



Announcing the MSRC's
Showcase III Vehicle Program
Announcement

**A Funding Opportunity for Owners of Off-Road
Diesel Vehicles and Manufacturers and Vendors
of Diesel Emission Reduction Technologies**

**Program Announcement & Participation
Application**

**PA2012-17
June 1, 2012**

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SECTION I.A: PROGRAM INTRODUCTION

The Mobile Source Air Pollution Reduction Review Committee (MSRC) is pleased to announce a **Clean Transportation Funding™** opportunity for owners of off-road vehicles (henceforth referred to as “fleets”) located in the South Coast Air Quality Management District (AQMD). The Off-Road Diesel Retrofit “Showcase III Program” offers to fund 100% of the cost of purchasing and installing a qualifying diesel emission control retrofit device or certain other technologies. The MSRC can realize surplus emission reduction benefits, and fleets can take advantage of full **Clean Transportation Funding** for actions that count towards future requirements.

Participation in the Showcase III Program is open to most fleets, including private companies and public agencies. Profiles of priority vehicle and technology demonstrations sought for participation in the Showcase III are provided in Section I.E. for your information. However, a vehicle does not need to fall within the priority profile to qualify for funding, so anyone interested in a qualifying project is encouraged to apply.

Please note that selection to participate will ultimately be based upon the specific attributes of each vehicle, with vehicles and engines evaluated for compatibility with the diesel emission control technologies deemed qualified under the Showcase III Manufacturer Program. While the MSRC strives to be inclusive with its **Clean Transportation Funding™** programs, there is no guarantee that a particular vehicle will be selected to participate.

I.B. PROGRAM SCHEDULE

The Showcase III Program will be conducted in accordance with the timeline shown below. Applications will be accepted as of July 17, 2012, with the acceptance period closing on September 5, 2012. Applications may be submitted at any time during this period. The MSRC may elect to extend the period during which applications may be submitted.

Table 1.B.1: Key Program Dates

Showcase III Event	Date
Program Announcement & Application Release	June 1, 2012
Applicant Workshop	July 12, 2012
Earliest Date for Application Submission	July 17, 2012
Last Date that Applications will be Accepted	September 5, 2012, 5:00 p.m.
Matching of Devices with Vehicles	September/October 2012
MSRC-TAC and MSRC Consideration of Awards	November/December 2012

MSRC and CARB staff members are available to answer questions and provide technical guidance anytime during the application acceptance period. Please refer Section I.F. of this document for a list of staff contacts.

I.C. APPLICANT WORKSHOP

A joint fleet/manufacturer/vendor Applicant Workshop will be held on July 12, 2012. Attendance is voluntary. The purpose is to provide new or updated solicitation information, provide clarification, and answer general questions regarding application preparation. In addition, the Applicant Workshop will provide a forum to address individual application preparation issues and provide one-on-one guidance to potential applicants. The location and time for the Workshop is as follows:

Date:	July 12, 2012
Time:	10:00 a.m.
Location:	South Coast AQMD Headquarters Conference Room CC-6
Address:	21865 Copley Drive Diamond Bar, California 91765

Please contact the MSRC staff if you need directions or more information regarding the Workshop. Contact information is provided in Section I.F.

I.D. PARTICIPATION GUIDELINES, REQUIREMENTS, & PROCEDURES

The Showcase III Program is a voluntary demonstration program that will pair manufacturers or authorized vendors of diesel emission control technologies with fleets. The following requirements and conditions have been established and apply to all participants:

