify each applicant of an incomplete application and request the additional information within thirty (30) business days of the application submittal due date. Applicants will have at least seven (7) business days to provide any missing information requested in South Coast AQMD's notification. It will be the applicant's responsibility to submit the missing or incomplete information within the time specified by South Coast AQMD staff. Only completed applications can move forward in the evaluation process; applications that remain incomplete after the delineated response period may be rejected and will not be evaluated or further considered under the CMP.

Each project will be evaluated for its status as a DAC or low-income community, as discussed in Section IV below. Each project will also be evaluated for cost effectiveness and ranked accordingly, except for infrastructure projects. Infrastructure projects are not subject to a cost-effectiveness limit, but instead will be evaluated on a competitive basis using metrics that include, but are not limited to: fleet usage commitments, project type (i.e., public, private, solar, wind, renewable natural gas), expected vehicle usage/throughput, cost share, and percentage of renewable source.

## **SCHEDULE OF EVENTS**

Issue PA2021-05	March 5, 2021
Workshops	Information on virtual pre-recorded presentations and other virtual meetings (as needed) to be posted on <a href="http://www.aqmd.gov/moyer">www.aqmd.gov/moyer</a> in April 2021
All Applications Due by 1:00 pm	<b>Tuesday, June 1, 2021</b>
Awards Consideration by the Board	October-November 2021
Contract Execution	March thru June 2022

<p><b>ALL APPLICATIONS MUST BE RECEIVED VIA SOUTH COAST AQMD'S CMP ONLINE APPLICATION PROGRAM NO LATER THAN 1:00 P.M. ON TUESDAY, JUNE 1, 2021</b></p>
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Access to South Coast AQMD's CMP Online Application Program (OAP) is provided at: [www.aqmd.gov/moyer](http://www.aqmd.gov/moyer).

**In light of Covid-19 and efforts to ensure public safety, South Coast AQMD will not hold public workshops during the application period. Instead, pre-recorded presentations and other virtual webinars (as needed) providing background and assistance with program**

**requirements, eligibility and a tutorial for the OAP, will be posted on [www.aqmd.gov/moyer](http://www.aqmd.gov/moyer) after April 2021.**

### **STATEMENT OF COMPLIANCE**

Government Code Section 12990 and California Administrative Code, Title II, Division 4, Chapter 5, require employers to agree not to unlawfully discriminate against any employee or applicant because of race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, or age. A statement of compliance with this clause is included in all South Coast AQMD contracts.

### **CONTACT FOR ADDITIONAL INFORMATION**

Questions regarding the content or intent of this PA, procedural matters or locations of workshops should be addressed to:

Walter Shen  
Science and Technology Advancement  
South Coast Air Quality Management District  
21865 Copley Drive, Diamond Bar, CA 91765  
Phone (909) 396-2487/FAX (909) 396-3252  
wshen@aqmd.gov

### **SECTION II - WORK STATEMENT/SCHEDULE OF DELIVERABLES**

Applicants must sign the Application form indicating their understanding of the requirements for submittal of additional project information to finalize a contract and that all vehicles, engines or equipment must be in operation within eighteen (18) months of contract execution or by May 5, 2023, whichever is earlier. **Unsigned applications may be deemed ineligible and may NOT be considered for funding.**

### **WORK STATEMENT**

The scope of work involves a series of tasks and deliverables that demonstrate compliance with the requirements of the CMP as administered by CARB and the South Coast AQMD. The project applicant is responsible for developing detailed project plans and ordering equipment that complies with the program criteria and guideline requirements. In addition, alternative fuel project applicants must discuss their plan for refueling the proposed vehicles/equipment, and if appropriate, should provide a letter of agreement from their fuel provider (see Application forms).

At a minimum, any contract for funding the proposed project must meet the following criteria:

- Provide emission reductions that are real, surplus, quantifiable and enforceable in accordance with CMP guideline requirements.
- Project equipment must be domiciled within the boundaries of the SCAB.
- Meet the cost-effectiveness limit, as described in this PA and the CMP Guidelines, and subsequent CMP Advisories.
- For repower and replacement projects, the replacement engine must achieve an annual NOx emissions benefit of at least 15 percent to receive any funding for NOx reductions.