- 1. Eligible Participants** – Any fleet may apply. Manufacturers or authorized vendors of retrofit devices or other qualifying technologies may also apply, but only when proposing a complete vehicle/technology “package”—each application must identify the specific vehicle(s) to be so equipped. For purposes of this Program Announcement, locomotives and marine vessels are not considered off-road vehicles. If an award is made, the applicant will be required to enter into a contract with AQMD to effectuate the award. If not the applicant, a participating fleet may be required to sign a Participant Agreement affirming that they will comply with Program requirements.
- 2. Funding Availability** - The amount of MSRC Clean Transportation Funding™ allocated for the Showcase III Program is \$1,500,000. Additional funding may be applied to this program at the discretion of the MSRC. Not all applicants may receive funding. Vehicles proposed for participation will be divided into two ranks for evaluation. Rank 1 will consist of those vehicles falling within a Priority category as described in Section I.E. Within Rank 1, the Evaluation Committee will endeavor to distribute award recommendations across multiple qualifying technologies to the extent possible. Rank 2 will consist of all other vehicles. Within Rank 2, vehicles will be funded on a first-come, first-served basis, except that vehicles determined to be poor candidates for any of the Qualified devices/technologies will not receive funding recommendations.

3. **Showcase III Funding Level** – The MSRC will pay 100% of the cost of purchase and installation for Qualified technologies. This includes:
 - Full purchase cost, including sales tax and shipping costs (if any). Installation cost, and any additives needed for the 1000-hour demonstration period, should also be built into price.
 - Data logger and its installation
 - Reasonable funding for initial data logging and installation design. The MSRC reserves the right to reduce award for costs deemed excessive.
 - \$500 per vehicle to cover a portion of fleet’s program management costs through the installation phase (only available if fleet is the applicant)
 - Manufacturers may propose the installation of particulate matter sensors. If the use of such sensors is authorized, the full purchase and installation cost will be included.

4. **Maximum Funding per Entity** – The maximum total funding award to any single fleet shall not exceed \$400,000. This maximum funding restriction can be waived in the event the MSRC allocates additional funding to this Program or does not receive qualifying applications from other fleets that meet or exceed \$1,500,000.

5. **Payment Terms** – Fleets will have the option to, but are not required to, request that payments be made directly to the manufacturer or vendor. The contractor can request reimbursement from the MSRC upon completion of initial vehicle data logging, and again following MSRC approval of an installation design. All other reimbursements are contingent upon completion of technology installation, submission of all required reports and invoices, proof of warranty and training, return of vehicle to service and completion of a post-inspection to confirm installation in accordance with approved installation design. Manufacturers should negotiate payment provisions with the fleet as part of their agreements.

Please note that the source of MSRC **Clean Transportation Funding™** is motor vehicle registration fees collected by the California Department of Motor Vehicles (DMV) in accordance with the California Health and Safety Code. Thus, the availability of MSRC **Clean Transportation Funding™** is contingent upon the timely receipt of funds from the DMV. Neither the MSRC nor AQMD can guarantee the collection or remittance of registration fees by the DMV.

6. **Equipment Operating Location** – Off-road vehicles selected to participate must operate at least 85% of their total annual hours within the geographical jurisdiction of the AQMD.

7. **Emission Reductions must be “Above and Beyond” Mandated Requirements** - Applicants must certify that the proposed deployment of technologies is not required by, or in fulfillment of, any local, state or federal law, rule, or regulation. Technology implementation which will be counted towards a fleet’s Fleet Average Index under California’s Regulation for In-Use Off-Road Diesel Vehicles is allowable if the technology is installed and operational at least one year prior to the compliance date. However, fleets should be aware that delays could render a previously-approved project ineligible.

8. **Technology/Vehicle Matching** – Specific vehicle/technology matches proposed will be evaluated and recommended for approval or denial. All technologies, even those proposed as part of a package, must be deemed Qualified via the MSRC's RFQ# 2012-13 – Request for Manufacturer Qualifications and Participation Application, before an award can be approved. Retrofit devices designed primarily for control of particulate matter must utilize technologies expected to achieve an 85% or greater reduction in particulate matter in off-road equipment applications (Level 3 verification), with two exceptions. In cases where installation of a Level 3 device poses insurmountable visibility challenges as discussed below in Section I.E. - Priority Retrofit Profiles, a device which achieves a reduction in particulate matter emissions of at least 50% (Level 2 verification) may be used. Technologies which reduce NO_x only are also eligible for demonstration.