- Commit that project engines or equipment operate in service for the full project life, a minimum of three years (with the exceptions of 1-year life for on-road and 2-year life for small off-road fleets), and at least 75 percent of annual operation must occur within the South Coast AQMD except for line-haul locomotives. The locomotives may be eligible for funding with a minimum of 51% annual operation within the South Coast AQMD.
- The cost-effectiveness calculation is based on the percent operation within the South Coast AQMD boundary. Project life is the number of years used to determine the cost effectiveness and is equal to the contract term. The contract will include the percent operation as a minimum requirement (75% for all projects, except locomotives, which are allowed a 51% minimum).
- Commit that all vehicles/engines/equipment are in operation within 18 months of contract execution or by May 5, 2023, whichever is earlier.
- Provide for appropriate recordkeeping during the project life (i.e., annual mileage, fuel consumption and/or hours of operation), including submission of annual reports as detailed below.
- Ensure that the project complies with all applicable rules and regulations, and the resulting emission reductions from the project are not required as a mitigation measure to reduce adverse environmental impacts that are identified in an environmental document prepared in accordance with the California Environmental Quality Act or the National Environmental Policy Act.
- If requested, contractor must provide a financial statement and bank reference, or other evidence of financial ability to fulfill contract requirements.
- If requested, contractor must make all equipment and records available to the South Coast AQMD or CARB for audit and inspections.

## **DELIVERABLES**

The contract will describe how the project will be monitored and what type of information must be submitted as part of the reporting requirements. At a minimum, the South Coast AQMD expects to receive an annual report for each year during the full contract term, or project life, which provides the annual miles or hours of operation<sup>5</sup>, where the vehicle or equipment was operated, and operational and maintenance issues encountered and how they were resolved. South Coast AQMD reserves the right to verify the information provided.

Reporting forms are available online at: [www.aqmd.gov/moyer](http://www.aqmd.gov/moyer).

## **SECTION III - APPLICATION SUBMITTAL REQUIREMENTS**

Applicants must apply for CMP funding using the South Coast AQMD's CMP Online Application Program at: [www.aqmd.gov/moyer](http://www.aqmd.gov/moyer). In addition, all Business Information Forms<sup>6</sup>, including Conflict of Interest and Project Cost information, as described below, must also be submitted with the application. It is the responsibility of the applicant to ensure that all information submitted is accurate and complete. Paper applications will not be accepted.

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<sup>5</sup> Locomotive projects shall report annual fuel consumption.

<sup>6</sup> [www.aqmd.gov/moyer](http://www.aqmd.gov/moyer)

## CONFLICT OF INTEREST

Applicant must address any potential conflicts of interest with other clients affected by actions performed by the firm on behalf of the South Coast AQMD. Although the applicant will not be automatically disqualified by reason of work performed for such firms, the South Coast AQMD reserves the right to consider the nature and extent of such work in evaluating the application. Conflicts of interest will be screened on a case-by-case basis by the South Coast AQMD General Counsel's Office. Conflict of interest provisions of the state law, including the Political Reform Act, may apply to work performed pursuant to this contract.

## PROJECT COST

Applicants must provide cost information that specifies the amount of funding requested and the basis for that request by attaching vendor quotes to the application. The vendor quotes must be dated within 90 days of the application submittal date. Applicants need to inform vendors of the time frame of the award process so that they can estimate prices based on the future/projected order/purchase date.

**Purchase orders or other purchase commitments shall not be placed until after the date of award approval by the South Coast AQMD Governing Board. Purchase orders may be placed after South Coast AQMD Governing Board approval and in advance of a fully executed contract, but these orders/commitments are placed at the applicant's own risk<sup>7</sup>.**

The CMP will fund only a percentage of the cost of the low emission or zero-emission technology based on the type of project. The proposed low-emission or zero-emission technology must be certified, verified or approved by CARB in most cases<sup>8</sup>. No administrative or operational costs will be funded.

All project costs must be clearly indicated in the application. In addition, applicants must disclose all sources of co-funding, including the name of the funding source and amount of funding in the application. **Applicants are cautioned that the project life period used in calculating emissions reductions will be used to determine the length of their annual reporting obligation.** In other words, a project applicant using a ten-year life for the emissions reduction calculations will be required to operate, track and report activity for the project vehicle for the full ten years. The contract term will also be ten years.