If not already proposing a “package”, vehicle owners will be matched with pre-qualified technologies deemed compatible with the proposed vehicle, engine, and duty-cycle. Such technologies include, but are not necessarily limited to, diesel exhaust after-treatment devices, alternative fuels, and diesel-electric hybrid or diesel-hydraulic hybrid conversions. One or more manufacturers will be asked to provide quotes to install their technology on the specific vehicle(s). Final match decisions will be made by MSRC and CARB based upon factors including, but not limited to, technology purchase and maintenance costs, and the vehicle/technology pairing's ability to address Program priorities. Applicants will be asked to approve the proposed match. If an applicant declines a proposed match, MSRC and CARB may, at their discretion, propose an alternative match for that vehicle. Only approved technologies will be eligible to receive an MSRC funding reimbursement.

All technologies will be required to comply with warranty provisions to protect the participating vehicle owner.

9. **Technology Installation Deadline** – All installations should be completed within twelve months of the date of contract execution between the MSRC and the applicant.
10. **Access to Equipment** – On a periodic basis, CARB, AQMD or MSRC and the technology manufacturer may request access to the retrofitted/modified equipment for the purpose of monitoring, data retrieval, and/or onsite emissions testing. Participating fleets will be required to grant limited access for these purposes.
11. **Reporting Requirements** – The reporting requirements are intended to ensure adequate monitoring of the use of public funds, while avoiding the imposition of excessive reporting burdens on the participants. The following are the minimum reporting requirements:
- An Interim Report, to be submitted along with the technology purchase/installation invoice for each vehicle retrofitted/modified. This report must contain a brief summary of the installation process, initial vehicle performance, and any relevant issues experienced. Fleets may be asked to maintain records of vehicle oil consumption. MSRC will provide an interim report template.

- A concise Final Report, to be submitted at the completion of the 1000-hour demonstration period. This report must contain a brief summary of each vehicle's performance using the emission control device/technology, driver comments regarding vehicle performance, and any mechanical or operational issues experienced. MSRC will provide a final report template. Failure to submit a Final Report will be considered in future funding requests from the applicant.

12. Additional Conditions for Participation:

- Once a vehicle/technology match is approved, the technology manufacturer will perform a vehicle evaluation to confirm the vehicle's readiness for retrofit/modification including a period of data logging, a smoke opacity test, and physical inspection;
- Fleets will be expected to keep funded technologies installed for the duration of the demonstration. If the vehicle owner believes that a technology is interfering with proper operation of the vehicle, they will have to notify **both** the manufacturer and MSRC staff prior to modifying, removing, or disconnecting the technology;
- Fleets will be expected to maintain their vehicles and engines in accordance with the manufacturer's recommendations, and respond without delay to any warning lights and messages, for the duration of the demonstration;
- Vehicles funded under the Showcase III Program are not eligible to receive additional diesel emission control system incentive funds for the retrofit/modification from any other state or local agency, although vehicles retrofitted under previous Showcase Programs may be considered for new projects;
- Device regeneration equipment, fueling infrastructure, maintenance, etc. are not allowable costs for reimbursement;
- In accordance with state law, all projects funded with MSRC Discretionary Funds are subject to audit.

I.E. PRIORITY PROFILES

Priorities span a number of characteristics, so that some vehicles and/or technologies may fall into more than one Priority category, but any of the following will qualify as Priority (all Priority categories are deemed equal, regardless of order below):

1. **Vehicles Difficult to Retrofit Without Impacting Driver Visibility** – Some vehicle designs are more challenging to retrofit in compliance with Cal/OSHA visibility requirements. The MSRC believes that, in many of these cases, a motivated manufacturer or installer could develop a solution using a verified Level 3 device. Higher than average installation design costs would be allowable in such instances. Also, for this category *only*, Level 2 devices could be demonstrated in the interests of achieving substantial emission benefits when it is

not feasible to install a Level 3 device. Representative vehicles in this category include, but are not limited to, the following:

- Deere 624J wheel loader
- Caterpillar RC60 forklift
- Deere 200CLC excavator
- Deere 225C excavator
- Rollers (including Ingersoll Rand, Dynapac, Cat, and Hyster)
- Cat 613C scraper
- Cat 623B scraper
- Deere 772D grader
- Dresser 850 grader

2. **Engines with EGR** – Due to the increased complexity of retrofit, vehicles equipped with engines which utilize exhaust gas recirculation (EGR) to reduce NO_x emissions
3. **Tier 3 Engines** – Tier 3 engines have a low NO_x to PM ratio, and many of the currently verified devices are not verified for use on Tier 3 engines
4. **≥ 500 Hp Engines** – Due to a need for additional demonstrations in this size category, vehicles equipped with 500 horsepower or greater engines
5. **Particulate Matter Sensor** – For a maximum of one demonstration per Qualified technology, coupling the emission reduction technology with a particulate matter sensor will make it a Priority
6. **Hybridization** – Technologies which would hybridize existing diesel vehicles

I.F. IF YOU NEED HELP... CONTACT INFORMATION

This Program Announcement can be obtained by accessing the MSRC web site at www.cleantransportationfunding.org or the CARB Showcase website at www.arb.ca.gov/diesel/showcase/showcase.htm. MSRC and CARB staff members are available to answer questions during the application acceptance period. In order to help expedite assistance, please direct your inquiries to the applicable staff person, as follows:

- For **General & Administrative Assistance**, please contact:
Cynthia Ravenstein
MSRC Contracts Administrator
Phone: 909-396-3269
Fax: 909-396-3682
E-mail: cynthia@cleantransportationfunding.org

- For **Technical Assistance**, please contact:
Ray Gorski
MSRC Technical Advisor
Phone: 909-396-2479
Fax: 909-396-3682
E-mail: rgorski@agmd.gov

- For **Testing and Installation**, please contact:
John Karim
CARB, Testing and Field Support Section
Phone: 626-459-4303
Fax: 626-575-6699
E-mail: jkarim@arb.ca.gov

SECTION II: APPLICATION PROCESS

II.A. APPLICATION SUBMITTAL INSTRUCTIONS

A Participation Application must be completed and submitted prior to receiving approval to participate in the Showcase III program. Applications must be submitted in accordance with the instructions outlined below.

1. **Application Elements** - All applications must contain the following:
 - a) **Cover letter** - Transmittal of the application must be accompanied by a cover letter signed by the person(s) authorized to contractually bind the proposing entity.
 - b) **Support letter** – If applicant is not the vehicle owner, a support letter from the vehicle owner must be included. This letter needs to indicate their intention to implement an emission reduction technology on the vehicle(s) and approval of the proposed vehicle/technology match(es).
 - c) **Application Attachments** - In an effort to reduce the paperwork burden on applicants, a template based application format has been provided. The template forms, included in Section II.B. below, are designed to be self-explanatory and should prove straightforward to complete.
 - d) **Certifications** – All applicants must complete and submit the following forms as an element of their Application:
 - Internal Revenue Service Form W-9 – Request for Taxpayer Identification Number and Certification. If you are selected for an award, you cannot be established as a vendor without this information.
 - Campaign Contributions Disclosure. This information must be provided at the time of application in accordance with California law. You may be asked for an update when awards are considered.

- Disadvantaged Business Certification. The AQMD needs this information for their vendor database. IT WILL NOT BE CONSIDERED IN THE DETERMINATION OF YOUR MSRC AWARD.
2. **Application Submittal Instructions** - All applicants must submit one original application and five copies in a sealed envelope, marked in the upper left-hand corner with the name and address of the applicant and the words “PA2012-17” Showcase III Vehicle Program”. **Please note that Showcase III applications must be received no later than 5:00 p.m., September 5, 2012, to be considered for funding.** All applications should be directed to:

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

Please note that faxed or e-mailed applications will not be accepted.