Applicants are not required to calculate a project's cost effectiveness. Methodologies for calculating cost effectiveness are provided in the CARB Moyer Guidelines at: [https://www.arb.ca.gov/msprog/moyer/guidelines/2017gl/2017\\_gl\\_appendix\\_c.pdf](https://www.arb.ca.gov/msprog/moyer/guidelines/2017gl/2017_gl_appendix_c.pdf).

## APPLICATION SUBMISSION

All online applications must be submitted according to specifications set forth herein. Failure to adhere to these specifications may be cause for rejection of the application without evaluation.

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<sup>7</sup> Any purchase order/purchase commitment placed prior to the South Coast AQMD Governing Board approval of the project are prohibited by the CMP. However, orders/commitments placed after South Coast AQMD Governing Board approval but in advance of a fully executed contract are at the purchaser's own risk.

<sup>8</sup> Note that an experimental permit from CARB may be considered, but the project will require special CARB approval.

**Grounds for Rejection:** An application may be immediately rejected if:

- Does not include correct documentation and other forms required.
- All applications are not signed by an individual authorized to represent the firm

**Staff Contact Information:** South Coast AQMD staff contacts for each category are listed in Table 1 below. Applicants are strongly encouraged to contact South Coast AQMD staff to discuss their project prior to submitting an online application to ensure program eligibility.

**Business Information Forms:** Consists of business information forms that **must** be completed and submitted with the online application. Please note, if recommended for an award, you will be required to submit an updated Campaign Contribution Disclosure form at a later date. Download these forms at [www.aqmd.gov/moyer](http://www.aqmd.gov/moyer).

**Electronic Submittal:** The required method of delivery for this solicitation is through South Coast AQMD's CMP Online Application Program (OAP), available at: [www.aqmd.gov/moyer](http://www.aqmd.gov/moyer). This online system allows applicants to submit applications electronically to the South Coast AQMD prior to the date and time specified below. South Coast AQMD "Business Information Forms" requiring signatures must be scanned and uploaded to the electronic application in PDF format. The system will not allow applications to be submitted after the due date and time.

First-time users must register as a new user to access the system. Applicants will receive a confirmation email after all required documents have been successfully uploaded. A tutorial of the system will be provided at the pre-application workshops and you may contact the Project Officer listed in Table 1 if you would like additional assistance.

### **Due Date**

<p style="text-align: center;"><b>ALL APPLICATIONS MUST BE RECEIVED VIA SOUTH COAST AQMD'S CMP ONLINE APPLICATION PROGRAM (OAP) NO LATER THAN 1:00 P.M. ON TUESDAY, JUNE 1, 2021</b></p>
--

Access to South Coast AQMD's CMP Online Application Program (OAP) is provided at: [www.aqmd.gov/moyer](http://www.aqmd.gov/moyer).

**Missing Information** – Within thirty (30) business days of the online application submittal due date of June 1, 2021, South Coast AQMD will email letters to applicants regarding the missing or incomplete information. Applicants will have seven (7) business days to provide any missing information requested in the letter. It will be the applicant's responsibility to submit the missing or incomplete information within the time specified by South Coast AQMD staff. Only complete applications can move forward in the evaluation process.

**Disposition of Applications** - The South Coast AQMD reserves the right to reject any or all applications. All responses become the property of the South Coast AQMD. A copy of each application not selected for funding shall be retained for one year. Additional copies and materials will be returned only if requested and at the applicant's expense.

## **SECTION IV - APPLICATION EVALUATION/CONTRACTOR SELECTION CRITERIA**

South Coast AQMD staff will evaluate all qualified online applications and make recommendations to the Governing Board for final selection of project(s) to be funded. Each project will be evaluated based on two primary criteria: (1) the cost effectiveness of NOx, PM10 and ROG reduced, and (2) the project's status with respect to the disadvantaged community and low-income criteria prescribed by CARB.

Note: Infrastructure projects are not subject to a cost-effectiveness limit but instead will be evaluated on a competitive basis using metrics that include, but are not limited to: fleet usage commitments, public access, project type (i.e., public, private, solar, wind, renewable), expected vehicle usage/throughput and cost share.

Be aware that there is a possibility that due to program priorities, cost effectiveness or funding category limitations (i.e., caps), project applicants may be offered only partial funding, and not all applications that meet the cost-effectiveness criteria may be funded.

At least 50 percent of South Coast AQMD's CMP funds are targeted for projects that meet the criteria of a disadvantaged or low-income community. The Office of Environmental Health Hazard Assessment (OEHHA) in the California Environmental Protection Agency (CalEPA) has developed the California Communities Environmental Health Screening Tool: CalEnviroScreen Version 3.0 (CalEnviroScreen 3.0). The CalEnviroScreen 3.0 tool will be used by South Coast AQMD to identify projects that qualify as a DAC, which is defined as scoring in the top 25th percentile, and will strive to maximize the benefits to these communities from this PA. All applications will be assessed with the CalEnviroScreen tool to identify and verify if the project will benefit a DAC. This tool is available at: <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>

## **SECTION V - PAYMENT TERMS**

For all projects except shore power projects, full payment will be made upon installation and commencement of operation of the funded equipment. For shore power projects, a progress payment schedule may be established that allows payment upon completion of key milestones, as delineated in the contract.

## **SECTION VI: SOUTH COAST AQMD STAFF CONTACTS AND ADDITIONAL RESOURCES**

The South Coast AQMD staff contacts are listed in Table 1 by project category. Copies of the Program Announcement, Business Information Forms and a sample South Coast AQMD CMP contract may be accessed at: [www.aqmd.gov/moyer](http://www.aqmd.gov/moyer).

**Table 1: CMP Staff Contacts**

<b>Project Category</b>	<b>Staff Contact</b>	<b>Phone Number</b>	<b>Email</b>
On-Road Heavy-Duty Vehicles	Tom Lee	(909) 396-2270	<a href="mailto:tlee@aqmd.gov">tlee@aqmd.gov</a>
Off-Road Equipment	Walter Shen Alyssa Yan Darren Ha	(909) 396-2487 (909) 396-2024 (909) 396-2548	wshen@aqmd.gov <a href="mailto:ayan@aqmd.gov">ayan@aqmd.gov</a> <a href="mailto:dha@aqmd.gov">dha@aqmd.gov</a>
Cargo Handling Equipment Electrification	Greg Ushijima	(909) 396-3301	<a href="mailto:gushijima@aqmd.gov">gushijima@aqmd.gov</a>
Marine Vessels	Nick Volpone Arnold Peneda	(909) 396-2636 (909) 396-2475	<a href="mailto:nvolpone@aqmd.gov">nvolpone@aqmd.gov</a> <a href="mailto:apeneda@aqmd.gov">apeneda@aqmd.gov</a>
Shore Power	Greg Ushijima	(909) 396-3301	<a href="mailto:gushijima@aqmd.gov">gushijima@aqmd.gov</a>
Locomotives	Greg Ushijima Walter Shen	(909) 396-3301 (909) 396-2487	<a href="mailto:gushijima@aqmd.gov">gushijima@aqmd.gov</a> <a href="mailto:wshen@aqmd.gov">wshen@aqmd.gov</a>
Infrastructure	Yuh Jiun Tan Tom Lee	(909) 396-2463 (909) 396-2270	<a href="mailto:ytan@aqmd.gov">ytan@aqmd.gov</a> <a href="mailto:tlee@aqmd.gov">tlee@aqmd.gov</a>

**WEBSITE LINKS TO CARB RULES THAT AFFECT CMP ELIGIBILITY**

On-Road Private (truck and bus) @ <http://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>

Drayage Truck Regulatory @ <https://www.arb.ca.gov/msprog/onroad/porttruck/porttruck.htm>

Public/Utility Fleets @ <http://www.arb.ca.gov/msprog/publicfleets/publicfleets.htm>

In-Use Off-Road @ <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>

Harbor Craft @ <http://www.arb.ca.gov/ports/marinevess/harborcraft.htm>

Cargo Handling Equipment @ <http://www.arb.ca.gov/ports/cargo/cargo.htm>

Shore Power @ <http://www.arb.ca.gov/ports/shorepower/shorepower.htm>

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# South Coast Air Quality Management District

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

## **Business Information Request**

Dear South Coast AQMD Contractor/Supplier:

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

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

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

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

Sincerely,

Sujata Jain  
Chief Financial Officer

DH:tm

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

REV 5/20



# South Coast Air Quality Management District

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

## BUSINESS INFORMATION REQUEST

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

## REMITTING ADDRESS INFORMATION

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

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

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

## BUSINESS STATUS CERTIFICATIONS

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

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

### Statements of certification:

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

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

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

Check all that apply:

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

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

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

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

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

_____ NAME	_____ TITLE
_____ TELEPHONE NUMBER	_____ DATE

## Definitions

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

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

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

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

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

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

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

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

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

- a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
  - A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or
  - A manufacturer with 100 or fewer employees.
- b. Manufacturer means a business that is both of the following:
  - 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.