3. **Addenda** – The MSRC may modify this Program Announcement and/or issue supplementary information or guidelines during the application preparation period of June 1, 2012 through September 5, 2012. Any solicitation amendments will be posted on the MSRC Website at www.CleanTransportationFunding.org.
4. **Application Modifications** - Once submitted, applications cannot be altered without the prior written consent of the MSRC.
5. **Application Screening** - Applications received in response to this Program Announcement will be screened to insure they comply with all stated program requirements and policies of the MSRC and AQMD.
6. **Application Evaluation & Approval Process** - Applications deemed compliant by MSRC staff will be forwarded to a Committee of representatives from MSRC, AQMD and CARB staff. In some cases, additional clarifying information may be requested from a vehicle owner. As discussed in Section I.D.7. above, the Committee will match qualifying off-road vehicles with compatible emission control technologies. While every effort will be made to match qualifying vehicles with a technology, funding availability and the technical and programmatic goals of Showcase III may result in some vehicles not being recommended to participate.
- Applicants may not substitute vehicles after the close of the application submittal period;
 - The recommendations of the Evaluation Committee will be provided to each applicant. An applicant will have the ability to review the Evaluation Committee recommendation as it pertains to matching retrofit device(s)/technologies. The applicant reserves the right to opt out of the Showcase III Program in the event the recommended retrofit device(s)/technology is not acceptable to the applicant;

- The recommendations of the Evaluation Committee will be forwarded to the MSRC Technical Advisory Committee for review and approval;
- The recommendations of the MSRC Technical Advisory Committee will be forwarded to the MSRC for consideration. Upon approval by the MSRC, the funding recommendations will be brought to the AQMD Governing Board for approval;
- Applicants selected for participation will be required to enter into a binding contract with the AQMD on behalf of the MSRC. This contractual instrument is required to allow funding reimbursement for devices/technology purchased under this Program;
- The selected applicants will be authorized to purchase qualifying retrofit devices/technology only upon receipt of Authorization to Proceed from the MSRC/AQMD. Authorization to Proceed will be given at the time the contract is fully executed. Installation may not occur until vehicle evaluation is complete and the vehicle deemed acceptable, and the installation design has been approved;
- **Any purchase of qualifying technologies prior to receipt of a fully executed contract is done solely at the equipment owners' risk and there is no guarantee. Qualifying technologies purchased in advance of contract execution will receive reimbursement;**

The forms included in the following templates should be completed by the applicant and submitted in accordance with the instructions provided in Section II.A., "Application Submittal Instructions".

FORM 1: APPLICATION SUMMARY INFORMATION

A. Please provide the following applicant information in the space provided:

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

If Fleet is different from Applicant, please complete the following:

Fleet Name	
Fleet Address	
Fleet Phone	
Fleet Contact Name	
Fleet E-mail Address	

B. Funding Request Summary:

MSRC Clean Transportation Funding™ Requested: \$ _____
 Other Co-Funding Applied to Project (optional) \$ _____
Total Project Cost: \$ _____

FORM 2: VEHICLE INFORMATION

Please provide the following information for each Off-Road Vehicle proposed. **Please Use a Separate Sheet for each vehicle. Attach all completed sheets to your Application.**

Vehicle Type and ID (i.e., CAT D9N Dozer, Equipment ID 00123)	
Vehicle Model Year	
Engine Manufacturer	
Engine Model	
Engine Model Year	
Engine Family Name	
Total Engine Hours Since New (Estimated)	
Engine Hours Since Last Rebuild	
Engine Serial Number	
Engine Rated Horsepower	
Annual Hours of Operation (Estimate)	
Annual Oil Consumption (Estimated)	
Address of Vehicle Storage Yard	Street Address:
	City:
Anticipated Vehicle Operating Location During Demonstration	Street Address (if known):
	City:
	Job Site Name:
Expected Duration at Above Location (months)	
Expected Number of Engine Hours to be Accrued at Proposed Operating Location	

For “package” applications only:

Retrofit/technology proposed	
Vehicle evaluation cost (includes physical inspection, initial data logging)	
Installation design cost	
Cost to purchase and install technology on subject vehicle (include sales tax)	

1. CARB and the MSRC are seeking vehicles that will be able to accrue approximately **1000 hours of engine operation** within the jurisdiction of the South Coast AQMD. **Do you anticipate that the proposed piece of equipment will be able to accrue approximately 1000 hours within the South Coast AQMD¹ jurisdiction within a 12 month period?** (check appropriate box; a “no” answer will not automatically disqualify you)

YES

NO

¹ The geographical jurisdiction of the South Coast AQMD includes the urban, non-desert portions of Los Angeles, Orange, Riverside, and San Bernardino Counties in Southern California. Includes the Coachella Valley.

FORM 3 – CERTIFICATIONS

Form **W-9**
(Rev. January 2005)
Department of the Treasury
Internal Revenue Service

**Request for Taxpayer
Identification Number and Certification**

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

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return)	
Business name, if different from above	
Check appropriate box: <input type="checkbox"/> Individual/ Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other ▶	<input type="checkbox"/> Exempt from backup withholding
Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
City, state, and ZIP code	
List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number								
or								
Employer identification number								

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

Sign Here	Signature of U.S. person ▶	Date ▶
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Purpose of Form

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

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

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee.

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

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

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

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

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

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

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

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

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

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

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

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

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments (after December 31, 2002). This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

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

Payments you receive will be subject to backup withholding if:

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

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate Instructions for the Requester of Form W-9.

Penalties

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

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

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

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

Specific Instructions

Name

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

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

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

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

Other entities. Enter your business name as shown on required Federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

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

Exempt From Backup Withholding

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

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

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

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

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

Other payees that may be exempt from backup withholding include:

6. A corporation,

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

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

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

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

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

Part I. Taxpayer Identification Number (TIN)

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

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

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

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

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at www.socialsecurity.gov/online/ss-5.pdf. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/businesses/ and clicking on Employer ID Numbers under Related Topics. You can get Forms W-7 and SS-4 from the IRS by visiting www.irs.gov or by calling 1-800-TAX-FORM (1-800-829-3676).

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

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

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

Part II. Certification

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

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

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

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

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

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

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

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

What Name and Number To Give the Requester

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

¹List 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.

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

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

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

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

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA, or Archer MSA or HSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, and the District of Columbia to carry out their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 28% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.



CAMPAIGN CONTRIBUTIONS DISCLOSURE

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

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

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

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

SECTION I. Please complete Section I.

Contractor:

RFP #: PA2012-17

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

SECTION II

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

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

Campaign Contributions Disclosure, *continued*:

Name of Contributor _____

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

Name of Contributor _____

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

Name of Contributor _____

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

Name of Contributor _____

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

Name of Contributor _____

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

I declare the foregoing disclosures to be true and correct.

By: _____

Title: _____

Date: _____

DEFINITIONS

Parent, Subsidiary, or Otherwise Related Business Entity.

- (1) *Parent subsidiary. A parent subsidiary relationship exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation.*

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

2 Cal. Code of Regs., §18703.1(d).

DISADVANTAGED BUSINESS CERTIFICATION

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.

Following state guidance, a vendor may be deemed a disabled veteran business enterprise (DVBE) if it meets the following:

- is an independent business concern which is at least 51 percent owned and controlled by disabled veteran(s), and the home office is located in the U.S.

Statements of certification:

As a prime contractor to the SCAQMD, _____ (name of business) will engage in good faith efforts to achieve the fair share in accordance with 40 CFR Section 31.36(e), 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.

(a) Self-Certification Verification:

Check all that apply:

- | | |
|---|---|
| <input type="checkbox"/> Small business enterprise | <input type="checkbox"/> Women-owned business enterprise |
| <input type="checkbox"/> Local business | <input type="checkbox"/> Disabled veteran-owned business enterprise |
| <input type="checkbox"/> Minority-owned business enterprise | |

Percent of ownership: _____ %

Name of Qualifying Owner(s): _____

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.

B. NAME	TITLE
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C. TELEPHONE NUMBER	DATE
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(a) *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 MBE/WBE/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 MBE/WBE/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 the SCAQMD at the time of bid application.
- performs 90 percent of the work within SCAQMD'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 all of the following criteria:

- is any business enterprise including its affiliates located inside the United States that is organized for profit, pays U.S. taxes, and/or uses American products, materials, and/or labor, etc.
- is independently owned and operated
- is not dominant in the field of operation
- is qualified as a small business under the criteria and size standards set forth in 13 CFR 121

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.