- 2) Classified between Codes 311000 to 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.

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

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

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

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

## Request for Taxpayer Identification Number and Certification

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

▶ Go to [www.irs.gov/FormW9](http://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.		4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):	
	<input type="checkbox"/> Individual/sole proprietor or single-member LLC	<input type="checkbox"/> C Corporation	<input type="checkbox"/> S Corporation	Exempt payee code (if any) _____
	<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____	<input type="checkbox"/> Partnership		Exemption from FATCA reporting code (if any) _____
	<input type="checkbox"/> Trust/estate		<input type="checkbox"/> Other (see instructions) ▶ _____	<small>(Applies to accounts maintained outside the U.S.)</small>
	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.

<b>Social security number</b>									

or

<b>Employer identification number</b>									

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

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

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

<b>Sign Here</b>	Signature of U.S. person ▶ _____	Date ▶ _____
------------------	----------------------------------	--------------

### General Instructions

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

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

### Purpose of Form

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

- Form 1099-INT (interest earned or paid)

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

By signing the filled-out form, you:

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

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

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

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

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

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

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

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

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

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

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

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

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

## Backup Withholding

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

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

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

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

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

Also see *Special rules for partnerships*, earlier.

## What is FATCA Reporting?

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

## Updating Your Information

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

## Penalties

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

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

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

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

## Specific Instructions

### Line 1

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

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

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

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

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

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

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

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

### Line 2

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

### Line 3

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

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

### Line 4, Exemptions

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

#### Exempt payee code.

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

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

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

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

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

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

5—A corporation

6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession

7—A futures commission merchant registered with the Commodity Futures Trading Commission

8—A real estate investment trust

9—An entity registered at all times during the tax year under the Investment Company Act of 1940

10—A common trust fund operated by a bank under section 584(a)

11—A financial institution

12—A middleman known in the investment community as a nominee or custodian

13—A trust exempt from tax under section 664 or described in section 4947



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

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

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

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

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

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

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

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

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

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

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

G—A real estate investment trust

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

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

J—A bank as defined in section 581

K—A broker

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

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

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

### Line 5

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

### Line 6

Enter your city, state, and ZIP code.

## Part I. Taxpayer Identification Number (TIN)

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

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

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

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

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

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

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

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

## Part II. Certification

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Secure Your Tax Records From Identity Theft**

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

To reduce your risk:

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

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

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

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

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

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

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

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

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

## Privacy Act Notice

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

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

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

**Withholding Agent Information**

Name \_\_\_\_\_

**Payee Information**

Name \_\_\_\_\_

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

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

City (if you have a foreign address, see instructions.) \_\_\_\_\_

State \_\_\_\_\_ ZIP code \_\_\_\_\_

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

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

 **Individuals — Certification of Residency:**

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

 **Corporations:**

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

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

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

 **Tax-Exempt Entities:**

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

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

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

 **California Trusts:**

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

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

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

 **Nonmilitary Spouse of a Military Servicemember:**

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

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

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

Type or print payee's name and title \_\_\_\_\_ Telephone \_\_\_\_\_

Payee's signature ► \_\_\_\_\_ Date \_\_\_\_\_



# 2020 Instructions for Form 590

## Withholding Exemption Certificate

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

### General Information

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

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

### A Purpose

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

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

Form 590 does not apply to payments for wages to employees. Wage withholding is administered by the California Employment Development Department (EDD). For more information, go to [edd.ca.gov](http://edd.ca.gov) or call 888.745.3888.

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

The following are excluded from withholding and completing this form:

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

### B Income Subject to Withholding

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

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

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

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

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

### C Who Certifies this Form

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

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

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

If an entertainer (or the entertainer's business entity) is paid for a performance, the entertainer's information must be provided. Do not submit the entertainer's agent or promoter information.

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

### D Definitions

For California nonwage withholding purposes, **nonresident** includes all of the following:

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

Foreign refers to non-U.S.

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

### Permanent Place of Business:

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

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

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

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

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

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

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

California may require nonmilitary spouses of military servicemembers to provide proof that they meet the criteria for California personal income tax exemption as set forth in the 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](http://ftb.ca.gov) and search for **nonwage**.

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

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

**Fax:** 916.845.9512

**Mail:** WITHHOLDING SERVICES AND COMPLIANCE MS F182  
FRANCHISE TAX BOARD  
PO BOX 942857  
SACRAMENTO CA 94267-0651

For questions unrelated to withholding, or to download, view, and print California tax

forms and publications, or to access the TTY/TDD numbers, see the Internet and Telephone Assistance section.

### Internet and Telephone Assistance

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

**Telephone:** 800.822.5711 from within the United States

916.845.6500 from outside the United States

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

### Asistencia Por Internet y Teléfono

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

**Teléfono:** 800.822.5711 dentro de los Estados Unidos

916.845.6500 fuera de los Estados Unidos

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

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

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

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

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

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\_\_\_\_\_  
Typed Name & Title of Authorized Representative

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\_\_\_\_\_  
Signature of Authorized Representative Date

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

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## CAMPAIGN CONTRIBUTIONS DISCLOSURE

In accordance with California law, bidders and contracting parties are required to disclose, at the time the application is filed, information relating to any campaign contributions made to South Coast Air Quality Management District (South Coast AQMD) Board Members or members/alternates of the MSRC, including: the name of the party making the contribution (which includes any parent, subsidiary or otherwise related business entity, as defined below), the amount of the contribution, and the date the contribution was made. 2 C.C.R. §18438.8(b).

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

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

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

### **SECTION I.**

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

DBA, Name _____, County Filed in _____ _____
Corporation, ID No. _____
LLC/LLP, ID No. _____

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

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**SECTION II.**

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

Yes  No **If YES, complete Section II below and then sign and date the form.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **DEFINITIONS**

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

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



# South Coast Air Quality Management District

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

## Direct Deposit Authorization

### STEP 1: Please check all the appropriate boxes

- |  |  |
|--|--|
| <input type="checkbox"/> Individual (Employee, Governing Board Member) | <input type="checkbox"/> New Request           |
| <input type="checkbox"/> Vendor/Contractor                             | <input type="checkbox"/> Cancel Direct Deposit |
| <input type="checkbox"/> Changed Information                           |  |

### STEP 2: Payee Information

Last Name		First Name		Middle Initial	Title
Vendor/Contractor Business Name (if applicable)					
Address				Apartment or P.O. Box Number	
City			State	Zip	Country
Taxpayer ID Number		Telephone Number			Email Address

### Authorization

- I authorize South Coast Air Quality Management District (South Coast AQMD) to direct deposit funds to my account in the financial institution as indicated below. I understand that the authorization may be rejected or discontinued by South Coast AQMD at any time. If any of the above information changes, I will promptly complete a new authorization agreement. If the direct deposit is not stopped before closing an account, funds payable to me will be returned to South Coast AQMD for distribution. This will delay my payment.
- This authorization remains in effect until South Coast AQMD receives written notification of changes or cancellation from you.
- I hereby release and hold harmless South Coast AQMD for any claims or liability to pay for any losses or costs related to insufficient fund transactions that result from failure within the Automated Clearing House network to correctly and timely deposit monies into my account.

### STEP 3:

You must verify that your bank is a member of an Automated Clearing House (ACH). Failure to do so could delay the processing of your payment. You must attach a voided check or have your bank complete the bank information and the account holder must sign below.

#### To be Completed by your Bank

<b>Staple Voided Check Here</b>	Name of Bank/Institution				
	Account Holder Name(s)				
	<input type="checkbox"/> Saving <input type="checkbox"/> Checking		Account Number	Routing Number	
	Bank Representative Printed Name		Bank Representative Signature		Date
	ACCOUNT HOLDER SIGNATURE:				Date

For South Coast AQMD Use Only

Input By \_\_\_\_\_

Date \_\_\_\_\_